

**Statewide**

**Ohio EPA Permit No. OHN000004**

**National Pollutant Discharge Elimination System (NPDES) Permit Program  
PUBLIC NOTICE  
OF  
ISSUANCE OF THE DRAFT GENERAL NPDES PERMIT AND PUBLIC  
HEARING  
FOR  
NON-CONTACT COOLING WATER DISCHARGERS**

Ohio Environmental Protection Agency  
Division of Surface Water, Permits Section  
50 West Town Street  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2001

Public Notice No. 10-02-006  
Date of Issue of Public Notice: February 4, 2010

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)–Division of Surface Water (DSW) has issued a draft renewal of the general National Pollutant Discharge Elimination System (NPDES) permit that may potentially provide coverage to non-contact cooling water dischargers in the state of Ohio. This draft permit represents a renewal of the non-contact cooling water permit issued in 2005.

Facilities with a discharge of less than 5 percent of the critical low flow (7day, 10 year low flow) of the receiving stream are eligible for coverage under this permit. The most significant addition to this renewal is allowing new discharges to be covered under the permit, subjecting the permit to the requirements of antidegradation. Ohio EPA proposes that a review of technical alternatives and social and economic issues related to the degradation is not required based upon paragraph (D)(1)(j) of rule 3745-1-05, which provides that an exclusion applies for any general permit developed by the Director in accordance with the provisions of Chapter 3745-38 of the Administrative Code.

Ohio EPA will hold a public hearing on the draft General NPDES permit at 2:30 p.m. on March 18, 2010 at Ohio EPA Central Office, 50 West Town Street, Suite 700, Conference Room A, Columbus, Ohio 43215. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the draft permit. All interested persons are entitled to attend or be represented and give written and/or oral comments on the draft permit.

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 draft permit.

Ohio EPA will continue to accept written comments on the draft permit through the close of business on March 25, 2010. Comments received after this date may not be considered as part of the official record of the hearing. Persons wishing to be on the Ohio EPA's interested parties mailing list for this project or wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA's Division of Surface Water, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

Copies of the draft general NPDES permit and the associated fact sheet and documentation can be obtained on the Ohio EPA-DSW web page at [www.epa.ohio.gov/dsw/permits/gpfact.aspx](http://www.epa.ohio.gov/dsw/permits/gpfact.aspx) or by calling 614-644-2156.

## **PUBLIC NOTICE**

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

Notice is hereby given that on January 22, 2010; the director of Ohio EPA issued an amended infectious waste generator certificate to Bio Medical Applications of Ohio Inc, 10585 N Meridian St Ste 160, Indianapolis IN 46290, Reg. No.: 25-G-00986. 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 NOTICE**  
**COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS**  
***Steelyard Commons LLC - Steelyard Commons - Remaining Site***

Notice is hereby given that on January 21, 2010, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, issued a Covenant Not To Sue/Final Findings and Orders to Steelyard Commons LLC the Volunteer for property known as Steelyard Commons - Remaining Site (the "Property").

The Steelyard Commons LLC conducted a voluntary action of the approximately 56.57 acre-Property, which is located at 3447 Steelyard Drive, Cleveland, Cuyahoga County, Ohio. A no further action letter for the Property was submitted on November 5, 2008 to the Voluntary Action Program of the Ohio EPA Division of Emergency and Remedial Response by John T. Garvey, a Certified Professional as defined in ORC 3746.01(E) and OAC 3745-300-01(A).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the 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: 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact 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 OF ENTRY  
INTO OHIO EPA'S RCRA AND VAP MOA TRACK  
ITT CORPORATION  
COOPER STANDARD AUTOMOTIVE, INC.,**

## **NEW LEXINGTON FACILITY**

Notice is hereby given that on December 18, 2009 ITT Corporation submitted to the Ohio Environmental Protection Agency ("Ohio EPA") a Notice of Entry in the RCRA and Voluntary Action Program Memorandum of Agreement Track (the "RCRA and VAP MOA Track"). The ITT Corporation Notice of Entry identifies the Cooper Standard Automotive, Inc., New Lexington Facility at 2378 State Route 345 NE, New Lexington, Ohio 43764, as the property to undergo a voluntary action through the RCRA and VAP MOA Track.

