

**PUBLIC NOTICE**  
**FINAL ISSUANCE OF AMENDED CERTIFICATE OF**  
**REGISTRATION AS A GENERATOR OF INFECTIOUS WASTE**

Notice is hereby given that on August 8, 2006, 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 Hearing**  
**Ohio Environmental Protection Agency**  
**Five-Year Rule Review of Ohio Administrative Code (OAC) rule 3745-79-01, OAC**  
**rule 3745-79-02 and OAC rule 3745-79-03**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above referenced rules primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (five-year review). The DAPC finds the following rules to be necessary and with need for changes: OAC rules 3745-79-01 to 3745-79-03. The DAPC proposes to amend Ohio Administrative Code (OAC) rules 3745-79-01 Definitions, OAC rule 3745-79-02 Registration, and OAC rule 3745-79-03 Notices relating to rights and obligations. The amendments are being proposed to conform with current Legislative Service Commission rule format and rule processing protocols, to update and clarify the rules' authorizing and amplifying statutes and to add information to fulfill the requirements of ORC 121.72.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposes them. On May 17, 2006, these rules went out for a 30 day review by interested parties. No comments were received during this period.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on Thursday, September 14, 2006, at 10:00 AM, in Conference Room C, 5<sup>th</sup> Floor at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on September 14, 2006, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after September 14, 2006, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Web page for electronic downloading by clicking on "regulations" under the " topics" drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.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 Rick Carleski at Ohio EPA, (614) 728-1742, [rick.carleski@epa.state.oh.us](mailto:rick.carleski@epa.state.oh.us), or mailed to Rick Carleski, Ohio EPA, Office of Compliance Assistance and Pollution Prevention, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**NOTICE OF ADOPTION OF RULE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Rule Governing  
Water Pollution Control Permit to Install**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has **adopted** the following rule of the Ohio Administrative Code:

<b>Rule #</b>	<b>Title:</b>	<b>Action</b>
3745-42-05	Design Flow Requirements for Treatment Works Sized for 100,000 gallons per day (gpd) or Less	Rule Adoption

The Director's order of **adoption** was issued on **August 10, 2006**. This **adopted** rule will become effective on **November 1, 2006**. To request a copy of this rule, write to Elizabeth Bailik, Ohio Environmental Protection Agency, Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049 or call Ms. Bailik at (614) 644-2039. A copy of the adopted rule is also available on the Ohio EPA Division of Surface Water Web site at [www.epa.state.oh.us/dsw](http://www.epa.state.oh.us/dsw).

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on **June 28, 2006**, and comments received during the public comment period.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

**PUBLIC NOTICE  
OAC 3745-37-14(D)(1) Authorization**

Notice is hereby given that on August 3, 2006, pursuant to OAC Rule 3745-37-14(D)(1), the director of Ohio EPA authorize an increase in the Authorized Maximum Daily Waste Receipt (AMDWR) at the USA Waste Geneva Landfill, Inc. (Geneva Landfill) from 1,500 tons to 2,500 tons for a period of ninety (90) days. The Facility is located at 4339 Tuttle Rd., Geneva, OH 44041. This approval is subject to all rules, regulations, and specified conditions. This action of the director of Ohio EPA is final and is appealable to the Environmental Review Appeals Commission, at 309 South Fourth Street, Room 222, Columbus, Ohio 43215. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA request that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. 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  
APPROVAL OF FACILITIES PLAN AND APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND ASSISTANCE  
TO THE CITY OF SOUTH EUCLID**

The Director of the Ohio Environmental Protection Agency is providing notice of actions to approve a facilities plan and to approve an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to City of South Euclid for the following water quality improvement activity(ies): construction of sanitary sewers to replace existing deteriorated sewers in the East Antisdale Subdivision in the southwest part of the City.

These approvals are based upon the Ohio EPA staff's recommendations following reviews conducted under applicable requirements of the facilities planning materials and of the assistance application materials and any other information regarding the proposed activities. The approval of the application and all financial assistance provided to the City of South Euclid from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Judy Mentzer at the above address or by calling (614) 644-2798.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR WATER POLLUTION CONTROL LOAN FUND  
TO THE VILLAGE OF ANSONIA**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Pollution Control Loan Fund (WPCLF) financial assistance to the Village of Ansonia , for the following water quality improvement activities: the design of the separation of its combined sewer system into separate systems for sanitary and storm sewers as required by its National Pollutant Discharge Elimination System Permit (NPDES).

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to Ansonia from the WPCLF is conditioned upon successful completion, operation, and maintenance of the eligible activities.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Mary Mariani, Project Coordinator at the above address or by calling (614) 644-2798.

