

Statewide

PUBLIC NOTICE
Ohio EPA PTI Nos. 07-0095, 07-0096
Ohio Environmental Protection Agency Draft Permit to Install

Draft Permit to Install for wastewater treatment and/or disposal facilities

Ohio Environmental Protection Agency
Permits Section
122 South Front Street
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2001

Public Notice No. OEPA 02-05-073 PTI
Date of Issue of Public Notice: May 29, 2002

Name and Address of Applicant: Speedway SuperAmerica, LLC, P.O. Box 1500,
Springfield, Ohio 45501

Name and Address of Facility Where Discharge Occurs: Mobile Wastewater
Treatment/Remediation System at Various Sites Across the State of Ohio

Receiving Water: limited or general high quality waters across the State of Ohio

Public notice is hereby given that Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has issued a draft permit-to-install (PTI) for the construction of the mobile wastewater treatment/remediation systems for the above referenced project. Ohio EPA has made a determination that the discharge from this proposed mobile wastewater treatment/remediation system would result in degradation to or lowering of the water quality of limited or general high quality waters across the State of Ohio. After considering the technical, economic, and social aspects of this project, the Director of the Ohio EPA has decided to make the preliminary determination to allow this degradation. However, the chemical-specific water quality standards developed to protect aquatic life and human health, set forth in Ohio Administrative Code (OAC) 3745-1, will not be exceeded.

In accordance with OAC 3745-1-05, Ohio EPA will provide an opportunity for public comment concerning this project. Comments received shall be considered by the Director before these permits are issued as final. Any person may submit written comments on the draft permits and administrative record and may request a public hearing. A request for public hearing shall be in writing and shall state the nature of the issues to be raised. In appropriate cases, including cases where there is significant public interest, the director

may hold a public hearing on a draft permit or permits prior to final issuance of the permit or permits. Written comments and/or public hearing requests must be received by the Ohio EPA, Division of Surface Water no later than 30 days from the date of this public notice. Comments and/or public hearing requests should be delivered or mailed to the following location: Ohio Environmental Protection Agency, Division of Surface Water, Permits Processing Unit, 122 South Front Street, P.O. Box 1049, Columbus, Ohio 43216. Comments received after this date may not be considered by the Director before issuing the final permit.

Copies of the draft Permit to Install and technical support information may be reviewed and/or copies made at Ohio EPA Central Office, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2039, to make an appointment.

PUBLIC NOTICE
NOTICE OF CERTIFICATION OF NATIONWIDE PERMITS

Public notice is hereby given that on May 22, 2002, the Ohio Environmental Protection Agency (Ohio EPA) approved Ohio's Certification of changes for the following Nationwide Permits issued by the U.S. Army Corps of Engineers:

1) Aids to Navigation, 2) Structures in Artificial Canals, 3) Maintenance, 4) Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities, 5) Scientific Measurement Devices 6) Survey Activities, 7) Outfall Structures and Maintenance, 8) Oil and Gas Structures, 9) Structures in Fleeting and Anchorage Areas, 10) Mooring Buoys, 11) Temporary Recreational Structures, 12) Utility Line Activities, 13) Bank Stabilization, 14) Linear Transportation Projects, 15) U.S. Coast Guard Approved Bridges, 16) Return Water From Upland Contained Disposal Areas, 17) Hydropower Projects, 18) Minor Discharges, 19) Minor Dredging, 20) Oil Spill Cleanup, 21) Surface Coal Mining Activities, 22) Removal of Vessels, 23) Approved Categorical Exclusions, 24) State Administered Section 404 Programs, 25) Structural Discharges, 26) Reserved, 27) Stream and Wetland Restoration Activities, 28) Modifications of Existing Marinas, 29) Single-Family Housing, 30) Moist Soil Management for Wildlife, 31) Maintenance of Existing Flood Control Facilities, 32) Completed Enforcement Actions, 33) Temporary Construction, Access and Dewatering, 34) Cranberry Production Activities, 35) Maintenance Dredging of Existing Basins, 36) Boat Ramps, 37) Emergency Watershed Protection and Rehabilitation, 38) Cleanup of Hazardous and Toxic Waste, 39) Residential, Commercial and Institutional Developments, 40) Agricultural Activities, 41) Reshaping Existing Drainage Ditches, 42) Recreational Facilities, 43) Stormwater Management Facilities, 44) Mining Activities

