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IN THE COURT OF COMMON PLEAS
MORROW COUNTY, OHIO

STATE OF OHIO, *ex rel.* **DAVID YOST,** **OHIO ATTORNEY GENERAL** Environmental Enforcement Section 30 East Broad Street, 25th Floor Columbus, Ohio 43215 Plaintiff, v. **RENERGY INC.** c/o Alexander Ringler Statutory Agent 2279 CR 159 Cardington, Ohio 43315 **DOVETAIL ENERGY, LLC** c/o CH&K Agent Service, Inc. Statutory Agent 1 South Main Street, Suite 1300 Dayton, Ohio 45402 **EMERALD BIOENGERGY, LLC** c/o CH&K Agent Service, Inc. Statutory Agent 1 South Main Street, Suite 1300 Dayton, Ohio 45402 **RENERGY SOIL AND WATER, LLC** c/o Kerry T. Boyle Statutory Agent 2 Miranova Place, Suite 700 Columbus, Ohio 43215 **ALEXANDER RINGLER** 2279 CR 159 Cardington, Ohio 43315	:	CASE NO. 2022CV00060 JUDGE Elkin **COMPLAINT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES**

RINGLER LIVESTOCK, LLC
c/o William D. Short
Statutory Agent
PO Box 246
7 North Man Street
Marengo, Ohio 43334

RINGLER ENERGY, LLC
c/o Alexander Ringler
Statutory Agent
1297 County Road 159
Ashley, Ohio 43303

RINGLER FEEDLOTS, LLC
c/o B&L Agent Services
Statutory Agent
475 Metro Place South, Suite 150
Dublin, Ohio 43017

PITSTICK FAMILY FARMS, LLC
c/o BECE LLC
Statutory Agent
7259 Sawmill Road
Dublin, Ohio 43016

Defendants.

NATURE OF THE ACTION

Defendant Renergy Inc. owns and operates three organic waste processing facilities (collectively, "the Facilities") in Ohio: (1) Dovetail Energy, located in Greene County, (2) Emerald BioEnergy, located in Morrow County, and (3) H2-Oh-Yeah aka Steamtown, located in Morrow County.

Defendant Renergy Inc., Defendant Dovetail Energy, LLC, and Defendant Alexander Ringler (collectively, "Dovetail Defendants") own and operate a facility in Greene County ("Dovetail Facility") that employs an anaerobic digester in which microorganisms break down organic feedstock material (i.e. sewage sludge, animal manure, and other organic wastes) in the

absence of oxygen to produce a methane-based biogas that is then captured and used to generate electricity. The Dovetail Facility's operations also result in the production of sludge, called digestate, that is stored initially in a concrete tank and beneficially used—through land application—on authorized fields to provide an agronomic benefit. The concrete tank is uncovered and has at times been entirely full, creating a risk of digestate overflowing. Recently, the State of Ohio and the Dovetail Defendants entered into a Consent Order for Permanent Injunction and civil penalties as a result of air pollution that occurred in Greene County. The Consent Order requires the Dovetail Defendants to obtain a permit for ammonia (NH_3) emissions at the Dovetail Facility. The Consent Order however, did not address the Dovetail Defendants' failure to comply with various terms and conditions of wastewater permits and failure to maintain freeboard in the concrete tank, which has caused environmental and other operational concerns at the Dovetail Facility.

Defendant Renergy Inc., Defendant Renergy Soil and Water, LLC, and Defendant Alexander Ringler ("Steamtown Defendants") own and operate two earthen lagoons at the Steamtown Facility in Morrow County. The South lagoon is an anaerobic treatment lagoon that treats digestate from the Dovetail Energy and Emerald BioEnergy facilities. The North lagoon acts as a storage lagoon for the treated wastewater, before the wastewater is land applied to adjacent fields pursuant to a Land Application Management Plan issued by the Ohio Environmental Protection Agency ("Ohio EPA"). Both the North and South lagoons are also entirely full, or almost entirely full, creating a risk of the contents overflowing.

Defendant Renergy Inc., Defendant Emerald Bioenergy, LLC, and Defendant Alexander Ringler (collectively, "Emerald Defendants") own and operate a facility in Morrow County ("Emerald Facility") that employs an anaerobic digester in which microorganisms break down

organic feedstock material in the absence of oxygen to produce a methane-based biogas that is then captured and used to generate electricity. The Emerald Facility's operations result in the production of sludge, called digestate, that is stored initially in six (6) storage ponds and beneficially used on authorized fields to provide an agronomic benefit, in the form of land application. The six storage ponds are uncovered and at least one pond has unpermitted emissions of ammonia (NH_3). The six ponds are also entirely full, or almost entirely full, creating a risk of the contents overflowing.

Plaintiff, the State of Ohio, on relation of its Attorney General, Dave Yost, at the written request of the Director of Environmental Protection ("Director"), brings this action to enforce Chapter 6111 and Chapter 3704 of the Ohio Revised Code and the rules adopted thereunder. The Plaintiff alleges:

GENERAL ALLEGATIONS

Defendants

1. Defendant Renergy Inc. ("Renergy") is an Ohio corporation registered and licensed to do business in Ohio. It identified its statutory agent as Alexander Ringler, 2279 CR 159, Cardington, Ohio 43315.

2. Defendant Dovetail Energy, LLC ("Dovetail") is an Ohio limited liability company registered and licensed to do business in Ohio. It identified its statutory agent as CH&K Agent Service, Inc., 1 South Main Street, Suite 1300, Dayton, Ohio 45402. Dovetail is a subsidiary of Renergy.

3. Defendant Alex Ringler is an individual with a business address of 2279 CR 159, Cardington, Ohio 43315.

4. Defendant Alexander Ringler ("Alex Ringler"), is personally liable for the violations alleged in this Complaint. Defendant Alex Ringler, by virtue of his position as an owner and/or officer of the Dovetail, Steamtown, and Emerald Facilities, alone or in conjunction with others, caused, participated in, controlled, and/or ordered the violations of law alleged in this Complaint. He knew about or should have known about the violations of law alleged in this Complaint, and by himself or in conjunction with others, had the authority to prevent or stop these violations, but failed to exercise his authority to do so.

5. Defendants Renergy, Dovetail, and Alex Ringler own, manage, and/or operate one of the anaerobic digester facilities that is the subject of this action. That facility is located at or near 1146 Herr Road, Fairborn, Greene County, Ohio, and is referenced herein as the "Dovetail Facility."

6. Defendant Renergy Soil and Water, LLC is an Ohio limited liability company registered and licensed to do business in Ohio. It identified its statutory agent as Kerry T. Boyle, 2 Miranova Place, Suite 700, Columbus, Ohio 43215.

7. Defendants Renergy, Renergy Soil and Water, LLC, and Alex Ringler own, manage, and/or operate a facility, H2-Oh-Yeah, aka the "Steamtown Facility," located at or near 2133 Township Road 224, Peru Township, Morrow County.

8. Defendant Emerald Bioenergy, LLC ("Emerald BioEnergy") is an Ohio limited liability company registered and licensed to do business in Ohio. It identified its statutory agent as CH&K Agent Service, Inc., 1 South Main Street, Suite 1300, Dayton, Ohio 45402. Emerald BioEnergy is a subsidiary of Renergy.

9. Defendants Renergy, Emerald BioEnergy, and Alex Ringler manage, own and/or operate one of the anaerobic digester facilities that is the subject of this action. The facility is

located across several properties in Cardington, Morrow County, Ohio and is referenced herein as the "Emerald Facility."

10. Defendant Alex Ringler holds himself out as an owner of the Dovetail, Steamtown, and Emerald Facilities.

11. Defendant Pitstick Family Farms, LLC owns the property upon which the Dovetail Facility is located.

12. Defendant Ringler Livestock, LLC owns the property upon which the Steamtown Facility and a portion of the Emerald Facility are located.

13. Defendant Ringler Energy, LLC owns the property upon which a portion of the Emerald Facility is located.

14. Defendant Ringler Feedlots, LLC owns the property upon which a portion of the Emerald Facility is located.

15. Defendants are each a "person" as that term is defined by R.C 6111.01(I) and Ohio Adm.Code 3745-33-01 and by R.C. 3704.01 and Ohio Adm.Code 3745-15-01 and Ohio Adm.Code 3745-31-01.

FACTUAL BACKGROUND

Dovetail Facility

16. The Dovetail Facility was constructed in 2013 and includes two 12,000-gallon liquid receiving tanks, a solids receiving hopper, a 230,000-gallon biomass equalization tank (feedstock holding tank), a 750,000-gallon anaerobic digester, and a 5,402,446-gallon concrete effluent storage tank.

17. The Dovetail Defendants receive feedstocks authorized for anaerobic digestion consisting of sewage sludge, biosolids, manure, food waste, fats, oils, grease, energy crops,

glycerin, and stillage in the receiving area at the Dovetail Facility. The feedstocks are mixed in the biomass tank, then are transferred to the anaerobic digestion tank where methane is captured and used to produce electricity. Liquid digestate is also generated and land applied on agricultural fields.

18. At the conclusion of the digestion process, the digestate is discharged from the anaerobic digestion tank to the digestate storage tank.

19. The digestate storage tank is open at the top.

20. The digestate is removed periodically from the digestate storage tank for beneficial use on authorized fields to provide an agronomic benefit.

21. The Director of Ohio EPA issued a National Pollutant Discharge Elimination System ("NPDES") permit on February 26, 2014 to Defendant Dovetail Energy, LLC. (permit number 1IN00305* AD, hereinafter "Dovetail 2014 NPDES Permit"). The effective date of the permit was April 1, 2014, and the permit expired on March 31, 2019. The Dovetail Defendants continue to operate under the expired permit, which remains in effect pending approval or disapproval of a renewal permit or alternative authorization from Ohio EPA. A true and accurate copy of the Dovetail 2014 NPDES Permit is attached as Exhibit 1 and is incorporated herein by reference.

22. The Dovetail 2014 NPDES Permit governs the treatment, storage, transfer, or disposal of sewage sludge and biosolids and the beneficial use of biosolids generated from the anaerobic digestion of approved feedstocks.

23. In Part II.C., the Dovetail 2014 NPDES Permit provides: "The treatment, storage, transfer, or disposal of sewage sludge and biosolids, the beneficial use of biosolids, and the treatment, storage, transfer, or disposal of approved feedstocks shall be done in accordance with

the facility's approved Sludge Management Plan and Operations and Maintenance Plan. The treatment, storage, transfer, or disposal of sewage sludge and biosolids, the beneficial use of biosolids, and the treatment, storage, transfer, or disposal of approved feedstocks shall not result in the generation of a nuisance odor, as determined by Ohio EPA. Should a nuisance odor be generated at an offsite storage facility or beneficial use site, the permittee shall implement all necessary corrective actions to eliminate or minimize the creation of such nuisance odors."

24. The Dovetail 2014 NPDES Permit further requires compliance with Ohio Adm.Code Chapter 3745-40, which in part requires pathogen reduction and vector attraction reduction records to be submitted to Ohio EPA with an Annual Sludge Report. Ohio Adm.Code 3745-40-09(D).

25. On September 26, 2018, Ohio EPA issued Permit to Install No. 1141952 to Defendant Renergy ("Dovetail 2018 PTI"). The permit authorized an increase in the wastewater disposal system design hydraulic flow from a maximum of 35,550 gallons per day to 45,000 gallons per day. The permit also corrected the as-built size of the concrete storage tank to 5,402,446 gallons with a freeboard of one foot. Freeboard is the vertical distance between the surface of material in the tank, lagoon, or pond and the top of the tank wall, lagoon, or pond. A true and accurate copy of the Dovetail 2018 PTI is attached as Exhibit 2 and is incorporated herein by reference.

26. On April 14, 2022, Ohio EPA sent a Notice of Violation letter to the Dovetail Defendants. The letter identified a freeboard violation found at the Dovetail facility, and requested that the Dovetail Defendants immediately begin removing material from the storage tank and either transfer the material to a permitted facility for treatment or beneficially use the material in accordance with the Dovetail 2014 NPDES Permit.

27. Dovetail Defendants have failed to comply with various terms and conditions of the Dovetail 2018 PTI and the Dovetail 2014 NPDES Permit.

Steamtown Facility

28. The Steamtown Facility is located at or near 2133 Township 224 Road, Peru Township, Morrow County, Ohio.

29. Defendant Renergy Soil and Water, LLC operates the Steamtown Facility, which includes two rectangular earthen lagoons ("North lagoon" and "South lagoon"), each with a total volume of 13.4 million gallons.

30. On February 12, 2019, Ohio EPA issued Permit to Install No. 1278450 to Defendant Renergy Soil and Water, LLC ("Steamtown 2019 PTI"). The Steamtown 2019 PTI allowed Defendant Renergy Soil and Water, LLC to accept digestate for treatment in the South lagoon, and require that the North lagoon have at least 1.5 feet of freeboard. In addition, plans incorporated into the Steamtown 2019 PTI require the South lagoon maintain 2.0 feet of freeboard. A true and accurate copy of the Steamtown 2019 PTI, as well as the plans incorporated into that PTI, are attached as Exhibit 3 and are incorporated herein by reference

31. On March 26, 2019, Ohio EPA issued Land Application Management Plan No. 4MP00028*AM to Defendant Renergy Soil and Water, LLC for the Steamtown Facility ("Steamtown Land Application Plan"). The Steamtown Land Application Plan authorized Defendant Renergy Soil and Water, LLC to land apply treated wastewater generated from the Steamtown anaerobic treatment lagoon and stored in the North lagoon, in accordance with specific limitations and monitoring requirements. The Steamtown Land Application Plan also specified that the North lagoon shall have at least 1.5 feet of freeboard at all times. A true and accurate copy

of the Steamtown Land Application Plan is attached as Exhibit 4 and is incorporated herein by reference.

32. The Steamtown Land Application Plan states that Defendant Renergy Soil and Water, LLC shall be responsible for the proper operation and maintenance of the treated industrial wastewater land application system.

33. On February 23, 2022, Ohio EPA inspected the freeboard levels at both the North lagoon and South lagoon at the Steamtown Facility and found that both lagoons were above required freeboard levels.

34. On February 25, 2022, Ohio EPA sent a Notice of Violation letter to Defendant Renergy Soil and Water, LLC regarding Ohio EPA's findings at the Steamtown Facility during its February 23, 2022 inspection. The letter identified the freeboard violations found at the Steamtown Facility, and requested specific action be taken to remediate the violations. In addition, the letter requested that Defendant Renergy Soil and Water, LLC submit its Annual Report to the Ohio EPA, as required by the Steamtown Land Application Plan.

Emerald Facility

35. The Emerald Facility includes two 12,000-gallon liquid receiving tanks, a solids receiving hopper, a 230,000-gallon biomass equalization tank, a 750,000-gallon anaerobic digester, and six (6) digestate storage ponds, as well as ancillary equipment.

36. The Emerald Defendants receive feedstocks authorized for anaerobic digestion for the purpose of producing energy from methane generation, consisting of animal wastes, sewage sludge, biosolids, energy crops, fats, oils, and greases, among other organic waste, in the waste receiving tanks and hopper at the Emerald Facility. The wastes are mixed, and then transferred to

the adjacent anaerobic digestion tank for the production of methane that is then captured and used to produce electricity.

37. At the conclusion of the digestion process, treated digestate is discharged from the anaerobic digestion tank into digestate storage pond L7 where it then flows through the other storage ponds.

38. The six digestate storage ponds are referred to as L1, L2, L3, L4, L5, and L7.

a. Ponds L1 and L7 are located near 2279 County Road 156, Cardington, Morrow County, Ohio, on property owned by Ringler Feedlots, LLC.

b. Pond L2 is located at or near 2279 County Road 156, Cardington, Morrow County, Ohio, which is owned by Ringler Energy, LLC.

c. Pond L3 is located at or near 2277 County Road 156, Cardington, Morrow County, Ohio, which is owned by Ringler Livestock, LLC.

d. Ponds L4 and L5 are located near 1282 County Road 156, Cardington, Morrow County, Ohio, on property owned by Ringler Livestock.

39. The treated digestate is removed periodically from the digestate storage ponds for beneficial use on authorized fields to provide an agronomic benefit.

40. The digestate storage ponds are open at the top and have no controls to prevent the emission of air pollutants.

41. Although the Emerald Defendants have obtained air-pollution-control permits for some aspects of its operations at the Emerald Facility, the Emerald Defendants failed to obtain the required permits for the digestate storage ponds at the time they started introducing non-agricultural organic wastes into the process and thus became subject to regulation by Ohio EPA.

42. The digestate storage ponds consist of three separate emissions units for purposes of Ohio's air pollution control laws.

a. Pond L7 comprises emissions unit one.

b. Ponds L1 through L3 comprise emissions unit two.

c. Ponds L4 and L5 comprise emissions unit three.

43. As explained herein, the digestate storage ponds emit ammonia (NH3) at levels that subject at least one of the digestate storage ponds to air-pollution-control requirements as well as certain substantive requirements applicable to such sources.

44. The Emerald Facility's digestate storage ponds are a regulated "stationary source" of "air contaminants" under Ohio Adm.Code 3745-31-01 and have regulated "emission[s]," under R.C. 3704.01 and Ohio Adm.Code 3745-15-01.

45. The Emerald Facility is a regulated "facility," under R.C. 3704.01 and Ohio Adm.Code 3745-15-01 and 3745-31-01.

46. Defendants Renergy, Emerald BioEnergy, and Alex Ringler are each an "owner or operator" of the "facility" as those terms are defined in Ohio Adm.Code 3745-15-01 and/or 3745-31-01.

47. In 2012, the Director of Ohio EPA issued an NPDES Permit (NPDES No. 4IN00204*AD, hereinafter "Emerald 2012 NPDES Permit") to Ringler Energy, LLC. The permit authorized the Emerald Facility to accept feed materials, including sewage sludge, animal manure, energy crops, and other materials and to beneficially use biosolids. The Emerald Facility operated under the Emerald 2012 NPDES Permit from November 1, 2012 through April 30, 2021. While the permit had an expiration date of October 31, 2017, the Emerald Defendants continued to operate under the expired permit, which remained in effect pending approval or disapproval of a

renewal permit or alternative authorization. A true and accurate copy of the Emerald 2012 NPDES Permit is attached as Exhibit 5 and is incorporated herein by reference.

48. On December 20, 2018, the Director of Ohio EPA issued a Permit to Install No. 1244865 ("Emerald 2018 PTI") to Emerald BioEnergy, LLC authorizing the construction and installation of digestate storage pond L7. A true and accurate copy of the Emerald 2018 PTI and the plans approved under this PTI are attached as Exhibit 6 and incorporated herein by reference.

49. On March 29, 2021, Ohio EPA renewed the Emerald 2012 NPDES Permit (NPDES No. 4IN00204*BD, hereinafter "Emerald 2021 NPDES Permit") and issued it to Renergy, Inc. This permit similarly authorizes the treatment, storage, transfer, and beneficial use of digester effluent, or digestate, and biosolids generated at the Emerald Facility. The Emerald 2021 NPDES Permit has an effective date of May 1, 2021 and an expiration date of April 30, 2026. A true and accurate copy of the Emerald 2021 NPDES Permit is attached as Exhibit 7 and is incorporated herein by reference.

50. Plans approved pursuant to the Emerald 2018 PTI and Part II.M.2. of the Emerald 2021 NPDES Permit establish the maximum operating levels for each digestate storage pond at the Emerald Facility. The maximum operating level represents the pond level that provides the maximum volume of digestate that can be stored plus the volume of a 100-year, 24-hour storm while still maintaining the maximum design level (i.e. freeboard). The maximum design level represents the freeboard of the pond or the level that should not be exceeded to prevent overtopping of the berm or berm failure.

51. If the volume of digestate stored at the ponds exceeds the maximum design level (i.e. freeboard), the ponds are at risk of overflowing and potentially discharging to waters of the state. If the ponds exceed the maximum design level, they also exceed the maximum operating level.

52. At all times relevant to this action, the digestate storage ponds at the Emerald Facility had the following maximum operating levels:

a. Pond L1 has a maximum operating level of 5,485,068 gallons.

b. Pond L2 has a maximum operating level of 387,693 gallons.

c. Pond L3 has a maximum operating level of 331,764 gallons.

d. Pond L4 has a maximum operating level of 2,857,143 gallons.

e. Pond L5 has a maximum operating level of 1,362,000 gallons.

f. Pond L7 has a maximum operating level of 20,769,686 gallons.

53. Emerald Defendants have failed to comply with various terms and conditions of the Emerald 2012 NPDES Permit, the Emerald 2018 PTI, and the Emerald 2021 Discharge Permit.

54. Ohio EPA informed the Emerald Defendants of these violations through notice of violation letters sent on or about March 18, 2020, February 1, 2021, March 3, 2021, March 29, 2021, and February 25, 2022. These notice of violation letters requested actions be taken that would resolve the violations cited in the letter. To date, many of these violations remain outstanding.

STATUTORY BACKGROUND

Ohio's Water Pollution Control Laws

55. Revised Code 6111.04(A) prohibits any person from causing pollution or placing or causing to be placed "any sewage, sludge, sludge materials, industrial wastes or other wastes in a location where they cause pollution of any waters of the state" except in accordance with a valid, unexpired permit issued by the Ohio EPA Director.

56. Revised Code 6111.04(C) prohibits any person to whom a permit has been issued from placing or discharging or causing to be placed or discharged "any sewage, sludge, sludge materials,

industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit without first receiving a permit from the director to do so."

57. "Pollution," as defined in R.C. 6111.01(A), means the placement "of any sewage, sludge, sludge materials, industrial waste, or other wastes in any waters of the state."

58. "Waters of the state," as defined in R.C. 6111.01(H), mean "all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and other bodies or accumulations of water, surface and underground, natural or artificial . . . that are situated . . . within . . . this state. . . ."

59. "Industrial wastes," as defined in R.C. 6111.01(C), means "any liquid, gaseous, or solid waste substance resulting from any process of industry, manufacture, trade, or business, or from the development, processing, or recovery of any natural resources, together with such sewage as is present."

60. "Sludge," as defined in R.C. 6111.01(N), means "sewage sludge and a solid, semi-solid, or liquid residue that is generated from an industrial wastewater treatment process and that is applied to land for agronomic benefit."

61. "Sludge materials," as defined in R.C. 6111.01(O), means "solid, semi-solid, or liquid materials derived from sludge and includes products from a treatment works that result from the treatment, blending, or composting of sludge."

62. "Sludge management," as defined in R.C. 6111.01(S), means "the use, storage, treatment, or disposal of, and management practices related to, sludge and sludge materials."

63. Revised Code 6111.03(J)(1) authorizes the Director of environmental protection to set the terms and conditions of discharge permits, sludge management permits and permits to install.

64. Revised Code 6111.03(S)(1)(e) authorizes the Director to "specify in sludge management permits the net volume, net weight, quality, and pollutant concentration of the sludge or sludge materials that may be used, stored, treated, or disposed of, and the manner and frequency of the use, storage, treatment, or disposal, to protect public health and the environment from adverse effects relating to those activities." The Director is required to "impose other terms and conditions to protect public health and the environment, minimize the creation of nuisance odors, and achieve compliance with this chapter and rules adopted under it and, in doing so, shall consider whether the terms and conditions are consistent with the goal of encouraging the beneficial reuse of sludge and sludge materials."

