

BEFORE THE  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

OHIO E.P.A.

FEB -8 2008

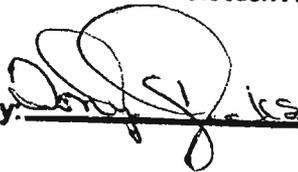
ENTERED DIRECTOR'S JOURNAL

In the Matter of:

The Rescission of existing  
Rule 3745-21-07 of the Ohio  
Administrative Code, and  
Adoption of New Rule  
3745-21-07 of the Ohio  
Administrative Code

Director's Final Findings and  
Orders

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: 2-8-08

**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 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 October 3, 2007, in Columbus, Ohio, and that all interested persons were afforded the opportunity to be heard; and
2. That upon due consideration, the rescission of the existing rule and the adoption, in final form, of the proposed new rule 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**ORDERED** that existing rule 3745-21-07 of the Ohio Administrative Code be rescinded, and that new rule 3745-21-07 of the Ohio Administrative Code be adopted in final form.

It is further

**ORDERED** that the effective date of said new rule shall be FEB 18 2008.

It is further

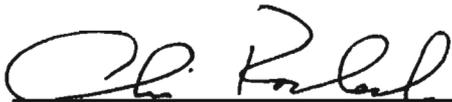
**ORDERED** that copies of these Findings and Orders and certified copies of said new

rule, 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 Development's 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 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

  
Chris Korleski, Director  
Ohio Environmental Protection Agency

Issued at Columbus, Ohio this 8<sup>TH</sup> day of FEBRUARY, 2008.