

**State of Ohio
Environmental Protection Agency
Notice of Proposed Rulemaking and Public Hearing**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 6111.03, proposes to amend rules 3745-42-01 and 3745-42-03 and adopt new rules 3745-42-06, 3745-42-08, 3745-42-09 and 3745-42-11 of the Administrative Code.

Chapter 3745-42 of the Ohio Administrative Code (OAC) contains the administrative and technical requirements for obtaining permits to install and plan approvals for water pollution control from Ohio EPA. The proposed rule amendments and new rules add and remove definitions in rule 3745-42-01, clarify submittal requirements for permit applications in rule 3745-42-03, add a framework for issuing general permits to install in rule 3745-42-06, add a set of minimum isolation distances in rule 3745-42-08, add standards for filter sand testing and utilization in rule 3745-42-09, and add design, installation and operational requirements for holding tanks in rule 3745-42-11.

A public hearing on the proposed rules will be held on Wednesday, April 20, 2005 at the Ohio EPA's Central Office, Conference Room 5A, located at 122 South Front Street in Columbus, Ohio. The public hearing will begin at 2:00 p.m. and adjourn when commenters complete their statements. All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on the proposed rules. Written comments may be filed with the presiding officer at the hearing or with Ohio EPA (Attention: Daniel Kopec, Ohio EPA, Division of Surface Water, P.O. Box 1049, 122 South Front Street, Columbus, Ohio 43216-1049) by the close of business on April 29, 2005. Comments received after this date will not be considered to be part of the official record of the hearing.

To obtain a copy of the proposed rules, contact Daniel Kopec at the address above, by calling (614) 644-1987, or via e-mail at PTIrule@epa.state.oh.us. A copy of the proposed rules is also available for inspection at Ohio EPA's Central Office and is available on the Ohio EPA Division of Surface Water Web site at <http://www.epa.state.oh.us/dsw/rules/drafrules>.

PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Superior Fibers Inc. Property

Notice is hereby given that on March 22, 2005 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 Superior Fibers, Inc. for the property identified as the Superior Fibers, Inc. property (the "Property").

Superior Fibers, Inc. conducted a voluntary action at the approximately 32.076 acre property located at 499 North Main Street, Bremen, Fairfield County, Ohio. A No Further Action Letter was submitted on February 19, 2003 to the Voluntary Action Program of the Ohio EPA, Division of Emergency and Remedial Response, on behalf of Superior Fibers, Inc. by Dennis Smalley, a Certified Professional (No. CP197), 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 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.

Notice of Availability
Ohio Environmental Protection Agency
Draft Model General Air Permits Available for Public Comment

Notice is hereby given that the Director of Environmental Protection (“Ohio EPA”) is making available for public comment the following qualifying criteria and emissions unit specific terms and conditions for model general permits (MGP) under the Division of Air Pollution Control (DAPC):

- Truck Mix Ready Mix Concrete Batch Plants
- Central Mix Ready Mix Concrete Batch Plants
- Miscellaneous Metal Parts Painting Line < 2.5 gph, <3.0 lb VOC/gal.
- Miscellaneous Metal Parts Painting Line < 3.5 gph, <3.0 lb VOC/gal.
- Miscellaneous Metal Parts Painting Line < 2.5 gph, <3.5 lb VOC/gal.
- Miscellaneous Metal Parts Painting Line < 3.5 gph, <3.5 lb VOC/gal.
- Miscellaneous Metal Parts Painting Line <3 gpd
- Miscellaneous Metal Parts Painting Line <8 gpd
- Miscellaneous Metal Parts Painting Line <10 gpd
- Paved roadways and parking areas with less than or equal to 230,000 vehicle miles traveled per year and a silt content less than or equal to 12 g/m²
- Paved roadways and parking areas with less than or equal to 40,000 vehicle miles traveled per year and a silt content less than or equal to 120 g/m²
- Paved roadways and parking areas with less than or equal to 70,000 vehicle miles traveled per year and a silt content less than or equal to 12 g/m²
- Qualifying Criteria and Terms and Conditions for Paved roadways and parking areas with less than or equal to 70,000 vehicle miles traveled per year and a silt content less than or equal to 70 g/m²
- Unpaved roadways and parking areas, with less than or equal to 300,000 vehicle miles traveled per year
- Unpaved roadways and parking areas, with a maximum of 120,000 vehicle miles traveled per year
- Storage piles, including load-in, load-out and wind erosion activities for facilities with a maximum production of 3,000,000 tons/year and a maximum storage pile surface are of 6 acres
- Storage piles, including load-in, load-out and wind erosion activities for facilities with a maximum production of 3,000,000 tons/year and a maximum storage pile surface area less than or equal to 15 acres
- Rotary Drum Hot Mix Asphalt Plant less than or equal to 50 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 50 tons/hr capacity but less than or equal to 100 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 100 tons/hr capacity but less than or equal to 150 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 150 tons/hr capacity but less than or equal to 200 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 200 tons/hr capacity but less than or equal to 250 tons/hr capacity