65. Revised Code 6111.07(A) provides that "[n]o person shall violate or fail to perform any duty imposed by sections 6111.01 to 6111.08 of the Revised Code or violate any order, rule, or term or condition of a permit issued or adopted by the director of environmental protection pursuant to those sections. Each day of violation is a separate offense."

Ohio's Air Pollution Control Laws

66. Revised Code 3704.05(A) provides that "[n]o person shall cause, permit, or allow emission of an air contaminant in violation of any rule adopted by the director of environmental protection . . . unless the person is the holder of a variance . . . [or] permit that includes a compliance schedule" issued by the director of environmental protection.

67. Ammonia is an "air contaminant," as that term is defined in R.C. 3704.01 and Ohio Adm.Code 3745-31-01.

68. The Emerald Facility digestate storage ponds are a regulated "stationary source" of "air contaminants" under Ohio Adm.Code 3745-31-01 and have regulated "emission[s]," under R.C. 3704.01 and Ohio Adm.Code 3745-15-01.

69. The Emerald Facility is regulated as a "facility," under R.C. 3704.01 and Ohio Adm.Code 3745-15-01 and 3745-31-01.

70. The Emerald Defendants are each "owner[s] or operator[s]" of the "facility" as those terms are defined in Ohio Adm.Code 3745-15-01 and/or 3745-31-01.

Enforcement by the Ohio Attorney General

71. Revised Code 6111.07(B) provides that "[t]he attorney general, upon written request of the director, shall bring an action for an injunction against any person violating or threatening to violate this chapter or violating or threatening to violate any order, rule, or condition of a permit issued or adopted by the director pursuant to this chapter."

72. Revised Code 6111.09(A) provides that "[a]ny person who violates [R.C. 6111.07] shall pay a civil penalty of not more than ten thousand dollars per day of violation," and the Ohio Attorney General shall commence an action against any person for any violation of R.C. 6111.07 upon the Ohio EPA Director's written request.

73. Revised Code 3704.06(B) provides that "[t]he attorney general, upon written request of the director, shall bring an action for an injunction . . . against any person violating or threatening to violate section 3704.05 or 3704.16 of the Revised Code."

74. Revised Code 3704.06(C) provides that "[a]ny person who violates section 3704.05 or 3704.16 of the Revised Code shall pay a civil penalty of not more than twenty-five thousand dollars for each day of each violation."

75. Revised Code 3704.06(A) provides that the Ohio Attorney General, upon the Ohio EPA Director's request, shall prosecute any person who violated section 3704.05 or 3704.16 of the Revised Code.

Jurisdiction and Venue

76. Defendants transacted business and/or contracted to supply services or goods in the State of Ohio.

77. This Court has jurisdiction over Defendants pursuant to R.C. 2307.382 and R.C. 3704.06.

78. Venue is proper in this Court pursuant to Civ. R. 3(C) and Civ. R. 3(F).

79. In accordance with Civ. R. 8(A), the State informs the Court that the amount sought is in excess of twenty-five thousand dollars ($25,000.00).

80. The allegations in the paragraphs above are incorporated into the following Counts of this Complaint as if fully rewritten therein.

DOVETAIL COUNTS

Count One: Failure to Maintain Freeboard in Storage Tank at Dovetail Facility

81. The Dovetail 2018 PTI approved the operation of the storage tank at the Dovetail Facility so long as the Dovetail Defendants maintained a freeboard of at least one foot.

82. On April 14, 2022, Ohio EPA inspected the Dovetail Facility, and found that the storage tank did not have one foot of freeboard as required by the Dovetail 2018 PTI. Specifically, material in the storage tank was at the top of the tank wall, with no freeboard at all.

83. Dovetail Defendants have failed to maintain the required 1.0 foot of freeboard at the concrete tank, in violation of the Dovetail 2018 PTI, on at least the following dates: April 14, 2022 through April 26, 2022, May 31, 2022 through June 3, 2022, and June 8, 2022.

84. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Dovetail 2018 PTI, for which the State is entitled to injunctive relief against each Dovetail Defendant pursuant to R.C. 6111.07(B), and for which each Dovetail Defendant is jointly and

severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Two: Failure to Comply with Odor Nuisance Prohibition

85. Between September 24, 2021 and April 1, 2022, and on other dates to be discovered, Ohio EPA has conducted odor surveys on forty occasions and has detected offsite odors, varying from mild to nuisance levels, from the operation of the Dovetail Facility on at least nineteen different days.

86. The nuisance-level odors are violations of Part II.C. of the Dovetail 2014 NPDES Permit.

87. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Dovetail 2014 NPDES Permit, for which the State is entitled to injunctive relief against each Dovetail Defendant pursuant to R.C. 6111.07(B), and for which each Dovetail Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Three: Reporting Violations

88. The Dovetail 2014 NPDES Permit Part II.F. requires compliance with Ohio Adm.Code Chapter 3745-40.

89. Ohio Adm.Code 3745-40-09(D) requires that pathogen reduction and vector attraction records be submitted to Ohio EPA with an Annual Sludge Report.

90. Upon review of the 2021 Annual Sludge Report, the Dovetail Defendants failed to report, or inaccurately reported, information included in the Annual Sludge Report. Specifically, the Dovetail Defendants:

a. Failed to report data to demonstrate pathogen reduction and vector attraction reduction;

b. Reported no material was transferred to another facility however, electronic discharge monitoring report ("eDMR") data shows that material was transferred;

c. Reported a different amount of material was land applied in 2021 than was reported in eDMR data; and

d. Failed to report that material was land applied at Ohio EPA Sites 11-00280, 12-00454, 12-00455, 12-00456, 29-00427, and 29-00422 in 2021.

91. These failures to accurately submit records in an Annual Sludge Report are a violation of the Ohio Adm.Code 3745-40-09(D) and the Dovetail 2014 NPDES Permit Part II.F.

92. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Dovetail 2014 NPDES Permit, for which the State is entitled to injunctive relief against each Dovetail Defendant pursuant to R.C. 6111.07(B), and for which each Dovetail Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

STEAMTOWN COUNTS

Count Four: Failure to Maintain Freeboard in North Lagoon in Violation of Steamtown 2019 PTI

93. Pursuant to the Steamtown 2019 PTI, the Steamtown Defendants are required to maintain at least 1.5 feet of freeboard at all times in the North lagoon at the Steamtown Facility.

94. On February 23, 2022, Ohio EPA inspected the Steamtown Facility and found that the North lagoon was observed to be at the top of the berm, with no freeboard at all.

95. From at least February 23, 2022 to the present, the Steamtown Defendants have failed to maintain the required 1.5 feet of freeboard at the North lagoon, in violation of the Steamtown 2019 PTI.

96. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown 2019 PTI, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Five: Failure to Maintain Freeboard in North Lagoon in Violation of the Steamtown Land Application Plan

97. Pursuant to the Steamtown Land Application Plan, Part I. Station 602, the Steamtown Defendants were required to monitor and maintain at least 1.5 feet of freeboard at all times in the North lagoon at the Steamtown Facility.

98. On February 23, 2022, Ohio EPA inspected the Steamtown Facility and found that the North lagoon was observed to be at the top of the berm, with no freeboard at all.

99. From at least February 23, 2022 to the present, the Steamtown Defendants have failed to maintain the required 1.5 feet of freeboard at the North lagoon, in violation of the Steamtown Land Application Plan.

100. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown Land Application Plan, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Six: Failure to Maintain Freeboard in South Lagoon in Violation of Steamtown 2019 PTI

101. Pursuant to the Steamtown 2019 PTI, the Steamtown Defendants were required to maintain at least 2.0 feet of freeboard at all times in the South lagoon at the Steamtown Facility.

102. From at least February 23, 2022 to the present, the Steamtown Defendants have failed to maintain the required 2.0 feet of freeboard at the South lagoon, in violation of the Steamtown 2019 PTI.

103. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown 2019 PTI, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Seven: Failure to Timely Submit Land Application of Wastewater Annual Report

104. Pursuant to the Steamtown Land Application Plan, Part II.O., the Steamtown Defendants were required to submit a Land Application of Wastewater Annual Report to the Ohio EPA, Central District Office, Division of Surface Water, by January 31 of each year for the land application that occurred in the previous year.

105. As of the filing of this Complaint, the Steamtown Defendants have not submitted the complete annual report, which was due by January 31, 2022, for land application in 2021.

106. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown Land Application Plan, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Eight: Improper Acceptance of Material to the Steamtown Facility

107. Pursuant to the Steamtown 2019 PTI, the Steamtown Defendants cannot accept material for treatment in the South lagoon, unless the North lagoon has at least 1.5 feet of freeboard.

108. The Steamtown Facility accepted material at the South lagoon despite the North lagoon failing to maintain the required 1.5 feet of freeboard, in violation of the Steamtown 2019 PTI, on at least the following days: June 3, 2022, June 6, 2022, and June 7, 2022.

109. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown 2019 PTI, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown

Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Nine: Exceedances of the Maximum Daily Hydraulic Flow at the Steamtown Facility in Violation of the Steamtown 2019 PTI

110. Pursuant to the Steamtown 2019 PTI, the Steamtown Defendants cannot accept more than 37,778 gallons of material at the Steamtown Facility on a daily basis.

111. The Steamtown Defendants accepted more than 37,778 gallons of material into the Steamtown South lagoon, in violation of the Steamtown 2019 PTI, on at least the following dates: June 3, 2022, June 6, 2022, and June 7, 2022.

112. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown 2019 PTI, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Ten: Exceedances of the Maximum Daily Hydraulic Flow at the Steamtown Facility in Violation of the Steamtown Land Application Plan

113. Pursuant to the Steamtown Land Application Plan Part II.C., the Steamtown Defendants cannot accept more than 37,778 gallons of material at the Steamtown Facility on a daily basis.

114. The Steamtown Facility accepted more than 37,778 gallons of material into the Steamtown South lagoon, in violation of the Steamtown Land Application Plan, on at least the following dates: June 3, 2022, June 6, 2022, and June, 7 2022.

115. The acts and omissions alleged in this Count constitute violations of Revised Code 6111.07(A) and the Steamtown Land Application Plan, for which the State is entitled to injunctive relief against each Steamtown Defendant pursuant to R.C. 6111.07(B), and for which each Steamtown Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint

EMERALD COUNTS

Count Eleven: Exceedances of the Maximum Operating Levels at the Emerald Facility Ponds in Violation of the Emerald 2012 NPDES Permit

116. Under Ohio Adm.Code 3745-40-10(A)(1), the storage of biosolids shall be in a manner that is protective of human health and the environment, and that does not impact surface waters of the state.

117. The Emerald 2012 NPDES Permit, Part II.B. requires that all disposal, use, storage, or treatment of sewage sludge shall comply with Ohio Adm.Code Chapter 3745-40.

118. Exceedances of the maximum operating levels in the digestate storage ponds create a risk that the ponds will overflow and possibly discharge to waters of the state—impacting the surface waters of the state—in violation of Ohio Adm.Code 3745-40-10(A)(1) and the Emerald 2012 NPDES Permit.

119. The Emerald Defendants exceeded the 5,485,068-gallon maximum operating level for digestate storage Pond L1, in violation of the Emerald 2012 NPDES Permit, on at least the following dates: March 11, 2020 through March 27, 2020 and March 2, 2021 through April 30, 2021.

120. The Emerald Defendants exceeded the 387,693-gallon maximum operating level for digestate storage Pond L2, in violation of the Emerald 2012 NPDES Permit, on at least the following dates: March 11, 2020 through March 27, 2020 and March 2, 2021 through April 30, 2021.

121. The Emerald Defendants exceeded the 331,764-gallon maximum operating level for digestate storage Pond L3, in violation of the Emerald 2012 NPDES Permit, on at least the following dates: March 11, 2020 through March 27, 2020.

122. The Emerald Defendants exceeded the 1,362,000-gallon maximum operating level for digestate storage Pond L5, in violation of the Emerald 2012 NPDES Permit, on at least the following dates: January 19, 2021 through February 16, 2021 and March 2, 2021 through April 30, 2021.

123. The Emerald Defendants exceeded the 20,769,686-gallon maximum operating level for digestate storage Pond L7, in violation of the Emerald 2012 NPDES Permit, on at least the following dates: March 11, 2020 through March 27, 2020 and January 19, 2021 through April 30, 2021.

124. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2012 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Twelve: Exceedances of the Maximum Operating Levels at the Emerald Facility Ponds in Violation of the Emerald 2018 PTI

125. Plans approved by the Emerald 2018 PTI establish the maximum operating levels for each digestate storage pond at the Emerald Facility.

126. The Emerald Defendants exceeded the 5,485,068-gallon maximum operating level for digestate storage Pond L1, in violation of the Emerald 2018 PTI, on at least the following dates: March 11, 2020 through March 27, 2020 and March 2, 2021 through May 20, 2021.

127. The Emerald Defendants exceeded the 387,693-gallon maximum operating level for digestate storage Pond L2, in violation of the Emerald 2018 PTI, on at least the following dates: March 11, 2020 through March 27, 2020 and March 2, 2021 through May 20, 2021.

128. The Emerald Defendants exceeded the 331,764-gallon maximum operating level for digestate storage Pond L3, in violation of the Emerald 2018 PTI, on at least the following dates: March 11, 2020 through March 27, 2020.

129. The Emerald Defendants exceeded the 1,362,000-gallon maximum operating level for digestate storage Pond L5, in violation of the Emerald 2018 PTI, on at least the following dates: January 19, 2021 through February 16, 2021 and March 2, 2021 through May 20, 2021.

130. The Emerald Defendants exceeded the 20,769,686-gallon maximum operating level for digestate storage Pond L7, in violation of the Emerald 2018 PTI, on at least the following dates: March 11, 2020 through March 27, 2020 and January 19, 2021 through May 20, 2021.

131. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2018 PTI, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for

each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Thirteen: Exceedances of the Maximum Operating Levels at the Emerald Facility Ponds in Violation of the Emerald 2021 NPDES Permit

132. Part II.M.2. of the Emerald 2021 NPDES Permit establishes the maximum operating levels for each digestate storage pond at the Emerald Facility and prohibits the Emerald Defendants from exceeding the levels.

133. The Emerald Defendants exceeded the 5,485,068-gallon maximum operating level for digestate storage Pond L1, in violation of the Emerald 2021 NPDES Permit, on at least the following dates: May 1, 2021 through May 20, 2021 and February 23, 2022 to the present.

134. The Emerald Defendants exceeded the 387,693-gallon maximum operating level for digestate storage Pond L2, in violation of the Emerald 2021 NPDES Permit, on at least the following dates: May 1, 2021 through May 20, 2021 and February 23, 2022 to the present.

135. The Emerald Defendants exceeded the 331,764-gallon maximum operating level for digestate storage Pond L3, in violation of the Emerald 2021 NPDES Permit, on at least the following dates: March 15, 2022 to the present.

136. The Emerald Defendants exceeded the 2,857,143-gallon maximum operating level for digestate storage Pond L4, in violation of the Emerald 2021 NPDES Permit, on at least the following dates: April 27, 2022 to the present.

137. The Emerald Defendants exceeded the 1,362,000-gallon maximum operating level for digestate storage Pond L5, in violation of the Emerald 2021 NPDES Permit, on at least the following dates: May 1, 2021 through May 20, 2021 and April 27, 2022 to the present.

138. The Emerald Defendants exceeded the 20,769,686-gallon maximum operating level for digestate storage Pond L7, in violation of the Emerald 2021 NPDES Permit, on at least the following dates: May 1, 2021 through May 20, 2021 and February 23, 2022 to the present.

139. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Fourteen: Failure to Show Depth Markers at the Emerald Facility Ponds

140. The Emerald 2021 NPDES Permit Part II.M.5. requires each pond to have a depth marker that clearly indicates the approved maximum operating level and freeboard that is easily accessed and able to be read in each pond.

141. The Emerald Defendants have failed to provide depth markers that comply with the Emerald 2021 NPDES Permit in all the ponds since at least May 1, 2021.

142. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Fifteen: Odor Nuisance at the Emerald Facility

143. Ohio Adm.Code 3745-40-02(C)(2)(d) requires the "treatment, storage, transfer or disposal of sewage sludge shall be done in a manner as to minimize odors."

144. Ohio Adm.Code 3745-40-02(C)(3)(e) requires the "treatment, storage, transfer, disposal, or beneficial use of biosolids shall be done in a manner as to minimize odors."

145. Ohio Adm.Code 3754-40-10(A) also provides that the storage of sewage sludge and biosolids shall be provided in a manner that is protective of human health and the environment and that does not impact waters of the state or create nuisance odors.

146. The Emerald 2012 NPDES Permit Part II.B. requires all disposal, use, storage, or treatment of sewage sludge by the Emerald Defendants to comply with Ohio Adm.Code Chapter 3745-40.

147. The Emerald 2021 NPDES Permit Part II.P. requires the treatment, storage, transfer, disposal, or beneficial use of digestate shall not result in a nuisance order. Emerald Defendants failed to treat and store sewage sludge in a manner that would minimize odors.

148. Emerald Defendants created nuisance odors at the Emerald Facility, in violation of the Emerald 2012 NPDES Permit on at least March 23, 2021, and on other dates to be discovered.

149. Emerald Defendants created nuisance odors at the Emerald Facility, in violation of the Emerald 2021 NPDES Permit on at least August 11, 2021, and on other dates to be discovered.

150. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2012 and Emerald 2021 NPDES Permits, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten

thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Sixteen: Improper Storage of Untreated Effluent at the Emerald Facility

151. The Emerald 2021 NPDES Permit Part II.M.1. requires that only effluent that has been treated by anaerobic digestion at the Emerald Facility shall be stored in the digestate storage ponds.

152. On March 11, 2022, in response to a notice of violation from Ohio EPA regarding exceedances of the maximum operating levels, Emerald Defendants stated that up to eight (8) million gallons of material was placed in the digestate storage ponds without having been treated by the digester at the Emerald Facility, in violation of the Emerald 2021 NPDES Permit, including untreated manure and allegedly digested material from the Dovetail Facility. The material from the Dovetail Facility may have contained biosolids.

153. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Seventeen: Failure to Submit the Annual Storage Evaluation for the Emerald Facility

154. The Emerald 2021 NPDES Permit Part II.M.6. requires the Emerald Defendants to complete an annual storage evaluation form by November 1 of each year. The evaluation shall

demonstrate that by December 1 of each year, the maximum operating level will be maintained in each pond.

155. As of the filing of this Complaint, the Emerald Defendants failed to submit the 2021 annual storage evaluation.

156. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Eighteen: Failure to Submit a Stability Plan for the Emerald Facility

157. The Emerald 2021 NPDES Permit Part I.C.1. required the Emerald Defendants, not later than six (6) months from the effective date of the permit (i.e. November 1, 2021), to submit a plan to implement a method to demonstrate a stable digestate.

158. The Emerald 2021 NPDES Permit Part III.12.D. provides that if the Emerald Defendants are unable to meet any date for an event specified in the schedule of compliance, the Emerald Defendants shall submit a written report to Ohio EPA within fourteen (14) days of becoming aware of such a situation that details, *inter alia*, the cause of the violation and the remedial action being taken.

159. As of the filing of this Complaint, the Emerald Defendants have not submitted the complete stability plan that was required by November 1, 2021, nor have they submitted the required written report to Ohio EPA detailing the cause of such violation and any remedial action.

160. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Nineteen: Failure to Submit Groundwater Sampling Plan for the Emerald Facility

161. Part II.J. of the Emerald 2021 NPDES Permit, effective May 1, 2021, requires the Emerald Defendants to submit a groundwater sampling plan within sixty (60) days of the effective date of the permit—i.e. by June 30, 2021.

162. As of the filing of this Complaint, the Emerald Defendants have not submitted a groundwater sampling plan.

163. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Twenty: Failure to Submit Groundwater Monitoring Results for the Emerald Facility

164. The Emerald 2021 NPDES Permit Part I.B.5. through Part I.B.8. requires the Emerald Defendants to conduct groundwater monitoring semi-annually in June and December and report said monitoring results to Ohio EPA. The reports are due on the 20th day of month

following the month-of-interest—i.e. results are required to be reported by July 20 and January 20 of each year.

165. As of the filing of this Complaint, the Emerald Defendants failed to report the results for the June 2021 groundwater monitoring event.

166. The Emerald Defendants also failed to timely submit the results from the December 2021 groundwater monitoring event by January 20, 2022, having submitted them on February 27, 2022.

167. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Twenty-One: Reporting Violations at the Emerald Facility

168. The Emerald 2021 NPDES Permit Part II.X. requires the Emerald Defendants to submit an Annual Sludge Report to Ohio EPA no later than March 1 of each year. This report shall summarize the sewage sludge disposal, use, storage, or treatment activities of the Emerald Facility during the previous calendar year.

169. Upon review of the 2021 Annual Sludge Report, the Emerald Defendants failed to report, or inaccurately reported, information included in the Annual Sludge Report. Specifically, the Emerald Defendants:

a. Failed to report that any material was transferred to another facility in 2021 when eDMR data shows that 526.39 dry tons were transferred to another facility in 2021; and

b. Inaccurately reported that 149.19 dry tons of biosolids were land applied in 2021 when eDMR data shows 288.83 dry tons land applied in 2021.

170. These failures to accurately submit records in an Annual Sludge Report is a violation of the Emerald 2021 NPDES Permit.

171. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Twenty-Two: Failure to Report Agronomic Rate Calculations

172. The Emerald 2021 NPDES Permit Part II.N. requires Emerald Defendants to submit an agronomic rate calculation to Ohio EPA no later than on the day that beneficial use commences at the site.

173. The 2021 Annual Sludge Report for the Emerald Facility, submitted February 28, 2022, includes an agronomic rate calculation for Ohio EPA Site 59-00087 with land application occurring on July 29, 2021; however, the Emerald Defendants failed to report an agronomic rate calculation for this field on the day land application started as required by Part II.N. of the Emerald 2021 NPDES Permit.

174. The acts and omissions alleged in this Count constitute violations of R.C. 6111.07(A) and the Emerald 2021 NPDES Permit, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 6111.07(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to ten thousand dollars ($10,000.00) for each day of each violation, pursuant to R.C. 6111.09, including each day of violation after the filing of this Complaint.

Count Twenty-Three: Failure to Obtain an Air Emissions Permit at the Emerald Facility

175. Under Ohio Adm.Code 3745-31-02, the owner or operator of an air contaminant source is required to apply for and obtain a permit unless the source is either specifically exempt under Ohio Adm.Code 3745-15-05, or Ohio Adm.Code 3745-31-03, or exempt under R.C. 3704.011 because the air contaminant source emits less than ten pounds per day.

176. Of the six digestate storage ponds at the Emerald Facility, at least one digestate storage pond, L7, does not qualify for any exemption identified in the preceding paragraph and is, therefore, subject to permitting requirements contained in Ohio Adm.Code 3745-31-02.

177. Pursuant to R.C. 3704.05, no person shall cause, permit, or allow emission of an air contaminant in violation of any rule adopted by the director of environmental protection unless the person is the holder of a variance or permit that includes a compliance schedule issued by the director of environmental protection. Further, under R.C. 3704.05, no person shall violate any order, rule, or determination of the director issued, adopted, or made under R.C. Chapter 3704.

178. The Emerald Defendants do not have a variance or permit that includes a compliance schedule issued by the director of environmental protection and have therefore, beginning sometime around 2018 and continuing to the present, violated R.C. 3704.05 by failing to have a permit.

