

Public Hearing Notice
Ohio Environmental Protection Agency
Proposed amendment of
OAC Chapter 3745-110, "Nitrogen Oxides - Reasonably Available Control
Technology",

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 (DAPC) has reviewed the rules contained in Ohio Administrative Code (OAC) chapter 3745-110. These rules are related to Nitrogen Oxides (NO_x), Reasonably Available Control Technology requirements (RACT). Our preliminary review indicates that these rules continue to be necessary and that amendment of some of the rules in this chapter is necessary.

Amendments are being made to rules 3745-110-01, 3745-110-02, 3745-110-03, 3745-110-04, and 3745-110-05 to bring the rules in line with federal requirements, to correct minor typographical errors, to fulfill the formatting requirements of the Legislative Services commission (LSC), and to add and update citation information on materials referenced in these rules. Specific information on the amendments to these rules can be found in the rule synopsis document, available electronically at the URL listed at the end of this notice.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposes them. On January 23, 2013, these rules went out for a 30 day review by interested parties. Ohio EPA received no comments on the draft rule language.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on Tuesday, June 11, 2013 at 10:30 AM at Ohio EPA Central office, 50 West Town Street, Suite 700, Columbus, Ohio 43215. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on June 11, 2013 will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after June 11, 2013 may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on DAPC Regulations Web page for electronic downloading. See the information under the “Proposed Rules” tab at: <http://epa.ohio.gov/dapc/DAPCrules.aspx>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Alan Harness at Ohio EPA, (614) 644-4838, alan.harness@epa.state.oh.us or mailed to Alan Harness, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Tiffin University, Former Rosenblatt Steel Property

Notice is hereby given that on May 7, 2013, 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 Tiffin University, the "Volunteer" for property known as Former Rosenblatt Steel Property (the "Property").

The Volunteer conducted a voluntary action of the approximately 8.887 acre-Property, which is located at 322 Miami Street (North Parcel) and 335, 359, and 349 Miami Street and 0 Scott Street (South Parcel), Tiffin, Seneca County, Ohio. A no further action letter for the Property was submitted on June 29, 2012 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by Michael J. McKim, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "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 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Environmental Response and 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
582 West Goodale LLC, The City of Columbus, Wagenbrenner Development, Inc.,
and The Goodale Apartments, LLC, Former Kimball Midwest Property

Notice is hereby given that on May 8, 2013, 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 582 West Goodale LLC, the city of Columbus, Wagenbrenner Development, Inc., and The Goodale Apartments, LLC, the volunteers for property known as the Former Kimball Midwest Property.

The volunteers conducted a voluntary action of the approximately 3.35 acre-property, which is located at 582 West Goodale Street, Columbus, Franklin County, Ohio. A no further action letter for the property was submitted on May 18, 2012 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by Bruce A. Savage, a certified professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A).

This 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 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 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

If you would like to review a copy of the covenant not To sue/final findings and orders, please contact the Records Management Officer, Ohio EPA, Division of Environmental Response and 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
FBE, Inc., Morgana East Property

Notice is hereby given that on May 8, 2013, 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 FBE, Inc., the Volunteer for property known as Morgana East Property (the "Property").

The Volunteer conducted a voluntary action of the approximately 5.1 acre-Property, which is located at 3559 and 3570 East 71st Street and 3540 East 72nd Street, Cleveland, Cuyahoga County, Ohio. A no further action letter for the Property was submitted on December 16, 2011 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by Michael J. McKim, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "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 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

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

PUBLIC NOTICE
ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

On May 8, 2013, the director of Ohio EPA issued seven certificates of registration as a transporter of scrap tires to DTR Inc., 2640 Hoods Creek Pk., Ashland, KY 41102. 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 notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "State of Ohio Treasurer," 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
77 South High Street, 17th Floor
Columbus, OH 43215

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Blue Sky Campus, Former Nestaway Property

Notice is hereby given that on May 8, 2013, 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 Blue Sky Campus, the Volunteer for property known as Former Nestaway (the "Property").

