Ohio Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

Ohio EPA MAY 18 '18
Entered Directors Journal

May 18, 2018

Re: Emerald BioEnergy
Director's Authorization
Approval
NPDES
Morrow County
4IN00204

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: [signature] Date: 5-18-18

Mr. Taylor Faecher
Ringler Energy, LLC
461 State Route 61
Marengo, OH 43334

Subject: Class B Biosolids Beneficial Use Site Authorization

Dear Mr. Faecher:

Ohio EPA received a request from Renergy, Inc. on behalf of Emerald BioEnergy to include the following sites as part of the biosolids management program:

Ohio EPA Site #	Field ID	County	Township
21-00204	DES-02-11	Delaware	Oxford
21-00205	DES-04-01	Delaware	Brown
21-00206	DES-05-01	Delaware	Oxford
21-00207	DES-05-02	Delaware	Oxford

Ohio EPA Site 21-00204 (Field ID DES-02-11)
This 100-acre beneficial use site, owned and operated by Shady Haven Farms, LLC, is located southeast of the intersection of County Road 229 and County Road 245. The beneficial use site's soil units consist of Blount silt loam and Pewamo silty clay loam. Soil analytical results indicate pH values ranging from 6.3 to 7.2 S.U. and phosphorus values ranging from 11 to 61 parts per million (ppm) Mehlich 3 extraction.

Ohio EPA Site 21-00205 (Field ID DES-04-01)
This 39-acre beneficial use site, owned and operated by [redacted] is located southwest of the intersection of County Road 521 and Township Road 35. The beneficial use site's soil units consist of Bennington silt loam and Pewamo silty clay loam. Soil analytical results indicate a pH value of 5.3 and a phosphorus value of 33 ppm Mehlich 3 extraction.

Ohio EPA Site 21-00206 (Field ID DES-05-01)
This 87-acre beneficial use site, owned and operated by [redacted] is located southeast of the intersection of County Road 224 and County Road 245. The beneficial use site's soil units consist of Blount silt loam and Pewamo silty clay loam. Soil analytical results indicate pH values ranging from 5.1 to 7.0 S.U. and phosphorus values ranging from 12 to 44 ppm Mehlich 3 extraction.

Ohio EPA Site 21-00207 (Field ID DES-05-01)
This 56-acre beneficial use site, owned and operated by [redacted] is located northeast of the intersection of County Road 224 and County Road 245. The beneficial use site's soil units consist of Blount silt loam and Pewamo silty clay loam. Soil analytical results indicate pH values ranging from 5.7 to 6.7 S.U. and phosphorus values ranging from 32 to 41 ppm Mehlich 3 extraction.

A review of the application and sites was conducted by Ohio EPA. The application indicates that the requisite notifications and consents have been obtained. The review considered soil and landscape characteristics, isolation distances from residences, and the proximity to waterways and wells.

After a review of the application and Ohio Administrative Code (OAC) 3745-40-06, Ohio EPA hereby authorizes these sites to be included in the Emerald BioEnergy Class B biosolids management program. This authorization is subject to conditions contained in the Emerald BioEnergy NPDES permit and OAC 3745-40. Highlights of these conditions are outlined below. Conditions contained in the NPDES permit and OAC 3745-40 may differ. In such cases, the more restrictive conditions from either the NPDES permit or OAC 3745-40 shall govern.

Specific Conditions

1. All biosolids beneficially used at these sites shall be injected beneath the surface of the ground or immediately incorporated into the soil. Biosolids that remain on the surface shall be incorporated within six hours.
2. Prior to beneficial use, the agronomic rate shall be determined in accordance with OAC 3745-40-08(A)(2) and include all sources of nitrogen and phosphate, such as commercial fertilizer or manure.
3. The review indicated the presence of soils at these sites that are classified as hydrologic soil group D. Please refer to the precipitation prohibitions and restrictions for group D soils found in OAC 3745-40-08(B)(2).
4. OAC 3745-40-08(D)(5) requires a minimum pH of 5.5 for the beneficial use of Class B biosolids. The pH shall be raised to a minimum of 5.5 through the addition of a liming material before or at the time of the beneficial use of biosolids.
5. Biosolids shall not be applied within the isolations distances listed in OAC 3745-40-08(C).
6. Ohio EPA recommends maintaining an isolation distance of 100 feet from private ponds when biosolids are injected unless confirmation is provided by the local health department and/or pond owner(s) that the pond is not used as a private potable water source.
7. Biosolids application records shall be maintained in accordance with OAC 3745-40-09(C).

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 thirty (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 (3) 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 following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, OH 43215

If you have questions, please refer to Ohio EPA's Sewage Sludge Rules in OAC 3745-40 (http://www.epa.ohio.gov/dsw/sludge/biosolid.aspx) or contact Betsy VanWormer at (614) 644-2150 or via email at betsy.vanwormer@epa.ohio.gov.

