

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 28, 2005, the director of Ohio EPA issued three certificates of registration as transporter of scrap tires to Tire Recyclers of America LLC, 7050 Madison Avenue, Indianapolis, IN 46227. 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 action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 28, 2005, the director of Ohio EPA issued fifteen certificates of registration as transporter of scrap tires to Cooksey Brothers Disposal Co Inc, 101 W North Big Run Rd., Ashland, KY 41102. 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 action was not preceded by a proposed action and may be appealed to the Environmental Review Appeals Commission, at 309 South Fourth St, Ste 222, Columbus, OH 43215.

State of Ohio
Environmental Protection Agency

PUBLIC NOTICE

April 26, 2005

Notice of Proposed Rule-making and Public Hearing

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) has proposed modifications to the Ohio Administrative Code (OAC) rules related to the regulation of organic and inorganic contaminants in drinking water, particularly arsenic. DDAGW has proposed these modifications to achieve consistency between Ohio's rules and U.S. EPA's National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Rule; Final Rule, as published in the Federal Register January 22, 2001. The State of Ohio is required to adopt these changes in order to maintain primary enforcement responsibility for the drinking water program.

Community and nontransient noncommunity public water systems in Ohio are currently required to comply with a maximum contaminant level of 50 micrograms per liter ($\mu\text{g/L}$) of arsenic in drinking water. The proposed amendments will reduce the maximum contaminant level for arsenic to 10 $\mu\text{g/L}$, effective January 1, 2006. Additionally, the proposed amendments will clarify the trigger level for public water systems to qualify for increased monitoring of inorganic contaminants, synthetic organic contaminants (SOCs), and volatile organic contaminants (VOCs). Currently public water systems must increase the frequency with which they monitor for a particular contaminant if they fail to be "reliably and consistently" below the maximum contaminant of that contaminant. Under the proposed amendments this requirement is being clarified such that public water systems will be triggered into increased monitoring if they exceed 80 percent of that contaminant's maximum contaminant level. The rule amendments also clarify the scheduling of the initial monitoring for inorganic contaminants, SOCs, and VOCs required of new public water systems and those with new sources of drinking water. In an effort to allow systems in Ohio more flexibility in achieving compliance, DDAGW has also proposed to allow nontransient noncommunity public water systems the option of installing point-of-use or point-of-entry treatment devices to comply with the maximum contaminant level for arsenic in drinking water, provided certain conditions are met.

A public hearing pursuant to §119.02 through §119.04 of the Ohio Revised Code will be conducted on June 1, 2005, beginning at 1:30 PM in room 5A at the Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio. A presiding officer will be present until all interested persons have been heard.

All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rule-making. To facilitate scheduling of oral presentations, persons intending to give testimony at the hearing should ensure that Ohio EPA receives

notice of such intent by 5:00 p.m. on May 31, 2005. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. To provide notice of intent to give oral comments at the public hearing, contact Kelly Butler, Ohio EPA, DDAGW, Lazarus Government Center, P. O. Box 1049, Columbus, Ohio 43216-1049.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business May 3, 2005. Written comments on the proposed rules may be filed with the Hearing Clerk at the address above or with the presiding officer during the hearing.

To obtain a copy of the proposed rules, contact Donna Roberts at Ohio EPA at (614) 644-2755 or email at donna.roberts@epa.state.oh.us. Please request the "proposed arsenic rules" and, if a recorded message is left, be sure to include your name, telephone number, and complete mailing address. There is no charge for proposed rules. The proposed rules will be available on the Agency web page until their adoption or withdrawal. The address is: <http://www.epa.state.oh.us/ddagw/oac.html>.

Questions concerning this proposed rule-making, other than obtaining copies of the proposed rules, may be addressed to Kelly Butler at the above address or by phone at (614) 644-2752. Email can be sent to kelly.butler@epa.state.oh.us.

**State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-14-01, 3745-14-05 and new rule 3745-14-12 of the Administrative Code

The primary purpose of this rulemaking is to incorporate U.S. EPA's Phase II NO_x SIP Call requirements into Ohio's rules for regulating air emissions of nitrogen oxides (NO_x). This is accomplished with adoption of new rule 3745-14-12 of the Administrative Code which requires large stationary internal combustion engines to reduce NO_x emissions during the summer ozone season. The amended rules clarify existing requirements, address omissions in the existing rules and more clearly define how cogeneration units are regulated by the rules.

