

**Ohio Environmental Protection Agency
Division of Drinking and Ground Waters**

**PUBLIC NOTICE
May 17, 2004**

Public notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters has adopted a policy describing how public water systems' compliance with the fluoride requirements of the Ohio Administrative and Revised Codes will be determined. "WQ-11-001 Policy for Determining Fluoride Compliance" explains the fluoride requirements found in section 6109.20 of the Ohio Revised Code and rules 3745-81-23 and 3745-83-01 of the Administrative Code and describes how compliance with these requirements will be determined. The policy also contains useful information from the Centers for Disease Control on actions to be taken following a fluoride overfeed.

A copy of the policy can be found on the division's web site, found at <http://www.epa.state.oh.us/ddagw/dwguid.html>, and may also be obtained by writing to:

Ohio EPA
Lazarus Government Center
Attention: Kelly Butler, DDAGW
P.O. Box 1049
Columbus, Ohio 43216

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
City of Mansfield Former Johnson Controls Property

Notice is hereby given that on May 18, 2004, 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 the City of Mansfield for the property identified as the Former Johnson Controls property (the "Property").

The City of Mansfield conducted a voluntary action of the approximately 8.375 acre-Property located at 20-40 South Airport Road, Mansfield, Richland County. A no further action letter was submitted on May 5, 2003 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of the City of Mansfield by Ed McCabe, a Certified Professional (No. CP 102), as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8).

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. 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 St., 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 the Records Management Officer, 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
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
(City of Akron) (GOJO Building)

Notice is hereby given that on May 18, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Chapter 3746 of the Ohio Revised Code ("ORC") and Chapter 3745-300 of the Ohio Administrative Code ("OAC"), issued a Covenant Not To Sue/Final Findings and Orders to the City of Akron for the property identified as the GOJO Building property (the "Property").

The City of Akron conducted a voluntary action of the approximately 6.5 acre-Property located at 600 South Main Street, Akron, Summit County, Ohio. A No Further Action letter was submitted on December 20, 2002 to the Voluntary Action Program of Ohio EPA, Division of Emergency and Remedial Response, on behalf of the City of Akron by Mr. Ron Clark, a Certified Professional, No. 101, as defined in ORC 3746.01(E) and OAC 3745-300-05.

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. 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, 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 Emergency and Remedial Response, Voluntary Action Program, 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
(City of Akron) (GOJO Building)

Notice is hereby given that on May 18, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Chapter 3746 of the Ohio Revised Code ("ORC") and Chapter 3745-300 of the Ohio Administrative Code ("OAC"), issued a Covenant Not To Sue/Final Findings and Orders to the City of Akron for the property identified as the GOJO Building property (the "Property").

The City of Akron conducted a voluntary action of the approximately 6.5 acre-Property located at 600 South Main Street, Akron, Summit County, Ohio. A No Further Action letter was submitted on December 20, 2002 to the Voluntary Action Program of Ohio EPA, Division of Emergency and Remedial Response, on behalf of the City of Akron by Mr. Ron Clark, a Certified Professional, No. 101, as defined in ORC 3746.01(E) and OAC 3745-300-05.

The issuance of the Covenant Not to Sue/Final Findings and Orders is a final action of the Director. 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, 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 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 CERTIFIED PROFESSIONAL CERTIFICATIONS
UNDER OHIO'S VOLUNTARY ACTION PROGRAM

Notice is hereby given that on May 5, 2004, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued renewal certifications to Timothy E. Walsh-CP159, to perform work as a certified professionals under the Voluntary Action Program.

The issuance of these renewal certificates are 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 (ERAC). 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 S. Fourth Street, Suite 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 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
FINAL ISSUANCE OF AMENDED CERTIFICATE OF
REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE

Notice is hereby given that on May 17, 2004, the director of Ohio EPA issued an amended infectious waste generator certificate to Quest Diagnostics Inc, 875 Greentree Rd, Pittsburgh, PA 15220, ID No.: 00-G-00951. 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
DIRECTOR'S UNILATERAL FINAL FINDINGS AND ORDERS**

Notice is hereby given that on May 20, 2004, the director of Ohio EPA issued Final Findings and Orders to Stephen L. Douglas ("Respondent"), 545 Sutphin Road, Peebles, OH 45660. Respondent is the owner of real property, located off Tener Road in Adams County, Ohio (site). The Respondent shall achieve compliance with Chapters 3714 and 3734 of the Ohio Revised Code. Immediately upon the effective date of these Orders, Respondent shall cease acceptance and disposal of solid waste and construction and demolition debris (C&DD) at the Site. Within sixty (60) days after the effective date of these Orders, Respondent shall remove and dispose all solid waste and C&DD from the site and submit documentation and a notice of completion to Ohio EPA . These Orders are subject to all rules, regulations, and specified conditions. Persons wishing to be on Ohio EPA's interested parties mailing list 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.

