

Public Notice

Ohio Environmental Protection Agency
Division of Solid and Infectious Waste Management

Notice of Adoption of Policy No. #0660 on
Geotechnical and Stability Analyses for Ohio Waste Containment Facilities

Notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) has adopted policy number #0660, addressing the site characterization, testing, and stability analyses for waste containment facilities regulated by Ohio EPA, which will become effective on September 14, 2004.

To receive a copy of this policy, please contact the Division of Solid and Infectious Waste Management (DSIWM) at (614) 644-2621. The adopted policy is also accessible on DSIWM's web page at <http://www.epa.state.oh.us/dsiwm/>.

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

Notice is hereby given that on Sep 24, 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 Oren J. Gottlieb-CP123, Atul Pandyy-CP224, Martin L. Schmidt-CP170, Scott A. Madill-CP241, Thomas E. Gillespie-CP234 and Ihor R. Melnyk-CP147, to perform work as 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 ("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, 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
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
ChevronTexaco Toledo Refinery Areas 3 & 6

Notice is hereby given that on September 21, 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 ChevronTexaco for the property identified as the Toledo Refinery Areas 3 & 6 property (the "Property").

ChevronTexaco conducted a voluntary action of the approximately 8.5 acre-Property located at 2935 Front Street, Toledo, Lucas County. A no further action letter was submitted on July 3, 2003 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response on behalf of Chevron by James R. Burns, P.E., a Certified Professional (No. CP 145), 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
FINAL FINDINGS AND ORDERS
DENYING COVENANT NOT TO SUE
Glastic Corporation - South Euclid Property

Notice is hereby given that on September 29, 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, denied the Request for a Covenant Not To Sue in Final Findings and Orders for the property identified as the Glastic Corporation - South Euclid Property (the "Property").

A No Further Action Letter with addenda (the "NFA Letter") was initially issued for the Property on December 27, 2002, by Lawrence S. Graves, a Certified Professional, No. CP163, as defined in ORC 3746.01(E) and OAC 3745-300-01(A)(8). The Property is located at 4321 Glenridge Road, South Euclid, Cuyahoga County, Ohio and includes about 10.7 acres. The NFA Letter was submitted to the Voluntary Action Program of Ohio EPA's Division of Emergency and Remedial Response on behalf of Kobe Steel USA Holdings, Ltd. ("Kobe Steel").

The denial 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 Denial 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

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Sections 3745.01 and 6109.04 of the Ohio Revised Code, has issued Final Findings and Orders to dismiss the appeal of the designation of the Village of Lisbon's water sources as surface water. This final action was effective on August 20, 2004, and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be filed with the ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of the Ohio Environmental Protection Agency within three (3) days of filing at the ERAC. The ERAC's address is:

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

Date of Notice: October 4, 2004

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

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)-Division of Surface Water (DSW) has received an application for the modification of a National Pollutant Discharge Elimination System (NPDES) permit for the discharge from the existing Wellsville Ash Disposal Facility disposal system. The application was submitted by C&E Coal, Inc., P.O. Box 333, Lisbon, Ohio 44432. The disposal system is designed to treat wastewaters associated with stormwater/drainage from the beneficial use/landfilling of dredge material. The disposal system is located on Saline Township Road 307, Saline Township, Hammondville, Jefferson County, Ohio. Treated wastewaters are proposed to be discharged at the same location. The proposed discharges are to Rocky Run and an unnamed tributary to Yellow Creek, and subsequently the Ohio River. 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 Rocky Run and an unnamed tributary to Yellow Creek and subsequently the Ohio 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.

Copies of the pending NPDES application are available for review at Ohio EPA's Southeast District Office, 2195 Front Street, Logan, Ohio, (740) 385-8501. An Ohio EPA public hearing on the proposed project has been scheduled for 6:30 P.M. on November 18, 2004 at the Toronto High School Cafeteria, 3rd and Myers Street, Toronto, Ohio 43964. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the project and all persons who do so may, in the discretion of the presiding officer, be questioned by other persons 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 application.

Persons wishing to 1) be on the Ohio EPA's interested parties mailing list for this project, or 2) submit comments for Ohio EPA's consideration must do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049

by close of business on November 25, 2004. Comments received after this date may not be considered as part of the official record.