The Volunteer conducted a voluntary action of the approximately 12.2848 acre-Property, which is located at 9501 Granger Rd., Garfield Heights, Cuyahoga County, Ohio. A no further action letter for the Property was submitted on September 11, 2012 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by John T. Garvey, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "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 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

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

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

Notice is hereby given that on May 10, 2013, 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: Laura Funk, CP 286, Paul Gallagher, CP 270, Matthew Knecht, CP 105, Shannon Landrum, CP 341, Troy Schultz, CP 244, Stephen Sebesta, CP 308 and John Tiffany, CP 300.

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 ("Commission"). 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

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

PUBLIC NOTICE
5/6/2013 Issuance of Draft Air Pollution Permit-To-Install and Operate

MARS Horsecare Inc.
330 E SCHULTZ AVE,
DALTON, OH 44618
Wayne County

FACILITY DESC: Other Animal Food Manufacturing
PERMIT #: P0112993
PERMIT TYPE: Initial Installation

PERMIT DESC: This is an initial permit (P0112993) for MARS Horsecare, which a facility that produces animal feed. The facility will be permitted as a FEPTIO since the facility was recently reassessed for it's emissions. This permit is for emission units F006-F008 and P011-P012. The facility has a PTE greater than 100 TPY for PE from its stacks, thus the federal restrictions.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitonline.aspx> by entering the permit # or: John Polak, Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Ph: (330) 425-9171.

PUBLIC NOTICE
5/6/2013 Issuance of Draft Air Pollution Permit-To-Install and Operate

MARS Horsecare Inc.
330 E SCHULTZ AVE,
DALTON, OH 44618
Wayne County

FACILITY DESC: Other Animal Food Manufacturing
PERMIT #: P0112452
PERMIT TYPE: Renewal

PERMIT DESC: Renewal permit for a facility that produces animal feed. The facility will be permitted as a FEPTIO for the renewal as the facility was recently reassessed for its emissions for emission units F001-F005 and P008-P010. The facility has a PTE greater than 100 TPY for PE, thus the federal restrictions.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitonline.aspx> by entering the permit # or: John Polak, Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Ph: (330) 425-9171.

PUBLIC NOTICE
5/7/2013 Issuance of Draft Air Pollution Title V Permit

Avery Dennison PFF, Bldg 3
Avery Dennison, 250 Chester St
Painesville, OH 44077
Lake County

FACILITY DESC: Coated and Laminated Paper Manufacturing
PERMIT #: P0085052
PERMIT TYPE: Renewal

PERMIT DESC: Renewal Title V permit for the three pressure sensitive coating operations and the associated insignificant emissions units located at this facility.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitsonline.aspx> by entering the permit # or: John Polak, Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Ph: (330) 425-9171.

PUBLIC NOTICE
5/9/2013 Issuance of Draft Air Pollution Permit-To-Install and Operate

Scott Engineering and Procurement, Inc.
119 Northeast Drive,
Loveland, OH 45140
Hamilton County

FACILITY DESC: Iron Foundries, Steel Foundries (except Investment)
PERMIT #: P0114091
PERMIT TYPE: Administrative Modification

PERMIT DESC: This permit is an Administrative Modification for PTIO P0112182 issued March 19th 2013. The capacity of electric induction furnaces P902 and P903 have been reduced from 10.25 TP/Hr. to 7.25 TP/Hr. Induction furnace P904 will not be installed. Therefore it has been removed from this permit.

The Director of the Ohio Environmental Protection Agency issued the draft permit above. The permit and complete instructions for requesting information or submitting comments may be obtained at: <http://epa.ohio.gov/dapc/permitonline.aspx> by entering the permit # or: Bonnie Pray, Southwest Ohio Air Quality Agency, 250 William Howard Taft Rd., Cincinnati, OH 45219. Ph: (513) 946-7777.

CUYAHOGA COUNTY

**PUBLIC NOTICE PUBLIC HEARING
OHIO ENVIRONMENTAL PROTECTION AGENCY
ISSUANCE OF DRAFT PERMIT TO INSTALL AND OPERATE TO
CLEVELAND PUBLIC POWER**

Public notice is hereby given that the Ohio Environmental Protection Agency (EPA) has issued, on **May 10, 2013**, a draft action of Permit to Install and Operate (PTIO) number P0107767 to Cleveland Public Power, located at 3727 Ridge Road, Cleveland, Ohio.