179. The acts and omissions alleged in this Count constitute violations of R.C. 3704.05, for which the State is entitled to injunctive relief against each Emerald Defendant pursuant to R.C. 3704.06(B), and for which each Emerald Defendant is jointly and severally liable to pay a civil penalty of up to twenty-five thousand dollars ($25,000.00) for each day of each violation, pursuant to R.C. 3704.06(C), including each day of violation after the filing of this Complaint.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests this Court:

A. Preliminarily and permanently enjoin Defendants to comply with R.C. Chapter 6111 and R.C. Chapter 3704, the rules adopted thereunder, and the terms and conditions of all permits and plans issued to Defendants by Ohio EPA;

B. Order the Emerald Defendants to apply for and obtain a permit from Ohio EPA to regulate air emissions from any and all digestate storage ponds at the Emerald Facility found to emit greater than ten pounds per day and employ all necessary emissions controls;

C. Order the Emerald Defendants, under R.C. 3704.06, to pay civil penalties for the air pollution control law violations in an amount up to twenty-five thousand dollars ($25,000.00) per day for each day of each violation, including each day of each violation occurring after the filing of this Complaint;

D. Order Defendants to comply with all permits and plans issued pursuant to R.C. Chapter 6111 related to the Facilities, including but not limited to NPDES permits, Permits to Install, and Land Application Management Plans;

E. Order the Dovetail Defendants to retain an independent, third-party environmental consulting firm with experience in the field of air pollution control, process safety, anaerobic digestion, chemical process design, odor management, and proper beneficial use and disposal

methods for biosolids or digester effluent to, at a minimum, submit the following plans for approval to Ohio EPA: (1) Odor Mitigation Plan, (2) Complaint Response Plan, (3) Sampling Plan, and (4) Facility Operation Plan;

F. Order the Emerald Defendants to retain an independent, third-party environmental consulting firm with experience in the field of air pollution control, process safety, anaerobic digestion, chemical process design, odor management, and proper beneficial use and disposal methods for biosolids or digester effluent to, at a minimum, submit the following plans for approval to Ohio EPA: (1) Odor Mitigation Plan, (2) Complaint Response Plan, (3) Sampling Plan, and (4) Facility Operation Plan;

G. Order the Steamtown Defendants to retain an independent, third-party environmental consulting firm with experience in the field of air pollution control, process safety, anaerobic digestion, chemical process design, odor management, and proper beneficial use and disposal methods for biosolids or digester effluent to, at a minimum, submit the following plans for approval to Ohio EPA: (1) Sampling Plan and (2) Facility Operation Plan;

H. Order Defendants to accept feedstock only in accordance with the terms and conditions of all permits and plans issued to Defendants by Ohio EPA;

I. Order Defendants, under R.C. 6111.09, to pay civil penalties for the water pollution control law violations in an amount up to ten thousand dollars ($10,000.00) per day for each day of each violation, including each day of each violation occurring after the filing of this Complaint;

J. Order the Defendants to pay all costs and fees for this action, including any attorney fees assessed by the Office of the Ohio Attorney General and extraordinary enforcement costs incurred by the State of Ohio;

K. Order Defendant Pitstick Family Farms, LLC to provide access to the Dovetail Facility in order to perform all work necessary to bring the Dovetail Facility into compliance with R.C. Chapter 6111;

L. Order Defendants Ringler Livestock, LLC, Ringler Energy, LLC and Ringler Feedlots, LLC to provide access to the Emerald Facility in order to perform all work necessary to bring the Emerald Facility into compliance with R.C. Chapter 6111 and R.C. 3704;

M. Order Defendant Ringler Livestock, LLC to provide access to the Steamtown Facility in order to perform all work necessary to bring the Steamtown Facility into compliance with R.C. Chapter 6111 and R.C. 3704;

N. Order Defendants to grant Ohio EPA's authorized representatives and other State of Ohio personnel and/or agents access to enter the Facilities at reasonable times to inspect, investigate, obtain samples, and examine and copy records to determine compliance with the Court's Orders and/or Ohio EPA's permits, plans, statutes, and rules;

O. Retain jurisdiction of this suit for the purpose of making any order or decree which it may deem necessary at any time to carry out its judgment; and

P. Grant such other relief as may be just.

Respectfully submitted,

DAVID YOST
OHIO ATTORNEY GENERAL

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Application No. OH0141411

Issue Date: February 26, 2014

Effective Date: April 1, 2014

Expiration Date: March 31, 2019

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Dovetail Energy, LLC - Anaerobic Digestion Facility

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Dovetail Energy, LLC - Anaerobic Digestion Facility wastewater treatment works located at 1146 Herr Road, Bath Township, Ohio, Greene County and discharging storm water only to Hebble Creek in accordance with the conditions specified in Parts I, II, and III of this permit.

Pursuant to ORC 3734.02G, the director hereby exempts Dovetail Energy, LLC - Anaerobic Digestion Facility and any recipient of the biosolids under this permit from the applicable solid waste provisions of ORC Chapter 3734 and rules adopted thereunder specific to the land application of industrial waste, as authorized in this permit. The director has determined that granting an exemption from the applicable solid waste provisions of ORC Chapter 3734 to use industrial waste in the quantities and under the circumstances specifically authorized in this permit is unlikely to adversly affect the public health or safety or the environment.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

_____
Craig W. Butler
Director

Total Pages: 25

PENGAD 800-631-6989
EXHIBIT
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Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 1IN00305581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Month	Composite	All
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Month	Composite	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
70318 - Sludge Solids, Percent Total - %	-	-	-	-	-	-	-	1/Month	Composite	All
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 1IN00305581:

- Monitoring is required when Class B biosolids are removed from the Permittee's treatment works for beneficial use. The monitoring data shall be reported bimonthly on each Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.

- If no biosolids are removed from the treatment works during the reporting period, enter the results for the metal analysis in eDMR or on the 4500 report and enter 0 for sludge weight and sludge fee weight.

- If no biosolids will be removed from the treatment works for beneficial use during the year, for each reporting period the permittee shall report under station 581 in the following manner:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

- If metal analysis has not been completed previously during each reporting period: when biosolids are removed from the treatment works, all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no biosolids have been removed from the treatment works for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the biosolids are required to be collected and analyzed for metals prior to removal from the treatment works. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.

- To sample for fecal coliform, the treatment works should collect and analyze a composite sample every other day over a two week period for a total of seven composite samples, when practical. Each of the composite samples shall be analyzed independently to determine the MPN/g of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected in accordance with the requirements for Part 9221 E. or Part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to biosolids being removed from the treatment facility.

- It is recommended that composite samples of the biosolids be collected and analyzed close enough to the time of beneficial use to be reflective of the biosolids¿ current quality, but not so close that the results of the analysis are not available prior to the beneficial use of biosolids.

- The permittee shall maintain the appropriate records on site to verify that the requirements of a pathogen reduction alternative and a vector attraction reduction option have been satisfied.

- Units of mg/kg are on a dry weight basis.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge or biosolids to dry tons of sewage sludge or biosolids: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

- Metal pollutant analysis must be completed during each reporting period, whether biosolids are removed from the treatment works or not, or the number of composite samples collected and reported shall be increased prior to the next beneficial use event to account for the reporting period(s) in which beneficial use did not occur, unless all previously accumulated biosolids have been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.

- See Part II, Items A to N.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 1IN00305584, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 584 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	41	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	39	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	1500	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	840	-	-	300	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	420	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	2800	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	100	-	-	-	1/Month	Composite	All
31641 - Fecal Coliform in Sludge - MPN/G	1000	-	-	-	-	-	-	1/Month	Multiple Grab	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	17	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	75	-	-	75	-	-	-	1/Month	Composite	All

NOTES for Station Number 1IN00305584:

- Monitoring is required when exceptional quality biosolids are removed from the Permittee's treatment works for beneficial use. The monitoring data shall be reported bimonthly on each Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period. If no sludge is removed during the entire month, report "AL" in the first column of the first day of the month on the 4500 Form (Monthly Operating Report). A signature is still required.

- If no biosolids are removed from the treatment works during the reporting period, enter the results for the metal analysis in eDMR or on the 4500 report and enter 0 for sludge weight and sludge fee weight.

- If no biosolids will be removed from the treatment works for beneficial use during the year, for each reporting period the permittee shall report under station 584 in the following manner:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

- Metal pollutant analysis must be completed during each reporting period, whether biosolids are removed from the treatment works or not, or the number of composite samples collected and reported shall be increased prior to the next beneficial use event to account for the reporting period(s) in which land application did not occur, unless all previously accumulated biosolids have been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.

- If metal analysis has not been completed previously during each reporting period: when biosolids are removed from the treatment works all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no biosolids have been removed from the treatment works for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the biosolids are required to be collected and analyzed for metals prior to removal from the treatment works. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.

- It is recommended that composite samples of the biosolids be collected and analyzed close enough to the time of beneficial use to be reflective of the biosolids' current quality, but not so close that the results of the analysis are not available prior to the beneficial use of biosolids.

- The permittee shall maintain the appropriate records on site to verify that the requirements of a pathogen reduction alternative and a vector attraction reduction option have been satisfied.

- Units of mg/kg are on a dry weight basis.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge or biosolids to dry tons of sewage sludge or biosolids: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

- For fecal coliform monitoring, at a minimum, seven grab samples of the biosolids shall be taken and analyzed and all results shall meet the limit listed in this station for the biosolids to be considered exceptional quality. For reporting purposes, report the single highest value attained during the reporting period. At the time of sale/distribution/land application, the fecal coliform monitoring results shall not be more than sixty days old.

- See Part II, Items A to N.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 1IN00305586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 1IN00305586:

- Monitoring is required when sewage sludge or biosolids is removed from the permittee's treatment works for disposal in a mixed solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a mixed solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

- If no sewage sludge or biosolids is removed from the Permittee's treatment works for disposal in a mixed solid waste landfill during the year:

1) eDMR users should select the No Discharge check box on the data entry form. PIN the eDMR.

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

- See Part II, Items A to N.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 1IN00305588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 1IN00305588:

- Monitoring is required when sewage sludge or biosolids is removed from the permittee's treatment works for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

- If no sewage sludge or biosolids is removed from the Permittee's treatment works for transfer to another NPDES permit holder during the year:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

- See Part II, Items A to N.

Part II, OTHER REQUIREMENTS

A. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
1IN00305581	Beneficial use of Class B biosolids
1IN00305584	Beneficial use of exceptional quality biosolids
1IN00305586	Landfilling of sewage sludge or biosolids
1IN00305588	Transferring sewage sludge or biosolids to another NPDES permit holder

B. This national pollutant discharge eliminateion system (NPDES) permit is for the beneficial use of biosolids generated from the anaerobic digestion of sewage sludge, biosolids, manure, food waste, fats, oils, grease, energy crops (i.e. grain, hay, silage, spilled and soiled feed, and stover), glycerin, and stillage for the purpose of producing energy from methane generation. All other uses and feedstocks must be separately approved by Ohio EPA. All other feedstocks must be separately approved by Ohio EPA. A feedstock authorization request shall consist of a comprehensive evaluation of the proposed feedstock and a description of the pilot project that will be performed to demonstrate that the beneficial use of the generated biosolids will reasonably protect public health and the environment.

C. The treatment, storage, transfer, or disposal of sewage sludge and biosolids, the beneficial use of biosolids, and the treatment, storage, transfer, or disposal of approved feedstocks shall be done in accordance with the facilites approved Sludge Management Plan (SMP) and Operations and Maintenance Plan (OMP). The treatment, storage, transfer, or disposal of sewage sludge and biosolids, the beneficial use of biosolids, and the treatment, storage, transfer, or disposal of approved feedstocks shall not result in the generation of a nuisance odor, as determined by Ohio EPA. Should a nuisance odor be generated at an offsite storage facility or beneficial use site, the permittee shall implement all necessary corrective actions to eliminate or minimize the creation of such nuisance odors.

D. Composite samples shall be comprised of at least three grab samples proportionate in volume to the sewage flow rate at the time of sampling and collected at intervals of at least 30 minutes, but not more than 2 hours, during the period that the treatment works is staffed on each day for sampling. Such samples shall be collected at such times and locations, and in such fashion, as to be representative of the treatment work's overall performance.

E. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the treatment work's sewage sludge.

F. No later than January 31 of each calendar year, the Permittee shall submit two (2) copies of a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calender year. One copy of the report shall be sent to the Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, and one copy of the report shall be sent to the Ohio EPA Northeast District Office, Division of Surface Water, 2110 East Aurora Road, Twinsburg, Ohio 44087. The report shall be submitted on Ohio EPA Form 4229.

G. All treatment, storage, transfer, or disposal of sewage sludge and biosolids and the beneficial use of biosolids by the Permitee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the treatment, storage, transfer, or disposal of sewage sludge and biosolids and the beneficial use of biosolidse by the Permitee.

H. Each day when sewage sludge is removed from the treatment works for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring and the weight calculations, shall be maintained at the treatment works for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater - American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge or biosolids to dry tons of sewage sludge or biosolids: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

I. No person shall cause pollution or place or cause to be placed any approved feedstock, sewage sludge, or biosolids in a location where such placement may cause pollution of any water of the state except in accordance with an effective NPDES permit.

J. Any unauthorized discharge to waters of the state shall be reported to Ohio EPA by e-mail or telephone within twenty-four (24) hours of discovery.

K. The permittee may report a discharge to the appropriate Ohio EPA district office e-mail account as follows:

Central Office: co24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us

L. Any off-site storage facility that is proposed for storage of biosolids generated from the treatment works must be approved by Ohio EPA prior to the the storage of biosolids via one of the following options:

1. The permittee must submit copies of the engineered plans, design details, and supplemental information to Ohio EPA that document the off-site storage facility has been designed in accordance with Natural Resources Conservation Service Conservation Practice Standard Waste Storage Facility Code 313; or

2. The permittee must submit a permit-to-install (PTI) application for the off-site storage facility to Ohio EPA for review and approval that shall satisfy the requirements established within Ohio Administrative Code Rule 3745-42; or

3. The permittee must submit copies of engineering plans and a PTI issued by the Ohio Department of Agriculture that documents the design and construction of the off-site storage facility.

M. An NPDES permit application must be submitted for any off-site storage facility where a discharge to "waters of the State" can reasonably be expected to occur. The NPDES permit application must be approved by Ohio EPA prior to the the storage of biosolids.

N. In order to minimize potential odors, all biosolids land applied at authorized sites for Dovetail Energy LLC shall be injected beneath the surface of the ground or immediately incorporated into the soil.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;

B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;

C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;

D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;

E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;

F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.

C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For partnerships - a general partner;

3. For a sole proprietorship - the proprietor; or,

4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

http://epa.ohio.gov/dsw/edmr/eDMR.aspx

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. Regardless of the submission method, a paper copy of the submitted Ohio EPA 4500 DMR shall be maintained onsite for records retention purposes (see Section 7. RECORDS RETENTION). For e-DMR users, view and print the DMR from the Submission Report Information page after each original or revised DMR is submitted. For submittals on paper, make a copy of the completed paper form after it is signed by a Responsible Official or a Delegated Responsible Official.

E. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

F. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

A. The exact place and date of sampling; (time of sampling not required on EPA 4500)

B. The person(s) who performed the sampling or measurements;

C. The date the analyses were performed on those samples;

D. The person(s) who performed the analyses;

E. The analytical techniques or methods used; and

F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

A. All sampling and analytical records (including internal sampling data not reported);

B. All original recordings for any continuous monitoring instrumentation;

C. All instrumentation, calibration and maintenance records;

D. All plant operation and maintenance records;

E. All reports required by this permit; and

F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.

D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

http://epa.ohio.gov/dsw/permits/individuals.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The limit(s) that has been exceeded;

c. The extent of the exceedance(s);

d. The cause of the exceedance(s);

e. The period of the exceedance(s) including exact dates and times;

f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,

g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

http://www.epa.ohio.gov/dsw/permits/permits.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The time(s) at which the discharge occurred, and was discovered;

c. The approximate amount and the characteristics of the discharge;

d. The stream(s) affected by the discharge;

e. The circumstances which created the discharge;

f. The name and telephone number of the person(s) who have knowledge of these circumstances;

g. What remedial steps are being taken; and,

h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;

2. The cause of the violation;

3. The remedial action being taken;

4. The probable date by which compliance will occur; and,

5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;

2. The addition of any new significant industrial discharge; and

3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;

2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than $25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Not withstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Ohio Environmental Protection Agency

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

September 26, 2018

Renergy Inc
Attn: Alex Ringler

461 State Route 61
Marengo, OH 43334

RE: Renergy Inc
Permit-Long Term
Approval
Surface Water Permit to Install
Greene
DSWPTI1141952

Subject: Dovetail Bioenergy Process Reconfiguration Project - Addition of process tankage, pumping and biogas process equipment, Bath Township
Plans Received on January 06, 2017, Modified August 27, 2018
From: Green Arrow Engineering

Ladies and Gentlemen:

Enclosed is an approved Ohio EPA Permit to Install. This permit contains several conditions and restrictions; I urge you to read it carefully. A general condition of your permit states that issuance of the permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations. 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 "Ohio Treasurer Josh Mandel", which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 any questions, please contact the Ohio EPA District Office.

Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted Ohio EPA for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal. Please take a few minutes to complete this survey and share your experience with us at http://www.surveymonkey.com/s/ohioepacustomersurvey. If you have any questions, please contact the Ohio EPA district office to which you submitted your application.

Sincerely,

Kevin J. Fowler, Supervisor
Permit Processing Unit, Division of Surface Water

KJF/bd

Enclosure
CERTIFIED MAIL
cc: Southwest District Office Greene County Combined Health District Green Arrow Engineering

PENGAD 800-631-6989
EXHIBIT
2

Ohio EPA SEP 26 '18
Entered Directors Journal

Ohio Environmental Protection Agency

Permit to Install

Application No: 1141952

Applicant Name: Renergy Inc
Address: 461 State Route 61
City: Marengo
State Zip: OH 43334

Person to Contact: Alex Ringler
Telephone: 740-272-6328

Description of Proposed Source: Dovetail Bioenergy Process Reconfiguration Project - Addition of process tankage, pumping and biogas process equipment, Bath Township, Greene

Issuance Date: September 26, 2018
Effective Date: September 26, 2018

The above named entity is hereby granted a permit to install for the above described source pursuant to Chapter 3745-42 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source of environmental pollutants will operate in compliance with applicable state and federal laws and regulations. Issuance of this permit does not constitute expressed or implied assurance that, if constructed or modified in accordance with those plans and specifications, the above described source of pollutants will be granted the necessary operating permits. This permit is granted subject to the following conditions attached hereto.

Ohio Environmental Protection Agency

Craig W. Butler

Craig W. Butler
Director
P.O. Box 1049
50 West Town Street, Suite 700
Columbus, OH 43216-1049

This permit shall expire if construction has not been initiated by the applicant within eighteen months of the effective date of this permit. By accepting this permit, the applicant acknowledges that this eighteen month period shall not be considered or construed as extending or having any effect whatsoever on any compliance schedule or deadline set forth in any administrative or court order issued to or binding upon the permit applicant, and the applicant shall abide by such compliance schedules or deadlines to avoid the initiation of additional legal action by the Ohio EPA.

The director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, examining records, or reports pertaining to the construction, modification, or installation of the above described source of environmental pollutants.

Issuance of this permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations.

Any well, well point, pit or other device installed for the purpose of lowering the ground water level to facilitate construction of this project shall be properly abandoned in accordance with the provisions of Section 3745-9-10 of the Ohio Administrative Code or in accordance with the provisions of this plan or as directed by the Director or his representative. For more information please contact: Division of Drinking and Ground Water - Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215 (614) 644-2752.

Any person installing any well, well point, pit or other device used for the purpose of removing ground water from an aquifer shall complete and file a Well Log and Drilling Report form with the Ohio Department of Natural Resources, Division of Water, within 30 days of the well completion in accordance with the Ohio Revised code Section 1521.01 and 1521.05. In addition, any such facility that has a capacity to withdraw waters of the state in an amount greater than 100,000 gallons per day from all sources shall be registered by the owner with the chief of the Division of Water, Ohio Department of Natural Resources, within three months after the facility is completed in accordance with Section 1521.16 of the Ohio Revised Code. For copies of the necessary well log, drilling report, or registration forms, please contact:

Ohio Department of Natural Resources
2045 Morse Road Bldg. E
Columbus, OH 43229-6693
(614) 265-6717

Project Description: The project consists of constructing two new plug flow PFRP treatment tanks, a new anaerobic predigester tank, a new flare, three new heat exchangers and a new boiler.

Special Condition
Exceptional quality biosolids generated through the new equipment approved for installation under the terms and conditions of this permit must not come into contact with class B biosolids if it is to be distributed as exceptional quality. If the intent is to store exceptional quality biosolids in the effluent storage tank for distribution as exceptional quality material, the tank needs to have all class B biosolids currently stored in the tank removed prior to receiving any exceptional quality biosolids. If this is the intent, the Ohio EPA, Southwest District Office, Division of Surface Water must be contacted once the effluent storage tank is empty so that Ohio EPA staff can inspect the tank for structural integrity and compliance with this condition.

1. The proposed wastewater disposal system shall be constructed in strict accordance with the plans and application approved by the director of the Ohio Environmental Protection Agency. There shall be no deviation from these plans without the prior express, written approval of the agency. Any deviations from these plans or the above conditions may lead to such sanctions and penalties as provided for under Ohio law. Approval of these plans and issuance of this permit does not constitute an assurance by the Ohio Environmental Protection Agency

that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

2. If the construction area for this project is one acre or more, or is part of a larger development that is one acre or more, the applicant must submit a Notice of Intent (NOI) for coverage under the general construction stormwater permit to Ohio EPA at least 21 days prior to the start of construction of this project.

3. For projects involving construction or placement of fill in a stream or wetland, the applicant shall contact the appropriate district of the U.S. Army Corps of Engineers for a determination regarding potential impacts to water of the state as well as the requirements for obtaining, if necessary, certification. The applicant shall acquire a Section 404 permit and 401 water quality certification, if needed, before impacting any waters of the state as part of this project.

4. The owner shall be responsible for proper operation and maintenance of the wastewater disposal system.

5. This permit to install applies only to the wastewater disposal system described above. The installation of drinking water supplies, air contaminant sources, or solid waste disposal facilities will require the submittal of a separate application to the director.

6. Provisions shall be made for proper operation of the wastewater pumping facilities.

7. This permit applies to a wastewater disposal system designed to serve an average daily hydraulic flow of no more than 45,000 gallons.

8. No liquids, sludges, or toxic or hazardous substances other than those set forth in the approved permit shall be accepted for disposal without the prior written approval of the Ohio Environmental Protection Agency.

9. Before the applicant generates any wastewater or discharges any wastewater to the disposal system, the construction of the wastewater treatment works shall be completed, and the treatment works operation must be authorized by the Ohio EPA district office.

10. The applicant shall notify the Ohio Environmental Protection Agency if the applicant does not continue as the sole user of the sewage disposal system.

11. The Southwest District office of the Ohio Environmental Protection Agency shall be notified in writing as to (a) the construction starting date; (b) the construction completion date; and (c) the date the wastewater disposal system was placed into operation.