PUBLIC NOTICE

Notice is hereby given that on September 29, 2004, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Pulte Homes, 30575 Bainbridge Road, Suite 150, Solon, Ohio 44139. The permit was issued for a project to construct Bentley Park Subdivision No. 5. This permit was 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 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557 within 30 days of issuance of this final action.

PUBLIC NOTICE

AMENDMENT TO DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given that on September 24, 2004, the director of Ohio EPA issued Final Findings and Orders (DFF&Os) to Toledo-Lucas County Port Authority (Authority), One Maritime Plaza, Toledo, Ohio 43604-1866. These DFF&Os modifies Order Number 4 of the December 1, 2003 DFF&Os, as amended on June 29, 2004. The modification is to increase the amount of fluidized bed combustion (FBC) from 13,000 tons to 16,000 tons. Order Number 4 of the DFF&Os states: "The amount of FBC Ash disposed in accordance with this authorization shall not exceed 16,000 tons. Neither the FBC Ash, nor the dredging/ash mixture, shall be placed outside the limits of Facility 3, Cell 1 of the Authority's confined disposal facility (CDF)." These Final Findings and Orders are 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.

Montgomery County

PUBLIC NOTICE

RECEIPT OF PERMIT TO INSTALL APPLICATION

Notice is hereby given on September 27, 2004, of the receipt of a Permit to Install application (PTI #05-13523) from the Montgomery County Department of Public Works, 451 West Third Street, Dayton, Ohio 45422. The PTI application was submitted to expand its South Transfer Station, 2550 Sandridge Drive, Moraine, Ohio 45342. Under the new proposal, the existing transfer station tipping floor will be expanded by approximately 45,000 square feet, increasing the total tipping floor area to 105,000 square feet. The proposal also includes the relocation of the scale houses where the incoming vehicle is weighed before entering the facility and a new drop off area for household hazardous waste. The application was received by Ohio EPA on September 20, 2004, and may be reviewed in accordance with Ohio EPA's file review procedures by writing to, Ohio EPA Southwest District Office, 401 East Fifth Street, Dayton, Ohio 45402-2911, tel: (937) 285-6357.

Muskingum County

PUBLIC NOTICE

DIRECTOR'S FINAL FINDINGS AND ORDERS

Notice is hereby given that on September 23, 2004, the director of Ohio EPA issued Final Findings and Orders to David N. Butler ("Respondent"), 7685 Black Run Road, Nashport, Ohio 43830. Respondent formerly operated a retail scrap tire business on a 5.1 parcel of land located at 2425 Highland, Road, Muskingum County, Zanesville, Ohio. Upon the effective date of these Orders the Respondent shall implement mosquito control measures at the Property in accordance with the provisions of OAC Rule 3745-27-60(B)(8) and (B)(9). Respondent shall establish storage piles and fire lanes at the Property, not later than thirty (30) days after the effective date. Not later than two hundred and seventy (270) days after the effective date of these Orders, Respondent shall remove or cause removal of all scrap tires from the Property and allow Ohio EPA access to the Property pursuant to 3734.85, should Respondent fail to strictly comply with the Orders. These Final Findings and Orders are 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 ENVIRONMENTAL PROTECTION AGENCY

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Sections 3745.01 and 6109.04 of the Ohio Revised Code, has issued Final Findings and Orders to The Ohio State University. This final action was effective on September 23, 2004, and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be filed with the ERAC within thirty (30) days after notice of the Director's action. A copy of the appeal must be served upon the Director of the Ohio Environmental Protection Agency within three (3) days of filing at the ERAC. The ERAC's address is:

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

Wyandot County

PUBLIC NOTICE

RECEIPT OF PERMIT TO INSTALL APPLICATION

Notice is hereby given on September 29, 2004, of the receipt of a Permit to Install application (PTI #03-16207) from County Disposal (Ohio), Inc. dba County Environmental of Wyandot, 11164 County Road #4, Carey, Ohio 43316. The PTI application will increase the Authorized Maximum Daily Waste Receipt (AMDWR) to 4,500 tons per day. The application was received by Ohio EPA on August 11, 2004, and may be reviewed in accordance with Ohio EPA's file review procedures by writing to, Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402, tel: (419) 352-8461.