**Date of public notice: August 10, 2006**

**Fairfield 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 construction of a retail center and a medical office building on a 7.29 acre property. The application was submitted by Performance Land Development, 2323 Performance Parkway, Columbus, Ohio 43207. The project is located south of State Route 33 and west of Pierce Avenue in the City of Lancaster, Fairfield County, Ohio. The Huntington District Corps of Engineers Public Notice Number for the project is 200600012. The Ohio EPA ID Number for the project is 062926.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 0.97 acre of two jurisdictional wetlands in conjunction with the construction of a building pad and the associated parking lots. The applicant's proposed minimal degradation alternative, if approved, would impact 0.70 acre of one jurisdictional wetland in conjunction with the construction of associated internal roadways and stormwater features. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Hocking 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 outline by 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of the OHIO EPA.

Starting August 10, 2006, copies of the application for the certification and technical support information may be inspected of 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.

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 September

9, 2006. Comments received after this date may not be considered as part of the official record.

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: August 12, 2006**

**Geauga County**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATIONS 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, an United States Army Corps of Engineers' Section 404 Nationwide Permit Clean Water Act Section 401 Water Quality Certification for a project consisting of improvements to an existing and failing sheet pile retaining wall along a portion of the Chagrin River. The application was submitted by Geauga County Engineers, 470 Center St., Building 5, Chardon, Ohio 44024. The project is located northeast of the intersection of Fairmount Road and Sperry Road, Newbury Township, Geauga County, Ohio. The Buffalo District Corps of Engineers number for this project is 2006-01372(0). The Ohio EPA ID Number for this project is 062903.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 70 linear feet of the Chagrin River. The applicant's minimal degradation alternative, if approved, would have no impacts to the Chagrin River, but there is a higher probability of the old wall failing during construction which would decrease the water quality of the Chagrin River and portions of Fairmount Road would be closed during the project. The applicant's proposed non-degradation alternative, if approved, would be to leave the wall in its current condition.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Chagrin River watershed temporarily and ultimately improve the water quality. 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 the water quality will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by 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 August 12, 2006, 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. The application can be made available at the Ohio EPA Northeast District Office by call the same number.

Ohio EPA will hold a public information session and public hearing relative to the issues of

lower water quality on Monday, September 25, 2006, 6:30 pm at Newbury Town Hall, 14899 Auburn Road, Newbury, Ohio 44065. 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 written or oral comments on the proposed. 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 October 2, 2006. 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 this application 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 October 2, 2006.

**PUBLIC NOTICE  
APPROVAL OF AN APPLICATION  
FOR WATER SUPPLY REVOLVING LOAN ACCOUNT FINANCIAL ASSISTANCE  
TO THE CITY OF NORWALK**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Supply Revolving Loan Account (WSRLA) financial assistance to the City of Norwalk for the following water treatment system activities: the construction of new reaction basins with potassium permanganate and PAC feeds to improve the removal of organics and to install ferric sulphate feed system for improved coagulation to address disinfection byproduct removal.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the City of Norwalk from the WSRLA is conditioned upon successful completion, operation, and maintenance of the eligible activities.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Brian Enck at the above address or by calling (614) 644-3651.

**PUBLIC NOTICE**  
**ISSUANCE OF FINAL SOLID WASTE PERMIT TO INSTALL**  
**AND**  
**FINAL NATIONAL POLLUTANT DISCHARGE ELIMINATION**  
**SYSTEM PERMIT MODIFICATION**

Notice is hereby given that on August 8, 2006, Ohio Environmental Protection Agency (EPA) issued a Final Solid Waste Permit to Install (PTI #06-07741) and a Final National Pollutant Discharge Elimination System (NPDES) Permit Modification to Discharge to State Waters (#0IN00251\*BD) to: Tunnell Hill Reclamation, LLC, 544 Chestnut Street, P.O. Box 427, Coshocton, Ohio 43812. The solid waste permit authorizes the construction of Tunnell Hill Reclamation (Facility), a new municipal solid waste disposal facility, to be located on Tunnel Hill Road, three miles northeast of New Lexington, Perry County, Ohio. The NPDES permit modification will allow use of the existing surface water runoff pond to serve the mining operations, the construction and demolition debris disposal operations, and the solid waste disposal operations. This final permit approval is subject to all rules, regulations, and specified conditions. 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, PO Box 1049, Columbus, OH 43216-1049, Tel:(614) 644-2621.

**PUBLIC NOTICE  
APPROVAL OF APPLICATION  
FOR WATER SUPPLY REVOLVING LOAN ACCOUNT ASSISTANCE  
TO THE VILLAGE OF LEWISBURG**

The Director of the Ohio Environmental Protection Agency is providing notice of the approval of an application for Water Supply Revolving Loan Account (WSRLA) financial assistance to the Village of Lewisburg, for the following water treatment system activities: design of WTP Improvements.

This approval is based upon the Ohio EPA staff's recommendations following a review conducted under applicable requirements of the assistance application materials and any other information regarding the proposed activities. This approval and all financial assistance provided to the Village of Lewisburg from the WSRLA is conditioned upon successful completion, operation, and maintenance of the eligible activities.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 43215.

