

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
LABORATORY NAME CHANGE  
UNDER  
OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 12, 2010, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a revised laboratory certification to Pace Analytical Services ("Pace") of 1233 Dublin Road, Columbus, Ohio, formerly, Alpha Omega Environmental Laboratory ("Alpha Omega"). The certification assigned to Pace remains [CL0054].

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after the notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact Ohio EPA, Division of Emergency and Remedial Response, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
**Washington Square Land Development, LLC**  
**Washington Square Shopping Center**

Notice is hereby given that on July 13, 2010, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, issued a Covenant Not To Sue/Final Findings and Orders to Washington Square Land Development LLC, the Volunteer for property known as the Washington Square Shopping Center (the "Property").

The Volunteer conducted a voluntary action on the 13.7152 acre tract of Property, which is located at 6061 through 6263 Far Hills Avenue, Dayton, Montgomery County, Ohio. A no further action letter was submitted on September 20, 2007 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Washington Square Land Development LLC by Ronald F. Roelker, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A)(8).

The action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact Debi Tavizon, Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE  
FINAL ISSUANCE OF AN AMENDED CERTIFICATE  
OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on July 13, 2010; the director of Ohio EPA issued an amended infectious waste transporter certificate to Medical Waste Recovery Inc, 9 Broadway Ste 30, Denville NJ 07834, Reg. No. 00-T-00302. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
RENEWAL OF CERTIFIED PROFESSIONALS UNDER OHIO'S VOLUNTARY  
ACTION PROGRAM**

Notice is hereby given that on July 14, 2010, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued a renewal of certification to the following Certified Professionals: **David Bremer (CP311), Richard DeLuca (CP285), Kevin Flynn (CP227), Terry Hair (CP273), Ron Wells (CP314) and Michael Westerfield (CP240).**

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street, Room 222  
Columbus, OH 43215

If you would like to review a copy of any renewal certificate, or any documents related to the certification, please contact Debi Tavizon, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE  
FINAL ISSUANCE OF AN AMENDED CERTIFICATE  
OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE**

Notice is hereby given that on July 13, 2010; the director of Ohio EPA issued an amended infectious waste transporter certificate to Medical Waste Recovery Inc, 9 Broadway Ste 30, Denville NJ 07834, Reg. No. 00-T-00302. Persons wishing to be notified of further actions or proceedings for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621. This final action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215.

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
RENEWAL OF LABORATORY CERTIFICATION  
UNDER  
OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 15, 2010, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued a renewal of laboratory certification to Pace Analytical Services, Inc. ("Pace"), Suite 200, 1700 Elm Street, Minneapolis, Minnesota. The certification number assigned to Pace remains CL101.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after the notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you would like to review a copy of the certificate, or any documents related to the laboratory's certification, please contact Ohio EPA, Division of Emergency and Remedial Response, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**INITIAL CERTIFICATION OF ENVIRONMENTAL PROFESSIONAL**  
**UNDER OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 15, 2010, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued an initial "certified professional" certification to: **James R. Burns (CP145)**.

The issuance of the certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, OH 43215.

If you would like to review a copy of the certificate, or any documents related to the certification, please contact Debi Tavizon, Records Management Officer, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
RENEWAL OF LABORATORY CERTIFICATION  
UNDER  
OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 15, 2010, the Director of the Ohio Environmental Protection Agency (Ohio EPA), pursuant to Ohio Revised Code 3746.04(B)(6) and Ohio Administrative Code 3745-300-04, issued a renewal of laboratory certification to TestAmerica Laboratories, Inc. ("TestAmerica"), 4738 Gateway Circle, Dayton, Ohio. The certification number assigned to TestAmerica remains CL0018.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address:

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**PUBLIC NOTICE  
OHIO EPA APPROVES CLOSURE PLAN FOR  
FORMER NOVACOTE, INC.**

On July 8, 2010, Ohio EPA approved an amended closure plan for the former Novacote, Inc. facility for one indoor container storage area; one outdoor container storage and hazardous waste disposal area, and one outdoor container storage pad located at 3807 West 150<sup>th</sup> Street in Cleveland, Ohio 44111. The EPA I.D. number for this facility is OHR000014043.

Pursuant to Ohio Revised Code rule 3745-66-11 & 12, the facility's amended closure plan received on May 21, 2010 was approved with modifications as outlined in the Director's July 8, 2010 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: July 15, 2010**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 water quality certification for a project to construct a commercial office building, a hotel and a parking garage. The application was submitted by Neyer Properties. The project is located on an unnamed intermittent tributary to Sycamore Creek on a 5.25 acres property just east of Interstate 71 and south of Montgomery Road in Sycamore Township, Hamilton County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2008-161-LMR. The Ohio EPA ID Number for this project is 103636.

As required by the Antidegradation Rule, rule 3745-1-05 of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would permanently impact 270 linear feet of stream located on-site. The applicant's proposed minimal degradation alternative, if approved, would permanently impact 135 linear feet stream located on-site. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Sycamore Creek, a stream with an aquatic use designation of warmwater habitat and located in the Little Miami River water basin (HUC 05090202). Ohio EPA will review the application, and decide whether to grant or deny the application, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting July 15, 2010, copies of the application and technical support information may be inspected at Ohio EPA-DSW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio, by first calling (614) 644-2001. Copies of the application and technical support information can be made available upon request at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within thirty days of the date of this public notice.

**Stark County**

**PUBLIC NOTICE  
OHIO EPA ISSUES FINDINGS AND ORDERS TO  
BABCOCK & WILCOX POWER GENERATION GROUP, INC.**

On July 15, 2010, Ohio EPA issued final Findings and Orders to Babcock & Wilcox Power Generation Group, Inc. for its facility located at 1562 Beeson Street, Alliance, Ohio. In May 2010, due to financial constraints and scheduling issues, the company requested an extension to the waiver in connection with temporary discontinuance of regulated operations. The deadline for resumption of regulated operations at the facility is now December 31, 2010. The EPA I.D. number for this facility is OHR000112540. Babcock & Wilcox, Inc. must achieve compliance with Chapter 3752.10 of the Ohio Revised Code and Ohio Administrative Code rule 3745-352-40. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.