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received applications for, and has begun to consider whether to issue or deny, Clean Water Act Section 401 certifications for the following projects:

1. Applicant: 5653 Lake Properties, LLC
Applicant's Address: 625 East Main Street, Geneva, Ohio 44041
Project Location: 5609 Lake Road, Geneva-on-the-Lake, Ohio 44041
Project Description: To construct a detached stone breakwater. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would be to construct 104 foot long by 42 foot wide detached stone breakwater. The applicant's minimal degradation alternative would be to construct 55 foot long by 27 foot wide detached stone breakwater. The applicant's non-degradation would have no direct impacts on lakes, streams or wetlands.
Corps of Engineers' Public Notice Number: (B)2003-02297(0)
Ohio EPA ID Number: 037742

2. Applicant: Mary C. Hymes
Applicant's Address: 233 Wilshire Drive, Colona, IL 61241
Project Location: 5609 Lake Road, Geneva-on-the-Lake, Ohio 44041
Project Description: To construct a detached stone breakwater. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would be to construct a portion of a 104 foot long by 42 foot wide detached stone breakwater. The applicant's minimal degradation alternative would be to construct a 55 foot long by 27 foot wide detached stone breakwater. The applicant's non-degradation would have no direct impacts on lakes, streams or wetlands.
Corps of Engineers' Public Notice Number: (B)2004-00023(0)
Ohio EPA ID Number: 037722

3. Applicant: Sturgeon Point Homeowner's Association,
Applicant's Address: 5635 Lake Road, Geneva-on-the-Lake, Ohio 44041
Project Location: 5635 Lake Road, Geneva-on-the-Lake, Ohio 44041
Project Description: To construct a detached stone breakwater. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would be to construct two stone breakwaters and a portion of a third breakwater with each breakwater being 104 feet long and 42 feet wide . The applicant's minimal degradation alternative would be to construct four stone breakwaters with each breakwater being 55 feet long and 27 feet wide. The

applicant's non-degradation would have no direct impacts on lakes, streams or wetlands.

Corps of Engineers' Public Notice Number: (B)91-492-10(2)

Ohio EPA ID Number: 037762

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. The review of the applications will be conducted, and a decision whether to grant or deny the applications will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the applications will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 25, 2004, copies of the applications for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on July 15, 2004 at 6:00 p.m., at the Geneva Public Library (Meeting Room), 860 Sherman Street, Geneva, Ohio 44041. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed projects and all persons who do so may, at the discretion of the presiding officer, be questioned by others present. 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 applications. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on July 22, 2004. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for these projects, or wish to submit comments for Ohio EPA's consideration in reviewing the applications should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on July 22, 2004.

Butler County

**PUBLIC NOTICE
OAC Rule 3745-30-08(D)(13) APPROVAL**

Notice is hereby given that on May 18, 2004, pursuant to OAC Rule 3745-30-08(D)(13), the director of Ohio EPA hereby approves reinstating monitoring well MW-10 back into the detection monitoring program at the Hodapp Landfill in Butler County. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a proposed Consent Order with Jeffrey Ulery, d.b.a. Suburban Properties at the Clearview Mobile Home Park (Defendant), to resolve all claims alleged in the amended complaint filed by the State of Ohio, Clark County Court of Common Pleas case number 00-CV-0554. The proposed Consent Order requires the Defendant to comply with all applicable provisions of Ohio's Water Pollution Control Law, R.C. Chapter 6111 and Ohio Drinking Water laws, R.C. Chapter 6109 and the rules and regulations promulgated thereunder, and the terms and conditions of any permit, license, or plan approval that may be issued to the Defendant. The proposed Consent Order also requires that the Defendant maintain all the components of the wastewater treatment system. By June 15, 2004, Defendant shall repair and/or replace the pump in the lift station, the flow metering device at the mobile home park, and repair, replace or certify the integrity of the grate above the wastewater treatment plant. Defendant also shall complete back filing and final grading around Clearview Mobile Home Park's wastewater treatment units, by July 1, 2004. Further, by July 1, 2004, Defendant shall also pay Clearview Mobile Home Park's 2004 public water system license to operate fee. Once a publicly owned sewerage system comes within two hundred (200) feet of the Clearview Mobile Home Park property line, and is available, Defendant has one hundred eighty days to connect Clearview to the publicly owned treatments work. Finally, the proposed Consent Order requires payment of a fifty thousand dollar (\$50,000.00) civil penalty.

