

WITHDRAWN MARCH 14, 2007

There will NOT be a public hearing on March 19, 2007

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Public Notice

**Proposed Rulemaking Governing
Ground Water Monitoring Fees at
Construction and Demolition Debris Facilities**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3714.071 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

Rule # 3745-520-50 Ground water monitoring fee.

This rule addresses ground water monitoring fees at construction and demolition debris facilities.

The purpose of this rulemaking is to levy a five cent per cubic yard or ten cent per ton fee on the disposal of construction and demolition debris at a construction and demolition debris facility to be used to fund and conduct ground water monitoring of these facilities by the licensing authority.

The public comment period will run until March 19, 2007. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at Ohio EPA, 50 West Town Street, Suite 700, Columbus, Ohio 43215, 5th Floor, Conference Room A, March 19, 2007, 10:00am.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking.

Written testimony should be sent to the attention of Mandi Graham at the Division of Solid and Infectious Waste Management, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on March 19, 2007, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Mandi Graham, at the Division of Solid and Infectious Waste Management, at (614) 644-2621.

To receive a copy of the proposed rule, please contact the DSIWM receptionist at (614) 644-2621. The rule is also accessible on DSIWM-s web page at <http://www.epa.state.oh.us/dsiwm>.