

PUBLIC NOTICE

FINAL ISSUANCE OF AN AMENDED CERTIFICATE OF REGISTRATION AS A TRANSPORTER OF INFECTIOUS WASTE

Notice is hereby given that on September 10, 2007, the director of Ohio EPA issued an amended infectious waste transporter certificate to Stericycle, Inc., 28161 N Keith Dr., Lake Forest, IL 60045, Reg. No. 00-T-00199. 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.

**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 the Ohio Revised Code Section 3704.03(E), has adopted new rules 3745-113-01 through 113-06, "Architectural and industrial maintenance (AIM) coatings" of the Ohio Administrative Code (OAC).

These rules will provide emission reductions to assist in attaining and maintaining the eight-hour ozone standard throughout the state. The attainment date for the basic eight-hour ozone nonattainment areas is April 2009. U.S. EPA is also moving forward with new national AIM rule making which is tentatively planned for implementation in January 2009. The Ohio AIM rule becomes applicable to products sold in Ohio on January 1, 2009. Should US EPA promulgate a national rule, DAPC will either withdraw our rule or modify it to match the federal rule.

Ohio's new proposed state-wide AIM coating rules are based on the Ozone Transport Commission's (OTC) model rule that is currently in effect throughout the various states of the northeastern U.S. that are part of the OTC. These rules require manufacturers and importers of AIM coatings to limit the amount of VOC that they put into their products. The AIM coating categories are listed in OAC rule 3745-113-03(A) with their respective VOC content limits. Another primary aspect of the rules, found in OAC rule 3745-113-04, includes container labeling requirements for AIM coatings.

Pursuant to Section 121.39 of the Ohio Revised Code, the Division of Air Pollution Control (DAPC) is required to consult with interested parties affected by the rules before the division formally adopts them. On November 8, 2006 these rules went out for a 30 day review by interested parties. The rules were submitted to the Joint Committee on Agency Rule review (JCARR) on March 28, 2007. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes was conducted on May 7, 2007, in Columbus, Ohio. There were comments received during the public comment period which resulted in changes to the rules proposed. Various major paint and coatings manufacturers, small coatings manufacturers and the national paint and coating association presented verbal testimony and written comments on the proposed rules. All of the commenters suggested delaying the date for the implementation of Ohio's AIM requirements; from January 1, 2008 as reflected in the proposed rules to January 1, 2009. The affected parties insisted that more time would be needed for their operations to change their manufacturing and distribution programs in order to comply with the new requirements in these rules.

Additional comments were also received suggesting minor changes for consistency with the current federal AIM rules and the OTC model rule, changes to fix typos and the addition of a category and VOC limit for conjugated oil varnishes (tung oil-based).

These additional comments received resulted in the need for some minor amendments to the proposed rule.

The Director's order of adoption was issued on September 11, 2007. The effective date of these rules is September 21, 2007.

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 Lee F. Burkleca, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Lee at 614-728-1344. The rules are available on the Web page for electronic downloading. 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 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 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. 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. 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
Five-Year Rule Review of Ohio Administrative Code (OAC) Chapter 3745-17
(OAC rules 3745-17-01, -02, -03, -04, -05, -07, -08, -09, -10, -11, -12, -13, and -14)

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 (ORC) for a five-year review. The DAPC has determined that OAC rule 3745-17-05 is no longer necessary and should be rescinded and that OAC rules 3745-17-01, -02, -03, -04, -07, -08, -09, -10, -11, -12, -13, and -14 are necessary and need to be amended. The following briefly summarizes the proposed revisions of the rules within OAC Chapter 3745-17:

-17-01 (Definitions.)

New definitions have been added to the rule for (OEPA(or (Ohio EPA,((PM2.5,(and (PM10;(and the definition for (total suspended particulates(has been deleted. Also, an incorporation-by-reference section has been added at the end of the rule to fulfill the requirements of ORC 121.72.

-17-02 (Ambient air quality standards.)

The current NAAQS for PM2.5 have been added to the rule.

-17-03 (Measurement methods and procedures.)

As a result of the proposed changes to paragraph (I) [for Ford Motor Company, Cleveland Casting Plant] of rule 3745-17-12, and the proposed changes to paragraphs (B) [for International Mill Service, Incorporated], (D) [for Standard Slag Company], and (E) and (F) [for Wheeling-Pittsburgh Steel Corporation] of rule 3745-17-13, the compliance method paragraphs in this rule that relate to those proposed changes have been updated.

