

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

100-8 2009

In the Matter of:

The Adoption of Amended
Rules 3745-17-03, 3745-17-14,
3745-18-03, and 3745-23-02, the
Rescission of Existing Rules
3745-17-02, 3745-18-02,
3745-21-02, 3745-23-01,
3745-25-01 through 3745-25-04,
and 3745-71-02, and the
Adoption of New Rules
3745-23-01, and 3745-25-01
Through 3745-25-05
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: *Donna Lassiter* Date: 4-8-09

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 Friday, March 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 of amended rules, rescission of existing rules, and adoption of new 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 3745-17-03, 3745-17-14, 3745-18-03, and 3745-23-02, and new rules 3745-23-01, and 3745-25-01 through 3745-25-05 of the Ohio Administrative Code be adopted in final form, and that existing rules 3745-17-02,

3745-18-02, 3745-21-02, 3745-23-01, 3745-25-01 through 3745-25-04, and 3745-71-02 of the Ohio Administrative Code be rescinded.

It is further

ORDERED that the effective date of said new, amended, and rescinded rules shall be APR 18 2009.

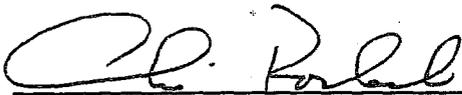
It is further

ORDERED that copies of these Findings and Orders and certified copies of said new, amended and rescinded rules, in final form, shall be filed with the Secretary of State, the Joint Committee on Agency Rule Review, the Legislative Services Commission, and the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 8th day of APRIL, 2009.