12. The permit to install is not an authorization to discharge pollutants to waters of the state. Pursuant to Chapter 6111 of the Ohio Revised Code, the applicant shall apply for a permit to discharge (NPDES) 180 days prior to any discharge of pollutants to waters of the state.

13. Fugitive dust generated by this sewer construction project shall be controlled as specified in OAC 3745-17-08 (B).

Report on Detail Plans
Wastewater Treatment Plant Upgrade
Dovetail Energy LLC / Renergy Inc.
Bath Township, Greene County

Detail plans for the proposed wastewater treatment plant upgrade for the Dovetail Energy LLC / Renergy Inc. facility (Renergy) were received on January 6, 2017. Additional information was received on February 23, 2017; March 9, 2017; July 28, 2017; September 15, 2017, October 20, 2017, November 13, 2017; December 6, 2017; April 26, 2018; May 17, 2018; July 20, 2018 and August 27, 2018.

The site is located at 1156 Herr Road, Fairborn, Ohio 45324. The proposed wastewater treatment system upgrade will provide treatment for wastewater and biosolids brought to this site. Renergy will operate and maintain the plant. The treatment system upgrade is being designed for an average daily flow rate of 45,000 gpd.

The detail plans are satisfactory, and it is recommended that they be approved.

Ned Sarle
Permits Group
Division of Surface Water

Joseph Miller
Permits Supervisor
Division of Surface Water

Effluent Quality Requirements

Renergy currently holds an effective NPDES Permit (NPDES Permit number OH0141411; OEPA Permit number 1IN00305*AD). The treatment plant upgrade will comply with this permit. The NPDES Permit addresses the beneficial use of Class A and B biosolids.

Existing WWTP

The current treatment system treats biosolids from municipal WWTPs, hog manure and commercial liquid wastes. The treatment system currently consists of a liquid and solids unloading area, mixing, a predigester tank, a digester tank and then a biosolids storage tank.

Proposed Treatment Plant Upgrade

Two new plug flow tanks will be constructed. A new predigester tank will be constructed to complement the existing predigester tank. A new flare, three new heat exchangers and a new boiler will be constructed. The upgraded treatment system will be able to produce Exceptional Quality (EQ) / Class A biosolids in accordance with 40 CFR 503 and Ohio Administrative Code (OAC) 3745-40. The Engineering Report dated July 2, 2018 details the use of heat treatment to meet pathogen reduction requirements and volatile solids reduction to meet vector attraction reduction requirements.

Plug Flow PFRP Tanks

Number of Tanks:	Two
Volume:	2000 gallons (each)
Detention Time:	53 minutes (Total) at 75 gpm while maintaining at 160°F

Predigester Tank

A second predigester tank will be constructed.

Dimensions:	29.7' (diameter) x 44.5' Liquid depth
Surface Area:	693 ft^2
Volume:	230,000 gallons provided
Detention Time:	51 hours at 75 gpm ADDF

As Built Biosolids Storage Tank

The existing biosolids storage tank was determined to have been constructed with two additional feet of height. The facility has also proposed to operate the biosolids storage tank with one foot of freeboard.

Dimensions:	220' (diameter) x 20' (high) with 1 foot of freeboard
Surface Area:	38,000 square feet
Volume:	5,402,446 gallons
Storage Capacity:	120 days at 45,000 gpd of material intake rate

Estimated Cost of Upgrade

Wastewater Treatment Plant Upgrade	= $ 1,600,000

Construction Schedule

Begin Construction	November 1, 2018
Complete Construction	April 1, 2019
Final Compliance	April 1, 2019

Ohio Environmental Protection Agency

Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

February 12, 2019

Renergy Soil and Water, LLC
Attn: Taylor Faecher

PO Box 249
Delaware, OH 43015

RE: Renergy Soil and Water, LLC
Permit-Long Term
Approval
Surface Water Permit to Install
Morrow
DSWPTI1278450

Subject: H2-Oh-Yeah - Conversion of existing anaerobic treatment lagoon from manure to other organic feedstocks., Peru Twp.
Plans Received on January 22, 2019
From: Renergy Soil & Water, LLC

Ladies and Gentlemen:

Enclosed is an approved Ohio EPA Permit to Install. This permit contains several conditions and restrictions; I urge you to read it carefully. A general condition of your permit states that issuance of the permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations. 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 you demonstrate 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 any questions, please contact the Ohio EPA District Office.

Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted Ohio EPA for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal. Please take a few minutes to complete this survey and share your experience with us at http://www.surveymonkey.com/s/ohioepacustomersurvey. If you have any questions, please contact the Ohio EPA district office to which you submitted your application.

Sincerely,

Kevin J. Fowler, Supervisor
Permit Processing Unit, Division of Surface Water

KJF/bd

Enclosure 9489 0090 0027 6025 8632 13
CERTIFIED MAIL
cc: Central District Office Morrow County Health Department Delaware County Health Department

PENGAD 800-631-6989
EXHIBIT
3

Ohio EPA FEB 12 '19
Entered Directors Journal

Ohio Environmental Protection Agency

Permit to Install

Application No: 1278450

Applicant Name: Renergy Soil and Water, LLC
Address: PO Box 249
City: Delaware
State Zip: OH 43015

Person to Contact: Taylor Faecher
Telephone: (419) 253-5300

Description of Proposed Source: H2-Oh-Yeah - Conversion of existing anaerobic treatment lagoon from manure to other organic feedstocks., Peru Twp., Morrow

Issuance Date: February 12, 2019
Effective Date: February 12, 2019

The above named entity is hereby granted a permit to install for the above described source pursuant to Chapter 3745-42 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source of environmental pollutants will operate in compliance with applicable state and federal laws and regulations. Issuance of this permit does not constitute expressed or implied assurance that, if constructed or modified in accordance with those plans and specifications, the above described source of pollutants will be granted the necessary operating permits. This permit is granted subject to the following conditions attached hereto.

Ohio Environmental Protection Agency

Laurie A Stevenson

Laurie A. Stevenson
Director
P.O. Box 1049
50 West Town Street, Suite 700
Columbus, OH 43216-1049

Certify this to be a true and accurate copy of the
[illegible] documents as filed in the records of the
Ohio Environmental Protection Agency.

Dorothy Vassiliev Date: 2/12/19

This permit shall expire if construction has not been initiated by the applicant within eighteen months of the effective date of this permit. By accepting this permit, the applicant acknowledges that this eighteen month period shall not be considered or construed as extending or having any effect whatsoever on any compliance schedule or deadline set forth in any administrative or court order issued to or binding upon the permit applicant, and the applicant shall abide by such compliance schedules or deadlines to avoid the initiation of additional legal action by the Ohio EPA.

The director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, examining records, or reports pertaining to the construction, modification, or installation of the above described source of environmental pollutants.

Issuance of this permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations.

Any well, well point, pit or other device installed for the purpose of lowering the ground water level to facilitate construction of this project shall be properly abandoned in accordance with the provisions of Section 3745-9-10 of the Ohio Administrative Code or in accordance with the provisions of this plan or as directed by the Director or his representative. For more information please contact: Division of Drinking and Ground Water - Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215 (614) 644-2752.

Any person installing any well, well point, pit or other device used for the purpose of removing ground water from an aquifer shall complete and file a Well Log and Drilling Report form with the Ohio Department of Natural Resources, Division of Water, within 30 days of the well completion in accordance with the Ohio Revised code Section 1521.01 and 1521.05. In addition, any such facility that has a capacity to withdraw waters of the state in an amount greater than 100,000 gallons per day from all sources shall be registered by the owner with the chief of the Division of Water, Ohio Department of Natural Resources, within three months after the facility is completed in accordance with Section 1521.16 of the Ohio Revised Code. For copies of the necessary well log, drilling report, or registration forms, please contact:

Ohio Department of Natural Resources
2045 Morse Road Bldg. E
Columbus, OH 43229-6693
(614) 265-6717

1. The proposed wastewater disposal system shall be constructed in strict accordance with the plans and application approved by the director of the Ohio Environmental Protection Agency. There shall be no deviation from these plans without the prior express, written approval of the agency. Any deviations from these plans or the above conditions may lead to such sanctions and penalties as provided for under Ohio law. Approval of these plans and issuance of this permit does not constitute an assurance by the Ohio Environmental Protection Agency that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

2. If the construction area for this project is one acre or more, or is part of a larger development that is one acre or more, the applicant must submit a Notice of Intent (NOI) for coverage under the general construction stormwater permit to Ohio EPA at least 21 days prior to the start of construction of this project.

3. For projects involving construction or placement of fill in a stream or wetland, the applicant shall contact the appropriate district of the U.S. Army Corps of Engineers for a determination regarding potential impacts to water of the state as well as the requirements for obtaining, if necessary, certification. The applicant shall acquire a Section 404 permit and 401 water quality certification, if needed, before impacting any waters of the state as part of this project.

4. Renergy Soil and Water, LLC shall be responsible for proper operation and maintenance of the wastewater disposal system.

5. This permit to install applies only to the wastewater disposal system listed above. The installation of drinking water supplies, air contaminant sources, or solid waste disposal facilities will require the submittal of a separate application to the director.

6. Provisions shall be made for proper operation of the wastewater pumping facilities.

7. This permit applies to a sludge disposal system designed to serve an maximum daily hydraulic flow of no more than 37,778 gallons.

8. No liquids, sludges, or toxic or hazardous substances other than those set forth in the approved permit shall be accepted for disposal without the prior written approval of the Ohio Environmental Protection Agency.

9. The sanitary control of the area shall be maintained within a 300 foot radius of each water supply well.

10. The applicant shall notify the Ohio Environmental Protection Agency if the applicant does not continue as the sole user of the sewage disposal system.

11. The owner, Renergy Soil and Water, LLC, shall comply with all the terms and conditions contained within Land Application Management Plan No.: 4MP00028*AM.

12. Beginning on January 1, 2019 and on the 1st day of every subsequent month afterwards, the permittee shall submit to the Ohio EPA, Central District Office, Division of Surface Water, a representative depth of the accumulated fixed solids stored at the bottom of the Steamtown anaerobic treatment lagoon (south lagoon).

13. Before the permittee shall accept digestate for treatment in the anaerobic treatment lagoon (south lagoon), the north wastewater storage lagoon must have at least 120 days of storage volume available, based on design conditions and not including a 1.5 feet of freeboard.

14. Nuisance odors associated with the land application of wastewater shall be fully addressed as expeditiously as possible. At a minimum, the use of enzymatic odor control methods, or other means, as outlined in Section F the "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility" dated August 27, 2018, may be necessary to mitigate nuisance odors during the land application of wastewater.

15. Unaddressed or chronic nuisance odors associated with the anaerobic treatment lagoon (south lagoon) may result in revocation or modification of this permit to install.

16. This permit to install supersedes the terms and conditions associated with the operation and maintenance of the anaerobic treatment lagoon (south lagoon) and the decant wastewater storage lagoon contained in Ohio EPA PTI No. 1244335, issued November 20, 2018. The fixed pivot wastewater irrigation system approved under Ohio EPA PTI No. 1244335 remains subject to those applicable terms and conditions.

17. The Ohio EPA, Central District Office, Division of Surface Water shall be notified in writing as to (a) the construction starting date; (b) the construction completion date; and (c) the date the wastewater disposal system was placed into operation.

18. The permit to install is not an authorization to discharge pollutants to waters of the state. Pursuant to Chapter 6111 of the Ohio Revised Code, the applicant shall apply for a permit to discharge (NPDES) 180 days prior to any discharge of pollutants to waters of the state.

REPORT ON THE PERMIT TO INSTALL APPLICATION UPDATE FOR THE PROPOSED H2-Oh-YEAH FEED STOCK CONVERSION OF AN EXISTING ANEROBIC TREATMENT LAGOON AND THE LAND APPLICATION OF WASTEWATER FOR RENERGY SOIL AND WATER LLC LOCATED IN PERU TOWNSHIP, MORROW COUNTY, OHIO
OHIO EPA PERMIT TO INSTALL APPLICATION No.: 1278450

On January 22, 2019, Ohio EPA's Central District Office, Division of Surface Water (CDO/DSW) received a permit-to-install (PTI) application and associated information for the proposed feed stock conversion of an existing anaerobic treatment lagoon system. The application and associated information were received from Mr. Taylor Faecher, Environmental Compliance Specialist for Renergy Soil and Water, LLC.

Location: 2134 Township Road, 224, Peru Township (Ashley Post Office), Morrow County, Ohio.

Project Overview and Background: On November 20, 2018, Ohio EPA issued PTI No. 1244335 to Energy Soil and Water LLC for the proposed H2-Oh-Yeah anerobic treatment lagoon (ATL) and wastewater storage land application system conversion project. The PTI application, associated information and detailed plans discussed converting an existing anaerobic treatment lagoon (ATL) system, originally used for the treatment and land application disposal of hog manure, to treat digestate from two (2) anaerobic digestors owned and operated by Renergy. ATL system was originally approved by Ohio EPA in 1994 under Permit to Install No. 01-5414. The system consisted of two (2) rectangular earthen lagoons, each with a total volume of 13.4 million gallons. The lagoons were constructed along a north – south alignment. Both lagoons were used to manage the manure generation of 7,000 finished pigs housed at the facility by treating the manure anaerobically in the lagoons. The hogs were to be removed in October of 2018. After which, the applicant is proposed to change the feed stock from un-stabilized hog manure to partially-stabilized digestate taken from anaerobic sludge digesters and utilize the south lagoon as an ATL. The table below compares quantitative results of hog waste to the proposed digestate feed stock:

Feed Stock	% Solids	% Mineral Matter	% Total Volatile Solids	% Ammonia Nitrogen	% Phosphorous
Hog Manure	6.79	32.44	67.56	6.27	2.53
Anerobic Digestate	4.01	36.99	63.04	7.53	3.38

It was proposed that the ATL will function similarly with the new feed stock, in that the volatile solids in the digestate will be further treated, concentrating the nutrients in the resultant settleable sludge (known a fixed solids) that would be stored at the bottom of the ATL. Any remaining wastewater will flow upward within the ATL and will be conveyed from the ATL to the adjoining storage lagoon. The collected wastewater will be land applied on an adjacent farm fields located on the same property owned by the applicant

The pending 2019 PTI application and associated information re-visits the design basis submitted in the November 2018 PTI application. Based upon the available treatment volume, the applicant is proposing to maintain a daily design total volatile solid loading rate of 5,99 lbs. total volatile solids (TVS)/ 1000 ft^3 per day or 2.29 lbs. of BOD_5/1000 ft^3 per day to the treatment portion of the lagoon. The proposed operational plan is to begin loading the ATL with digestate at a base flow of 25,185 gallons/day. Samples of the decant water will be taken and analyzed for the following parameters:

Parameter	Desired Operational Ranges
pH	6 s.u. to 8 s.u.
Conductivity	4 to 12 mmhos/cm
Total Solids	≥1.0 %
Phosphorus	1.5 to 2.5 lbs/1000 gallons

No more than a 10% increase to the base rate will occur at any one time will be added at any one time for a period of 30 days, with a maximum daily loading rate not to exceed 37,778 gallons/day. At the end of the 30 day, samples of the decant to the north storage lagoon will be taken and analyzed for the following parameter listed above and compared to the initial values. Increases in influent flow will continue up to the maximum and the resultant decant wastewater quality will be tracked. No additional incremental loading will occur if the parameters exceed the ranges listed above.

Estimated Project Cost: $50,000.00

ANTIDEGRADATION EVALUATION

The PTI application does not meet the applicability requirements listed in Ohio Administrative Code (OAC) Section 3745-1-05(b), known as the Antidegradation Rule. The application is not requesting that a new, or expanded discharge, of regulated pollutants be permitted waters of the State.

SUMMARY & CONCLUSION

The PTI application and associated information regarding the revised operating conditions associated with the previously approved ATL feeds stock conversion appears to be acceptable. Based upon the discussions above, it is recommended that the PTI application plans be conditionally approved subject to the terms and conditions contained in the draft PTI, including the special conditions listed below.

Report Prepared By: _____
John R. Owen, P.E., BCEE
Environmental Specialist

Report Reviewed By: _____
Anthony Hanes, P.E.
Supervisor, Division of Surface Water

AH/JRO/jo
1278450-H2-Oh_YeahUpdatedATLConversion-2019.docx

SPECIAL CONDITIONS

1. The owner, Renergy Soil and Water, LLC, shall comply with all the terms and conditions contained within Land Application Management Plan No.: 4MP00028*AM.

2. Beginning on January 1, 2019 and on the 1st day of every subsequent month afterwards, the permittee shall submit to the Ohio EPA, Central District Office, Division of Surface Water, a representative depth of the accumulated fixed solids stored at the bottom of the Steamtown anaerobic treatment lagoon (south lagoon).

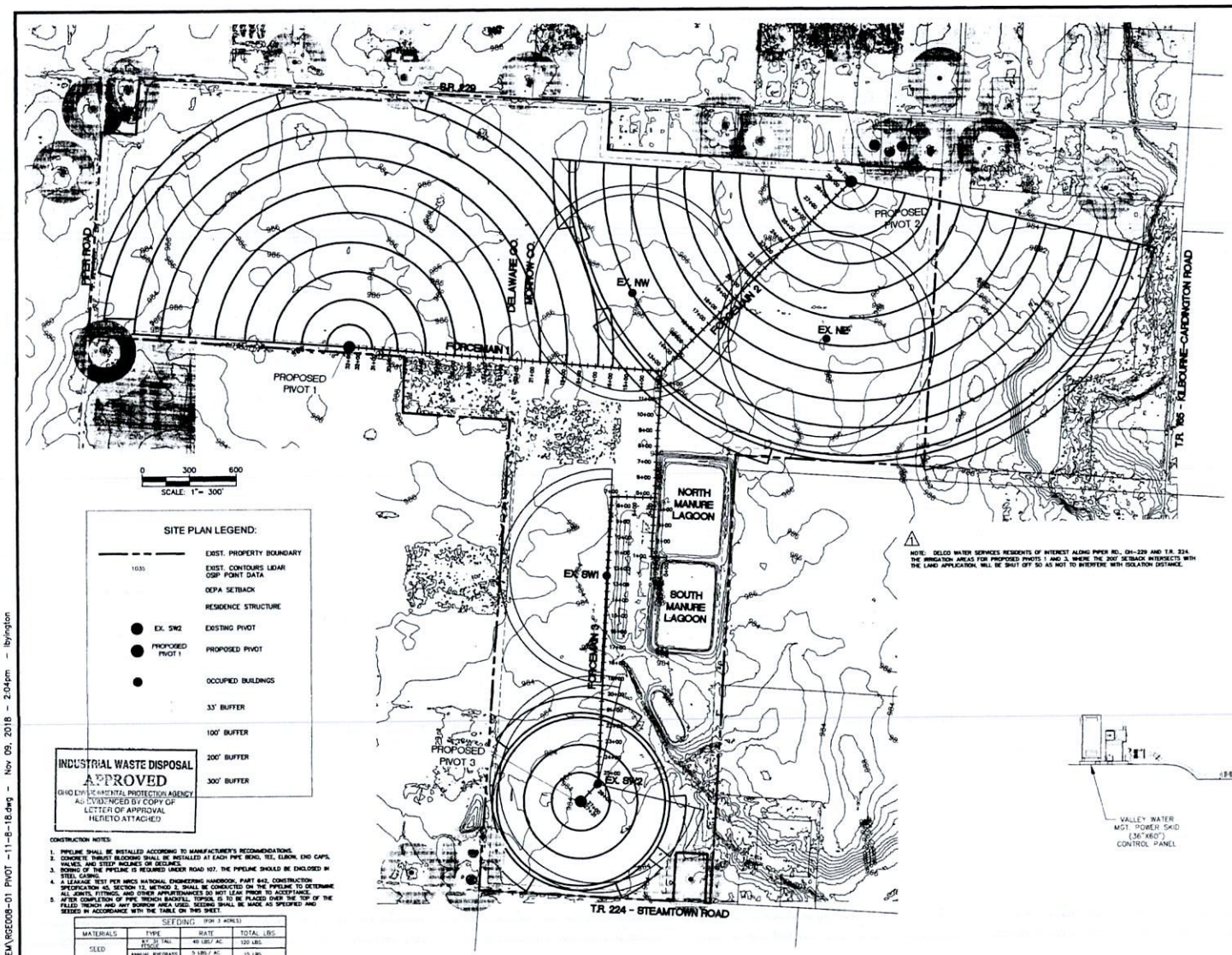
3. Before the permittee shall accept digestate for treatment in the anaerobic treatment lagoon (south lagoon), the north wastewater storage lagoon must have at least 120 days of storage volume available, based on design conditions and not including a 1.5 feet of freeboard.

4. Nuisance odors associated with the land application of wastewater shall be fully addressed as expeditiously as possible. At a minimum, the use of enzymatic odor control methods, or other means, as outlined in Section F the "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility" dated August 27, 2018, may be necessary to mitigate nuisance odors during the land application of wastewater.

5. Unaddressed or chronic nuisance odors associated with the anaerobic treatment lagoon (south lagoon) may result in revocation or modification of this permit to install.

6. This permit to install supersedes the terms and conditions associated with the operation and maintenance of the anaerobic treatment lagoon (south lagoon) and the decant wastewater storage lagoon contained in Ohio EPA PTI No. 1244335, issued November 20, 2018. The fixed pivot wastewater irrigation system approved under Ohio EPA PTI No. 1244335 remains subject to those applicable terms and conditions.

AH/JRO/jo
1278450-H2-Oh_YeahUpdatedATLConversion-2019.docx



SITE PLAN

SCALE: 1"=300'

AERIAL SOURCE: GOOGLE EARTH IMAGERY (7-11-18)
TOPOGRAPHY SOURCE: OGRIP LIDAR OSIP I (2007)

NOTE: DELCO WATER SERVICES RESIDENTS OF INTEREST ALONG PIPER RD., OH-229 AND T.R. 224. THE IRRIGATION AREAS FOR PROPOSED PIVOTS 1 AND 3, WHERE THE 300' SETBACK INTERSECTS WITH THE LAND APPLICATION, WILL BE SHUT OFF SO AS NOT TO INTERFERE WITH ISOLATION DISTANCE.

SITE PLAN LEGEND:

- EXIST. PROPERTY BOUNDARY
- 1035 EXIST. CONTOURS LIDAR OSIP POINT DATA
- OEPA SETBACK
- RESIDENCE STRUCTURE
- EX. SW2 EXISTING PIVOT
- PROPOSED PIVOT 1 PROPOSED PIVOT
- OCCUPIED BUILDINGS
- 33' BUFFER
- 100' BUFFER
- 200' BUFFER
- 300' BUFFER

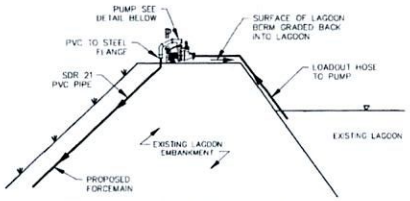
INDUSTRIAL WASTE DISPOSAL
APPROVED
OHIO ENVIRONMENTAL PROTECTION AGENCY
AS EVIDENCED BY COPY OF
LETTER OF APPROVAL
HERETO ATTACHED

CONSTRUCTION NOTES:

1. PIPELINE SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.
2. CONCRETE THRUST BLOCKING SHALL BE INSTALLED AT EACH PIPE BEND, TEE, ELBOW, END CAPS, VALVES, AND STEEP INCLINES OR DECLINES.
3. BORING OF THE PIPELINE IS REQUIRED UNDER ROAD 107. THE PIPELINE SHOULD BE ENCLOSED IN STEEL CASING.
4. A LEAKAGE TEST PER NRCS NATIONAL ENGINEERING HANDBOOK, PART 642, CONSTRUCTION SPECIFICATION 45, SECTION 12, METHOD 2, SHALL BE CONDUCTED ON THE PIPELINE TO DETERMINE THE LOCATION OF LEAKS, AND OTHER APPURTENANCES DO NOT LEAK PRIOR TO ACCEPTANCE.
5. AFTER COMPLETION OF PIPE TRENCH BACKFILL, TOPSOIL IS TO BE PLACED OVER THE TOP OF THE PIPELINE TRENCH AND ANY BORROW AREA USED. SEEDING SHALL BE MADE AS SPECIFIED AND SEEDED IN ACCORDANCE WITH THE TABLE ON THIS SHEET.

