

Date of Notice: April 14, 2009

Statewide

**PUBLIC NOTICE
NOTICE OF RECEIPT OF PUBLIC NOTICE AND PUBLIC HEARING REGARDING
CERTIFICATION OF THE U.S. ARMY CORPS OF ENGINEERS PROPOSED
REGIONAL GENERAL PERMIT FOR THE OHIO DEPARTMENT OF
TRANSPORTATION**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received a public notice for and has begun to review the proposed *Regional General Permit (RGP) For The Ohio Department Of Transportation*, as announced in the U.S. Army Corps of Engineers Public Notice (No. 200800689) on February 6, 2009. The RGP would be solely for Ohio Department of Transportation use, and would authorize the combination of the following three Nationwide Permits formerly certified by Ohio EPA, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Sections 404 and 401 of the Clean Water Act:

- A. Linear Transportation Projects (NWP 14)
- B. Maintenance Activities (NWP 3)
- C. Temporary Construction, Access, and Dewatering (NWP 33)

The application for authorization of the Regional General Permit was submitted by the U.S. Army Corps of Engineers, Huntington District, 502 Eight Street, Huntington West Virginia, 25701-2070. The Army Corps of Engineers Public Notice and proposed RGP describing the conditions and limitations for the activities authorized by the proposed RGP can be viewed at <http://www.lrh.usace.army.mil/kd/items/actions.cfm?action=Show&itemid=14861&destination=ShowItem>.

The discharges from the activities, if approved, would result in degradation to, or lowering of, the water quality of surface waters of the state, including wetlands and streams. In accordance with OAC Rule 3745-1, an antidegradation review of the public notice will be conducted.

No exclusions or waivers apply or may be granted by the Director of Ohio EPA, as outlined by OAC Rule 3745-1-05(D) (effective on May 1, 1998).

Starting April 14, 2009, copies of the proposed February 6, 2009 Public Notice may be inspected at Ohio EPA-DSW, 50 West Town Street, Suite 700, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. The same information can be made available at Ohio EPA District Offices by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to the issues of lower water quality at 6:30 p.m. on May 28, 2009 at the Columbus Library South High Branch, 3540 South High Street, Columbus, Ohio 43207. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the RGP.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed RGP. Written comments must be received by Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on June 4, 2009. Comments received after this date, unless the comment period is expressly extended by Ohio EPA, may not be considered as part of the official record of the hearing. Comments may also be faxed by the close of business on June 4, 2009 to Patti Smith, DSW Permits Processing Unit at (614) 728-5299.

The May 28, 2009 hearing may be the only hearing held by Ohio EPA on the proposed RGP. Ohio EPA will accept comments on water quality related issues only. These comments may include the public's recommendations for revised or additional 401 conditions that may be placed in Ohio EPA's 401 Water Quality Certification.

Persons wishing to be on Ohio EPA's interested parties mailing list or to submit comments for Ohio EPA's conditions on the Draft RGP should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on June 4, 2009.