The federal Clean Water Act requires anyone who will discharge dredge or fill material into waters of the State to obtain a Section 401 water quality certification from Ohio EPA and a Section 404 permit from the Army Corps of Engineers. A Nationwide Permit is a type of Section 404 permit that is generalized to authorize specific categories of dredge or fill activities without an individual review.

This Certification is issued as a final action, and may be appealed to the Environmental Review Appeals Commission (ERAC), pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be filed with ERAC at 236 East Town Street, Room 300, Columbus, Ohio 43215 no later than June 21, 2002. No later than three days after the appeal is filed, the person making the appeal must send a copy of it to: Christopher Jones, Director of Ohio EPA, P.O. Box 1049, Columbus, Ohio 43216-1049.

The Certification can be viewed on Ohio EPA's website at:

<http://www.epa.state.oh.us/dsw/whatsnew.html> or
<http://www.epa.state.oh.us/dsw/401/401.html>.

Copies of the Certification can be obtained by writing Ohio EPA, Division of Surface Water, Attn: Permits Processing Unit, 122 South Front Street, P.O. Box 1049, Columbus, Ohio 43216-1049 or by calling 614-644-2156.

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

Notice is hereby given that on May 21, 2002, 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 modified laboratory certificate to American Analytical Laboratories, Inc., ("American"), 840 South Main Street, Akron, Ohio, granting the laboratory's request to reinstate certification under Ohio's Voluntary Action Program for Mercury by methods 7470A and 7471A that had been suspended. The modified certificate reflects changes to the previous certificate issued to American under the Voluntary Action Program, and reinstates certification for Mercury by methods 7470A and 7471A. The certification number assigned to American remains CL0010.

The issuance of this certificate 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 236 East Town Street, Room 300, 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 Kay Hughes, 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
Notice of Entry into Ohio EPA's "VAP MOA Track"
Northwoods Associates, Ltd. (Northwoods Development)

Notice is hereby given that on May 17, 2002, Northwoods Associates, Ltd. submitted to the Ohio Environmental Protection Agency ("Ohio EPA") a Notice of Entry in the Brownfields and Voluntary Action Program Memorandum of Agreement Track (the "VAP MOA Track"). The Northwoods Associates, Ltd. Notice of Entry identifies the Northwoods Development, also known as the Shoppes at Northwoods, 780 to 806 Northwoods Blvd., Vandalia, Ohio 45337, as the property to undergo a voluntary action through the VAP MOA Track.

The VAP MOA Track was established by the United States Environmental Protection Agency and Ohio EPA on July 31, 2001 to promote the cleanup and redevelopment of contaminated or potentially contaminated properties ("Brownfields") in Ohio.

The Notice of Entry, along with other documents regarding the voluntary action at the property, will be made available for public inspection at the Vandalia Public Library, 500 South Dixie Drive, Vandalia, Ohio 45377, in accordance with the MOA.

If you have questions concerning the Notice of Entry or would like to review or obtain a copy of the Notice of Entry, please contact the Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, 122 South Front Street, PO Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE
OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On May 21, 2002, Ohio EPA issued a final class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Von Roll America, Inc., d.b.a. Waste Technologies Industries, Inc.(WTI) for its facility at 1250 St. George Street, East Liverpool, Ohio. The EPA Identification Number for this facility is OHD980613541.

Why is Von Roll America, Inc., d.b.a. WTI modifying its Permit?