A public hearing on the proposed amendments and new rule was held on March 23, 2005, in Columbus, Ohio. Comments were received during the comment period but no changes were made to the proposed rules as a result of public comment. The Director's order of adoption was issued on April 26, 2005. The effective date of these rules is May 7, 2005.

To request a copy of these rules, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding, contact Jim Tichich, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Tichich at 614-644-4844. This rule is available on the Web page for electronic downloading by scrolling down to OAC 3745-14, "Nitrogen Oxides - Budget Trading Program." The URL is: The URL is:
<http://www.epa.state.oh.us/dapc/regs/regs.html>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.

**PUBLIC HEARING
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Proposed action concerning
the one-hour ozone redesignation maintenance plan
budgets for Dayton and Cincinnati, Ohio

The Ohio EPA is proposing to adjust the one-hour ozone maintenance budgets for the Dayton and Cincinnati areas.

Background

Subsequent to the designation of several areas across the United States as nonattainment for ozone in 1991, several areas in Ohio were redesignated to attainment. The Cincinnati area was redesignated to attainment on June 19, 2000 (65 FR 37879). This action was vacated by the Sixth Circuit Court on September 11, 2001 due to a failure to fully implement certain control requirements for volatile organic compounds (VOCs). At that time, a revised maintenance plan budget was approved.

The Dayton area was redesignated to attainment for the one-hour ozone standard on May 5, 1995 (60 FR 22289). This redesignation action also approved the maintenance budget for the Dayton/Springfield metropolitan area.

The maintenance plans must be updated to account for the loss of emission reductions attributable to the motor vehicle inspection and maintenance program (Echeck).

Additional computer simulations of the mobile source budget using U.S. EPA's MOBILE6 model were conducted by the Ohio-Kentucky-Indiana Council of Governments, the Miami Valley Regional Planning Commission and the Ohio Department of Transportation to determine the change in emissions associated with the removal of this program. This revised emissions estimate will be included in the maintenance plans for each of these areas and submitted as a revision to the state implementation plan for each area.

Pursuant to Chapter 119.03 of the Ohio Revised Code, a public hearing on the proposed action will be conducted on Tuesday May 10, 2005 at 10:00 a.m. At the Hamilton County Department of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio. A second hearing will be held on Tuesday May 10, 2005 at 2:00p.m. at the Ohio EPA Southwest District Office 401 East Fifth Street Dayton, Ohio. A presiding officer will be present until all persons wishing to give oral comments are heard.

All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed action. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on May 13, 2005 will be considered by the Ohio EPA. Written statements submitted after May 13, 2005 may be considered as time and circumstances allow.

To obtain information concerning the rule revision, contact the Division of Air Pollution Control, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, 43215 (telephone number: 614-644-2270. Written comments on the proposed action should be submitted to Bill Spires, Division of Air Pollution Control Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio, 43215 (telephone number: 614-644-3618) or to the presiding officer at the public hearing.

PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
SUSPENSION OF A PORTION OF LABORATORY CERTIFICATION &
RENEWAL CERTIFICATION
UNDER THE VOLUNTARY ACTION PROGRAM

Notice is hereby given that on April 25, 2005, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued Final Findings and Orders to Zande Environmental Services ("Zande") of 1233 Dublin Road, Columbus, Ohio, that suspend the laboratory's certification under Ohio's Voluntary Action Program to perform analyses for Sodium by method 6010B.

Also, on that date, the Director granted Zande's application for renewal of its certification. The certification number assigned to Zande remains CL0054. Zande's laboratory certificate reflects the suspension and renewal of its certification. Zande may perform analyses only for those analytes, parameter groups, and methods identified in its revised certificate.

The issuance of the suspension and 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
SUSPENSION OF A PORTION OF LABORATORY CERTIFICATION UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on April 25, 2005, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued Final Findings and Orders to American Analytical Laboratories, Inc. ("American"), of 5085 Reed Road, Columbus, Ohio, to suspend its certification under Ohio's Voluntary Action Program to perform analyses for Semi-Volatile Organic Compounds by method 8270C. This suspension is limited to the certified laboratory's performance of work under the Voluntary Action Program.