-17-04 (Compliance time schedules.)

Paragraph (B)(6) of this rule specifies the compliance deadlines for sources that are subject to the requirements of existing rule 3745-17-12, and paragraph (B)(7) of this rule specifies the compliance deadlines for sources that are subject to the requirements of existing rule 3745-17-13. The proposed changes to paragraph (B)(6) relate to the Ford Motor Company, Cleveland Casting Plant. The proposed changes to paragraph (B)(7) relate to the International Mill Service, Incorporated, Standard Slag Company, and Wheeling-Pittsburgh Steel Corporation.

In both paragraphs (B)(6) and (B)(7), several references to paragraphs in rules 3745-17-12 and -13 have been deleted because either the sources addressed in the paragraphs have been permanently shut down or the paragraphs in those rules have been renumbered due to proposed changes, in which case the changed paragraph numbers have been added to paragraphs (B)(6) and (B)(7).

Also, in proposed rule 3745-17-13, the requirements for several sources at the Wheeling-Pittsburgh Steel Corporation have been changed to be more stringent than those in the existing rule. Paragraph (B)(7) has been changed to reference the paragraphs within proposed rule 3745-17-13 that contain the more stringent requirements and to change the compliance deadline from (April 1, 1993" to (not later than the effective date of this rule.

-17-05 (Non-degradation policy.)

This rule, which consists of only one sentence, has been recommended for rescission because it has been determined that the rule is no longer a necessary part of the State(s) air pollution control program.

-17-07 (Control of visible particulate emissions from stationary sources.)

New exemptions from the 20% and 60% opacity limitations have been added to this proposed rule for the kilns at the Martin Marietta Magnesia Specialties, Inc. facility in Woodville. The company has submitted information that supports the need for start-up and shutdown exemptions for any kiln controlled with a baghouse to prevent damage to the baghouse due to blinding of the bags. The company also has submitted information that supports the need for a start-up exemption for any kiln controlled with an ESP to prevent possible explosions within the ESP due to high concentrations of combustibles resulting from the incomplete combustion of coal or petroleum coke.

-17-08 (Restriction of emission of fugitive dust.)

In the existing rule, the blast furnace and basic oxygen furnaces at the AK Steel Corporation(s) Middletown Works are exempted from the requirement to employ reasonably available control measures to control the fugitive dust emissions from these sources. In the Consent Order that was entered in the Butler County Court of Common Pleas on March 31, 2004, the company agreed that the exemptions would end after the new controls were installed to comply with the MACT standards for the iron and steel industry. Therefore, because the installation of the MACT controls has been completed, the exemptions in paragraph (A)(3)(b) of proposed rule 3745-17-08 have been deleted, in accordance with the Consent Order.

-17-09 (Restrictions on particulate emissions and odors from incinerators.)

The only changes to this rule involve corrections to the citations at the end of the rule of the amplifying and authorizing statutes.

? **-17-10 (Restrictions on particulate emissions from fuel burning equipment.)**

The only changes to this rule involve corrections to the citations at the end of the rule of the amplifying and authorizing statutes.

-17-11 (Restrictions on particulate emissions from industrial processes.)

New RACT requirements have been added to the rule for surface coating processes (painting operations). Any surface coating process that is not exempted by this rule must be controlled by means of a particulate filter, waterwash, or equivalent control device and must comply with specific work practices relating to the operation,

maintenance, repair, and inspection of the control devices. Several exemptions have been provided in the rule for small surface coating processes, i.e., those surface coating processes that would generate minor to negligible amounts of coating overspray.

When these new RACT requirements become effective, Figure II and Table I of this rule will no longer be applicable to surface coating processes, and, as a result, the surface coating processes will not have allowable particulate emission limitations.

-17-12 (Additional restrictions on particulate emissions from specific air contaminant sources in Cuyahoga County.)

The significant changes to this rule are contained in paragraph (I). This paragraph specifies control requirements for various sources at the Ford Motor Company, Cleveland Casting Plant. Since the original promulgation of this rule, a substantial number of the sources identified in paragraph (I) have been permanently shut down. Also, in complying with the MACT requirements, the company replaced two existing cupolas with new cupolas and rerouted the emissions from several associated sources to different control devices than those mentioned in existing paragraph (I). All the proposed changes to paragraph (I) address the sources at the facility that have been permanently shut down and the sources that are now being controlled with different control devices. All of these proposed changes have been requested by the Company.