Von Roll America, Inc., d.b.a. WTI, is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Von Roll America, Inc., d.b.a. WTI, wants to incorporate Section 4: Chemical and Physical Analysis of the Waste to be Processed; and Section 5: Waste Analysis Plan of the facility's existing Part B Application into a new "Section C-Waste Characteristics and Waste Analysis Plan". This final modified permit will allow Von Roll America, Inc., d.b.a. WTI, to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified Permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final modified Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than **June 19, 2002**. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code § 3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 236 E. Town Street, Room 300, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

Hardin, Licking, Wyandot Counties

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Receipt of Request for Adjudication Hearing
Scheduling of Prehearing Conference and Adjudication Hearing**

The Ohio Environmental Protection Agency has received a request for an adjudication hearing from Buckeye Egg Farm, L.P., Croton Farms LLC, and Anton Pohlmann in response to the Agency's April 22, 2002 proposed action revoking and denying certain specified permits pertaining to Buckeye Egg Farm facilities in Hardin, Licking and Wyandot Counties. The hearing request has been designated as Ohio EPA Case No. 02-WO-009.

A prehearing conference in this matter has been scheduled for June 20, 2002 at 1:30 PM in the Legal Office Conference Room, Ohio EPA, 122 South Front Street, Columbus, Ohio 43215. An adjudication hearing has been scheduled for July 22, 2002, but on motion of the Hearing Examiner, has been continued to a date to be established following discussion at the prehearing conference. Additional proceedings in this matter may be scheduled without further public notice. Contact the Ohio EPA Hearing Clerk, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2129 for information as to the hearing schedule.

Date of Notice: May 28, 2002

Harrison County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF APPLICATION
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 initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit No. 0IN00248*AD for the discharge from the proposed Fuel Cell Demonstration on Coal Mine Methane wastewater disposal system. Public notice is also given that Ohio EPA-DSW has received an application for Permit to Install (PTI) No. 06-6875 for the construction of the proposed disposal system. The NPDES and PTI applications were submitted by Fuel Cell Energy Inc., 3 Great Pasture Road, Danbury CT 06813.

Fuel Cell Energy Inc.'s preferred wastewater disposal alternative submitted for approval is proposed to dispose of 1,090 gallons per day of principally reverse osmosis reject waters associated with the fuel cell water treatment system. The disposal system is proposed to be located ½ mile south of Hopedale on the west side of County Road 14, Hopedale Township, Harrison County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to an unnamed tributary of Piney Fork and subsequently Piney Fork.

Other wastewater disposal alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of the unnamed tributary of Piney Fork and subsequently Piney Fork. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. 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 contents of the above stated applications indicate no exclusions or waivers, as outlined by section 3745-1-05 (D) of the antidegradation rule (effective as of October 1, 1996), apply or may be granted by the Director of Ohio EPA. Copies of the pending NPDES and PTI applications are available for review at Ohio EPA's Southeast District Office, 2195 Front Street, Logan, Ohio, (740) 385-8501.

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 in reviewing the application, or 3) request a public hearing must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216 within thirty days of the date of this public notice. Comments received after this date may not be considered as part of the official record.

PUBLIC NOTICE
Ohio EPA PTI No. 03-15184
Ohio Environmental Protection Agency Draft Permit to Install

Draft Permit to Install for wastewater treatment and/or disposal facilities

Ohio Environmental Protection Agency
Permits Section
122 South Front Street
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2001

Public Notice No. 02-05-072
Date of Issue of Public Notice: May 29, 2002

Name and Address of Applicant; Mayor and Council, Village of Wakeman, 59 Hyde Street,
PO Box 107, Wakeman, Ohio, 44889-9424

Name and Address of Facility Where Discharge Occurs: Village of Wakeman Wastewater
Treatment Plant, Northeast Corner of US Route 20 and SR 60, Wakeman, Ohio

Receiving Water: Vermilion River

Public notice is hereby given that Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has issued a draft permit-to-install (PTI) for the construction of the wastewater treatment works/disposal system for the above referenced project. Ohio EPA has made a determination that the wastewater discharge from this proposed facility would result in degradation to or lowering of the water quality of Vermilion River. After considering the technical, economic, and social aspects of this project, the Director of the Ohio EPA has decided to make the preliminary determination to allow this degradation. However, the chemical-specific water quality standards developed to protect aquatic life and human health, set forth in Ohio Administrative Code (OAC) 3745-1, will not be exceeded.