The RCRA and VAP MOA Track was established by the United States Environmental Protection Agency and Ohio EPA on November 8, 2007. The RCRA and VAP MOA supersedes the VAP MOA which was established by the two agencies on July 31, 2001.

The Notice of Entry along with other documents regarding the voluntary action at the property, will be made available for public inspection at the Perry County District Library, at 117 S. Jackson St., New Lexington, Ohio 43764, Perry County, 740-342-4194 in accordance with the RCRA and VAP MOA.

If you have questions concerning the Notice of Entry or would like to review or obtain a copy of the Notice of Entry, please contact the Records Management Officer, Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, 50 West Town St., Suite 700, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

**Defiance County**

**PUBLIC NOTICE**

## PROPOSED CONSENT ORDER

The Ohio Environmental Protection Agency (Ohio EPA) and the City of Defiance (Defendant) have entered into a Consent Order to resolve allegations of violations of Ohio Revised Code (R.C.) Chapter 6111. The complaint was filed by the State of Ohio in the Defiance County Court of Common Pleas. Under the proposed Consent Order, Defendant is permanently enjoined and immediately ordered to comply with the requirements of R.C. 6111 and rules adopted thereunder, and the terms and conditions of its National Pollution Discharge Elimination System (NPDES) permit No.2PD00013\*SD. Specifically, Defendant is enjoined to properly operate and maintain its Sewer System and implement its Combined Sewer Systems Operations and Maintenance Plan; Implement the December 1998 CSO Long Term Control Plan as updated by the July 2003 Addendum No. 1 in accordance with the schedule set forth in this Consent Order; and Implement the schedule for river water intrusion as set forth in this Consent Order. Also, the proposed Consent Order stipulates that the Defendant will pay a civil penalty of five thousand dollars (\$5,000). In lieu of paying an additional thirty-five thousand dollars (\$35,000), Defendant shall construct sanitary sewers for the Ayersville Water and Sewer District as a supplemental environmental project.

Copies of the Consent Order can be obtained from the Ohio EPA, Northwest District Office, by calling the Division of Surface Water Enforcement Supervisor at (419) 373-3002 or by writing to:

Ohio EPA, Northwest District Office  
Attn: DSW Enforcement Supervisor  
347 North Dunbridge Road  
Bowling Green, Ohio 43402

Written comments should be submitted to Ohio EPA, Northwest District Office at the above address. Written Comments should be submitted on or before **February 26, 2010**.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on **January 28, 2010**. Both the State of Ohio and the City of Defiance reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.

**Lorain County**

**Date of Public Notice: January 23, 2010**

**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, a Clean Water Act Section 401 Water Quality Certification for a project to construct Phases 6 and 7 of the residential development known as the Windsor Point Subdivision. The application was submitted by Ontario Land Co. The project is located west of Stoney Ridge Road in the City of North Ridgeville, Lorain County, Ohio. The Buffalo District Corps of Engineers Public Notice Number for this project is 2004-02117. The Ohio EPA ID Number for this project is 083394.

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 fill an additional 8.372 acres of wetland, in addition to 0.31 acres of after the fact impacts to wetland M, for a total wetland impact acreage of 8.682. The preferred alternative, if approved, would fill an additional 457 linear feet (LF) of stream, in addition to 1,225 LF of after the fact stream impacts to Stream 7, for a total impact of 1,682 LF. The applicant's proposed minimal degradation alternative, if approved, would fill an additional 6.733 acres of wetland, in addition to 0.31 acres of after the fact impacts to wetland M, for a total wetland impact acreage of 7,143. The minimal degradation alternative, if approved, would fill an additional 457 linear feet (LF) of stream, in addition to 1,225 LF of after the fact stream impacts to Stream 7, for a total impact of 1,682 LF. The applicant's proposed non-degradation alternative would have no direct impacts on waters of the state.

Proposed mitigation for the project includes restoring 14.05 acres of wetland at the Charlemont Reservation, the previous purchase of 0.80 acre of mitigation credit at the Grand River Lowlands Wetland Mitigation Bank, on-site wetland preservation, and the preservation of 1,682 LF of Quarry Creek.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the French Creek watershed within the greater Black 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. 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 January 23, 2010, 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.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on March 9, 2010 at 6:30 pm at North Ridgeville Middle School, 35895 Center Ridge Road, North Ridgeville. 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 **March 16, 2010**. 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.