Copies of the Consent Order can be obtained by writing to:

Ohio Environmental Protection Agency
Southwest District Office
401 East 5th Street
Dayton, Ohio 45402

Written comments should be submitted to Ohio EPA, Southwest District Office at the above address. Written Comments should be submitted **on or before June 28, 2004**.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences **on May 28, 2004**. Both the State of Ohio and Jeffrey Ulery, d.b.a. Suburban Properties at the Clearview Mobile Home Park reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**PUBLIC NOTICE
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a proposed Consent Order with the City of Columbus, Ohio (Defendant) to resolve all claims alleged in the Complaint filed by the State of Ohio in Franklin County Court of Common Pleas Case Number 04CVH-05-5336. The proposed Order addresses Defendant's violations of Ohio's water pollution laws and the terms of two of NPDES permits related to the Columbus combined sewer system and the discharges from combined sewer overflows (CSOs) in the Columbus sewer system. The proposed Consent Order requires the Defendant to comply with Ohio's Water Pollution Control Law, R.C. Chapter 6111 and the rules adopted thereunder, and the terms and conditions of the two NPDES permits at issue. The proposed Consent Order requires that Columbus properly operate and maintain the combined sewer system and any associated equipment and structures. Columbus will be required to develop an updated combined sewer systems operations and maintenance plan, which meets Ohio EPA approval, and implement the plan as approved. The proposed Consent Order requires Columbus to submit to Ohio EPA a long term control plan to bring the CSOs into compliance with the technology and water quality requirements of the federal Clean Water Act and R.C. Chapter 6111. The long term control plan is required to recommend implementation of improvements that comply with the federal CSO Policy and to include a schedule for implementation of the construction of the improvements that is as expeditious as practicable. Under the proposed Consent Order, Columbus will be required to implement the long term control plan as approved by Ohio EPA.

To resolve Ohio EPA's claims for violations cited in the complaint, the proposed Consent Order requires Columbus to pay a civil penalty in the amount of \$100,000. The Consent Order requires the payment of the civil penalty within 30 days of its final entry date. In lieu of an additional civil penalty, Columbus is required to spend \$150,000 on a supplemental environmental project. Under the supplemental environmental project outlined in the proposed order Columbus will spend \$150,000 on the Fifth Avenue Dam Project. This project involves the removal of the dam and stream restoration in the area of the Fifth Avenue Dam in order to improve and enhance water quality and stream habitat in this area of the Olentangy River.

Copies of the Consent Order can be obtained from the Ohio EPA by writing to:

Ohio Environmental Protection Agency
Division of Surface Water
Attention: PPU
122 South Front Street
P.O. Box 1049
Columbus, Ohio 43216-1049

Written comments should be submitted to Ohio EPA, Division of Surface Water, Attention: PPU, at the above address. Written comments must be submitted on or before **June 25, 2004**.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty-day period commences on **May 25, 2004**. The State of Ohio and the City of Columbus reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

Hamilton County

**PUBLIC NOTICE
ISSUANCE OF OAC Rule 3745-27-13 AUTHORIZATION**

Notice is hereby given that on May 18, 2004, pursuant to OAC Rule 3745-27-13, the director of Ohio EPA authorized the City of St. Bernard, 110 Washington Avenue, Cincinnati, Ohio 45217, to perform drilling, excavating, and other cap disturbance activities at the closed City of St. Bernard Landfill (Facility), located in Hamilton County. This authorization is subject to all rules, regulations, and specified conditions. 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, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.

