

PUBLIC NOTICE
ENVIRONMENTAL COVENANT
NASA Glenn Research Center, 21000 Brookpark Road, Cleveland

Notice is hereby given that on August 21, 2009, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Section 5301.80 *et seq.* of the Ohio Revised Code ("ORC"), signed an environmental covenant for a 35-acre property located at NASA Glenn Research Center, 21000 Brookpark Road, Cleveland, Cuyahoga County, Ohio.

The Director of Ohio EPA selected a remedy for the property in January 2003. A component of the remedy is a deed restriction that limits the use of the property to industrial activities and restricts excavation within landfill limits. The environmental covenant signed by the Director contains these activity and use limitations, and will be recorded in the Cuyahoga County Recorder's Office.

The issuance of the Environmental Covenant is a final action of the Director. The action may be appealed to the Environmental Review Appeals Commission ("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 it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of an appeal shall be filed with the Director within three (3) days after the appeal is filed with the Commission. An 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 Environmental Covenant, please contact Debi Tavizon, Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

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

Notice is hereby given that on August 26, 2009, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued a renewal of certification to the following Certified Professionals: **Jim C. Smith CP121, Michael J. Momenee CP236, Edward C. Burk Jr. CP129, Ian K. Richardson CP233, Christopher W. Krumm CP177, Dennis E. Schucker CP272, Keith B. Egan CP259, Regina Cik CP114, Douglas P. Klicman CP269 and Matthew A. Cousino CP277.**

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. 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 Commission at 309 South Fourth St., Room 222, Columbus, Ohio 43215.

If you would like to review a copy of any renewal certificate, or any documents related to the certification, please contact Debi Tavizon, 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.

Date of Public Notice: August 26, 2009

**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 water quality certification for a project involving Runway Safety Area Improvements. The application was submitted by Gordon K. Bush Regional Airport and is sponsored by the Federal Aviation Administration. The project is located at Snyder Field, 747 Columbia Road, Albany, Ohio 45710. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2001-430-OHR. The Ohio EPA ID Numbers for this project are 093524 & 093537.

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 relocate 1,405 feet of Flat Run, encapsulate 896 feet of headwater stream, fill 0.24 acre of Category 1 emergent jurisdictional wetland, and fill 0.10 acre of Category 1 isolated wetland. The applicant's proposed minimal degradation alternative, if approved, would encapsulate 851 feet of headwater stream and fill 0.24 acre of Category 1 emergent jurisdictional wetland. 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 Flat Run and two tributaries to Flat Run. 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, an 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 26, 2009, copies of the application and technical support information may be inspected at Ohio EPA-DSW, Lazarus Government Center, 50 West Town Street, Suite 700, 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.

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 thirty days of the date of this public notice.

Date of Public Notice: August 24, 2009

**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 water quality certification for a project to construct a commercial distribution facility. The application was submitted by Schumacher Dugan Construction, Inc., 6355 Centre Park Drive, West Chester, Ohio 45069. The project is located on the north side of Port Union Road in Butler County, Ohio. The Huntington District Corps of Engineers Public Notice Number for this project is LHR-2008-108-OHR. The Ohio EPA ID Number for this project is 093528.

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 impact 447 linear feet of the on site stream. The applicant's proposed minimal degradation alternative, if approved, would impact 349 linear feet of the on site stream. The applicant's proposed non-degradation alternative, if approved, would result in no additional impacts on waters of the state beyond what was previously authorized by the United States Army Corps of Engineers under Nationwide Permit #39.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of an unnamed tributary which ultimately flows to the Mill Creek. 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, an 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 24, 2009 copies of the application and technical support information may be inspected at Ohio EPA-DSW, Lazarus Government Center, 50 West Town Street, Suite 700, 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.

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 thirty days of the date of this public notice.

PUBLIC NOTICE

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On August 24, 2009, Ohio EPA issued a final class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to Heritage-WTI, Inc., fka Von Roll America, Inc., for its facility at 1250 St. George Street, East Liverpool, Ohio 43920-3400. The EPA Identification Number for this facility is OHD980613541.

Why is Heritage-WTI, Inc. modifying its Permit?

Heritage-WTI, Inc., is permitted to operate a hazardous waste incinerator and other related hazardous waste management units at its facility. Heritage-WTI, Inc. requests to add waste code K181 to the Permit. The hazardous waste code K181 is for non-wastewaters from the production of dyes and/or pigments focusing on seven hazardous constituents: aniline, o-anisidine, 4-chloroaniline, p-cresidine, 1,2-phenylenediamine, 1,3-phenylenediamine, and 2,4-dimethylaniline. This final modified permit will allow Heritage-WTI, Inc., to make the requested changes. To issue this final modified Permit, Ohio EPA determined that the modification application is complete and meets appropriate standards.

Can I appeal this final modified Permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this modified Permit, you have the right to appeal this Permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final modified Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than September 25, 2009. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. 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 requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. You must file your appeal, according to Ohio Revised Code § 3745.04 with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Chris Korleski, Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.