

State of Ohio
Environmental Protection Agency

March 4, 2009

Notice of Final Rule-making

Notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Drinking and Ground Waters (DDAGW) adopted revisions to the rules of the Ohio Administrative Code (OAC) which sets forth the requirements for public water system licenses. The revisions are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The division has prepared the license to operate rules, proposing to rescind rule 3745-84-01 of the OAC and replacing it with new rules 3745-84-01 through 3745-84-06. The new rules establish conditions and procedures for conditioning, suspending, revoking or denying a license to operate. License applicants will be required to supply information with regard to the legal owner, lessee, financial contact and operator of record. The new rules will also establish requirements to notify the public of the water system's license status by displaying the license on site and for notification of their license status to be included in the consumer confidence report.

The Director of Environmental Protection, after considering public comment, adopted these rules in final form, pursuant to Section 6109.04 of the Ohio Revised Code. The Director's order of adoption was issued on March 4, 2009. The effective date of these new rules will be April 1, 2009, in accordance with Section 119.04(A) of the Revised Code.

A copy of the rules may be obtained, at cost, by contacting the Hearing Clerk, Ohio EPA, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049, or (614) 644-2129. These rules are also available electronically at the following internet address: <http://www.epa.state.oh.us/ddagw/oac.html>.

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
FINAL ACTIONS OF THE DIRECTOR
ISSUANCE OF CERTIFICATES TO REPAIR FACILITIES UNDER
THE MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3704.14 and Ohio Administrative Code rule 3745-26-15, has issued certificates to perform work as a Certified Repair Facility under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the facilities listed below. All certificates are issued 3/2/2009.

For information regarding these final actions, contact Michael Riggleman, Ohio EPA, Division of Air Pollution Control, Mobile Sources Section, P.O. Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-3059. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

COUNTY	SHOP NAME	CITY	STATE
CUYAHOGA	BEAULIEU AUTO CENTER	CLEVELAND	OH
LAKE	ACTION AUTO & TRUCK SERVICE	PAINESVILLE	OH
Lake	EXPERT AUTO REPAIR	WILLOWICK	OH
MEDINA	MEDINA MUFFLER	MEDINA	OH
PORTAGE	CHARLIE'S GARAGE	SUFFIELD	OH
SUMMIT	ZEHNER'S SERVICE CENTER	AKRON	OH

PUBLIC NOTICE
FINAL ACTIONS OF THE DIRECTOR
ISSUANCE OF CERTIFICATES TO REPAIR TECHNICIANS UNDER
THE MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3704.14 and Ohio Administrative Code rule 3745-26-16, has issued certificates to perform work as a Certified Repair Technician under the Motor Vehicle Emission Inspection and Maintenance Program, consistent with the requirements of that program, to the repair technicians listed below. All certificates are issued 3/2/2009.

For information regarding these final actions, contact Michael Riggleman, Ohio EPA, Division of Air Pollution Control, Mobile Sources Section, P.O. Box 1049, Columbus, Ohio 43216-1049, or by telephone at (614) 644-3059. These final actions of the Director were not preceded by proposed actions, and are appealable to the Environmental Review Appeals Commission within thirty (30) days after issuance of the Director's action, pursuant to section 3745.07 of the Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. Appeals must be sent to the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

FIRST	LAST	CITY	STATE
MARK	HOJNOWSKI	BEDFORD	OH
MARK	MILLER	CLINTON	OH
ROBERT	MOSHER	CRESTON	OH
TIMOTHY	PERKINS	PAINESVILLE	OH
EDMUND	BEAULIEU	SEVEN HILLS	OH

PUBLIC NOTICE
Ohio EPA Approves Authorization to Excavate, Fill, Grade, Build or Drill on a
Landfill at
Southern Tier of Whittier Peninsula, Columbus, Ohio

On March 4, 2009, the Director of Ohio EPA issued an Ohio Administrative Code (OAC) 3745-27-13 authorization to the city of Columbus to engage in excavating, filling, grading, building or drilling activities on a landfill at the Southern Tier of Whittier Peninsula located at 400 through 500 West Whittier Street in Columbus, Ohio (Franklin County). The authorization includes an exemption, pursuant to OAC 3745-27-03(B) from the vertical limit requirement of OAC 3745-27-13(H)(6). The authorization allows for the installation of a closed loop geothermal system located on a portion of an approximately 65-acre former waste disposal area, which is within an approximately 90-acre property owned by the city of Columbus. The activities support the environmental remediation and redevelopment of the property for the Grange-Audubon Nature Center.

Installation activities authorized include the installation of up to 35 closed loop geothermal wells on an area of the property north of the Grange-Audubon Nature Center property. The system will be used for heating and cooling purposes for the nature center. The authorization relates to a previous authorization for the city to engage in excavating, filling, grading, building or drilling activities on the landfill area at the property approved by Ohio EPA on April 17, 2008.

The 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 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 it is demonstrated 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 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 commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

The authorization request and related materials are available for review at Ohio EPA's Central District Office by calling (614) 728- 3778 or e-mailing www.epa.state.oh.us/cdo/ for an appointment.

DATE OF PUBLIC NOTICE: MARCH 6, 2009

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND RESCHEDULED PUBLIC
HEARING**

LORAIN HARBOR

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 U.S. Army Corps of Engineers (USACE) dredging project located in Lorain Harbor. The application was submitted by the USACE, Buffalo District, 1776 Niagara Street, Buffalo, NY 14207. The project is located within the limits of the Federal navigation channels of the Outer Harbor and Black River Channel. The USACE, Buffalo District Public Notice number for this project is 09-04. The Ohio EPA ID Number for this project is 083457.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, will be to dredge an estimated 200,000 cubic yards of material in 2009. Up to 160,000 cubic yards of silt/clay/sand bottom sediments would be dredged from the Outer Harbor and the lower portion of the Black River Channel (downstream of River Mile 2.25). This material would be placed at the harbor's designated open-lake placement area in Lake Erie. Up to 40,000 cubic yards of silt/clay/sand bottom sediments would also be dredged from the River Channel upstream of River Mile 2.25. This material would be placed in the Lorain Harbor's confined disposal facility (CDF). The applicant's proposed minimal degradation alternative, if approved, will be to dredge an estimated 160,000 cubic yards of dredged material from the Federal navigation channels in 2009, with the placement of the 130,000 cubic yards of dredged material (dredged from shoals located downstream of River Mile 2.25) at the existing open-lake area and 30,000 cubic yards (dredged from shoals located upstream of River Mile 2.25) in the CDF. 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 within the affected areas of 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. All three proposed alternatives 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 March 6, 2009, 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 District Offices by calling the same number.

Ohio EPA has rescheduled the public information session and public hearing relative to issues of lower water quality to 6:30 p.m. on May 7, 2009, at the Lorain Public Library, 351 Sixth Street, Lorain, Ohio, 44052. 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 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 May 14, 2009. 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 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 May 14, 2009.