

Public Notice by December 10, 2010

**PUBLIC NOTICE  
REQUEST FOR PROJECT NOMINATIONS AND COMMENTS ON DRAFT GUIDANCE FOR  
THE 2011 PROGRAM MANAGEMENT PLAN FOR THE OHIO WATER POLLUTION  
CONTROL LOAN FUND**

Notice is hereby given that on December 3, 2010 the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance issued a request for nominations of projects, and comments on portions of the proposed Water Pollution Control Loan Fund guidance, for program year 2011. Copies of the nomination forms and the draft guidance documents are available through the internet at <http://www.epa.state.oh.us/Default.aspx?tabid=5014> and also upon request by calling 614-644-2798. All nominations and comments must be received by the Ohio EPA no later than January 4, 2011.

Ohio EPA Permit No. OHI000001

**National Pollutant Discharge Elimination System (NPDES) Permit Program**

**PUBLIC NOTICE  
OF  
ISSUANCE OF THE DRAFT GENERAL NPDES PERMIT AND PUBLIC HEARING  
FOR  
DISCHARGES FROM PESTICIDE APPLICATIONS**

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.: 10-12-019  
Date of Issue of Public Notice: December 14, 2010

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has issued a draft general National Pollutant Discharge Elimination System (NPDES) permit that may potentially provide coverage for the application of a pesticide to target a pest that is present in, over or near of the U.S. in the State of Ohio.

This permit is mandated by federal court decisions. Pesticide application must have an NPDES permit beginning April 9, 2011, if they occur "in, over or near" surface waters. This includes applications to ditch banks and aerial spraying and fogging. The draft permit covers the same four pesticide use categories that the federal program covers: Mosquito and Other Aquatic Nuisance Insect Control, Aquatic Weed and Algae Control, Area-Wide Pest Control, and Aquatic Nuisance Animal Control.

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 contacting one of the following Ohio EPA district offices:

Southeast District Office	(740) 385-8501
Southwest District Office	(937) 285-6357
Northwest District Office	(419) 352-8461
Northeast District Office	(330) 963-1200
Central District Office	(614) 728-3778

Ohio EPA will hold a public hearing relative to the draft general NPDES permit at 10:30 a.m. on January 27, 2011 at the Ohio EPA Central Office, Conference Room C, 50 West Town Street, Columbus, Ohio 43216. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the permit.

All interested persons are entitled to attend or be represented and give written 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. 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: Eric Nygaard, Permits and Compliance Section, P.O. Box 1049, Columbus, Ohio 43216-1049. Comments should be submitted in person or by mail no later than February 3, 2011. Comments received after this date may not be considered as part of the official record of this hearing.

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
RENEWAL OF CERTIFIED PROFESSIONALS UNDER OHIO'S VOLUNTARY  
ACTION PROGRAM**

Notice is hereby given that on November 30, 2010, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code (AORC@) 3746.04(B)(5) and Ohio Administrative Code (AOAC@) 3745-300-05, issued a renewal of certification to the following Certified Professionals: **Scott Madill (CP241), Brian Hackett (CP279), David Behringer (CP289), Steven Gross (CP192), Eric Wilburn (CP306), and Bruce Baker (CP279).**

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 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

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.

**PUBLIC NOTICE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**INITIAL CERTIFICATION OF ENVIRONMENTAL PROFESSIONAL**  
**UNDER OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on December 7, 2010, 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 an initial certified professional certification to: **Mr. David M. Kreeger (CP330)**.

The issuance of the 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") 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 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 the 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.

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

Notice is hereby given that on December 8, 2010, 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.

**PUBLIC NOTICE  
OHIO EPA RECEIVES MODIFICATIONS TO AMENDED POST-CLOSURE  
HAZARDOUS WASTE PLAN**

On November 15, 2010 Ohio EPA received modifications to an amended hazardous waste post-closure plan from ESAB Welding and Cutting Products (ESAB Welding) concerning the closed hazardous waste landfill unit located at 3325 Middle Road, Ashtabula Cleveland, Ohio 44004. The EPA Identification Number for this facility is OHD000821454.

**Why is ESAB Welding submitting this Closure Plan?**

ESAB Welding is submitting modifications to the amended post-closure plan which includes changing the sampling frequency from semi-annual to annual; and removing monitoring well MW-225 from the monitoring well network.