SEEDING (FOR 3 ACRES)

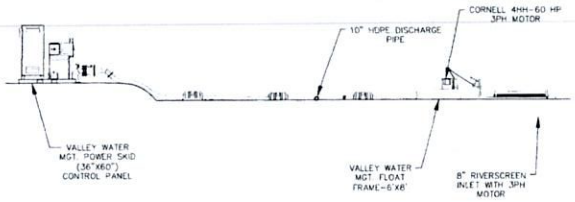
MATERIALS	TYPE	RATE	TOTAL LBS
SEED	80% TALL FESCUE	40 LBS / AC	120 LBS
	ANNUAL RYEGRASS	5 LBS / AC	15 LBS
FERTILIZER	12 - 12 - 12 / EQUAL	400 LBS. /AC.	1200 LBS
LIME	AS LIME	----------	----------
MULCH	STRAW MULCH	4000 LB / AC.	6.0 TONS
THE APPLICABLE SEEDING PERIOD FOR THIS JOB IS		AUG THRU	SEP 15



PUMPOUT EXISTING STORAGE LAGOON

NOT TO SCALE

INDUSTRIAL WASTE DISPOSAL
APPROVED
OHIO ENVIRONMENTAL PROTECTION AGENCY
AS EVIDENCED BY COPY OF
LETTER OF APPROVAL
HERETO ATTACHED



PUMP DETAIL

NOT TO SCALE

RECEIVED
NOV 13 2018
Central District Office
Ohio EPA

REVISIONS				
NUMBER	DATE	MADE BY	CHECKED BY	DESCRIPTION
1	11-08-18	RTS	DAG	OEPA 11-07-18 COMMENTS

DATE: 11-01-18
PREPARED BY: DAG
DRAWN BY: LMH
CHECKED BY: DAG
FILE: RGE-008.1

NORTH POINT ENGINEERING
8657 Frank Ave. N.W.
Suite 200
North Canton, Ohio 44720
330 - 494 - 8868

REG. PROF. ENG. DAVID A GERDEMAN, P.E. LICENSE NO. E-48568 — 11-8-18 DATE

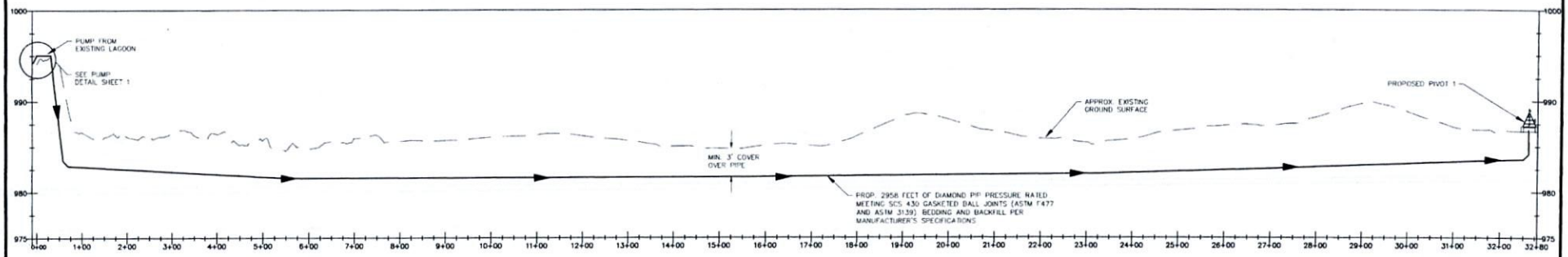
H2-OH-YEAH

LAND APPLICATION
PIVOT LOCATION MAP

DELAWARE AND MORROW COUNTIES, OHIO

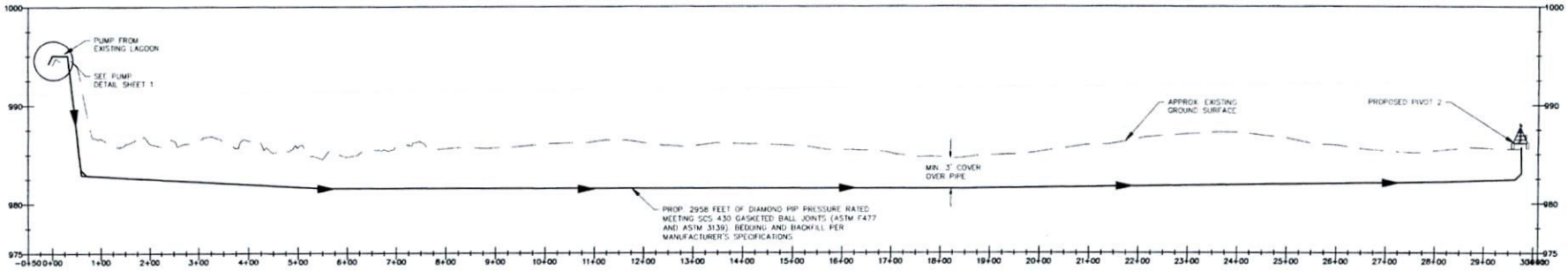
1/3

J:\RGE008\STEAMTOWN PIVOT SYSTEM\RGE008-01 PIVOT -11-8-18.dwg - Nov 09, 2018 - 2:04pm - lbyington



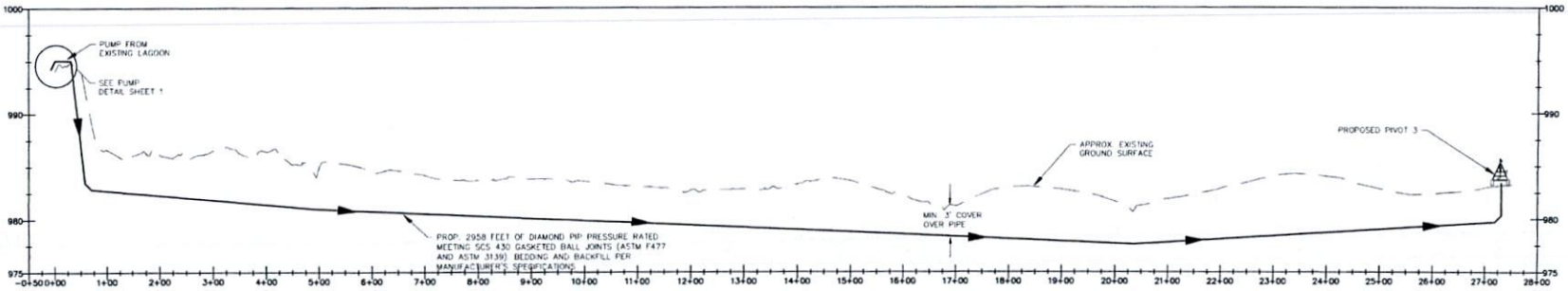
PIVOT FORCEMAIN 1 PROFILE

SCALE: 1"=100' H, 1"=5'V



PIVOT FORCEMAIN 2 PROFILE

SCALE: 1"=100' H, 1"=5'V



PIVOT FORCEMAIN 3 PROFILE

SCALE: 1"=100' H, 1"=5'V

REVISIONS				
NUMBER	DATE	MADE BY	CHECKED BY	DESCRIPTION

DATE:
PREPARED BY:
DRAWN BY:
CHECKED BY:
FILE:

NORTH POINT ENGINEERING
8657 Frank Ave. N.W.
Suite 200
North Canton, Ohio 44720
330 - 494 - 8866

REG. PROF. ENG. DAVID A. GERDEMAN, P.E. LICENSE NO. E-48568 — 11-2-18 DATE

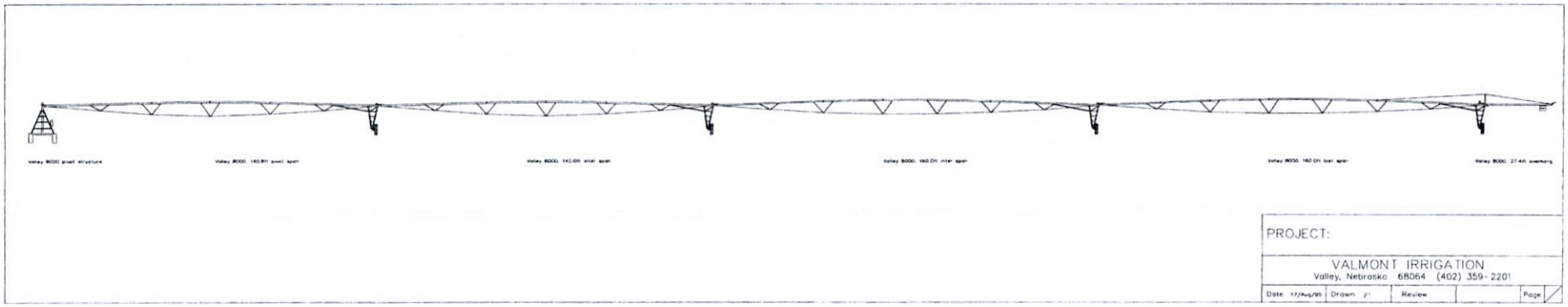
H2-OH-YEAH

LAND APPLICATION
PIVOT FORCEMAIN PROFILES

DELAWARE AND MORROW COUNTIES, OHIO

2/3

J:\R2E008\STEAMTOWN PIVOT SYSTEM\R2E008-02 PIVOT.dwg - Nov 01, 2018 - 11:40am - lbyington



PROJECT:

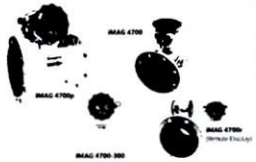
VALMONT IRRIGATION
Valley, Nebraska 68064 (402) 359-2201

Date 17/Aug/95	Drawn jl	Review		Page

PROPOSED PIVOT #3 DETAIL
(TYPICAL OF ALL, LENGTH VARIES)
NOT TO SCALE

iMAG 4700 Series
FLANGED MAGMETER

Seametrics



RIGHT METER FOR
- Water & Wastewater Treatment
- Municipal
- Pump skids
- Pump stations
- Packaged plants
- Filtration systems
- Reclaimed water
- Hydraulic fracturing

Features
- Easy setup
- Minimal straight pipe
- Mounted or remote rate & total
- Tamper-evident seal
- Certified to NSF/ANSI standard 61
- IP68 rated
- No moving parts

The **iMAG-Series** is the most economical flanged electromagnetic flowmeter on the market. With electrodes designed to discourage fouling, it is available in 3" to 12" pipe in municipal or industrial water, waste and reclaimed water, pump stations, and packaged plant applications. Minimal straight pipe requirements allow iMAG-Series meters to be used in piping configurations where there is little space between the meter and an elbow.

iMAG-Series meters are CE certified, certified to NSF/ANSI standard 61 and are rated IP68 for applications where the meter may be operated under water to a depth of at least 10 feet (3 meters) continuously.

The display can be meter mounted or remote, and both rate and total indication are standard. Rate and total units and pulse scaling can be set via the front panel touch key pad by the user. Bidirectional flow reading is standard with totals available in forward, reverse, net flow, batch forward flow, and batch reverse flow. Batch totals can be reset.

A power/output cable allows outputs for use with a variety of Seametrics and other displays and controls for remote reading and telemetry applications. Pulse output is standard on all models and 4-20mA passive current loop is standard on the iMAG 4700p. In addition, 4-20mA loop, HART protocol, high speed digital, and Modbus® protocol outputs are optional on the externally powered units, depending on model.

Contact Your Supplier

251872.0284 seametrics.com

PRESSURE RATED PIP
SPECIFICATION DATA

PRESSURE RATED PIP PIPE

Diamond PIP pressure-rated pipe (6" through 27") is made of compounds conforming to material requirements of SCS 430. The pipe sizes (6" through 27") are made with an integral bell to utilize a gasket for sealing, meeting requirements as defined in ASTM F477 and ASTM 3139.

Diamond PIP pressure-rated PVC pipe meets all the dimensional, chemical and physical requirements as outlined in SCS 430. Diamond PIP pressure-rated pipe (15" through 27") meets all the dimensional, chemical and physical requirements as defined in ASTM D02241 ANNEX.

Each male end shall be beveled, swagged or deformed to facilitate joining and shall be marked to reference proper insertion depth. Only Diamond furnished lubricant is to be used in the joining process.

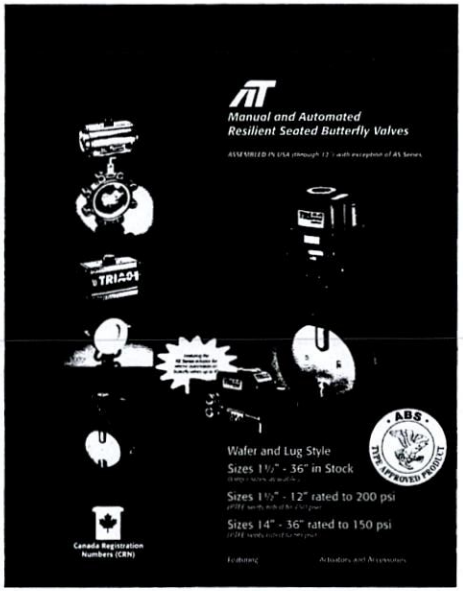
It is recommended that PIP Pressure-Rated PVC Piping systems be designed and installed in accordance with SCS 430.

PRESSURE RATED PIP
ASTM D2241 ANNEX SPECIFICATION DATA. DIAMOND PIP PRESSURE-RATED PVC PIPE IS SUPPLIED IN 22 FOOT LAYING LENGTHS.

Nominal Pipe Size in. (mm)	A Outside Diameter Inches	B Bell Inches Diameter Inches	C Bell Depth Inches	D Insert Mark Inches	E Insert Mark Inches	SDR-51 80 PSI	SDR-41 100 PSI	SDR-32.5 125 PSI	SDR-26 160 PSI	SDR-21 200 PSI
						(t) Minimum Wall Inches				
6" (150)	6.140	7-1/2"	5-1/2"	3-1/2"	4-1/2"	0.120	0.150	0.189		
8" (200)	8.160	10"	5-1/2"	3-3/8"	4-3/8"	0.160	0.199	0.251		
10" (250)	10.200	12"	6-1/2"	4-1/8"	5-1/8"	0.200	0.249	0.314		
12" (300)	12.240	14"	6-1/2"	4-1/4"	5-1/4"	0.240	0.299	0.377		
15" (375)	15.300	17-1/2"	7"	4-3/4"	5-3/4"	0.300	0.373	0.471	0.586	0.729
18" (450)	18.701	21-1/2"	8"	7"	8"	0.367	0.456	0.575	0.716	
21" (525)	22.047	25-1/4"	8"	7-1/4"	8-1/4"	0.432	0.536	0.676		
24" (600)	24.803	28"	8"	8-1/2"	9-1/2"	0.496	0.615	0.763		
27" (675)	27.953	32-1/2"	12"	8-3/4"	9-3/4"	0.549	0.682	0.861		

Section 8 Maximum Wall Dimensions, all dimensions are in inches.
Prices are subject to a firm price at time of "Price in effect at time of shipment on receipt purchase".
*Dimensions of the page does not correspond on offset of side.

dpcpipe.com | 1-800-PVC-PIPE



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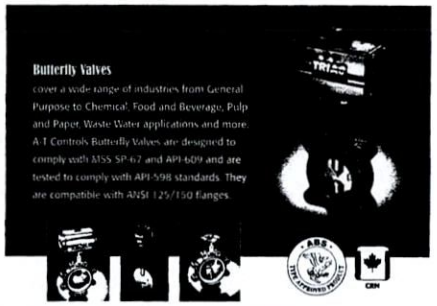


Standard Materials of Construction and Specifications

Body
Ductile iron (stainless steel available)

Disc
Nickel plated ductile iron (316SS, Aluminum Bronze, Nylon coated ductile iron, Undercut 316, Undercut Aluminum Bronze, PTFE coated SS, PTFE coated ductile iron, 304SS) ... others may be available on request

Seat
EPDM (Buna-N, Food grade EPDM, High temp EPDM, Viton®, PTFE over EPDM, Neoprene) ... others may be available on request

Stem
416SS (316SS, 17-4PH and others available)

Stem Bushing
PTFE (Lubricated Bronze available)

Stem Seal
Buna (Viton® available)

Each body is cast, precisely machined and epoxy coated to meet rigid tolerances.

Multiple seat and disc material options are available to meet a wide variety of process applications.

Square stem design facilitates direct mounting of actuators.

Each stem is machined to fit tightly into the upper disc for smooth operation and minimal hysteresis.

Bushings are available in PTFE and lubricated bronze. Both are corrosion resistant with minimal effect on valve torque.

REVISIONS				
NUMBER	DATE	MADE BY	CHECKED BY	DESCRIPTION

DATE:
PREPARED BY:
DRAWN BY:
CHECKED BY:
FILE:

NORTH POINT ENGINEERING
6857 Frank Ave. N.W.
Suite 200
North Canton, Ohio 44720
330 - 494 - 8868

REG. PROF. ENG. DAVID A. GERDEMAN, P.E. LICENSE NO. E-68568 — DATE 11-2-18

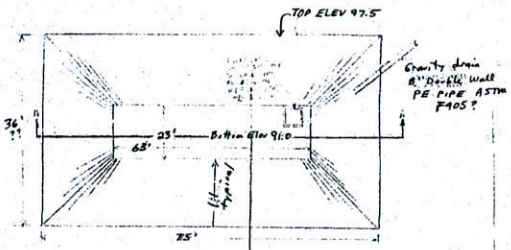
H2-OH-YEAH

IRRIGATION SYSTEM DETAILS

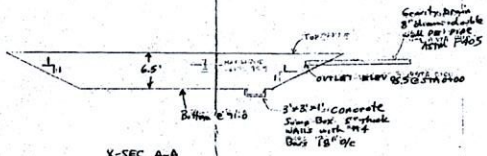
DELAWARE AND MORROW COUNTIES, OHIO

3/3

J:\PROJECTS\STEAMTOWN PIVOT SYSTEM\PC0208-03 PIVOT.dwg - Oct 31, 2018 - 3:34pm - lbyrnelan

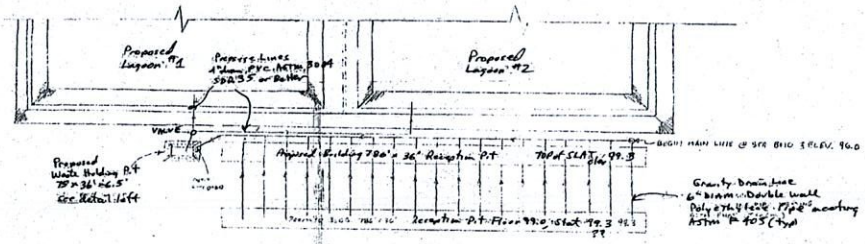


Plan View of Proposed Waste Holding Pit
Scale: 1" = 10'?

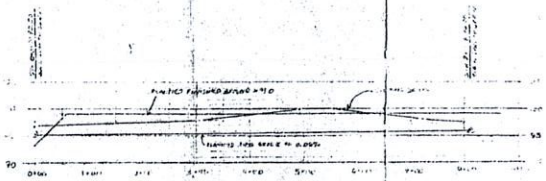


X-SEC A-A

USGS LOCATION MAP
1" = 2000'



PLAN VIEW OF WASTE TRANSFER SYSTEM
SCALE 1"=100ft.



PROFILE OF GRAVITY SWINE PIPE
SCALE 1"=100'

Project Name : H2-Oh-Yeah

Project Type : Conversion of existing anaerobic treatment lagoon from manure to other organic feedstocks.

Owner and Applicant Name : Renergy Soil and Water, LLC

Owner and Applicant Address : PO Box 249, Delaware, Ohio 43015

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STATE OF OHIO
DAVID A. GETCHMAN
E-46068
REGISTERED
PROFESSIONAL ENGINEER

David Getchman 9-19-18

RECEIVED
Ohio EPA

1 of 6

SEWERAGE
APPROVED
OHIO ENVIRONMENTAL PROTECTION AGENCY
AS EVIDENCED BY COPY OF
LETTER OF APPROVAL
HERETO ATTACHED

WILLIAM RINGLER
SWINE FARM
WASTE TRANSFER SYSTEM
MORROW CO., OH

DESIGNED BY: W. RINGLER 8/04

Blue print

1/4

ENGINEERING PLAN NOTE KEY

Construction .....

Safety..... DANGER

Design .....

LAGOON LOADING SYSTEM

The waste generated from this hog operation will be loaded into the lagoon by a system that is designed by the building designers and/or landowner. Preliminary plans for this loading system include placement of transfer drain pipes under the buildings so that accumulated waste can be conveyed to an open channel located to the East of the building site. It is then proposed that waste will gravity flow to a reception pit or pits where it will be pumped into the lagoons.

LAGOON DESIGN DATA

Lagoon 1 Design Data
Design Volume - 2,081,952 cu.ft.
Top dimensions - 380' x 536'
Bottom Dimensions - 324' x 480'
Design Storage Period - 365 days
Basis for Waste Storage - 3,500 finishing hogs

Lagoon 2 Design Data
Design Volume - 2,081,952 cu. ft.
Top Dimensions - 380' x 536'
Bottom Dimensions - 324' x 480'
Design Storage Period - 365 days
Basis for Waste Storage - 3,500 finishing hogs

THE ATTACHED SCS SPECIFICATIONS ARE PART OF THIS PLAN.

OPERATION & MAINTENANCE PLAN

POND-(378); FENCING (382); CRITICAL AREA PLANTING (342)

POND SEALING NOTE

If poor soils are encountered in lenses, pockets, streaks, or layers, the poor soil shall be removed from the pond area entirely. If poor soils cannot be removed entirely, pond sealing will be necessary. Pond sealing is to be done only with the prior authorization and under the direction of an SCS engineer in accordance with applicable SCS standards and specifications.

MATERIALS LIST

EARTHMOVING SUMMARY

-EXCAVATION-
LAGOON 1 - 45,055 CU.YDS.
LAGOON 2 - 52,996 CU.YDS.
TOTAL LAGOON EXCAVATION - 98,052 CU.YDS.
CORE TRENCH EXCAVATION BOTH LAGOONS - 3,736 CU.YDS.
TOTAL AMOUNT OF EXCAVATION REQUIRED FOR LAGOONS AND CORE TRENCH
~101,788 CU.YDS.~

-EARTHFILL REQUIREMENTS-
LAGOON 1 EMBANKMENT - 16,019 CU.YDS.
LAGOON 2 EMBANKMENT - 14,012 CU.YDS.
TOTAL EARTHFILL REQUIREMENTS FOR LAGOONS - 30,031 (COMPACTED YARDS)
APPROXIMATE QUANTITY OF AVAILABLE EARTHFILL - 86,287 CU.YDS.