- Rotary Drum Hot Mix Asphalt Plant greater than 250 tons/hr capacity but less than or equal to 300 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 300 tons/hr capacity but less than or equal to 350 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 350 tons/hr capacity but less than or equal to 400 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 400 tons/hr capacity but less than or equal to 450 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 450 tons/hr capacity but less than or equal to 500 tons/hr capacity
- Rotary Drum Hot Mix Asphalt Plant greater than 500 tons/hr capacity but less than or equal to 550 tons/hr capacity

The Ohio EPA, DAPC general permit program is regulated under Ohio Administrative Code (OAC) 3745-31-29, General Permit to Install, and 3745-35-08, General Permit to Operate. This notice is being issued in order to fulfill the requirements of OAC Rule 3745-31-29(A)(3) and OAC Rule 3745-35-08(A)(3). Additional information regarding the general permit program can be found in the regulations on the Ohio EPA Web page at <http://www.epa.state.oh.us/dapc/regs/regs.html>. These documents will be available for public comment through April 25, 2005. These document will be available, beginning March 24, 2005, on the Web page for electronic downloading by clicking on "General Permits" under the " topics" drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/ppec/gpwg.html>. 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 Jennifer Nichols at Ohio EPA, (614) 644-3696, jennifer.nichols@epa.state.oh.us, or mailed to Jennifer Nichols, Attn: General Permits, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

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

Notice is hereby given that on March 23, 2005, 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 renewal of laboratory certification to Aqua Tech Environmental Laboratories ("ATEL") of 6878 South State Route 100, Melmore, Ohio. The certification number assigned to ATEL remains CL0009.

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 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, 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
OHIO ENVIRONMENTAL PROTECTION AGENCY
ADDITIONAL LABORATORY CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on March 23, 2005, 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, granted E.A. Group's application for certification to perform analyses for additional analytes, parameter groups and methods. The Director issued E.A. Group certification to perform analyses for the following: n-Hexane and Volatile Organic Compounds by method 8260B. The additional certification supplements E.A. Group's current certification under Ohio's Voluntary Action Program. The certification number assigned to E.A. Group remains CL0015.

The issuance of the additional 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 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 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
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY
ACTION PROGRAM

Notice is hereby given that on March 23, 2005, 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 renewal of laboratory certification to SGS Environmental Services, Inc. ("SGS") of 1258 Greenbriar Street, Charleston, West Virginia. The certification number assigned to SGS remains CL0076.

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 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, 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
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF LABORATORY CERTIFICATION UNDER OHIO'S VOLUNTARY
ACTION PROGRAM**

Notice is hereby given that on March 23, 2005, 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 renewal of laboratory certification to Lancaster Laboratories, Inc., ("Lancaster") of 2425 New Holland Pike, Lancaster, Pennsylvania. The certification number assigned to Lancaster remains CL0070.

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

Notice is hereby given that on March 24, 2005, 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 Eric V. Augustine-CP255, Craig A. Cox-CP189, Gary A Fishburn-CP160, Bradford S. White-CP146, George R. Carter-CP182, James R. Burns-CP145, John A Simon-CP152, Bruce W. Baker-CP198, Gerald R. Myers-CP131, William B. Lozier-CP135, Linda K. Aller-CP141, Donald A. Fay-CP254, Michael J. Pardus-CP238, David B. Mustafaga-CP183, Shawn S. Fiore-CP154, Larry S. Smith-CP133, Jeffrey P. Hullinger-CP214, Richard W. Volpi-CP193, Joel A. Hunt-CP185, John P. Pierko-CP186, Bruce A. Savage-CP265, Kevin D. Svitana-CP274, Christian J. Lavallo-CP264, Walter K. Kosinski-CP196, Robert W. Lowry-CP229, and Kevin M. Reaman-CP250 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.

Fairfield County

**PUBLIC NOTICE
REVISED POST-CLOSURE CARE COST ESTIMATE APPROVAL**

Notice is hereby given that on March 22, 2005, the director of Ohio EPA approves a reduction in the post-closure care cost estimate from \$4,722,637 to \$2,519,477 for the Pine Grove Regional Facility, 5131 Drinkle Road, Amanda, Ohio 43102. 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.

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

Notice is hereby given that on March 24, 2005, the director of Ohio EPA issued Final Findings and Orders to Jerry F. Gray and Patricia L. Gray ("Respondents"), 1194 Umblebee Road, Beaver, OH 45613 (the "Property"). 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 one hundred twenty (120) days after the effective date of these Orders, Respondent shall remove or cause removal of all scrap tires from the Property. 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.

Date of Public Notice: March 29, 2005

Medina 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 a project to place fill in streams and wetlands in conjunction with the construction of a residential subdivision. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred alternative would result in impacts to 3.6 acres of wetlands, and 240 linear feet of streams on the site. The applicant's minimal degradation alternative would result in impacts to 3.01 acres of wetlands and 240 linear feet of streams on the site. The applicant's non-degradation alternative would have no direct impacts to water resources on site. The application was submitted by Sokol Development, 4064 Shenandoah Parkway, Brunswick, Ohio 44212. The project is located east of Laurel Road and north of Maxwell Boulevard, in Brunswick Township, in Medina County. The Army Corps of Engineers number for this project is 2003-01919(1). The Ohio EPA number for this project is 042110.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Plum Creek watershed, within the Rocky River watershed (04110001). 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 March 29, 2005, 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.