-17-13 (Additional restrictions on particulate emissions from specific air contaminant sources in Jefferson County.)

Existing paragraphs (B) and (D) of this rule specify control requirements for sources at International Mill Service, Incorporated and Standard Slag Company, respectively. These two paragraphs have been deleted because the two companies have been permanently shut down.

The other significant changes to this rule concern the Wheeling-Pittsburgh Steel Corporation facilities located in Steubenville (existing paragraph (E)) and in Mingo Junction (existing paragraph (F)). Several of the sources at each of these facilities have been permanently shut down, and the company has requested that the references to those sources be deleted. In addition, the company has requested that the emission limitations for several of the remaining sources at the two facilities be changed. For some of the remaining sources, the proposed emission limitations are more stringent than the existing emission limitations, and for other sources the proposed emission limitations are less stringent.

-17-14 (Contingency plan requirements for Cuyahoga and Jefferson Counties.)

The term (total suspended particulates) has been deleted from this rule and replaced with (PM₁₀). A new definition for PM₁₀ has been added to proposed rule 3745-17-01.

In addition to the above-mentioned changes for proposed rules 3745-17-01, -02, -03, -04, -07, -08, -11, -12, -13 and -14, those proposed rules also include corrections to the citations at the end of the rules of the amplifying and authorizing statutes.

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 adopts them. On April 11, 2007, these rules went out for a 30-day review by interested parties.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on Friday, October 19, 2007 at 10:00 a.m. in Conference C at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). The above-mentioned rules are a part of Ohio's SIP, and the proposed amendments will be submitted to USEPA as a modification of the SIP. The above-mentioned hearing shall be considered the public hearing for the SIP submittal.

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 Friday, October 19, 2007 will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after Friday, October 19, 2007 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 Ohio EPA DAPC 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>. Once at the webpage, please scroll down to the information dated September 12, 2007 under the heading for OAC Chapter 3745-17.

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 Jim Orlemann as follows: by phone 614-644-3592; by e-mail jim.orlemann@epa.state.oh.us; or by regular mail James A. Orlemann, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail.

PUBLIC NOTICE

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) is suggesting the following new draft rules for the creation of an emission reduction credit (ERC) trade and banking program for the purpose of offsets.

New Source Review regulations require major sources to acquire offsets before obtaining a permit to construct in nonattainment areas. The purpose of the ERC trade and banking program is to have an official method for Ohio companies to register un-verified and verified ERC's into an Ohio EPA ERC banking system for future internal use or to trade for the purpose of offsets. Currently, Ohio EPA conducts ERC verification on a case-by-case basis only at the time a "major" facility needs to use ERCs for emission offsets. Ohio EPA anticipates that these new draft rules will reduce the risk of finding emission offsets at the time of need by creating a clear registration and banking system in addition to publishing available ERCs on the Ohio EPA website.

The new draft rules provide provisions for a robust ERC open market trading program for the purpose of offsets with the following elements: ERC generation techniques, quantifications methods, baseline determinations, and ERC expiration periods. It also outlines the information facilities must submit when generating, transferring or using ERCs. Lastly, the new draft rules clarifies the requirements for meeting the four federal ERC criteria; quantifiable, permanent, surplus and federally enforceable. The new draft rules will refer back to OAC Chapter 3745-31 referencing applicable offset rule requirements promulgated under the New Source Review rules implemented in OAC Chapter 3745-31. The following rules are being suggested for this program:

3745-111-01, Definitions

3745-111-02, ERC trade and banking program for the purpose of offsets

3745-111-03, ERC generation for the purpose of offsets

3745-111-04, ERC transfer and use for the purpose of offsets

3745-111-05, ERC banking system

As part of the rule-making process, DAPC is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The DAPC is offering your organization the opportunity to comment on new draft OAC Chapter 3745-111 before the division formally proposes them.

Attached, please find a rule synopsis and copies of the draft OAC rules 3745-111-01, 3745-111-02, 3745-111-03, 3745-111-04, and 3745-111-05. These rules are also available at <http://www.epa.state.oh.us/dapc/regs/regs.html>. When accessing the website, please

scroll down to the header for OAC Chapter 3745-111. We request that you provide us with any comments you may have to the changes that have been recommended by Monday, October 15, 2007.

