

**PUBLIC NOTICE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
ADDITIONAL LABORATORY CERTIFICATION  
UNDER  
OHIO'S VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on July 29, 2011, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") 3746.04(B)(6) and Ohio Administrative Code ("OAC") 3745-300-04, issued additional laboratory certification to Pace Analytical Services ("Pace") of 7726 Moller Road, Indianapolis, Indiana 46268 to perform analyses for n-Hexane by methods 8260A-modified and 8260B-modified. The certification number assigned to Pace remains CL0065.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "Commission") pursuant to ORC Section 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 of the action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio" 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 (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 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 the certificate, or any documents related to the laboratory's certification, please contact Ohio EPA, Division of Environmental Response and Revitalization, Site Assistance & Brownfield Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

Date of Public Notice: August 3, 2011

**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 repair 20 linear feet of existing concrete slab seawall and construct 75 linear feet of new 3 foot by 3 foot gabion basket wall above the concrete slab seawall and a new 61 foot long detached armor stone breakwater with sand prefill. The application was submitted by Daniel D. and Candy C. Lloyd. The project is located at 2531 Walnut Blvd., Ashtabula. The Buffalo District Corps of Engineers Public Notice Number for this project is 2011-00255. The Ohio EPA ID Number for this project is 113733.

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 be for 202 cubic yards (179 CY below the ordinary high watermark) and 7 CY of ODOT "C" stone below the OHW as armor stone (2-4 ton), 25 CY of ODOT "C" stone below OHW as gabion baskets, 75 CY of sand prefill and would fill 1,700 square feet of lake bottom area below the OHW. The applicant's proposed minimal degradation alternative, if approved, would be for 189 cubic yards (167 CY below the ordinary high watermark) and 7 CY of ODOT "C" stone below the OHW as armor stone (2-4- ton), 25 CY of ODOT "C" stone below OHW as gabion baskets, 75 CY of sand prefill and would fill 1,500 square feet of lake bottom area below the OHW. 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 Lake Erie. 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 **[DATE OF PUBLICATION]**, 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 3, 2011

**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 fill streams to accommodate a residential development. The application was submitted by Western Benchmark, LLC. The project is located east of Blue Rock Road, north of Ronald Reagan Highway and west of Livingston Road in Colerain Township. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2009-333-GMR. The Ohio EPA ID Number for this project is 113799.

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 involve the piping of three streams on-site for a total of 615 linear feet of stream impacts. The applicant's proposed minimal degradation alternative, if approved, would allow for the piping on 425 linear feet of one stream. 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 the Great Miami River. 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 3, 2011, copies of the application and technical support information may be inspected on Ohio EPA-DSW website: [www.epa.ohio.gov/dsw](http://www.epa.ohio.gov/dsw)

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: July 29, 2011

**PUBLIC NOTICE  
NOTICE OF RECEIPT OF 401 APPLICATION 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 a senior assisted living facility. The application was submitted by Chris Behm, Liberty Health Care, Inc. The project is located east of Livingston Road and south of Ronald Regan Highway. The Huntington District Corps of Engineers Public Notice Number for this project is LRH-2011-47-GMR. The Ohio EPA ID Number for this project is 113725.

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 consist of the placement of 1,520 linear feet of stream into a pipe. The applicant's proposed minimal degradation alternative, if approved, would consist of the relocation of 1,240 linear feet of stream to the outer perimeter of the property. 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 the Great Miami River. 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 July 29, 2011, copies of the application and technical support information may be inspected on Ohio EPA-DSW website: [www.epa.ohio.gov/dsw](http://www.epa.ohio.gov/dsw)

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on September 15, 2011 at 6:30 p.m. at Colerain Township Senior & Community Center, 4300 Springdale Road, Colerain Township, Ohio 45251. 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 September 26, 2011. 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.

**Date of Public Notice: August 5, 2011**

**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 a project to surface mine coal. Activities include coal extraction utilizing conventional box cut and highwall mining methods. The application was submitted by OhioAmerican Energy, Inc. The project is located in Sections 10, 11, 16, 17; T-5, R-2, Wells Township, Jefferson County. The Pittsburgh District of the U.S. Army Corps of Engineers Number for this project is 2009-1375. The Ohio EPA ID Number for this project is 103646.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 4,697 feet of intermittent stream, 390 feet of ephemeral stream, (5,087 feet total) and 1.38 acres of Category 2 wetland. The proposed minimal degradation if approved, would impact 3,940 feet of intermittent stream, 298 feet of ephemeral stream (4,238 feet total) and 1.38 acres of Category 2 wetland. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on streams or wetlands.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Salt Run 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. 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 August 5, 2011, copies of the application for the certification and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 West Town 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 30 days of the date of this public notice.

**Date of Public Notice: July 30, 2011**

**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 install 50 linear feet of new armor stone lakeward of existing Great Lakes erosion control modules along the shoreline of Lake Erie. The application was submitted by Helen Mercer. The project is located at 7723 Lake Shore Boulevard, Madison Township in Lake County. The Buffalo District Corps of Engineers Public Notice Number for this project is 2009-01694. The Ohio EPA ID Number for this project is 113791.

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 result in 136 cubic yards of 2-4 ton armor stone, of which 114 cubic yards would be below the ordinary high watermark, and 17 cubic yards of 3-5 ton toe stone below the ordinary high watermark for a total lake bottom fill of 700 square feet below the ordinary high watermark. The applicant's proposed minimal degradation alternative, if approved, would result in 104 cubic yards of 2-4 ton armor stone, of which 98 cubic yards would be below the ordinary high watermark, and 17 cubic yards of 3-5 ton toe stone below the ordinary high watermark for a total lake bottom fill of 500 square feet below the ordinary high watermark. 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 Lake Erie. 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 July 30, 2011, 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 Date: August 5, 2011**

**PUBLIC NOTICE  
PROPOSED CONSENT ORDER**

The Ohio Environmental Protection Agency (Ohio EPA) has entered into a proposed Consent Order (CO) with United Mobile Homes, Inc. (Defendant), to resolve claims that the Defendant violated Ohio Revised Code Chapter 6111 at the Wood Valley Estates in Caledonia, alleged in the complaint filed by the State of Ohio in Marion County Court of Common Pleas. The proposed CO requires the Defendant to comply with all applicable provisions of Ohio Revised Code Chapter 6111 and the rules promulgated thereunder, to comply with the schedule set forth in the CO, and to comply with all terms and conditions of its NPDES Permit No. 2PY00015\*BD and any renewals and modifications thereof.

Defendant is also ordered to pay the State of Ohio a civil penalty of forty thousand dollars (\$40,000.00) within thirty (30) days of the effective date of this CO and reimburse the agency for enforcement cost in the amount of ten thousand dollars (\$10,000.00).

Copies of the Consent Order can be obtained for the Ohio EPA, Central Office, by calling Patti Smith at 614-644-2156 or by writing to:

**Patti Smith  
Ohio EPA, Division of Surface Water  
P.O. Box 1049  
Columbus, Ohio 43216-1049**

Written Comments should be submitted to the Ohio EPA, Central Office, at the above address. Written comments should be submitted on or before September 4, 2011.

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 August 5, 2011. The State of Ohio and United Mobile Homes, Inc. reserve the right to withdraw or alter the proposed Consent Order based on comments received during the comment period.