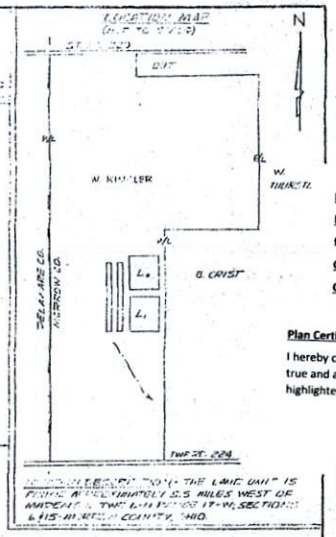
-OTHER ITEMS-
2,170 LFT - FENCING -OR- 4EA - WARNING SIGNS WITH APPROPRIATE FIXTURES (REFER TO SAFETY NOTE AND SHEET 2)
SEEDING AREA - 4.3 ACRES (USE MIXTURE #1 OR #2)

SEEDING MIXTURE #1
404 LBS - TURF TYPE FESCUE (USE SEED VARIETIES SUCH AS ANISTANG, FALCON, ETC.)
24 LBS - KENTUCKY BLUEGRASS SEED
3,225 LBS - 19-19-19 FERTILIZER
11 TONS - STRAW OR HAY MULCH
4.3 BU. - OATS OR ANNUAL RYE SEED

-OR-

SEEDING MIXTURE #2
172 LBS - KENTUCKY 31 TALL FESCUE SEED
4.3 BU. - OATS OR ANNUAL RYE SEED
3,225 LBS - 19-19-19 FERTILIZER
11 TONS - STRAW OR HAY MULCH

WASTE TRANSFER SYSTEM TO BE INSTALLED PER LANDOWNER'S DESIGN (SEE DESIGN NOTE #1)
2 EA. - DEPTH INDICATOR POSTS WITH INSTALLATION ITEMS AS DETAILED BELOW



Project Name : H2-Oh-Yeah

Project Type : Conversion of existing anaerobic treatment lagoon from manure to other organic feedstocks.

Owner and Applicant Name : Renergy Soil and Water, LLC

Owner and Applicant Address : PO Box 249, Delaware, Ohio 43015

Plan Certification

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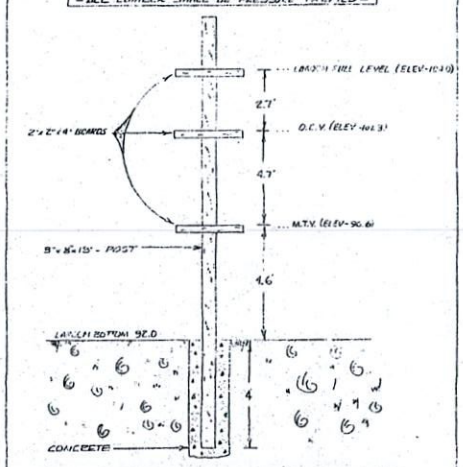
STATE OF OHIO DAVID A GERDEMAN E-40568 PROFESSIONAL ENGINEER

David Gerdeman 9-19-98

NO KNOWN UTILITIES WITHIN WORK LIMITS
OUPS I.D. NO. UCS VAD M & O.C.P.U.P.S. NO. 9410341

- ALL LUMBER SHALL BE PRESSURE TREATED -



DETAIL - DEPTH INDICATOR POSTS - LAGOONS 1 & 2
NOT TO SCALE

SEWERAGE APPROVED
SEE ENVIRONMENTAL PROTECTION AGENCY
AS EVIDENCED BY COPY OF LETTER OF APPROVAL HERETO ATTACHED

FENCING & SAFETY NOTE

DANGER

If fencing is committed as a practice component, then a minimum of four warning signs shall be installed at prominent points along the outer perimeter of each lagoon. These signs shall be clearly lettered and mounted firmly to posts or other suitable permanent fixtures. The expressions on the signs shall be sufficient in extent to warn all individuals of the potential hazards of the facility.

CONSTRUCTION APPROVAL
By _____
Title _____ Date _____

Note To Excavator

DANGER

Excavator must notify all utilities at least 48 hours and not more than 10 days prior to the planned commencement of excavation.
1. Member utilities will be contacted by calling OUPS (1 - 800 - 362-2764).
2. Each Limited Basis Participant will be contacted by the excavator using the telephone number provided.

PRE-CONSTRUCTION CONFERENCE

A PRE-CONSTRUCTION MEETING MUST BE HELD BETWEEN THE LANDOWNER, CONTRACTOR, AND LOCAL SCS - SWCD OFFICE. THE LOCAL SCS - SWCD OFFICE MUST BE NOTIFIED AT LEAST 24 HOURS PRIOR TO ANY CONSTRUCTION TO SCHEDULE LAYOUT AND INSPECTION OF WORK. FAILURE TO GIVE ADEQUATE NOTICE MAY RESULT IN WITHDRAWAL OF SCS - SWCD TECHNICAL ASSISTANCE. IF THIS OCCURS, SCS CANNOT CERTIFY THAT THE PRACTICE MEETS SCS STANDARDS AND SPECIFICATIONS.

THIS SET OF ENGINEERING PLANS WAS DEVELOPED DUE TO THE COOPERATIVE EFFORTS OF THE FOLLOWING AGENCIES: U. S. ARMY CORPS OF ENGINEERS, MORROW SOIL & WATER CONSERVATION DISTRICT, _____

WILLIAM RINGLER
ANAEROBIC LAGOONS -(2)
JOB CLASS VI

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

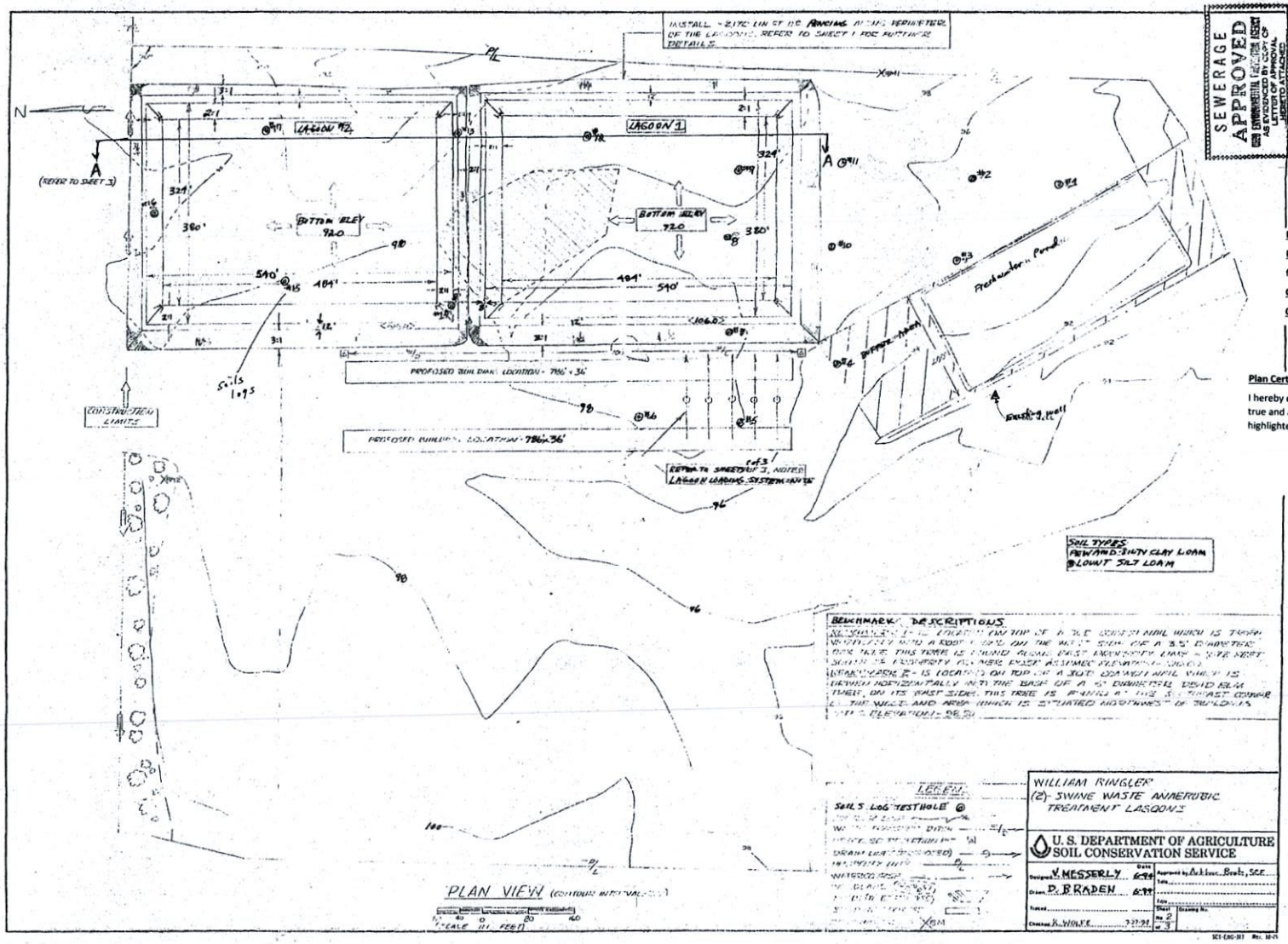
Designed Y. MESSEFLY	Date 6-94	Approved by Dennis R. Kiste, P.E. State Cons. Engr.	
Drawn D. BRAGEN	7-94		7-27-94
Traced		Sheet 1 of 3	
Checked Ken Wolfe	7-94	Drawing No.	

SCS-ENG-311 Rev. 10-73

2 of 6

Blueprint 2/4

21.



SEWERAGE APPROVED
ENVIRONMENTAL FACILITIES ASSISTANCE AGENT
AS EVIDENCED BY COPY OF LETTER OF APPROVAL HEREBY ATTACHED

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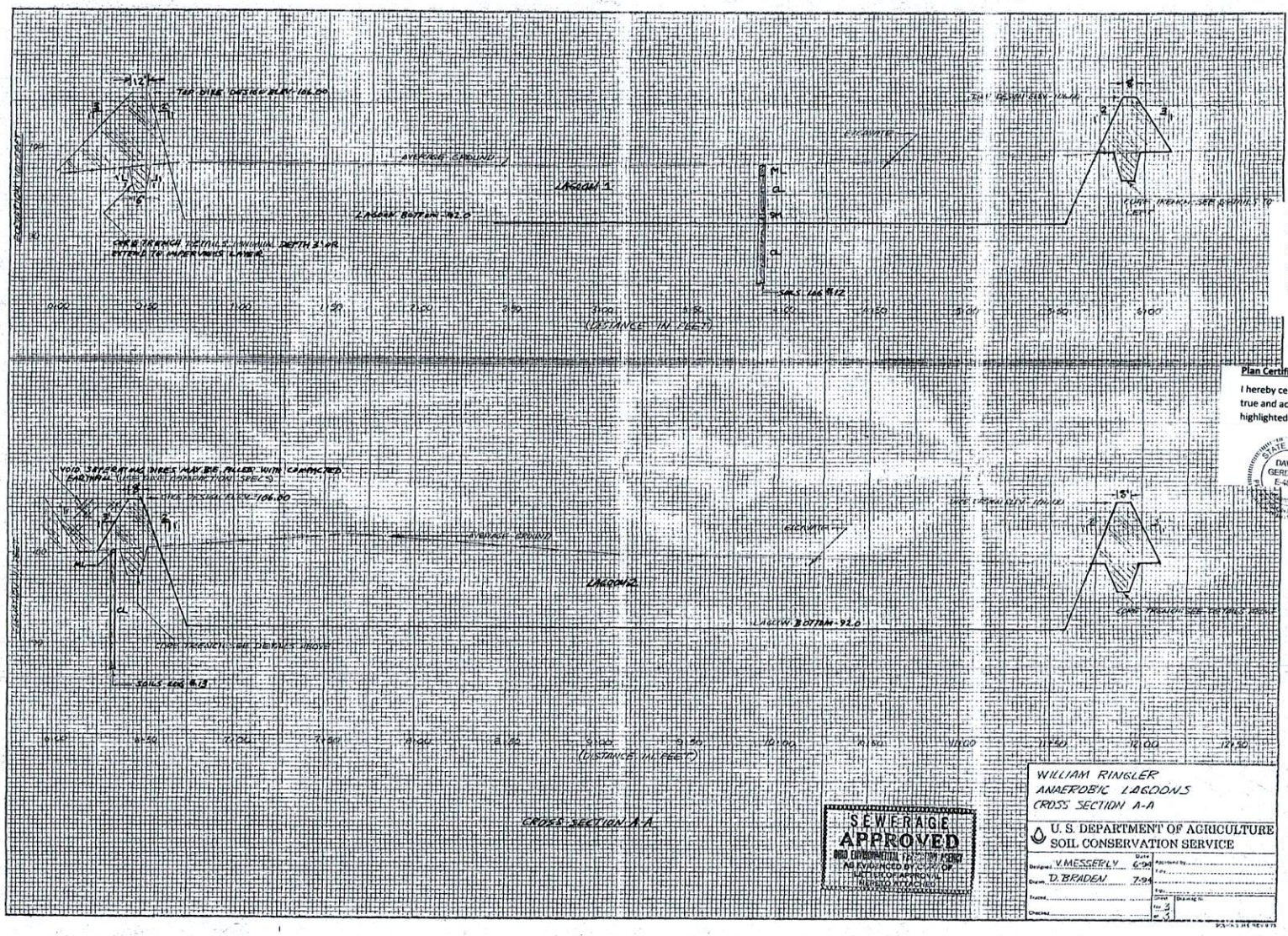
STATE OF OHIO
DAVID A. GERDEMAN
E-48558
REGISTERED
PROFESSIONAL ENGINEER

Dad Plan 97778

3 of 6

Blue print 3/4



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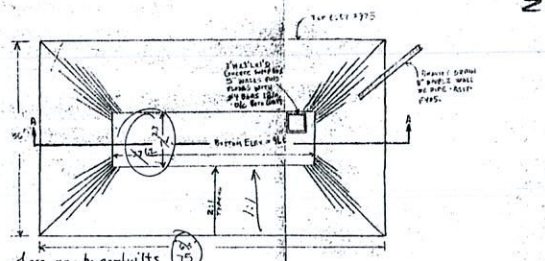
STATE OF OHIO DAVID A GERDEMAN E-48568

9-19-18

4 of 6

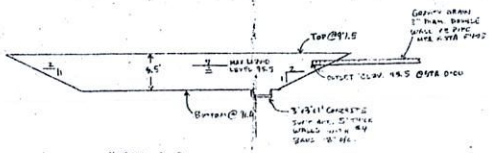
Blueprint 4/4



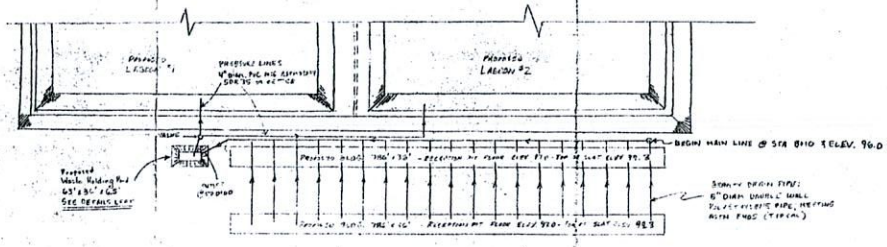
these may be as-builts for their holding pond ??

PLAN VIEW OF PROPOSED WASTE HOLDING POND

SCALE 1" = 10'

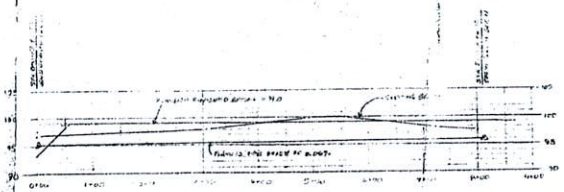


X-SEC A-A

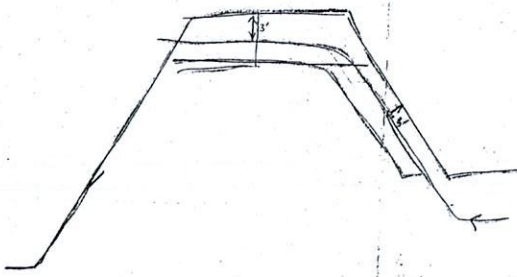


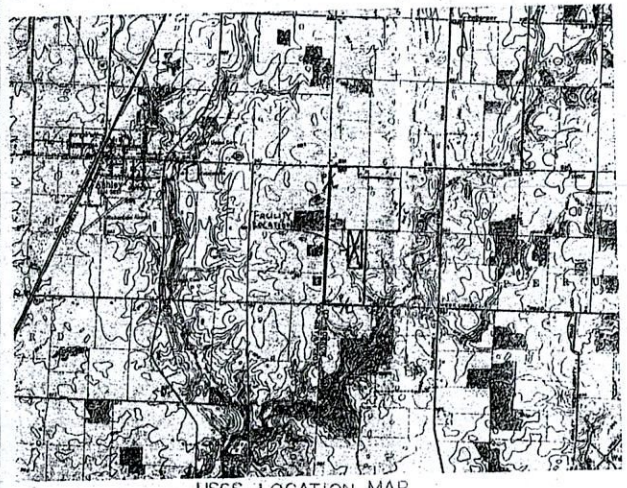
PLAN VIEW OF WASTE TRANSFER SYSTEM

SCALE 1" = 100'



PROFILE OF GRAVITY DRAIN PIPE





USGS LOCATION MAP

1" = 2000'

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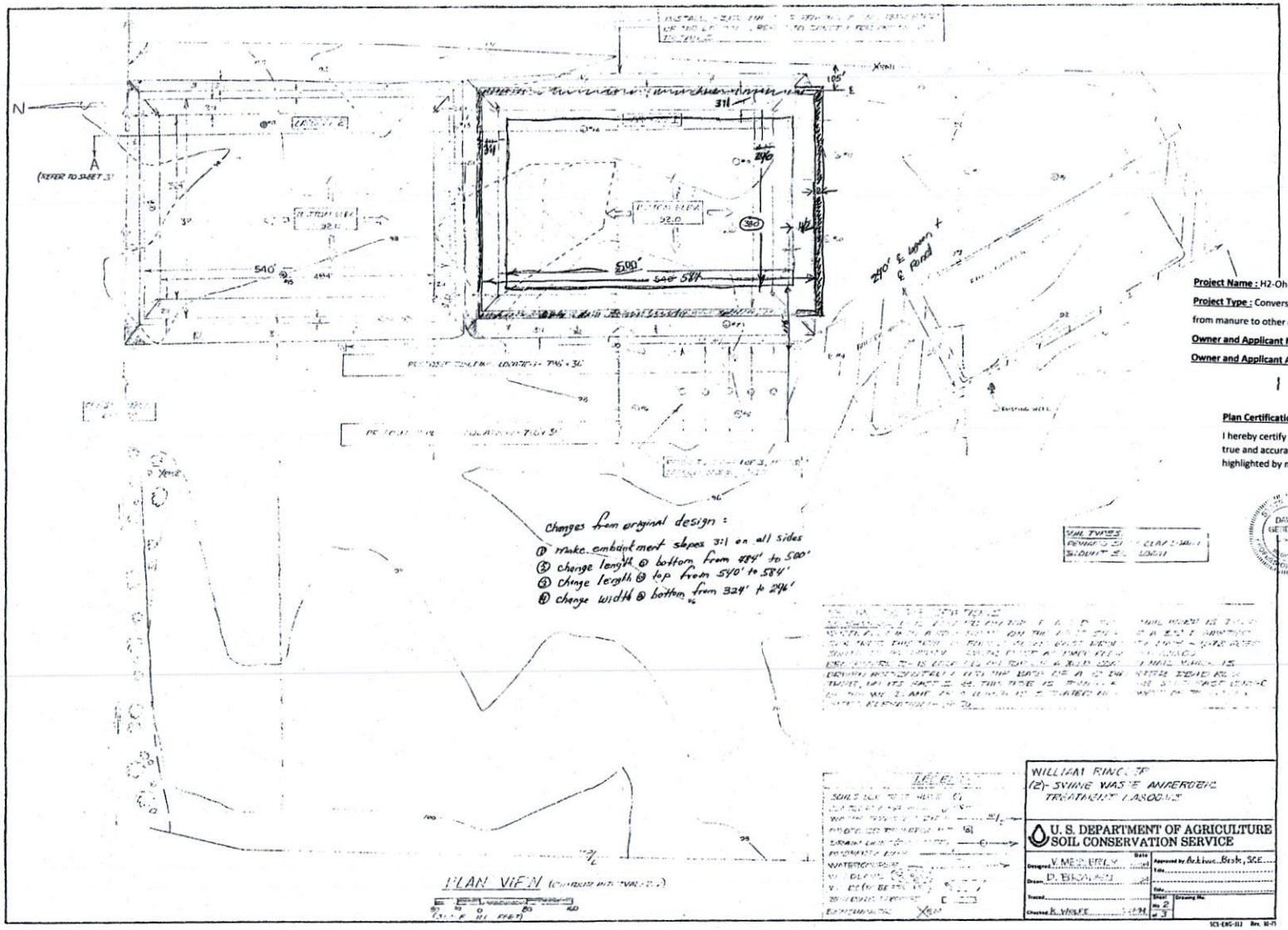
David A. Gerdeman 9-19-18

5 of 6

WILLIAM RINGLER
SWINE FARM
WASTE TRANSFER SYSTEM
MORROW CO., OH
DESIGNED BY: W. RINGLER 8/94

NPE note added ⇒ As built 1 of 2

Blueprint



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DAVID A. GERSMAN

9-19-18

6 of 6

note on plans supplied to owner

Blueprint

As built w/ notes

As built 2 of 2

March 26, 2019

Re: Morrow County, Peru Township
Delware County, Oxford Township
Application No. 4MP00028*AM
Land Application Management Plan Permit for H2-Oh-Yeah
Plans Received September 21, 2018
Revised Plans Received: November 9, 2018
From Mike Oberfield, Renergy Soil and Water, LLC

Issue Date: March 26, 2019
Effective Date: April 1, 2019
Expiration Date: October 1, 2020

Renergy Soil and Water, LLC
Attn: Mike Oberfield
PO Box 249
Delaware, Ohio 43015

Ladies and Gentlemen:

The Ohio Environmental Protection Agency has reviewed the land application management plan submitted pursuant to Ohio Revised Code Section 6111.44 and rule 3745-42-13 of the Ohio Administrative Code. The plan is approved subject to the condition of compliance with all applicable laws, rules, regulations and all the conditions below and in Part I and/or Part II of this permit.

The entity shall perform the proposed land application in strict accordance with the conditions in this permit and with the method of operation outlined in the land application management plan submitted to the Ohio Environmental Protection Agency. Approval of the land application management plan does not constitute assurance that the proposed operation will be in compliance with all Ohio laws and regulations.

This permit is not an authorization for a discharging land application system. Pursuant to rule 3745-42-13 of the Ohio Administrative Code and rule 3744-42-02 of the Ohio Administrative Code, a discharging land application system requires a permit to discharge (NPDES permit) and a permit to install, in accordance with Chapter 6111 of the Ohio Revised Code.