American has been issued a revised laboratory certificate that reflects the analytes, parameter groups and methods for which they remain certified. American may perform analyses under the Voluntary Action Program only for those parameter groups, analytes and methods identified in its revised certificate.

The issuance of the suspension and revised 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 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
SUSPENSION OF A PORTION OF LABORATORY CERTIFICATION UNDER OHIO'S
VOLUNTARY ACTION PROGRAM

Notice is hereby given that on April 25, 2005, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") 3745-300-04, issued Final Findings and Orders to Environmental Science Corporation ("ESC") of 12065 Lebanon Road, Mt. Juliet, Tennessee, to suspend its certification under Ohio's Voluntary Action Program to perform analyses for the Chlorinated Herbicides by method 8151A. This suspension is limited to the certified laboratory's performance of work under the Voluntary Action Program.

ESC has been issued a revised laboratory certificate that reflects the analytes, parameter groups and methods for which they remain certified. ESC may perform analyses under the Voluntary Action Program only for those parameter groups, analytes and methods identified in its revised certificate.

The issuance of the suspension and revised 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 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
LABORATORY ADDRESS CHANGE
UNDER THE VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on April 25, 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 revised laboratory certification to STL-Pittsburgh ("STL") of 301 Alpha Drive, RIDC Park, Pittsburgh, Pennsylvania, formerly of 450 William Pitt Way, Pittsburgh, Pennsylvania. The certification assigned to STL remains CL0063.

The issuance of the 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
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
Lyn Kae Corp., Warehouse and Distribution Facility

Notice is hereby given that on April 25, 2005, 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 Lyn Kae Corp. for the property identified as the Warehouse and Distribution Facility property (the "Property").

Lyn Kae Corp. conducted a voluntary action of the approximately 3.90 acre-Property located at 859 Moe Drive, Akron, Summit County, Ohio. A No Further Action letter was submitted on December 21, 2004 to the Voluntary Action Program of Ohio EPA, Division of Emergency and Remedial Response, on behalf of Lyn Kae Corp. by Mr. Mark Butler, a Certified Professional, No. 137, 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
PROPOSED AMENDED CONSENT ORDER

On March 30, 2001, the Ohio Environmental Protection Agency (Ohio EPA) entered into a Consent Order with the Summit County Commissioners (Summit) to resolve operational deficiencies at some of the wastewater treatment plants owned and operated by Summit, and to resolve a civil penalty. Part of the resolution of the civil penalty was to involve a Supplemental Environmental Project (SEP) in which Summit would, in lieu of payment to the Ohio EPA, complete an environmentally beneficial project. The Consent Order SEP requires Summit to provide \$500,000 dollars toward the Munroe Falls Dam Project, a project that involves restoring natural stream flow to an impaired stretch of the Cuyahoga River. The SEP was to be completed within four years of the entry of the Consent Order. Due to unavoidable delays, the SEP was not completed in four years. Summit County asked for an extension. The Consent Order has been amended to extend the completion date of the Munroe Falls Dam Project to January 30, 2007. A further agreement was reached that if any monies are left over when the SEP project is complete, the remainder of the monies will be used to fund stream bank restoration in the vicinity of the Munroe Falls Dam Project. Copies of the proposed Amended Consent Order can be obtained from the Ohio EPA, Northeast District Office, by calling the Division of Surface Water Enforcement Supervisor at (330) 963-1200 or by writing to: Ohio EPA, Northeast District Office, Attn: DSW Enforcement Supervisor, 2110 East Aurora Road, Twinsburg, OH 44087. Written comments should be submitted to Ohio EPA, Northeast District Office, at the above address. The final approval and entry of the proposed Amended Consent Order will not occur until the thirty (30) day public comment period has expired. The thirty day period commences on **May 5, 2005**. Both the State of Ohio and the Summit County Commissioners reserve the right to withdraw or alter the proposed Amended Consent Order based on comments received during the public comment period.