Hamilton County

**PUBLIC NOTICE
ALTERNATIVE DAILY COVER (ADC) APPROVAL**

Pursuant to OAC Rule 3745-27-19(F)(3)(b), notice is hereby given that on May 17, 2004, the director of Ohio EPA authorize Rumpke Sanitary Landfill (Facility), 10795 Hughes Road, Cincinnati, OH 45251, to use Black 4-mil Polyethylene material as alternative daily cover (ADC) at the Facility, for a trial period of 180 days. This approval is subject to all rules, regulations, and specified conditions. 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, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.

Jefferson County

**PUBLIC NOTICE
DIRECTOR'S FINAL FINDINGS AND ORDERS**

Notice is hereby given that on May 14, 2004, the director of Ohio EPA issued Final Findings and Orders to John Grimes d.b.a. Grimes Auto Salvage ("Respondent"), RD #1 Cross Creek Township Road 168 (the "property"), Mingo Junction, Ohio 43938. The Orders address violations of Ohio Revised Code Chapter 3734 that are occurring at the property. The Orders require the Respondent to properly manage, store, and cause removal of the scrap tires that have been open dumped on their Property. Pursuant to ORC Section 3734.85(A), the director may take actions necessary to remove and manage the scrap tires if Respondents fail to comply with the Orders. Respondent shall pay Ohio EPA in settlement of Ohio EPA's claims for civil penalties which may be assessed pursuant to ORC Chapter 3734 in three installments as stated in Orders. These Orders are subject to all rules, regulations, and specified conditions. Persons wishing to be on Ohio EPA's interested parties mailing list 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.

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received applications for, and has begun to consider whether to issue or deny, Clean Water Act Section 401 certifications for the following projects:

1. Applicant: Charles and Noreen Roth
Applicant Address: 620 Park Shore Drive, Naples, Florida 43103
Project Location: 7679 Lakeshore Boulevard, Madison, Ohio 44057
Project Description: To construct a revetment and breakwater and rehabilitate a groin. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would be to construct a 100 foot long revetment, a 70 long breakwater, and rehabilitate a 20 foot long groin. The applicant's minimal degradation alternative would be to construct a 100 foot long revetment, a 50 long breakwater, and rehabilitate a 20 foot long groin. The applicant's non-degradation would have no direct impacts on lakes, streams or wetlands.
Corps of Engineers' Public Notice Number: (B)2004-00752(0)
Ohio EPA ID Number: 049491

2. Applicant: Kevin and Joyce Shaw, Gary R. Johnson, and Brenda Ashley
Applicant's Address: 2239 Elandon, Cleveland Heights, Ohio 44106
Project Location: 7479 Lake Road East, Madison, Ohio 44057
Project Description: To construct a revetment, groin, and breakwater. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would be to construct a 99 foot long revetment, a 50 foot long groin, and a 50 foot long breakwater. The applicant's minimal degradation alternative would be to construct a 99 foot long revetment, and a 50 foot long groin. The applicant's non-degradation would have no direct impacts on lakes, streams or wetlands.
Corps of Engineers' Public Notice Number: (B)2004-01043(0)
Ohio EPA ID Number:041013

The discharges from these activities, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. The review of the applications will be conducted, and a decision whether to grant or deny the applications will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the applications will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 25, 2004, copies of the applications for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on July 15, 2004 at 6:00 p.m., at the Geneva Public Library (Meeting Room), 860 Sherman Street, Geneva, Ohio 44041. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed projects and all persons who do so may, at the discretion of the presiding officer, be questioned by others present. 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 applications. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on July 22, 2004. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for these projects, or wish to submit comments for Ohio EPA's consideration in reviewing the applications should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on July 22, 2004.

Mercer County

**PUBLIC NOTICE
OHIO EPA ISSUES EMERGENCY PERMIT TO
WRIGHT PATTERSON AIR FORCE BASE**

On May 13, 2004, Ohio EPA issued an emergency permit to Wright Patterson Air Force Base to conduct detonation of hazardous waste in an open, isolated field at the Karch Rock Quarry located in Celina, Ohio. The Ohio EPA emergency permit I.D. number assigned to this action is 03-54-990E.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE
ISSUANCE OF FINAL PERMIT TO INSTALL (PTI) APPROVAL**

Notice is hereby given that on May 17, 2004, pursuant to OAC chapter 3745-31, the director of Ohio EPA issued a final permit approval (PTI No. 06-07219) for Pike Sanitation, Inc.(Applicant), 123 South Lock Street, Waverly, Ohio 45690. This permit to install is for a vertical expansion and other modification at the Pike Sanitation Landfill (facility). The facility is located at 11775 State Route 220, Waverly, Pike County, OH. This permit approval is subject to all rules, regulations and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.