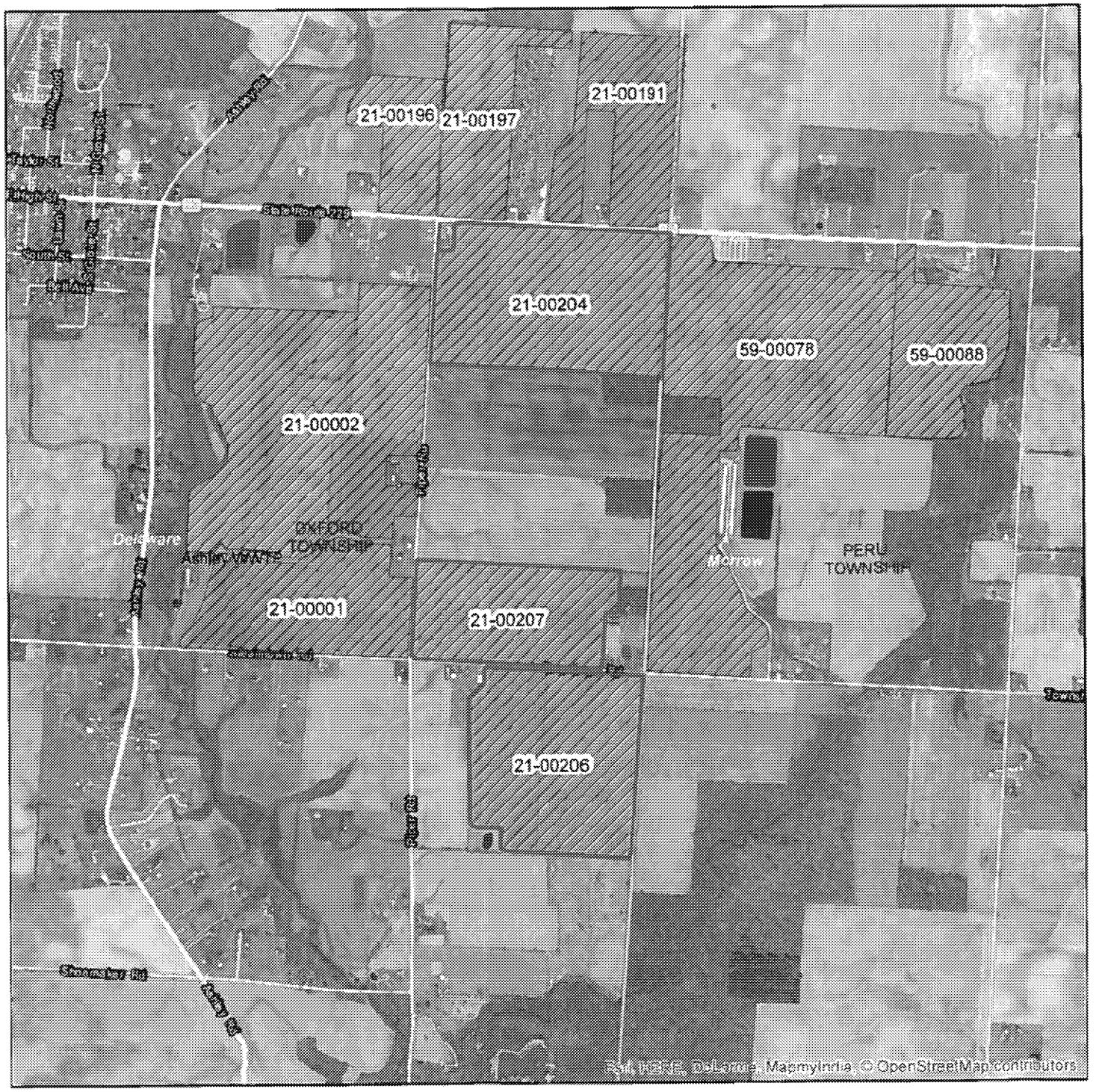
Sincerely,

Craig W. Butler
Director

Enclosure

Cc: Delaware County General Health District
Morrow County Soil and Water Conservation District
Oxford Township Trustees
Brown Township Trustees
Shady Haven Farms, LLC

Ec: Taylor Faecher, Renergy
[redacted]
Betsy VanWormer, Ohio EPA- DSW/CO
Isaac A. Robinson, III, Chief, Ohio EPA/CDO



N

Class B Biosolids
Site Authorization

Emerald BioEnergy
NPDES# 4IN00204

Ohio EPA Site	Field ID
21-00204	DES-02-11
21-00206	DES-05-01
21-00207	DES-05-02

Ohio Environmental Protection Agency
Division of Surface Water
50 W Town Street, Suite 700
Columbus, OH 43216
(614) 644-2150

ED_014244A_00000105-00004

N

Class B Biosolids
Site Authorization

Emerald BioEnergy
NPDES# 4IN00204

Ohio EPA Site	Field ID
21-00205	DES-04-01

Ohio Environmental Protection Agency
Division of Surface Water
50 W Town Street, Suite 700
Columbus, OH 43216
(614) 644-2150

ED_014244A_00000105-00005