Copies of the assistance agreement and associated Environmental Assessment documents are available by calling (614) 644-2798. Also, copies are available by writing to: Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, 122 South Front Street, P. O. Box 1049, Columbus, OH 43216-1049.

Questions regarding the project should be directed to Paula Reed, at the above address or by calling (614) 644-2798.

**Date of Public Notice: July 22, 2006**

**Summit 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 retention pond and other site improvements at the Sterling Jewelers headquarters. The application was submitted by the City of Akron, 166 South High Street, Akron, Ohio 44308. The project is located at 375 Ghent Road in Akron, Summit County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2005-013197(1). The Ohio EPA ID Number for this project is 062577.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, consists primarily of maintenance and upgrades to the retention pond at the Sterling Jewelers corporate headquarters complex in Akron. Eroded slopes will be stabilized by placement of rock protection along the banks of the retention pond, and maintenance dredging will be performed to restore the capacity of the pond. The total estimated quantity of dredged material is 10,000 cubic yards; implementation of a sediment and erosion control plan will minimize downstream sedimentation resulting from construction activity. In addition, high volume stormwater inputs from culverts under Smith Road will flow through an energy dissipater, followed by a series of settling pools and baffles. Other associated improvements include construction of an access drive along the southern edge of the retention pond, and construction of additional parking areas. The proposed improvements will affect five small wetland areas, which collectively comprise 0.221 acre of wetland area. The applicant's proposed minimal degradation alternative, if approved, would reduce the amount of shoreline rock protection and replace it with native shoreline plantings for erosion control. The minimal degradation alternative is otherwise identical to the preferred alternative. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of a tributary to Yellow Creek in the Cuyahoga River watershed. 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 3745-1-05 of the Antidegradation Rule apply or may be granted by the Director of Ohio EPA.

Starting July 22, 2006, 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

Written comments must be received by the Ohio EPA-DSW, Attention: Permit Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on (30 days after date of publication). Comments received after this date may not be considered as part of the official record.

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: Permit Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 30 days of the date of this public notice.

**Date of Public Notice: August 8, 2006**

**Union County**

**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 water quality certification for a project involving the expansion of an existing wastewater treatment system. The proposed project will include the construction of a new water reclamation facility, a new pump station, a trunk interceptor pipeline, force main pipelines, a plant effluent pipeline, and an outfall. The application was submitted by the City of Marysville, 125 East 6th Street, Marysville, Ohio 43040. The project is located within the City of Marysville and Mill Creek Township in Union County, Ohio. The Huntington District of the U.S. Army Corps of Engineers' Public Notice Number for this application is 200501282. The Ohio EPA ID Number for this project is 062928.

As required by the Antidegradation Rule, rule 3745-1-05 of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would result in 0.22 acres of temporary impacts to Category 1 wetlands, type conversion from forested to emergent vegetation in 0.12 acres of Category 2 wetlands, permanent impacts to 0.03 acres of Category 3 wetlands, 143 linear feet of temporary impacts to streams, and permanent impacts to 40 feet of permanent impacts to streams. In order to mitigate for temporary impacts, the applicant proposes to restore all wetlands in-place in addition to purchasing 0.4 acres of non-forested wetland credits at the Little Scioto Mitigation Bank. In order to mitigate for permanent type conversion impacts, the applicant proposes to restore emergent wetland in-place in addition to purchasing 0.3 acres of forested mitigation credits at the Little Scioto Mitigation Bank. In order to mitigate for 0.03 acres of permanent impacts, the applicant proposes to purchase 0.1 acres of forested wetland credits at the Little Scioto Mitigation Bank. In order to mitigate for stream impacts at pipeline crossings, the City proposes to restore all stream bed and banks to pre-construction contours and conditions. The Mill Creek crossing restoration will include forested buffer strips, live staking, and tree revetments. The applicant's proposed minimal degradation alternative, if approved, would result in 0.22 acres of temporary impacts to Category 1 wetlands, type conversion from forested to emergent vegetation in 0.12 acres of Category 2 wetlands, 143 linear feet of temporary impacts to streams, and indirect impacts to Category 3 wetlands. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Mill Creek, two un-named tributaries of Mill Creek, and five wetlands. Ohio EPA will review the application, and decide whether to grant or deny the application, in

accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, and antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting August 8, 2006, copies of the application 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. Copies of the application and technical support information can be made available upon request 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 at 6:30 p.m. on September 21, 2006 at the Union County Service Center, 940 London Avenue, Marysville, Ohio 43040. 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 written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by Ohio EPA prior to any further action on the application.

Ohio EPA will continue to accept written comments on the application through the close of business on September 28, 2006. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or requests to be placed on a mailing list for information by writing to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.