

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

In the Matter of:

The Adoption of Amended  
Rules 3745-17-01, 3745-17-02,  
3745-17-03, 3745-17-04,  
3745-17-07, 3745-17-08,  
3745-17-09, 3745-17-10,  
3745-17-11, 3745-17-12,  
3745-17-13, and 3745-17-14  
and Rescission of Rule  
3745-17-05 of the Ohio  
Administrative Code

Director's Final Findings and  
Orders

OHIO E.P.A.  
JAN 22 2008  
ENTERED DIRECTOR'S JOURNAL

**FINDINGS AND ORDERS**

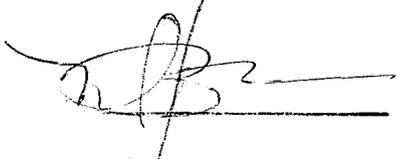
The Director of Environmental Protection, having considered in compliance with the Administrative Procedure Act the adoption, in final form, of the proposed amended and rescinded rules of the Ohio Administrative Code cited above, finds:

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 October 19, 2007, 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 That upon due consideration, the adoption, in final form, of the proposed amended and rescinded rules of the Ohio Administrative Code cited above, is reasonable and lawful and within the purview of authority provided by law.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 3745-17-01, 3745-17-02, 3745-17-03, 3745-17-04, 3745-17-07, 3745-17-08, 3745-17-09, 3745-17-10, 3745-17-11, 3745-17-12, 3745-17-13, and 3745-17-14 of the Ohio Administrative Code be adopted in final form, and that rule 3745-17-05 of the Ohio Administrative Code be rescinded.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.

 Date: 1/22/08

It is further

**ORDERED** that the effective date of said amended rules shall be

FEB 01 2008

It is further

**ORDERED** that copies of these Findings and Orders and certified copies of said amended and rescinded rules, in final form, shall be filed with the Secretary of State, the Joint Committee on Agency Rule Review, the Legislative Services Commission, and the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 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 22<sup>nd</sup> day of JANUARY, 2008.