

**Public Notice – Request for Comment**  
**Draft Amended Rules in OAC Chapter 3745-19**

Notice is hereby given that in accordance with Ohio Revised Code (ORC) 119.032 (5-year rule review), the Ohio Environmental Protection Agency, Division of Air Pollution Control has reviewed the following rules contained in the Ohio Administrative Code (OAC) rules 3745-19-01 through 3745-19-06. These rules are related to Ohio's open burning standards. Our preliminary review indicates that these rules continue to be necessary and require changes as follows: Modification of OAC rule(s) 3745-19-01, 3745-19-02, 3745-19-03, 3745-19-04, 3745-19-05 and 3745-19-06.

DAPC is not recommending any changes to the scope or intent of the rules and most of the draft amendments are minor in nature primarily for clarification, and formatting and typographical corrections. One new purpose for open burning was added to paragraphs (B)(5) and (B)(6) of OAC rules 3745-19-03 and 04. This addition to each rule will facilitate the disposal of confiscated marijuana by law enforcement officials. In the past, this activity could be performed via written permission under the emergency or extraordinary provisions requirements of these two rules. As this activity is infrequent and performed only by law enforcement officials, Ohio EPA has determined that this activity would not require notification or written permission from Ohio EPA in order to expedite that open burning activity.

As part of the rule-making process, DAPC is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The DAPC is offering your organization the opportunity to comment on these rules before the division formally proposes them.

Ohio EPA is working with the Common Sense Initiative (CSI) Office on this rulemaking as a pilot in preparation for the implementation of Senate Bill 2. A summary analysis of the bill can be found here: <http://www.lsc.state.oh.us/analyses129/11-sb2-129.pdf>. In addition to the draft rule amendments, Ohio EPA is also seeking comments and feedback on the draft CSI Pilot Form, which is being released with the draft rules during interested party review.

These rules, the CSI Pilot Form, and supporting documentation are available electronically for review at: <http://epa.ohio.gov/dapc/regs/regs.aspx>. See the information under the drafts and notices for OAC Chapter 3745-19, "Open Burning Standards" We request that you provide us with any comments you may have to the changes that have been recommended by August 19, 2011.

Please submit your comments or suggestions to the following addresses. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

E-mail: [lee.burkleca@epa.state.oh.us](mailto:lee.burkleca@epa.state.oh.us)

Mailing address: Lee F. Burkleca  
Ohio Environmental Protection Agency, DAPC  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
Phone: (614) 728-1344

Thank you,

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency

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

Notice is hereby given that on July 19, 2011; the director of Ohio EPA issued an amended infectious waste transporter certificate to Medical Waste Recovery Inc, 9 Broadway Ste 30, Denville, NJ 07834, 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  
LABORATORY CERTIFICATION  
UNDER  
OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 20,2011, 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 ALS Group USA, Corporation, 3352 128<sup>th</sup> Avenue, Holland, Michigan. The certification number is CL103.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "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 action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio" 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:

Environmental Review Appeals Commission  
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 laboratory's certification, please contact Ohio EPA, Division of Environmental Response and Revitalization, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

STATEWIDE

**Ohio Environmental Protection Agency  
PUBLIC NOTICE  
DRAFT Program Management and Intended Use Plan  
For The Drinking Water Assistance Fund  
For Program Year 2012**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Drinking and Ground Waters (DDAGW) has issued the DRAFT Program Management and Intended Use Plan for the Drinking Water Assistance Fund, which has been authorized by Ohio Revised Code section 6109.22 and Section 1452 of the Safe Drinking Water Act.

Copies of the DRAFT Program Management and Intended Use Plan are available from the Division of Drinking and Ground Waters upon request, through the Internet at <http://www.epa.ohio.gov/ddagw/financialassistance.aspx> or by writing to:

Ohio EPA  
Lazarus Government Center  
Attention: Susie Bodnar, DDAGW  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Written comments should be submitted to:

Ohio EPA  
Lazarus Government Center  
Attention: Sam MacDonald, DDAGW  
P. O. Box 1049  
Columbus, Ohio 43216-1049  
E-mail address: sam.macdonald@epa.state.oh.us

**Written comments must be received on or before Monday, August 29, 2011.**

To allow interested persons to present their comments and suggestions, and for Ohio EPA to provide a response to questions on Ohio's DRAFT Program Year 2012 Program Management and Intended Use Plan, two public meetings will be held at the following times and location:

1:00PM and 4:00PM, Monday, August 29, 2011  
Ohio EPA  
Lazarus Government Center  
50 W. Town Street, Suite 700  
Main Conference Room A  
Columbus, Ohio 43216-1049

**Date of Notice: July 15, 2011**

**PUBLICNOTICE  
NOTICE OF RECEIPT OF APPLICATION AND PUBLIC HEARING  
ANTIDEGRADATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the modification of a National Pollutant Discharge Elimination System (NPDES) permit (3PD00003) for the discharge from existing City of Avon Lake Wastewater Treatment Plant. The City has requested to modify the permit limits for mercury through the granting of a variance. The Avon Lake wastewater treatment plant is located at 33675 Durrell Avenue, Avon Lake, Lorain County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to Lake Erie. The NPDES modification application was submitted by the City of Avon Lake, 201 Miller Road, Avon Lake, Ohio 44012.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality.

The public hearing has been scheduled for 6:30 p.m. on September 1, 2011 at the Avon Lake Board of Municipal Utilities Conference Room, 201 Miller Road, Avon Lake, Ohio 44012. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the project. The purpose of the hearing is to obtain additional information that will be considered by the director of Ohio EPA prior to any further action on the application. Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA-DSW, Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by close of business on September 8, 2011. Comments received after this date may not be considered as part of the official record of this hearing.

Copies of the pending NPDES application and technical support information may be reviewed and/or copies made at Ohio EPA's Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio, by first calling (330) 963-1200 to make an appointment.