

PUBLIC NOTICE

Ohio EPA Approves Modification of Authorization to Fill, Grade, Excavate, or Drill a Solid Waste Facility at ASARCO Property, Columbus, Ohio

On December 7, 2012, the Director of Ohio Environmental Protection Agency (Ohio EPA) issued an Ohio Administrative Code 3745-27-13 authorization to Le Petomane XXV, Inc., not individually but solely in its representative capacity as Trustee of the ASARCO Multi-State Environmental Custodial Trust, to engage in *filling, grading, excavating and/or drilling* activities at the ASARCO property located at 1363 Windsor Avenue, Columbus, Franklin County, Ohio (Project Number 125-001451-011). The authorization request involves removal of telephone poles and demolition of concrete structures. The request was made by, and the work will be conducted by, the Trust. The request was required because the property contains solid waste material from former zinc smelting operations.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 3745.04. 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 30 days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated 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 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 Environmental Review Appeals Commission, 77 South High Street, 17th Floor, Columbus, Ohio 43215. The authorization request and related materials are available for review at Ohio EPA's Central District Office by calling or e-mailing Lisa Oltman [614-728-3778 or lisa.oltman@epa.state.oh.us] for an appointment.