

Date of Notice: March 08, 2002

Statewide

**PUBLIC NOTICE
NOTICE OF DRAFT SECTION 401 CERTIFICATIONS
AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application, and has developed Draft Clean Water Act Section 401 Certifications for the following Nationwide Permits as published in the Tuesday, January 15, 2002 Federal Register (Volume 67, No. 10):

Certifications for the following Nationwide Permits:

1) Aids to Navigation, 2) Structures in Artificial Canals, 3) Maintenance, 4) Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities, 5) Scientific Measurement Devices 6) Survey Activities, 7) Outfall Structures and Maintenance, 8) Oil and Gas Structures, 9) Structures in Fleeting and Anchorage Areas, 10) Mooring Buoys, 11) Temporary Recreational Structures, 12) Utility Line Activities, 13) Bank Stabilization, 14) Linear Transportation Projects, 15) U.S. Coast Guard Approved Bridges, 16) Return Water From Upland Contained Disposal Areas, 17) Hydropower Projects, 18) Minor Discharges, 19) Minor Dredging, 20) Oil Spill Cleanup, 21) Surface Coal Mining Activities, 22) Removal of Vessels, 23) Approved Categorical Exclusions, 24) State Administered Section 404 Programs, 25) Structural Discharges, 26) Reserved, 27) Stream and Wetland Restoration Activities, 28) Modifications of Existing Marinas, 29) Single-Family Housing, 30) Moist Soil Management for Wildlife, 31) Maintenance of Existing Flood Control Facilities, 32) Completed Enforcement Actions, 33) Temporary Construction, Access and Dewatering, 34) Cranberry Production Activities, 35) Maintenance Dredging of Existing Basins, 36) Boat Ramps, 37) Emergency Watershed Protection and Rehabilitation, 38) Cleanup of Hazardous and Toxic Waste, 39) Residential, Commercial and Institutional Developments, 40) Agricultural Activities, 41) Reshaping Existing Drainage Ditches, 42) Recreational Facilities, 43) Stormwater Management Facilities, 44) Mining Activities

The application for authorization of these Nationwide Permits was submitted by the U.S. Army Corps of Engineers, HQUSACE, CECW-OR, Washington, D.C. 20314-1000.

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. Draft Section 401 Certifications were prepared after reviewing the application in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC Rule 3745-1, an antidegradation review of the application has been 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 March 08, 2002, copies of the January 15, 2002 Federal Register and Ohio EPA's draft certifications may be inspected at Ohio EPA-DSW, 122 South Front Street, 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. Also, the proposed regional conditions applicable in all Corps Districts within Ohio may be viewed at http://www.lrh.usace.army.mil/or/permits/prop_reg_con.html. In addition, the January, 2002 Federal Register may be viewed at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/citizen.htm>.

Ohio EPA will hold a public information session and public hearing relative to the draft certifications and issues of lower water quality on April 24, 2002 at 6:30 P.M. at Ohio Department of Transportation Building Auditorium at 1980 West Broad Street, Columbus, Ohio 43223. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the draft Section 401 Certifications at the hearing. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on May 1, 2002. 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 May 1, 2002 to Patti Smith, DSW Permits Processing Unit at (614) 644-2745.

This hearing will be the only hearing held by Ohio EPA on the draft Section 401 Certifications. Ohio EPA will accept comments on water quality related issues only. These comments may include the public's recommendations for revised or additional conditions that could be placed on the Section 401 Certifications, if issued.

Persons wishing to be on Ohio EPA's interested parties mailing list for these proposals should submit comments for Ohio EPA's consideration on the Draft Section 401 Certifications in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on May 1, 2002.