**When and how do I submit written comments about the Closure Plan?**

You can submit written comments anytime between December 13, 2010 and January 12, 2011. Send your comments to Ohio EPA, Division of Hazardous Waste Management, Attn: Regulatory and Information Services Section, P.O. Box 1049, Columbus, Ohio 43216-1049, telephone number (614) 644-2977, fax number (614) 728-1245, e-mail address: [dhwmcomments@epa.state.oh.us](mailto:dhwmcomments@epa.state.oh.us)

**Where can I review the Closure Plan?**

You can review the Closure Plan at the following locations:

**Ohio EPA, Northeast District Office**, 2110 Aurora Road, Twinsburg, Ohio 44087, tel: (330) 963-1200; and,

**Ohio EPA, Division of Hazardous Waste Management**, 50 West Town Street, Suite 700, Columbus, Ohio 43215, (614) 644-2977.

**Athens County**

**PUBLIC NOTICE  
OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO  
OHIO UNIVERSITY, CUTLER HALL**

On December 8, 2010, Ohio EPA issued final Findings and Orders to Ohio University, Cutler Hall, located at 1108 Cutler Hall, Athens, Ohio 45701. Ohio University unlawfully established and operated a hazardous waste facility at four (4) locations throughout Athens county and caused the disposal of hazardous waste to the air by allowing fluorescent bulbs to be broken and mismanaged. The EPA I.D. number for this facility is OHD982628430.

Ohio University, Cutler Hall must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated there under according to the detailed compliance schedule which outlines civil penalties. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: December 17, 2010**

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF ISOLATED WETLANDS 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 Level 2 Isolated Wetland Permit for a project to build a new sub-division impacting 0.65 acre of category 2 forested wetlands. The application was submitted by Westlake Building and Development Company, 23826 Lorain Road, North Olmsted, Ohio 44070. The project is located west of Bradley Road and south of Lincoln Road in the City of Westlake, Cuyahoga County Ohio. The Ohio EPA ID Number for this project is 103676.

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 December 17, 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.

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 twenty days of the date of this public notice.

**Cuyahoga County**

**PUBLIC NOTICE  
OHIO EPA APPROVES CLOSURE PLAN FOR  
MTD CONSUMER GROUP, INC.**

On December 9, 2010, Ohio EPA approved a closure plan for MTD Consumer Group, Inc. for its unpermitted hazardous waste management units located at 5389 West 130<sup>th</sup> Street, Parma Ohio 44134. The EPA I.D. number for this facility is OHD059058263.

Pursuant to Ohio Administrative Code rule 3745-66-11 & 12, the facility's closure plan received on September 13, 2010 was approved as outlined in the Director's December 9, 2010 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**PUBLIC NOTICE  
OHIO EPA APPROVES CLOSURE PLAN FOR  
FORMER BASIC, INC.**

On November 30, 2010, Ohio EPA approved a closure plan for Former Basic, Inc. for a concrete pad and former fractionation tank area located at 495 Emma Street, Bettsville, Ohio 44815. The EPA I.D. number for this facility is OHD004181954.

Pursuant to Ohio Administrative Code rule 3745-55-11 & 12, the facility's closure plan received on October 2, 2009 and revised on April 2, 2010, June 14, 2010, and July 23, 2010, was approved as outlined in the Director's November 30, 2010 correspondence. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

**Date of Public Notice: November 29, 2010**

**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 consists of the reconstruction of 0.37 mile of Highland Road to provide grade separation with the Norfolk Southern Railroad in the City of Macedonia, Summit County, Ohio. The stream involved with the project is an unnamed tributary to Brandywine Creek within the Cuyahoga River watershed (HUC 04110002). The Huntington District of the U.S. Army Corps of Engineers Number for this project is 200602346. The Ohio EPA ID Number for this project is 103701.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would involve impacts to 0.55 acres of five jurisdictional wetlands and 275 linear feet of one jurisdictional stream under the preferred alternative. The applicant's proposed minimal degradation alternative, if approved, is similar to the Preferred Alternative with the exception that permanent impacts to one wetland would be reduced by 0.2 acre for a total of 0.35 acre. This would be accomplished through the use of retaining walls on all four quadrants of the new bridge. 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 to streams and wetlands in the Brandywine Creek drainage basin (HUC 04110002). 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 November 29, 2010, 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: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on December 30, 2010. 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.