Any unauthorized discharges to waters of the state must be reported to Ohio EPA (toll free) by calling 1-800-282-9378 within 2 hours of discovery. The director shall be notified in writing within seven days of any person discovering noncompliance with a land application management plan or an NPDES permit.

The applicant is required to submit a revised land application management plan application, if the Director of the Ohio EPA deems it necessary.

PENGAD 800-631-6989
EXHIBIT
4

The director may add, delete, or change any conditions to a land application management plan permit to protect human health or the environment.

Any expansion of the operation or modification of the treatment works or the expansion or modification of any land application area must be approved by the Ohio EPA.

The director of the Ohio Environmental Protection Agency, or an authorized representative(s), may enter upon the premises of the land application system during its construction or its operation at any reasonable time for the purpose of making inspections, conducting tests, examining records, or reports pertaining to the installation, modification, or operation of the land application system.

Issuance of this permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations.

This permit shall expire at midnight on the expiration date shown above. In order to receive authorization to continue to land apply beyond the date of expiration, you shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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, Ohio 43215

Sincerely,

Laurie A. Stevenson
Director

LAS/kep

cc: Central District Office
Delaware County Health Department
Morrow County Health Department
Mark Stump, P.E., DSW, CO
Betsy VanWormer, P.E., DSW,CO

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this land application management plan and lasting until the expiration date, the permittee is authorized to land apply treated industrial wastewater in accordance with the following limitations and monitoring requirements from monitoring station 4MP00028401. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Ficticious Outfall/Station - 401 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	When Disch.	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00640 - Nitrogen, Inorganic, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	All
50045 - Application Rate-Wastewater, Spray - inches/day	-	-	-	-	-	-	-	When Disch.	Total	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

NOTES for Monitoring Station Number 4MP00028401:
a. Sampling shall be performed at the time of land application.

b. If NO IRRIGATION OCCURS DURING THE ENTIRE MONTH, the permittee shall select the No Discharge check box on the data entry form. PIN the eDMR.

c. Land application rates shall be based upon the soils analysis and methologies outlined in the land application management plan as outlined in the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility,"

d. Discharge of irrigated wastewater to or through any field tile at any time is strictly prohibited.

e. Land application of wastewater shall not be applied to food crops for human consumption.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date of this land application management plan and lasting until the expiration date, the permittee is authorized to land apply treated industrial wastewater in accordance with the following limitations and monitoring requirements from monitoring station 4MP00028402. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Ficticious Outfall/Station - 402 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	When Disch.	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00640 - Nitrogen, Inorganic, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	All
50045 - Application Rate-Wastewater, Spray - inches/day	-	-	-	-	-	-	-	When Disch.	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

NOTES for Monitoring Station Number 4MP00028402:
a. Sampling shall be performed at the time of land application.

b. If NO IRRIGATION OCCURS DURING THE ENTIRE MONTH, the permittee shall select the No Discharge check box on the data entry form. PIN the eDMR.

c. Land application rates shall be based upon the soils analysis and methologies outlined in the land application management plan as outlined in the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility,"

d. Discharge of irrigated wastewater to or through any field tile at any time is strictly prohibited.

e. Land application of wastewater shall not be applied to food crops for human consumption.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this land application managment plan and lasting until the expiration date, the permittee is authorized to land apply treated industrial wastweater in accordance with the following limitations and monitoring requirements from Monitoring Station 4MP00028403. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Ficticious Outfall/Station - 403 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	When Disch.	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00640 - Nitrogen, Inorganic, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	All
50045 - Application Rate-Wastewater, Spray - inches/day	-	-	-	-	-	-	-	When Disch.	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

NOTES for Monitoring Station Number 4MP00028403:
a. Sampling shall be performed at the time of land application.

b. If NO IRRIGATION OCCURS DURING THE ENTIRE MONTH, the permittee shall select the No Discharge check box on the data entry form. PIN the eDMR.

c. Land application rates shall be based upon the soils analysis and methologies outlined in the land application management plan as outlined in the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility,"

d. Discharge of irrigated wastewater to or through any field tile at any time is strictly prohibited.

e. Land application of wastewater shall not be applied to food crops for human consumption.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this land application management plan and lasting until the expiration date, the permittee is authorized to land apply treated industrial wastewater in accordance with the following limitations and monitoring requirements from monitoring station 4MP00028602. REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 602 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00640 - Nitrogen, Inorganic, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01002 - Arsenic, Total (As) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01012 - Beryllium, Total - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01012 - Beryllium, Total - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01022 - Boron, Total - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01037 - Cobalt, Total (Co) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01045 - Iron, Total (Fe) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01055 - Manganese, Total (Mn) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01062 - Molybdenum (Mo) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
01087 - Vanadium, Total (V) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01132 - Lithium, Total (Li) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
01147 - Selenium, Total (Se) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Total Estimate	All
70318 - Sludge Solids, Percent Total - %	1.0	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
70322 - Sludge Solids, Percent Volatile - %	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
82564 - Freeboard - feet	-	1.5	-	-	-	-	-	1 / 2 Weeks	Total	All

Notes for Monitoring Station 4MP00028602:

a. Freeboard monitoring. The permittee shall monitor and maintain at least 1.5 foot of freeboard within the treated wastewater storage lagoon (north lagoon) at all times.

PART II, SPECIAL CONDITIONS

A. Renergy Soil and Water, LLC shall be responsible for proper operation and maintenance of the treated industrial wastewater land application system.

B. Any person land applying treated wastewater shall comply with the effluent and monitoring requirements in paragraph (K) of rule 3745-42-13 of the Administrative Code.

C. This permit applies to land application of treated wastewater generated from the Steamtown aneroboic treatment lagoon (ATL) and stored in the north storage lagoon, located at 2134 Township Road 224, Peru Township, Morrow County, Ohio that has been designed to treat a maximum average daily flow of 37,778 gallons.

D. Land application shall only occur on the three (3) sites designated in the in the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility." Any new site proposed for land application shall be approved by the Director of Ohio EPA prior to the land application of treated wastewater. A revised land application management plan, including the information specified in paragraphs (F), (M) and (N) of Rule 3745-42-13 of the Ohio Administrative Code for the new site, shall be submitted to the Ohio EPA, Central District Office, Division of Surface Water, and a new LAMP approval received before the new site is used for land application of treated wastewater.

E. Land application of treated wastewater shall only occur at times identified in the land application management plan as outlined in the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility,"

F. Treated wastewater shall be land applied so as to minimize direct human contact, and the potential for creating aerosols and mist.

G. To inform the public that the land is used for land application of treated wastewater, signs shall be installed at all field entrances to each land application area and every 1,000 feet along public roadways, i.e. State Route 229, Township Roads 244 and 245. At least one sign shall be installed along the property line of each land application area that borders residential or commercial property. At least one sign shall be posted at each area. Each sign shall include notification that:

(i) All above ground distribution pipes contain "Non-potable Water that is Not Suitable for Human Consumption"; and
(ii) If applicable, all nozzles distribute "Non-potable Water that is Not Suitable for Human Consumption".

H. The Ohio EPA shall be notified at least six months prior to the expiration date of any land application contract. Notification shall be sent to the Ohio EPA, Central District Office, Division of Surface Water.

I. Records shall be kept in accordance with the approved land application management plan as outlined the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility." and paragraph (O) of rule 3745-42-13 of the Ohio Administrative Code.

J. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
4MP00028602	Treated decant water leaving Anaerobic Treatment Lagoon (south lagoon) that is conveyed into the north wastewater storage lagoon.
4MP00028401	Land application of wastewater from the north storage lagoon through Irrigation Pivot 1 located along the east side of Piper Road and south of State Route 229 in Delaware County
4MP00028402	Land application of wastewater from the north storage lagoon through Irrigation Pivot 2 located south of State Route 229 in Morrow County
4MP00028403	Land application of wastewater from the north storage lagoon through Irrigation Pivot 3 to field located on the north side of Township Road 224 in Morrow County

K. Nuisance odors associated with the storage and land application of wastewater shall be fully addressed as expeditiously as possible. At a minimum, the use of enzymatic odor control methods, or other means, as outlined in Section F the "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility" dated August 27, 2018, may be necessary to mitigate nuisance odors during the land application of wastewater.

L. The director may revoke or modify this land application management plan as necessary to prevent environmental impacts and to minimize the creation of nuisance odors associated with the storage and land application of wastewater.

M. The spray irrigation equipment shall be effectively maintained and operated at all times so that there is no discharge to the surface waters, nor any contamination of ground waters which will render them unsatisfactory for normal use. In the event that the equipment fails to perform satisfactorily, including the creation of nuisance conditions or failure of the irrigation area to adequately assimilate the wastewater, the Permittee shall take immediate corrective actions necessary to comply with the permit.

N. In the event this facility is closed for any reason, this permit shall be followed until all wastewater and sludge is properly disposed. All lagoons associated with this system shall be closed per Ohio EPA approval.

O. By January 31 of each year, the permittee shall submit a Land Application of Wastewater Annual Report to the Ohio EPA, Central District Office, Division of Surface Water. The annual report shall consist of a summary of the information and date collected as outlined in Section C of the August 27, 2018 document entitled "Further Treated Anaerobic Digester Wastewater Land Application Management Plan - Steamtown Facility,"

P. If the facility does not have disinfection, a 50 foot buffer/setback from road right-of-ways, property lines (except where the permittee has the right to apply wastewater or sludge to the adjoining property), wells owned by the permittee, developed springs, drainage ways, tiles with surface openings, and surface water bodies must be maintained for any treated wastewater land application area. A 300 foot buffer/setback from wells not owned by the permittee and public places of assembly must be maintained for any treated wastewater land application area.

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State of Ohio Environmental Protection Agency
Division of Surface Water
Division of Environmental & Financial Assistance

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NOV 9 2018
Central District Office
Ohio EPA

Supplement to Form A – C1

Plan Approval - Management Plan For Sludge or Industrial Byproducts other than Treated Sewage

Note: This form, with the attachments indicated, is intended to serve as the main substance of the management plan. If you prefer to submit a separate and complete document to serve as your management plan, then to respond to a question where a description or calculation is requested (such as Items C.1 through C.4), simply enter the page numbers of the submitted plan where the information requested can be found. Please respond on this form when just a check mark or brief statement is requested.

FOR AGENCY USE ONLY	
Application Number:	Date Received: / /

Applicant:	Renergy Soil and Water, LLC
Facility Owner:	Renergy Soil and Water, LLC
Application/Plans Prepared by:	Mike Oberfield
Project Name:	H2-Oh-Yeah

A. Background Information

a. Briefly describe type and source of material to be land applied: Wastewater is derived from mainly biodegradable food processing byproducts with some municipal biosolids that have been processed through an anaerobic digester and then further processed through and anaerobic treatment lagoon system.

b. Briefly describe proposed uses of materials (agronomic uses, soil blends, structural fill, etc.): The wastewater has an agronomic use with plant nutrient value and is suitable for land application.

c. Existing Plan Approval number: _____ ☒ N/A

B. Generating Facility ☐ N/A

a. Amount of sludge/byproduct generated	10,703,733 gpy	dry tons/year
b. Amount proposed for beneficial use	10,703,733 gpy	dry tons/year
c. Disposal method for amount not used	N/A	
d. Storage capacity at facility:	382	days

C. Land Application *(If N/A, Skip to D)* ☐ N/A

a. Use category of land application area (check all that apply): ☐ Unrestricted Access site ☒ Restricted Access site

b. Quantity of material to be land applied:

1.64 Inches/acre/year (annual average-liquid) _____ Dry tons/acre/year (annual average-sludge)

c. Does the land application area have subsurface drains/tiles located less than 24 inches below natural grade?
☐ Yes ☐ No ☒ Unknown at this time

d. Amount of land area available for land application if known (do not include buffer zones in the figure) 315 acres

e. Maximum slope of land to be used for land application = 4 %

f. Type(s) of crops or vegetation to be grown on land application area: **typically corn and soybeans**

C.1 Describe the method or methods used for the storage and land application of sludge/other byproducts (including detailed information about the distribution system):

Wastewater will be stored in an existing clay-lined storage pond. Land application of wastewater will be accomplished via either: 1) spreader application tankers, or 2) flexible hose dragline application equipment, or 3) irrigation gun and flexible hose reel system, or 4) fixed center pivot irrigation systems. Renergy Soil and Water, LLC has access to the necessary equipment to land apply the wastewater and most will be applied via center pivot irrigation over growing crops.

C.2 State what the maximum land application rate(s) are proposed to be and the total acres required and available for land application. Attach calculations and references showing how the application rates and acreage needs were determined.

Maximum cumulative land application rate proposed from the total annual volume anticipated (10,703,733 gallons) applied to 240 acres (315 acres available) on adjacent farm fields would be at a rate of 44,606 gallons/acre, equivalent to 1.64 inches. These rates are all contingent upon actual analysis of the wastewater prior to land application and may be adjusted as analytical data warrants. No more than .5" (13,578 gallons) would be applied within any 24 hour period to minimize soil saturation and potential run-off or seepage to tiles. Set backs to waterways and streams will be adhered to, including at least 50' from road sideditches (which also meets the property line isolation distance).

C.3 Describe the monitoring of the material to be land applied and the soils in the land application area(s), including frequency, methods and parameters that will be measured in each:

Land application will occur on nearby crop fields, maps of which are attached. A wastewater sample from the storage lagoon will be analyzed quarterly for total solids, total volatile solids, total suspended solids, total nitrogen, ammonia and nitrate nitrogen, phosphorus, potassium, sodium, oil and grease (annually), CBOD5, E. Coli and pH. Soil samples from the application fields will be taken every 3 years and analyzed for pH, total exchange capacity, organic matter, sulfur, phosphorus, calcium, magnesium, potassium, sodium, boron, iron, manganese, copper, zinc and aluminum. Analytical parameters will be consistent with methods approved for laboratory accredition by the North American Proficiency Testing Program.

C.4 Describe the appropriate weather conditions required for the land application of sludge/other byproducts and how they will be determined and documented:

Land application procedures and setbacks required by the Ohio EPA will be adhered to. If there has been a precipitation event >.5" within 24 hrs., no wastewater will be applied, and if the 24-hr. forecast for precipition shows an equal to or greater than 50% of the chance of >.5" of precipitation no wastewater will be applied. Daily records of NWS forecasts and rainfall records during the land application activities will be kept in the facility's operating record. More than sufficient storage (423 days) are available for wastewater storage during those times of the year when the cropland is unsuitable for wastewater applications. Typical applications will be in a growing crop, but applications in the spring and after fall harvest represent valid opportunities as well.

C.5 Check which land application activities listed below are proposed. If yes, please explain how runoff, ponding or discharges to waters of the state will be prevented (attach separate pages as needed).

Do you propose to land apply during precipitation events? If **yes**, please explain:	☐ Yes	☒ No
Do you propose to spray irrigate when instantaneous wind speeds exceed 20 miles per hour? If **yes**, please explain:	☐ Yes	☒ No
Do you propose to land apply within 10-year floodplain? If **yes**, please explain:	☐ Yes	☒ No
Do you propose to land apply in wetlands? If **yes**, please explain:	☐ Yes	☒ No

Do you propose to land apply where the land application contract is expired or void? If **yes**, please explain:	☐ Yes	☒ No
Do you propose to land apply when the ground is saturated at or near the surface? If **yes**, please explain:	☐ Yes	☒ No
Do you propose to land apply where there is at less than 12 inches between final grade and bedrock, sand or gravel lenses, compacted glacial till, and/or normal ground water elevation? If **yes**, please explain:	☐ Yes	☒ No

C.6 List setback distances that will be observed for all of the following:

Ditches/Streams/Waterways:	>100	feet	Private Water Supply Well:	>300	feet
Residences/Business:	>200	feet	Public Water Supply Well:	N/A	feet
Sinkholes:	N/A	feet	Public Surface Drinking Water Intake:	N/A	feet
Pond or Lake:	N/A	feet	Other:		feet

Attach additional pages if different setbacks are proposed for different methods of application (e.g. greater setbacks should be observed for surface application than injection).

C.7 Land application on frozen/snow-covered ground is not recommended. If land application on frozen/snow-covered ground is proposed, please indicate which of the following practices will be used to minimize pollutant discharges or nuisances:

- ☐ Application rate is limited to 10 wet tons/acre for solid materials (50% moisture or more) and 5 wet tons/acre for material less than 50% moisture. For liquids the application rate is limited to 5,000 gallons/acre.
- ☐ Applications will be made on land with at least 90% surface residue cover.
- ☐ Material shall not be land applied on more than 20 contiguous acres, separated by breaks of at least 200 feet.
- ☐ Application setbacks shall be increased to at least 200 feet from all grassed waterways, drainage ditches, streams, surface inlets, and water bodies.
- ☐ *The rate of application will not exceed:* _____lbs Nitrogen/acre *or* _____ lbs Phosphorus/acre
- ☐ Application will not take place on slopes greater than 6% unless material is applied in alternating strips less than 200' wide generally on the contour, or in the case of contour strips, on alternating strips.

If any of these practices are not proposed to be followed, please attach a description of how pollutant discharges will be minimized during application on frozen/snow covered ground.

C.8 Describe or list any other practices that will be used to minimize pollutant discharges or nuisances:

Land application will only occur when soils are at less than 75% of field capacity of available water per ODA Appendix B of rule 901:10-2-14. Also, Appendix A, Table 2 of 901:10-2-14 (land application restrictions) will be adhered to when not in conflict with Ohio EPA setback restrictions. In addition, a nutrient utilization budget has been prepared (and attached) to ensure nutrients applied through the wastewaters are fully utilized by growing crops annually. Any tile outlets draining the application fields will be monitored during application activities for wastewater discharges and plugged if evidence of a discharge is evident. Land application will cease until the source of the discharge is discovered and stopped. The glacial clay soils have substantial clay overlaying the aquifers in the area of the land application sites.

C.9 Land Application Records

How will land application information be recorded? : Daily during application

☒ Ohio EPA's Land Application Record Form ☐ Our Own Land Application Record Form (attached)

Where will the records be kept? : Facility office

C.10 Application Site Map *(If known)*

a. A map locating each land application site shall be attached. Each site shall be labeled "Restricted access site" or "Un-restricted access site". The map(s) should show the following items and are considered part of this plan:

- ☒ All present and known proposed occupied buildings within 300 feet of the land application area.
- ☒ All present and known proposed non occupied buildings within 300 feet of the land application area.
- ☒ All present and known proposed public and private water supply wells within 1,000 feet of the land application area.
- ☒ All sinkholes and waters of the state (including ditches, grass waterways, streams and rivers) within 200 feet of the land application area.
- ☒ All public surface drinking water supply intakes within 1500' of the land application area.
- ☒ All present and known proposed developments and public access areas within 300 feet of the land application area.

b. If the land application site(s) are not known, will site maps be submitted before land application starts? ☒ Yes ☐ No

D. Other Beneficial Uses

1. Is this material one of the following:
   - ☐ Spent Foundry Sand
   - ☐ Bottom Ash From Coal Combustion
   - ☐ Fly Ash
   - ☐ Steel Slag
   - ☐ Sludge
   - ☒ Other:
2. If the material is "Other", have you contacted Ohio EPA to discuss the applicable regulations? ☒ Yes ☐ No
3. Is a comprehensive management plan attached for uses other than land application? ☐ Yes ☒ No

E. Miscellaneous Information:
The following items shall be included with this land application management plan:
☒ Two copies of the Permit-to-Install/Plan Approval Application Form A or the NPDES Permit Application.
☒ If applicable, two copies of the site and soil evaluation(s) (For renewal applications, this is only needed if additional or different areas)
☒ One copy of the sampling results for the material to be beneficially used (the most recent, but no older than one year).
☒ Four copies of this management plan and any attachments or ☐ Four copies of a separate/complete management plan.
☒ Fee check payable to "Treasurer, State of Ohio."
The following additional information is included with this form: soil tests, maps, nutrient budget

F. The foregoing data is a true statement of facts pertaining to this proposed management plan.	
Printed (Person Preparing Plan): W. Michael Oberfield	Title: CFO, Renergy Soil & Water LLC
Signed:	Date: 09 / 18 / 2018

Ohio Environmental Protection Agency

Governor
Lt. Governor
Director

91 7199 9991 7030 4727 2590

October 10, 2012

RE: Ohio EPA Permit No: 4IN00204*AD
Facility Name" Ringler Energy, LLC – Anaerobic Digestion Facility

Ringler Energy, LLC - Anaerobic Digestion Facility
7624 Riverview Road
Cleveland, OH 44141

Ladies and Gentlemen:

Transmitted herewith is one copy of the final National Pollutant Discharge Elimination System permit referenced above. An invoice for a NPDES permit issuance fee may be included, and is in addition to any application fee previously submitted. If an invoice is enclosed it will include instructions for paying the issuance fee to Ohio EPA.

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 "Ohio Treasurer Josh Mandel", which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
17th Floor, 77 South High Street
Columbus, OH 43215

Sincerely,

Ed Swindall

Ed Swindall, Supervisor
Permit Processing Unit
Division of Surface Water

ERS/kep

Enclosure

CERTIFIED MAIL

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

PENGAD 800-631-6989

EXHIBIT
S

4IN 204. AD
F

UNITED STATES POSTAL SERVICE

Date: 10/31/2012

K P:

The following is in response to your 10/31/2012 request for delivery information on your Certified Mail(TM) item number 7199 9991 7030 4727 2590. The delivery record shows that this item was delivered on 10/12/2012 at 12:52 PM in BRECKSVILLE, OH 44141. The scanned image of the recipient information is provided below.

Signature of Recipient: Ola Cottrell

Address of Recipient: 7624 Riverview

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

OHIO EPA
State of Ohio Environmental Protection Agency

Director's Office Number 32777

COVER MEMO

(X) Director's Signature
( ) DRAFT - Governor's Signature
( ) Background Investigation Report - CONFIDENTIAL
( ) Assistant Director's Signature
( ) Deputy Director's Signature

Subject: (MCR#) NPDES Permit—RINGLER ENERGY—NO Comments Received—NO Briefing memo

Prepared by: Katrina Peterson Division: Surface Water Date: 10/5/2012

Blind Copies:

NECESSARY APPROVALS	APPROVED BY	DATE
( ) Assistant Director		__/__/__
( ) Deputy Director, Legal Affairs		__/__/__
( ) Deputy Director, Communication		__/__/__
( ) Director's Office, Rules Coordinator		__/__/__
( ) Legal		__/__/__
(x) Other – George Elmarghy, Chief DSW		__/__/__
( ) Other		__/__/__

District Personnel Information			Division Personnel Information		
Approvals:		**Date:**	**Approvals:**		**Date:**
Supervisor		__/__/__	Unit Supervisor		__/__/__
Manager		__/__/__	Section Manager		__/__/__
Assistant Dist. Chief		__/__/__	Assistant Chief		__/__/__
District Chief		__/__/__	Chief	G Elmarghy	10/5/12
Other		__/__/__	Other		__/__/__

RETURN ALL SUPPORTING DOCUMENTS TO:

Name: Katrina Peterson, Permits Processing Division: Surface Water

Document Name: WPS Initials/Date:

Attachments: CC: ☐ Yes ☐ No BC: ☐ Yes ☐ No

Other:

Kep

Application No. OH0142492

Issue Date: October 9, 2012

Effective Date: November 1, 2012

Expiration Date: October 31, 2017

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Ringler Energy, LLC

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to accept sewage sludge, and other materials outlined in Part II of this NPDES permit, at the Ringler Energy LLC - Anaerobic Digestion Facility located at 2881 CR 156, Cardington, Ohio, Morrow County and to land apply sewage sludge within the state of Ohio under specific Ohio EPA authorization in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Scott J. Nally
Director

Total Pages: 21

Part I, A. - Final Effluent Limitations and Monitoring Requirements

1. The permittee is prohibited from discharging any process-related wastewaters generated from this facility directly to waters of the State at any time.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number: 4IN00204581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/2 months	Total	Bimonthly
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/2 months	Total	Bimonthly
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/2 months	Composite	Bimonthly

==========

NOTE for Station Number 4IN00204581:

- Monitoring is required when Class B sewage sludge is removed from the permittee's facility for application to the land. The monitoring data shall be reported on each Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.