Please email or mail your comments or suggestions to the following addresses. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

E-mail: Robyn.kenney@epa.state.oh.us

Mailing address: Robyn Kenney
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center
PO Box 1049
Columbus, Ohio 43216-1049
Phone: 614-644-3425.

Thank you,

Robert Hodanbosi, Chief
Divisions of Air Pollution Control
Ohio Environmental Protection Agency

PUBLIC NOTICE

Notice is hereby given that on September 10, 2007, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Wal-Mart Stores East, LP, 2001 SE 10th Street, Bentonville, AR 72716. The permit was issued for a project to construct a retail development. The project is located north of State Route 81 (Allentown Road) and east of Cable Road, Lima, Allen County, Ohio. 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 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 Environmental Review Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557.

PUBLIC NOTICE

Notice is hereby given that on September 10, 2007, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Samuel Miller, Trustee and Michael A. Shemo, Trustee, 1050 Terminal Tower, 50 Public Square, Cleveland, Ohio 44113-2204. The permit was issued for a project to construct the Aberdeen Business Park. The project is located east of Bishop Road and north of Highland Road, Cleveland, Cuyahoga County, Ohio. 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 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 Environmental Review Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557.

PUBLIC NOTICE

Notice is hereby given that on September 10, 2007, the Director of the Environmental Protection Agency issued an Isolated Wetlands Permit to Liberty VP Northland, LLC, 2200 Lucien Way, Suite 410, Maitland, Florida 32751. The permit was issued for a project to construct an extended stay hotel. The project is located on Zumstein Drive, east of Interstate 71 and northwest of State Route 161, Columbus, Franklin County, Ohio. 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 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 Environmental Review Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43266-0557.

Date of Public Notice: September 19, 2007

**PUBLIC NOTICE
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT
APPLICATION (LEVEL 2)**

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 Isolated Wetland Permit (Level 2) for a project to impact 0.95 acres of isolated wetland to construct a warehouse expansion, extending existing roadways, truck docking areas and a stormwater detention area totaling 7.07 acres. The application was submitted by the Lincoln Electric Company, 6500 Heisley Road, Mentor, Ohio 44060. The project is located between the Norfolk-Southern Railroad tracks, east of Hopkins Road and west of 6500 Heisley Road. The Ohio EPA Number for this project is 073150.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting September 12, 1007, copies of the application and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 W. Town Street, Columbus, Ohio, 43216-1049 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 20 days of the date of this public notice.

Date of Public Notice: September 19, 2007

**PUBLIC NOTICE
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT
APPLICATION (LEVEL 2)**

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 Isolated Wetland Permit (Level 2) to fill 1.19 acres of wetland to construct a dry mill ethanol facility, Centerline 60 fuel ethanol plant producing 69 million gallons per year. The application was submitted by the POET Biorefining-Fostoria, 2209 East 57th Street North, Sioux Falls, SD 57104. The project is located west of Yochum, south of State Route 12 and north of the railroad tracks in Fostoria, Seneca County, Ohio. The Ohio EPA Number for this project is 073177.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting September 19, 2007, 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. 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 20 days of the date of this public notice.

Date of Public Notice: September 12, 2007

**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 the subject transportation project. The proposed project, WOO-795-9.04, PID 22245 will replace the existing four-span steel beam bridge on State Route (SR) 795 over Interstate Route (IR) 280 with a two-span continuous steel girder bridge, raise the approach profile and widen SR 795 for the addition of a left turn lane onto IR 280. These improvements will impact one stream resulting from the widening of SR 795. The application was submitted by the Ohio Department of Transportation (ODOT). The Ohio EPA SWIMS #ID Number for this project is 073200.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 440 linear feet of Class II Primary Headwater Habitat stream by the placing of this stream into a culvert. No wetlands will be impacted by the proposed project. The applicant's proposed minimal degradation alternative, if approved, would impact 440 linear feet of Class II Primary Headwater Habitat stream and relocate 750 linear feet outside of the roadway embankment. The Minimal-Degradation Alternative would have no impact on wetlands. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands but would not meet the purpose and need for the project.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Henry Creek watershed within the Crane Creek watershed (HUC 04100010). 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 September 12, 2007, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, 50 West Town Street, Suite 700, Columbus, Ohio 43215, 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 October 12, 2007. 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.