

**BEFORE THE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

OHIO E.P.A.  
MAR 23 2009  
ENTERED DIRECTOR'S JOURNAL

In the Matter of: :

The Adoption of Amended :                   **Directors Final Findings and**  
Rules 3745-21-01 :                   **Orders**  
3745-21-04, 3745-21-09, :  
3745-21-14, 3745-21-16, :  
3745-21-18, 3745-21-21, :  
and New Rules 3745-21-22 :  
3745-21-23, and 3745-21-24, :  
and the Rescission of Rule :  
3745-21-11 of the Ohio :  
Administrative Code :

**FINDINGS AND ORDERS**

The Director of Environmental Protection, having considered in compliance with the Administrative Procedure Act the adoption, in final form, of the proposed amended, new, and rescinded rules of the Ohio Administrative Code cited above, finds:

1. That due notice of a public hearing in this matter pursuant to the Administrative Procedure Act was given, that a public hearing was held on February 13, 2009, in Columbus, Ohio, and that all interested persons were afforded the opportunity to be heard; and
2. That upon due consideration, the adoption, in final form, of the proposed rules of the Ohio Administrative Code cited above, is reasonable and lawful and within the purview of authority provided by law.

It is therefore

**ORDERED** that amended rules 3745-21-01, 3745-21-04, 3745-21-09, 3745-21-14, 3745-21-16, 3745-21-18, and 3745-21-21, and new rules 3745-21-22, 3745-21-23 and 3745-21-24 of the Ohio Administrative Code be adopted in final form, and that rule 3745-21-11 of the Ohio Administrative Code be rescinded.

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By:  Date: 3-23-09

It is further

**ORDERED** that the effective date of said rules shall be APR 02 2009.

It is further

**ORDERED** that copies of these Findings and Orders and certified copies of said amended rules, in final form, shall be filed with the Secretary of State, the Joint Committee on Agency Rule Review, the Legislative Services Commission, and the Department of Developments Office of Small and Developing Business, as required by law.

### APPEAL RIGHTS

Notice is hereby given 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 Generals 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



Chris Korleski, Director  
Ohio Environmental Protection Agency

Issued at Columbus, Ohio this 23<sup>rd</sup> day of MARCH, 2009.