In accordance with OAC 3745-1-05, Ohio EPA will provide an opportunity for public comment concerning this project. Comments received shall be considered by the Director before the permit is issued as final. Any person may submit written comments on the draft permit and administrative record and may request a public hearing. A request for public hearing shall be in writing and shall state the nature of the issues to be raised. In appropriate cases, including cases where there is significant public interest, the director may hold a public hearing on a draft permit or permits prior to final issuance of the permit or permits. Written comments and/or public hearing requests must be received by the Ohio EPA, Division of Surface Water no later than 30 days from the date of this public notice.

Comments and/or public hearing requests should be delivered or mailed to both of the following locations: 1) Ohio Environmental Protection Agency, Division of Surface Water, Permits Processing Unit, 122 South Front Street, P.O. Box 1049, Columbus, Ohio 43216 and 2) Ohio Environmental Protection Agency, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402. Comments received after this date may not be considered by the Director before issuing the final permit.

Copies of the draft Permit to Install and technical support information may be reviewed and/or copies made at the Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio, 43402, by first calling (419) 352-8461 to make an appointment.

PUBLIC NOTICE

OHIO EPA ISSUES AUTHORIZATION TO EXCAVATE, FILL, GRADE, AND CONDUCT BUILDING ACTIVITIES UNDER RULE 13 OF OHIO ADMINISTRATIVE CODE

On May 23, 2002, Ohio EPA issued a final authorization under Rule 13 of Ohio Administrative Code 3745-27-13 to Honeywell International for the former Plaskon facility on Glendale Avenue in Toledo, Lucas County, Ohio. The EPA Identification Number for this facility is OHD094808904.

Why does Honeywell International need this Rule 13 Authorization?

Honeywell International is under contract to perform excavation and off-site disposal of potentially contaminated soil, commercial development including construction of structures atop former waste management units, and installation of subsurface utility trenches near the waste management units. On October 25, 2001, Honeywell International requested to conduct excavation, filling, grading, and building activities at the former Plaskon site. The Rule 13 authorization allows Honeywell International to perform the requested activity.

Can I appeal this Rule 13 Authorization?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this temporary authorization you have the right to appeal this decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final Rule 13 Authorization, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than June 25, 2002. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code §3745.04, with ERAC at the following address: ***Environmental Review Appeals Commission***, 236 E. Town Street, Room 300, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

PUBLIC NOTICE

OHIO EPA ISSUES FINAL RENEWAL/ REVISED HAZARDOUS WASTE PERMIT

On May 23, 2002, Ohio EPA issued a final renewal/revised Hazardous Waste Facility Installation and Operation Permit (Permit) to BP Oil Company (BP) for its Toledo Refinery at 4001 Cedar Point Road, Oregon, Ohio 43697-0696. The EPA Identification Number for this facility is OHD005057542.

Why does BP need this Permit?

BP operates a petroleum refinery and manufactures gasoline, and other petroleum products. From this manufacturing process, BP generates hazardous wastes. In the past BP treated and stored these hazardous wastes in seven different units at the facility. To treat and store the hazardous wastes, BP needed a Permit. BP no longer treats or stores hazardous waste at the facility. Because all previously permitted units are already closed or in the process of closing, the Permit being renewed only requires BP to cleanup contamination from past waste management activities. To issue this final Hazardous Waste Permit, Ohio EPA determined that the Hazardous Waste Permit application is complete and meets appropriate standards and that the applicant has a history of compliance with relevant environmental laws, given the potential for harm to the public health and safety and the environment that could result from the irresponsible operation of the facility. The final Hazardous Waste Permit contains the conditions under which the facility must operate. It will require BP to investigate and, if necessary, clean up any contamination of hazardous waste or constituents from waste management units that may be at the facility.

