

National Pollutant Discharge Elimination System (NPDES) Permit Program

**PUBLIC NOTICE
AND NOTICE OF PUBLIC HEARING**

NPDES Permit to Discharge to State Waters

Ohio Environmental Protection Agency
Permits Section
50 West Town St., Suite 700
P. O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2001

Public Notice No.: OEPA 15-02-026 DFT
Date of Issue of Public Notice: Feb-05-2015
Name and Address of Applicant: Ashtabula Energy, LLC, 2603 Augusta Avenue, Suite 1175,
Houston, TX, 77057

Name and Address of Facility
Where Discharge Occurs: Ashtabula Energy, LLC, State Route 531, Ashtabula, OH, 44004,
Ashtabula County

Outfall Flow and Location List: 001 1,626,750 GPD 41N 54' 32" 80W 45' 35"

Receiving Stream: Culvert to Lake Erie

Nature of Business: Converts natural gas and oxygen to high grade diesel fuel,
kerosene, naphtha, bases for synthetic lubricants, and waxes.

Key parameters to be limited
in the permit are as follows: Dissolved Oxygen, pH, Oil and Grease-Hexane Extr Method,
Total Phosphorus, Total Residual Chlorine, Ceriodaphnia dubia-
Acute Toxicity, Pimephales promelas-Acute Toxicity,
Biochemical Oxygen Demand (Low Level), Total Suspended
Solids, Ammonia Nitrogen (NH3), E. coli

**DRAFT PUBLIC HEARING
SCHEDULED: MARCH 19, 2015, Kent State University Ashtabula Campus,
Blue-Gold Room, 3300 Lake Road West, Ashtabula, OH
6:00 PM**

Persons wishing to 1) be on the Ohio EPA's interested parties
mailing list for this project, or 2) submit comments for Ohio EPA's
consideration in reviewing the application must do so in writing to
Ohio EPA's Division of Surface Water, Attention: Permits
Processing Unit, P.O. Box 1049, Columbus, Ohio 43216, by the
end of the comment period, March 27, 2015. Comments
received after this date may not be considered as part of the
official record.

The Director has, after evaluation of pertinent technical, social, and economic information, determined that the discharge specified in this permit will result in a change from ambient in water quality of the receiving stream. This change will not interfere with or become injurious to the existing designated use.

On the basis of preliminary staff review and application of standards and regulations, the director of the Ohio Environmental Protection Agency will issue a permit for the discharge subject to certain effluent conditions and special conditions. The draft permit will be issued as a final action unless the director revises the draft after consideration of the record of a public meeting or written comments, or upon disapproval by the administrator of the U.S. Environmental Protection Agency. Any person may submit written comments on the draft permit and administrative record and may request a public hearing. A request for public hearing shall be in writing and shall state the nature of the issues to be raised. In appropriate cases, including cases where there is significant public interest, the director may hold a public hearing on a draft permit or permits prior to final issuance of the permit or permits. Following final action by the director, any aggrieved party has the right to appeal to the Environmental Review Appeals Commission.

Interested persons are invited to submit written comments upon the discharge permit. Comments should be submitted in person or by mail no later than 30 days after the date of this public notice. Comments should be delivered or mailed to both of the following locations: 1) Ohio Environmental Protection Agency, Lazarus Government Center, Division of Surface Water, Permits Processing Unit, 50 West Town St., Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049 and 2) Ohio Environmental Protection Agency, Northeast District Office 2110 East Aurora Road, Twinsburg, Ohio 44087.

The Ohio EPA permit number and public notice numbers should appear next to the above address on the envelope and on each page of any submitted comments. All comments received no later than 30 days after the date of this public notice will be considered.

Proposed Water Quality Based Effluent Limitations: This draft permit contains water quality based effluent limitation(s) (WQBELs). In accordance with Ohio Revised Code Section 6111.03(J)(3), the Director establishes WQBELs after considering, to the extent consistent with the Federal Water Pollution Control Act, evidence relating to the technical feasibility and economic reasonableness of removing the polluting properties from those wastes and to evidence relating to conditions calculated to result from that action and their relation to benefits to the people of the state and to accomplishment of the purposes of this chapter. This determination was made based on data and information available at the time the permit was drafted, which included the contents of the of the timely submitted National Pollutant Discharge Elimination System (NDPES) permit renewal application, along with any and all pertinent information available to the Director.

This public notice hereby allows the permittee to provide to the Director for consideration during this public comment period, additional site-specific pertinent and factual information with respect to the technical feasibility and economic reasonableness for achieving compliance with WQBEL(s). This information shall be submitted to the addresses listed above.

Should the applicant need additional time to review, obtain or develop site-specific pertinent and factual information with respect to the technical feasibility and economic reasonableness of achieving compliance with WQBEL(s), written notification for any additional time shall be sent no later than 30 days after the date of this public notice to the Director at the addresses listed above.

Should the applicant determine that compliance with a WQBEL is technically and/or economically unattainable, the permittee may submit an application for a variance to the applicable WQBEL in accordance with the terms and conditions set forth in Ohio Administrative Code (OAC) Rule 3745-33-07(D) no later than 30 days after the date of this public notice to the addresses listed above.

Alternately, the applicant may propose the development of site-specific water quality standard(s) pursuant to OAC Rule 3745-1-35. The permittee shall submit written notification to the Director regarding their

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Ohio EPA Permit No.: 3IN00387*AD

intent to develop site-specific water quality standards for the pollutant at issue to the addresses listed above no later than 30 days after the date of this public notice.

The application, fact sheets, permit including effluent limitations, special conditions, comments received, and other documents are available for inspection and may be copied at a cost of 5 cents per page at the Ohio Environmental Protection Agency at the address shown on page one of this public notice any time between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Copies of the public notice are available at no charge at the same address.

Mailing lists are maintained for persons or groups who desire to receive public notice for all applications in the state or for certain geographical areas. Persons or groups may also request copies of fact sheets, applications, or other documents pertaining to specific applications. Persons or groups may have their names put on such a list by making a written request to the agency at the address shown above.