Portage County

**PUBLIC NOTICE
OAC Rule 3745-27-10(E)(9)(a) APPROVAL**

Notice is hereby given that on May 18, 2004, pursuant to OAC Rule 3745-27-10(E)(9) (a), the director of Ohio EPA hereby approves reinstating monitoring well MW-6 back into the detection monitoring program at the BFI Willowcreek Sanitary Landfill in Portage County. The request was made by Browning-Ferris Industries of Ohio, Inc., 43502 Oberlin-Elyria Road, Oberlin, Ohio 44074. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.

PUBLIC NOTICE
OHIO EPA RECEIVES NEW HAZARDOUS WASTE CLOSURE PLAN

On April 30, 2004, Ohio EPA received a new hazardous waste closure plan from Portage Plating concerning container storage, tank storage, and land application units located at 9596 State Route 43, Streetsboro, Ohio 44240. The EPA Identification Number for this facility is OHD981001217.

Why is Portage Plating submitting this Closure Plan?

At the request of Ohio EPA, Portage Plating submitted the closure plan. This plan provides a process description and closure site history of the areas outside the facility's plating building. To date, limited testing of soil has been performed; and to this regard, an assessment to determine the distribution of chemicals of concern will be performed. Portage Plating does not anticipate that groundwater has been affected. Any areas of chromium contamination above the remedial standards will be identified during the assessment phase and, if necessary, will be removed and disposed of properly. Additionally, the plan provides a description of decontamination methods, a sampling and analysis plan, a brief discussion of air emissions, closure cost estimates, and the closure plan's schedule and certification procedures.

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

You can submit written comments anytime between May 19, 2004 and June 17, 2004. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services, P.O. Box 1049, Columbus, Ohio 43216-1049, 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:

Kent Free Library, 312 West Main Street, Kent, Ohio 44240, (330) 673-4414;

Ohio EPA, Northeast District Office, 2110 Aurora Road, Twinsburg, Ohio 44087, tel: (330) 963-1200; and,

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

Richland County

**PUBLIC NOTICE
OAC Rule 3745-27-10(E)(9)(b) APPROVAL**

Notice is hereby given that on May 19, 2004, pursuant to OAC Rule 3745-27-10(E)(9) (b), the director of Ohio EPA hereby approves reinstating monitoring well BW-11 back into the detection monitoring program for chemical oxygen demand (COD) at the Noble Road Landfill, 170 Noble Road East, Shiloh, OH 44878. This approval is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.

Stark County

**PUBLIC NOTICE
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
ADVANCED P.M.C., INC.**

On May 19, 2004, Ohio EPA issued final Findings and Orders to Advanced P.M.C. Inc. for its facility located at 715 Second Street SE, Canton, Ohio. This facility operated an unpermitted hazardous waste storage unit. The EPA I.D. number for this facility is OHD981952047.

Advanced P.M.C., Inc. must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule which outlines civil penalties and payments. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

Date of Public Notice: May 25, 2004

Washington County

**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 certification for an emergency project to repair three land slips between the public road and Leith Run. The application was submitted by the Washington County Engineer, 103 Westview Ave, Marietta, OH 45750. The applicant's preferred alternative would impact 220 linear feet of Leith Run. The project is located approximately 5.6 miles above the confluence with the Ohio River. The Huntington District Corps of Engineers has issued a Nationwide 13 for this project. The Ohio EPA ID Number for this project is 042001.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Leith Run. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). 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. Other alternatives resulting in lesser or no degradation, or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Starting May 25, 2004, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available 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 30 days of the date of this public notice.

**PUBLIC NOTICE
OAC 3745-27-10(D)(7)(c)(ii) Approval**

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), notice is hereby given that on May 19, 2004, the director of Ohio EPA approves keeping monitoring wells BW-3 for chloride, and monitoring wells RW-5, RW-10, and RW-12 for COD, in the detection monitoring program for the County Environmental of Wyandot Landfill, 11164 County Highway 4, Carey, OH 43316. This approval is subject to all rules, regulations, and specified conditions. This action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list 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.