This draft permit proposes to allow the installation of three municipal solid waste gasifier processing lines (B001 - B003). The gasifier lines produce a syngas which is then burned in a furnace to produce heat that is then converted to steam in the Heat Recovery Steam Generator. The emissions units will be controlled using a baghouse, selective catalytic reduction (SCR), and wet flue-gas desulfurization scrubber system.

A public hearing and information session on the draft air permit will be held on Wednesday, June 12, 2013, at the Estabrook Recreation Center, 4125 Fulton Road, in Cleveland, Ohio, 44144.

The public information session will commence at 6:00 p.m. and the hearing will follow immediately to accept comments on the draft permit. A presiding officer will be present and may limit oral testimony to ensure that all parties are heard.

All interested persons are entitled to attend or be represented and give written or oral comments on the draft permit at the hearing. Written comments on the draft permit must be received by the close of business on June 19, 2013. Comments received after this date will not be considered to be a part of the official record. Written comments may be submitted at the hearing or sent to: David Hearne, Cleveland Division of Air Quality, 75 Erievue Plaza, Suite 200, Cleveland, OH 44114

Copies of the draft permit application and technical support information may be reviewed at <http://epa.ohio.gov/dapc/permitonline.aspx> by entering the permit # and/or copies made by first calling to make an appointment with David Hearne at the above address during normal business hours. Telephone number: (216) 664-2178.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
Kurtz Bros, Inc.**

Issue Date: 05/08/2013
Relocation Number: REL02567
Facility ID: 1318278711

Facility Location: Kurtz Bros, Inc.
2199 East 28th Street,
Lorain, OH 44055

Facility Description: Other Crushed and Broken Stone Mining and Quarrying

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 2199 East 28th Street, Lorain upon the publication of this notice.

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 notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," 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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Cleveland Division of Air Quality at (216) 664-2297.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
Gerken Materials, Inc.**

Issue Date: 05/08/2013
Relocation Number: REL02573
Facility ID: 0335010051

Facility Location: Gerken Materials, Inc.
13762 County Road 179,
Oakwood, OH 45873

Facility Description: Crushed and Broken Limestone Mining and Quarrying

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to Gerken Materials HMA Plant 4 600 S. River Road Waterville, OH 43566 upon the publication of this notice.

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 notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," 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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Northwest District Office at (419) 352-8461.

Date of Public Notice: May 8, 2013

**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 an after the fact project to relocate 700 linear feet of a perennial unnamed tributary to Raccoon Creek. The application was submitted by Tim Eberts, President of the Vinton County Commissioners. The project is located at the west end of runway 27 at the Vinton County Airport. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2009-875-OHR. The Ohio EPA ID Number for this project is 123879.

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 impact 700 linear feet of perennial stream by the relocation of the 700 linear feet that was previously impacted (by the placement of a 700 linear foot – 36 inch diameter culvert within the stream). The applicant's proposed minimal degradation alternative, if approved, would not directly impact the stream but 700 linear feet of stream would be culverted with a 3-sided 7 foot high by 25 wide concrete structure placed outside of the ordinary high water mark of the stream. 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 an unnamed tributary to Raccoon Creek. 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 May 8, 2013, 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.

**PUBLIC NOTICE
ISSUANCE OF APPROVAL TO RELOCATE A PORTABLE AIR CONTAMINANT
SOURCE
Shelly Materials Plant No 89**

Issue Date: 05/08/2013
Relocation Number: REL02566
Facility ID: 0664000072

Facility Location: Shelly Materials Plant No 89
2364 Ritchie Road,
Convoy, OH 45832

Facility Description: Asphalt Paving Mixture and Block Manufacturing

Ohio EPA has received a request to relocate a portable air contaminant source for the company identified above. Upon review of the request, the Director has approved the relocation and the facility is authorized to move to 1794 County Road 99, Carey, Ohio 43316 upon the publication of this notice.

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 notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," 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
77 South High Street, 17th Floor
Columbus, OH 43215

All inquiries concerning this action may be directed to Ohio EPA DAPC, Southeast District Office at (740) 385-8501.