Can I appeal this permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this Permit, you have the right to appeal this permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final renewal Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than June 25, 2002. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. You must file your appeal, according to Ohio Revised Code § §3745.04 and 3745.07, with ERAC at the following address: ***Environmental Review Appeals Commission***, 236 E. Town Street, Room 300, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Christopher Jones, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE
OHIO EPA RECEIVES AMENDED HAZARDOUS WASTE CLOSURE PLAN**

On May 14, 2002, Ohio EPA received an amended hazardous waste closure plan from the Linde Hydraulics Corporation for its former tank storage area located at 5089 Western Reserve Road, Canfield Township, Ohio 44406. The EPA Identification Number for this facility is OHD051521722.

Why is Linde Hydraulics Corporation Submitting this Closure Plan?

At the request of Ohio EPA, the Linde Hydraulics Corporation submitted this closure plan. The closure plan describes the closure activities for residual soil contamination underlying the former hazardous waste underground storage tank, and the recent pilot test and investigation results. The plan also includes a description of the remedial technique, decontamination procedures, and cleanup goals, and a copy of the Health & Safety Plan under which the closure plan will be performed.

When and how do I submit written comments about this Closure Plan?

You can submit written comments anytime between May 29 and June 27, 2002. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: dhwmcomments@epa.state.oh.us

Where can I review the Closure Plan?

You can review the Closure Plan at the following locations:

Public Library of Youngstown, Canfield Branch, 43 West Main Street, Canfield Township, Ohio 44406, tel: (330) 533-9127,

Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087, tel: (216) 963-1200,

Ohio EPA, Division of Hazardous Waste Management, 122 South Front Street, Columbus, Ohio 43215 (614) 644-2977.

Date of Notice: May 27, 2002

Montgomery County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF APPLICATION
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 initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit (1PX00032) for the discharge from the proposed Performance Place disposal system. The NPDES permit application was submitted by Peter J. Horan, President, Second and Main Limited, Fifth Third Center, Suite 1300, Dayton, Ohio 45402.

The disposal system submitted for approval is proposed to treat 150,000 gallons per day of non-contact cooling wastewaters associated with the cooling system for the building. The system is proposed to be located at 109 North Main Street, Dayton, Montgomery County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to the Great Miami River via a storm sewer.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of the Great Miami River. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. 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 contents of the above stated application indicates an exclusion from various portions of the antidegradation review and information submittal requirements applies as outlined by section 3745-1-05 (D)(1) of the antidegradation rule (effective as of October 1, 1996). The exclusion relates to a de minimis net increase in the discharge of a regulated pollutant.

Copies of the pending NPDES applications are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio, (937) 285-6357 or (800) 686-8930.

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 in reviewing the application, or 3) request a public hearing must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216 within thirty days of the date of this public notice. Comments received after this date may not be considered as part of the official record.

Date of Notice: May 27, 2002

Montgomery County

**PUBLIC NOTICE
NOTICE OF RECEIPT OF APPLICATION
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 initial issuance of a National Pollutant Discharge Elimination System (NPDES) permit (1PX00031) for the discharge from the proposed Schuster Performing Arts Center disposal system. The NPDES permit application was submitted by Peter J. Horan, President, Second and Main Limited, Fifth Third Center, Suite 1300, Dayton, Ohio 45402.

The disposal system submitted for approval is proposed to treat 150,000 gallons per day of non-contact cooling wastewaters associated with the cooling system for the building. The system is proposed to be located at One West Second Street, Dayton, Montgomery County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to the Great Miami River.

The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of the Great Miami River. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. 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 contents of the above stated application indicates an exclusion from various portions of the antidegradation review and information submittal requirements applies as outlined by section 3745-1-05 (D)(1) of the antidegradation rule (effective as of October 1, 1996). The exclusion relates to a de minimis net increase in the discharge of a regulated pollutant.

Copies of the pending NPDES applications are available for review at Ohio EPA's Southwest District Office, 401 East Fifth Street, Dayton, Ohio, (937) 285-6357 or (800) 686-8930.

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 in reviewing the application, or 3) request a public hearing must do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216 within thirty days of the date of this public notice. Comments received after this date may not be considered as part of the official record.