Date of Public Notice: May 2, 2005

**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, an After-the-Fact Clean Water Act Section 401 certification for a project to construct the Estates of Hawthorne Hills residential development. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would fill 880 linear feet of stream and replace it with a culvert. The applicant's proposed minimal degradation alternative, if approved, would fill 880 feet of stream and replace it with 850 feet of relocated channel. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands. The application was submitted by Estates of Hawthorne Hills, LLC, 7924 Jessie's Way, Hamilton, Ohio 45011. The project is located at 6776 Millikin Road, Liberty Township, Hughes, Butler County, Ohio. The Corps of Engineer ID Number for this project is 200500113. The Ohio EPA ID Number for this project is 052228.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in the Gregory Creek watershed of the Great Miami River basin. 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.

Beginning May 2, 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.

Date of Public Notice: May 2, 2005

**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 an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to provide long term erosion protection along the Lake Erie shoreline. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would place material on 28,020 square feet of lake bottom. The applicant's proposed minimal degradation alternative, if approved, would place material on 25,020 square feet of lake bottom. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on Lake Erie. The application was submitted by Cumings Homestead Park Condominiums, 6905 Lake Road East, Madison, Ohio 44057. The project is located at 6905 Lake Road East, Madison, Ohio 44057, Lake County. The Buffalo District Corps of Engineers ID Number for this project is 2000-00314(1). The Ohio EPA ID Number for this project is 052222.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality in Lake Erie. 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.

Beginning May 2, 2005, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the Ohio EPA Northeast District Office by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on June 21, 2005 at 6:00 p.m. at the Madison Public Library, 6111 Middle Ridge Road, Madison, Ohio 44057. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give oral or written comments on the proposed project. 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. 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 June 28, 2005. 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 this project, or wish to submit comments for Ohio EPA's consideration in reviewing the applicatio should to 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 June 28, 2005.

Date of Public Notice: May 2, 2005

**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, an after-the-fact Clean Water Act Section 401 certification for a project to fill approximately 3.38 acres of wetlands for the construction of a 48-unit mobile home park. The project is located on a 6.8-acre south of U.S. 52 and north of County Road 1, near Burlington, Fayette Township, Lawrence County, Ohio. The application was submitted by Scott Hutchinson Enterprises Inc., 905 Bonnie Blvd, Huntington, West Virginia, 25705. The Huntington District Corps of Engineers Public Notice Number for this project is 20000379-1. The Ohio EPA ID Number for this project is 042176.

The applicant submitted three alternatives for this project (Preferred, Minimal, and Non-degradation Alternative). The preferred alternative proposes to impact 3.38 acres of wetlands, the minimal degradation alternative proposes to impact 1.40 acres of wetlands, and the applicant has submitted a "no build alternative" as the non-degradation alternative.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of wetlands adjacent to an unnamed tributary to the Ohio River. 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 apply or may be granted by the Director of Ohio EPA.

Starting May 2, 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.

PUBLIC NOTICE

**OHIO EPA APPROVES CLOSURE PERIOD EXTENSION REQUEST
FROM PORTSMOUTH GASEOUS DIFFUSION**

On April 27, 2005, Ohio EPA approved a closure period extension request from the Portsmouth Gaseous Diffusion Plant, located at 3930 U.S. Route 23, Piketon, Ohio. The EPA I.D. number for this facility is OH7890008983.

The facility's April 11, 2005 extension request, pursuant to Ohio Administrative Code rule 3745-66-13(B), is for additional time to conduct additional decontamination activities in an attempt to meet the approved clean closure standards. This extension request is being granted for the above referenced closure plan and expires on September 30, 2005. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

Trumbull County

**PUBLIC NOTICE
OHIO EPA APPROVES CLOSURE/POST-CLOSURE PLAN FOR
THOMAS STEEL STRIP CORPORATION**

On April 27, 2005, Ohio EPA approved two closure/post-closure plans for Thomas Steel Strip Corporation located at Delaware Avenue NW, Warren, Ohio. The EPA I.D. number for this facility is OHD077755213.

Pursuant to Ohio Revised Code rule 3745-66-12 and 3745-66-18, the facility's closure/post-closure plans submitted on February 10, 2005 were approved, with modifications, as outlined in the Director's April 27, 2005 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.