- If no sewage sludge is removed from the permittee's facility for land application during the reporting period:

1) eDMR users should select the "No Discharge" check box on the data entry form and enter "No discharge during the month" in the Remarks Section. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.

- It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.

- The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction for Class B sewage sludge have been met.

- Units of mg/kg are on a dry weight basis.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- See Part II, Items B, C, D, E, F and G.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

2. Sludge Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number: 4IN00204586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 4IN00204586:

- Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a mixed solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a mixed solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

- If no sewage sludge is removed from the Permittee's facility for disposal in a mixed solid waste landfill during the year:

1) eDMR users should select the "No Discharge" check box on the data entry form for December and enter "No discharge during the month" in the Remarks Section. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of December on the 4500 Form. Sign the form.

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

- See Part II, Items B, E and F.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

3. Sludge Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number: 4IN00204588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 4IN00204588:

- Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

- If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year:

1) eDMR users should select the "No Discharge" check box on the data entry form for December and enter "No discharge during the month" in the Remarks Section. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of December on the 4500 Form. Sign the form.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

- See Part II, Items B, E and F.

Part II, OTHER REQUIREMENTS

A. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
4IN00204581	Class B sewage sludge removed from facility and land applied. (Lat: 40N 26' 41"; Long: 82W 57' 39")
4IN00204586	Sewage sludge removed from facility and hauled to a landfill for disposal. (Lat: 40N 26' 41"; Long: 82W 57' 39")
4IN00204588	Sewage sludge removed from facility and hauled to another NPDES permittted facility. (Lat: 40N 26' 41"; Long: 82W 57' 39")

B. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

C. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

D. A grab sample of sewage sludge that has been treated to meet requirements for land application shall be monitored for dioxin, as the term dioxin is defined in rule 3745-40-01 of the Ohio Administrative Code, as per the monitoring frequency, methodologies and reporting requirements described in rule 3745-40-06 of the Ohio Administrative Code.

E. No later than January 31 of each calendar year, the Permittee shall submit two (2) copies of a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. One copy of the report shall be sent to the Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, and one copy of the report shall be sent to the Ohio EPA Central District Office. The report shall be submitted on Ohio EPA Form 4229.

F. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring, and the weight calculations, shall be maintained on site for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

G. The permittee shall request authorization of land application sites within the State of Ohio prior to the land application of Class B sewage sludge.

H. The "Part III-General Conditions" language in this NPDES permit appears in all Ohio NPDES permits. NPDES permit 4IN00204*AD is intended to regulate the discharge of sewage sludge to land in Ohio. This permit does not establish requirements for the disposal, use, storage, or treatment of effluent. Since this permit is applicable to sewage sludge and not effluent, the Permittee is exempted from the conditions appearing in the following Paragraphs of Part III:

2. GENERAL EFFLUENT LIMITATIONS
3.C. FACILITY OPERATION AND QUALITY CONTROL
11. UNAUTHORIZED DISCHARGES
22. CONSTRUCTION AFFECTING NAVIGABLE WATERS
32. AVAILABILITY OF PUBLIC SEWERS

I. The permittee shall accept only those materials outlined in Ohio EPA permit to install (PTI) No.: 873442. The permittee shall obtain Ohio EPA authorization prior to accepting materials not covered under PTI No.: 873442.

J. Each day in which sewage sludge and feed materials authorized under Ohio EPA PTI No.: 873442 are brought to the facility, the following information shall be recorded and kept at the facility for a minimum of five years: the name, address, and telephone number of the generator of the sewage sludge and authorized feed materials, the date on which the sewage sludge and authorized feed materials were delivered to the Ringler Energy, LLC facility, and the amount of and authorized feed materials were delivered to Ringler Energy, LLC recorded in either gallons or dry tons.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;

B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;

C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;

D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;

E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;

F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.

C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For partnerships - a general partner;

3. For a sole proprietorship - the proprietor; or,

4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

http://www.epa.ohio.gov/dsw/edmr/eDMRpin.aspx

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. Regardless of the submission method, a paper copy of the submitted Ohio EPA 4500 DMR shall be maintained onsite for records retention purposes (see Section 7. RECORDS RETENTION). For e-DMR users, view and print the DMR from the Submission Report Information page after each original or revised DMR is submitted. For submittals on paper, make a copy of the completed paper form after it is signed by a Responsible Official or a Delegated Responsible Official.

E. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

F. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

A. The exact place and date of sampling; (time of sampling not required on EPA 4500)

B. The person(s) who performed the sampling or measurements;

C. The date the analyses were performed on those samples;

D. The person(s) who performed the analyses;

E. The analytical techniques or methods used; and

F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

A. All sampling and analytical records (including internal sampling data not reported);

B. All original recordings for any continuous monitoring instrumentation;

C. All instrumentation, calibration and maintenance records;

D. All plant operation and maintenance records;

E. All reports required by this permit; and

F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.

D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office:	sedo24hournpdes@epa.state.oh.us
Southwest District Office:	swdo24hournpdes@epa.state.oh.us
Northwest District Office:	nwdo24hournpdes@epa.state.oh.us
Northeast District Office:	nedo24hournpdes@epa.state.oh.us
Central District Office:	cdo24hournpdes@epa.state.oh.us
Central Office:	co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

http://www.epa.ohio.gov/dsw/permits/permits.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The limit(s) that has been exceeded;

c. The extent of the exceedance(s);

d. The cause of the exceedance(s);

e. The period of the exceedance(s) including exact dates and times;

f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,

g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

http://www.epa.ohio.gov/dsw/permits/permits.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The time(s) at which the discharge occurred, and was discovered;

c. The approximate amount and the characteristics of the discharge;

d. The stream(s) affected by the discharge;

e. The circumstances which created the discharge;

f. The name and telephone number of the person(s) who have knowledge of these circumstances;

g. What remedial steps are being taken; and,

h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;

2. The cause of the violation;

3. The remedial action being taken;

4. The probable date by which compliance will occur; and,

5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;

2. The addition of any new significant industrial discharge; and

3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;

2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than $25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Not withstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Ohio Environmental Protection Agency

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

December 20, 2018

Emerald BioEnergy LLC
Attn: Taylor Faecher, Env.
Compliance Specialist
2279 County Road 156
Cardington, OH 43315

RE: Emerald BioEnergy LLC
Permit-Long Term
Approval
Surface Water Permit to Install
Morrow
DSWPTI1244865

Subject: Emerald BioEnergy Process Reconfiguration Project, Westfield Twp
Plans Received on September 06, 2018
Plans Revised on December 19,2018
From: Renergy, Inc.

Ladies and Gentlemen:

Enclosed is an approved Ohio EPA Permit to Install. This permit contains several conditions and restrictions; I urge you to read it carefully. A general condition of your permit states that issuance of the permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations. 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 "Ohio Treasurer Josh Mandel", which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 any questions, please contact the Ohio EPA District Office.

Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted Ohio EPA for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal. Please take a few minutes to complete this survey and share your experience with us at http://www.surveymonkey.com/s/ohioepacustomersurvey. If you have any questions, please contact the Ohio EPA district office to which you submitted your application.

Sincerely,

Kevin J. Fowler, Supervisor
Permit Processing Unit, Division of Surface Water

KJF/bp

Enclosure
CERTIFIED MAIL
cc: Central District Office Renergy, Inc. Morrow County Health Department

PENGAD 800-631-6989
EXHIBIT
6

Ohio EPA DEC 20 '18
Entered Directors Journal

Ohio Environmental Protection Agency

Permit to Install

Application No: 1244865

Applicant Name:	Emerald BioEnergy LLC
Address:	2279 County Road 156
City:	Cardington
State Zip:	OH 43315

Person to Contact:	Taylor Faecher, Env. Compliance Specialist
Telephone:	(419) 253-5300

Description of Proposed Source: Emerald BioEnergy Process Reconfiguration Project, Westfield Twp, Morrow

Issuance Date: December 20, 2018
Effective Date: December 20, 2018

The above named entity is hereby granted a permit to install for the above described source pursuant to Chapter 3745-42 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source of environmental pollutants will operate in compliance with applicable state and federal laws and regulations. Issuance of this permit does not constitute expressed or implied assurance that, if constructed or modified in accordance with those plans and specifications, the above described source of pollutants will be granted the necessary operating permits. This permit is granted subject to the following conditions attached hereto.

Ohio Environmental Protection Agency

Craig W. Butler

Craig W. Butler
Director
P.O. Box 1049
50 West Town Street, Suite 700
Columbus, OH 43216-1049

This permit shall expire if construction has not been initiated by the applicant within eighteen months of the effective date of this permit. By accepting this permit, the applicant acknowledges that this eighteen month period shall not be considered or construed as extending or having any effect whatsoever on any compliance schedule or deadline set forth in any administrative or court order issued to or binding upon the permit applicant, and the applicant shall abide by such compliance schedules or deadlines to avoid the initiation of additional legal action by the Ohio EPA.

The director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, examining records, or reports pertaining to the construction, modification, or installation of the above described source of environmental pollutants.

Issuance of this permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations.

Any well, well point, pit or other device installed for the purpose of lowering the ground water level to facilitate construction of this project shall be properly abandoned in accordance with the provisions of Section 3745-9-10 of the Ohio Administrative Code or in accordance with the provisions of this plan or as directed by the Director or his representative. For more information please contact: Division of Drinking and Ground Water - Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215 (614) 644-2752.

Any person installing any well, well point, pit or other device used for the purpose of removing ground water from an aquifer shall complete and file a Well Log and Drilling Report form with the Ohio Department of Natural Resources, Division of Water, within 30 days of the well completion in accordance with the Ohio Revised code Section 1521.01 and 1521.05. In addition, any such facility that has a capacity to withdraw waters of the state in an amount greater than 100,000 gallons per day from all sources shall be registered by the owner with the chief of the Division of Water, Ohio Department of Natural Resources, within three months after the facility is completed in accordance with Section 1521.16 of the Ohio Revised Code. For copies of the necessary well log, drilling report, or registration forms, please contact:

Ohio Department of Natural Resources
2045 Morse Road Bldg. E
Columbus, OH 43229-6693
(614) 265-6717

1. The proposed wastewater disposal system shall be constructed in strict accordance with the plans and application approved by the director of the Ohio Environmental Protection Agency. There shall be no deviation from these plans without the prior express, written approval of the agency. Any deviations from these plans or the above conditions may lead to such sanctions and penalties as provided for under Ohio law. Approval of these plans and issuance of this permit does not constitute an assurance by the Ohio Environmental Protection Agency that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

2. If the construction area for this project is one acre or more, or is part of a larger development that is one acre or more, the applicant must submit a Notice of Intent (NOI) for coverage under the general construction stormwater permit to Ohio EPA at least 21 days prior to the start of construction of this project.

3. For projects involving construction or placement of fill in a stream or wetland, the applicant shall contact the appropriate district of the U.S. Army Corps of Engineers for a determination regarding potential impacts to water of the state as well as the requirements for obtaining, if necessary, certification. The applicant shall acquire a Section 404 permit and 401 water quality certification, if needed, before impacting any waters of the state as part of this project.

4. The owner, Renergy BioEnergy, LLC, shall be responsible for proper operation and maintenance of the wastewater disposal system.

5. This permit to install applies only to the wastewater disposal system listed above. The installation of drinking water supplies, air contaminant sources, or solid waste disposal facilities will require the submittal of a separate application to the director.

6. Provisions shall be made for proper operation of the wastewater pumping facilities.

7. This permit applies to a wastewater disposal system designed to serve an daily hydraulic feed rate of no more than 50,120 gallons and supersedes the feed rate approved under PTI No. 873442, approved on August 13, 2012. The approved feed rate is contingent on the production of a stable digestate.

8. No liquids, sludges, or toxic or hazardous substances other than those set forth in the approved permit shall be accepted for disposal without the prior written approval of the Ohio Environmental Protection Agency.

9. The sanitary control of the area shall be maintained within a 50 foot radius of each water supply well.

10. The applicant shall notify the Ohio Environmental Protection Agency if the applicant does not continue as the sole user of the sewage disposal system.

11. Before Exceptional Quality Biosolids (Class A Biosolids) are placed into any re-used storage facility, the permittee shall empty and clean each storage facility to eliminate any residual Class B biosolids.

12. The permittee shall maintain a minimum freeboard of 1 foot in the 20.77 million gallon storage lagoon (Pond L7) at all times while storing digestate.

13. The Central District Office, Division of Surface Water of the Ohio Environmental Protection Agency shall be notified in writing as to (a) the construction starting date; (b) the construction completion date; and (c) the date the wastewater disposal system was placed into operation.

14. No soil material shall be placed or compacted during weather conditions which would interfere with adequate compaction or moisture content control, such as freezing temperatures or rainy conditions. Soil material shall be placed in 8 inch loose lifts at a moisture content between 0 to 4 percent optimum moisture content. Soil material shall be compacted to a minimum compaction rate of 97.4 percent of standard/modified maximum dry density using standard engineering compaction methods unless otherwise specified in the plans to a minimum compaction rate of 95 percent of standard/modified maximum dry density. Compacted soil material shall be tested for density and moisture content at a rate of one test per production day for each lift, with a minimum of one test for any day that soil material is compacted. When a density of moisture content test is not in compliance with the detailed plans or the terms and conditions of this permit, permittee shall scarify the lift, adjust the moisture content, and re-compact the soils for an area extended from the failed test to one -half

the distance to the nearest passed tests, in all directions. The re-compacted area shall then be retested for compliance. Results of density and moisture content testing shall be submitted to the Ohio EPA Central District Office, Division of Surface Water. Only soil materials specifically approved for use, as listed in the detailed plans, may be used.

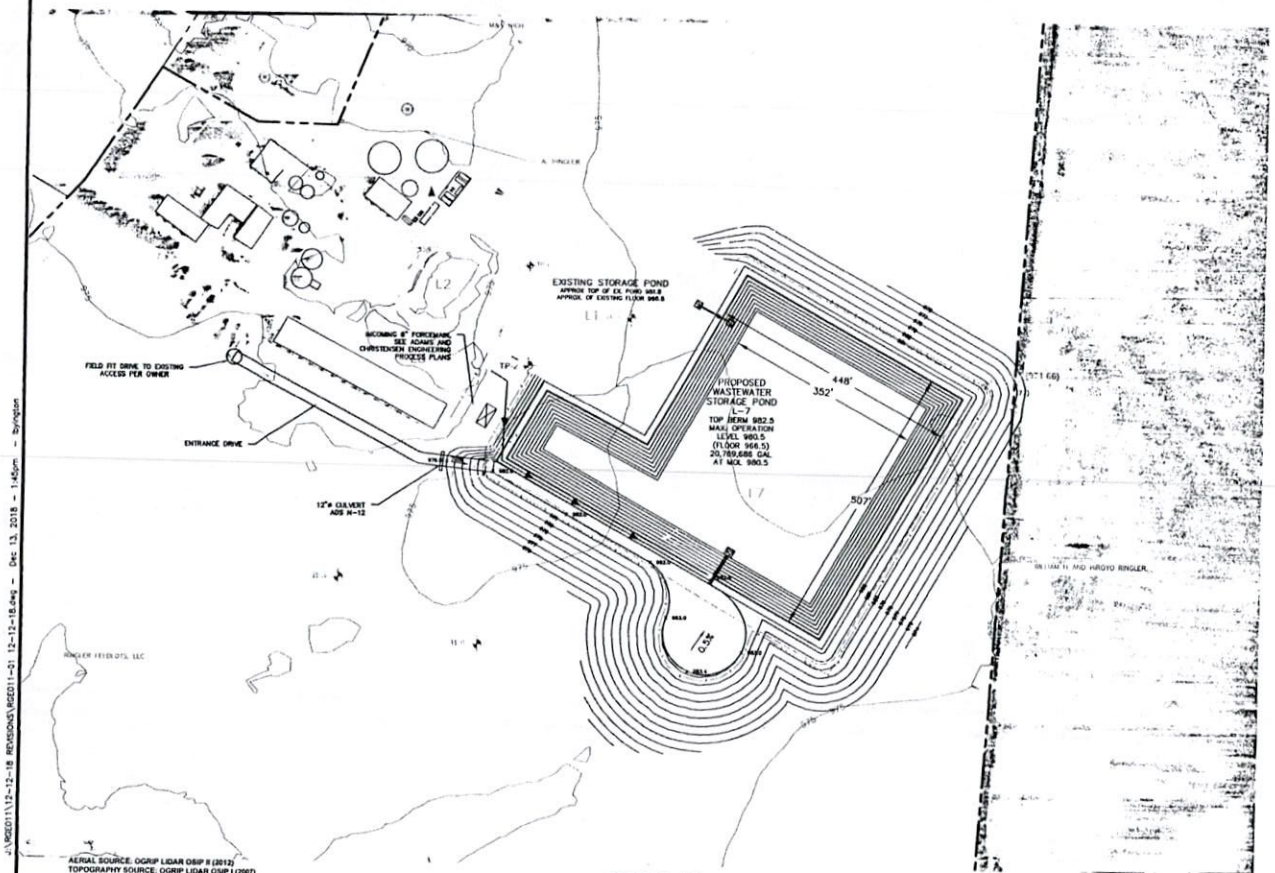
15. The permit to install is not an authorization to discharge pollutants to waters of the state. Pursuant to Chapter 6111 of the Ohio Revised Code, the applicant shall apply for a permit to discharge (NPDES) 180 days prior to any discharge of pollutants to waters of the state.

EMERALD BIOENERGY STORAGE POND
WASTEWATER STORAGE POND PTI PLANS
WESTFIELD TOWNSHIP, MORROW COUNTY, OHIO

APPLICANT INFORMATION:
RENERGY, INC.
P.O. BOX 249
DELAWARE, OHIO 43015
PHONE: 419-253-5300
CONTACT: TAYLOR FAECHER

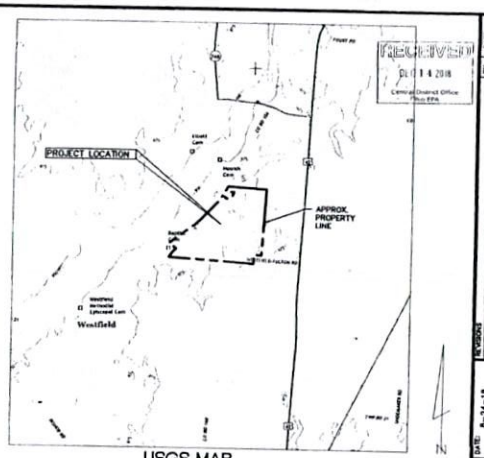
FACILITY INFORMATION:
EMERALD BIOENERGY
2279 COUNTY ROAD 156
CARDINGTON, OHIO 43315
PHONE: 419-253-5300
CONTACT: TAYLOR FAECHER

PLANS PREPARED BY:
NORTH POINT ENGINEERING CORPORATION
6657 FRANK AVENUE NW, SUITE 200
NORTH CANTON, OH 44720
PHONE: 330-494-8888
CONTACT: DAVID GERDEMAN, P.E.



AERIAL SOURCE: OGRIP LIDAR OSIP II (2012)
TOPOGRAPHY SOURCE: OGRIP LIDAR OSIP I (2007)
AND WHERE OBSCURED BY TREES, CONTOUR INTERPOLATION DONE BY NPE.

SITE PLAN



RECEIVED
OCT 1 4 2018
Central District Office
Ohio EPA

USGS MAP
NOT TO SCALE

SITE PLAN LEGEND:

- EXIST. PROPERTY BOUNDARY
- 976 — EXIST. CONTOURS LIDAR OSIP POINT DATA
- SURVEY BENCH MARK
- B-3 — PREVIOUS SOIL BORINGS
- x — x — PROPOSED FENCE
- C-1 — SOIL BORINGS BY ENVIROCORE 10-18/19-2018
- SUBSURFACE DRAINS EXPLORATORY TRENCH

STATE OF OHIO — DAVID A. GERDEMAN — E-48568 — PROFESSIONAL ENGINEER

INDUSTRIAL WASTE DISPOSAL APPROVED
OHIO ENVIRONMENTAL PROTECTION AGENCY AS EVIDENCED BY COPY OF LETTER OF APPROVAL HERETO ATTACHED

PAID 12-11-18
Amount $ 2150.00 Date 9/6/18
Check # 1570 Date 9/27/18

SCALE: 1" = 100'

OEPA MINIMUM STANDARDS
300' FROM OCCUPIED STRUCTURES
300' FROM WATERS OF THE STATE
300' FROM PRIVATE WELLS NOT USED BY OWNER
50' FROM PRIVATE WELL USED BY OWNER
50' FROM PROPERTY LINE

NOTE:
THE PROPOSED POND IS LOCATED MORE THAN 300 FEET FROM AN OCCUPIED RESIDENCE

SUBMITTED AUGUST 24, 2018 (INITIAL DESIGN PLANS)
(REVISED) NOVEMBER 3, 2018, NOVEMBER 20, 2018, NOVEMBER 29, 2018, DECEMBER 12, 2018

INDEX OF SHEETS

DWG NO.	SHEET NO.	DRAWING TITLE
RGE011-01	1 OF 4	TITLE SHEET AND SITING/SETBACK PLAN
RGE011-02	2 OF 4	WASTEWATER POND PLAN AND SPECIFICATIONS
RGE011-03	3 OF 4	WASTEWATER POND DETAILS
RGE011-04	4 OF 4	SUBSURFACE INFORMATION BORING LOGS AND BORING LOCATION PLAN

NOTICE TO CONTRACTOR
CONTRACTOR MUST NOTIFY ALL UTILITIES AT LEAST 48 HOURS, AND NOT MORE THAN 10 DAYS, PRIOR TO THE PLANNED COMMENCEMENT OF EXCAVATION.

1. MEMBER UTILITIES WILL BE CONTACTED BY CALLING OUPS (1-800-362-2764).
2. THE OIL AND GAS PRODUCER UNDERGROUND PROTECTION SERVICE (1-614-587-0444).
3. EACH LIMITED BASIS PARTICIPANT AND MEMBERS OF THE OHIO OIL AND GAS ASSOCIATION WILL BE CONTACTED BY THE EXCAVATOR USING THE TELEPHONE NUMBER PROVIDED.

2 WORKING DAYS BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

REVISIONS	BY	DATE

DATE: 8-24-18
PREPARED BY: DAG
DRAWN BY: MJH
CHECKED BY: DAG
FILE: RGE011-01

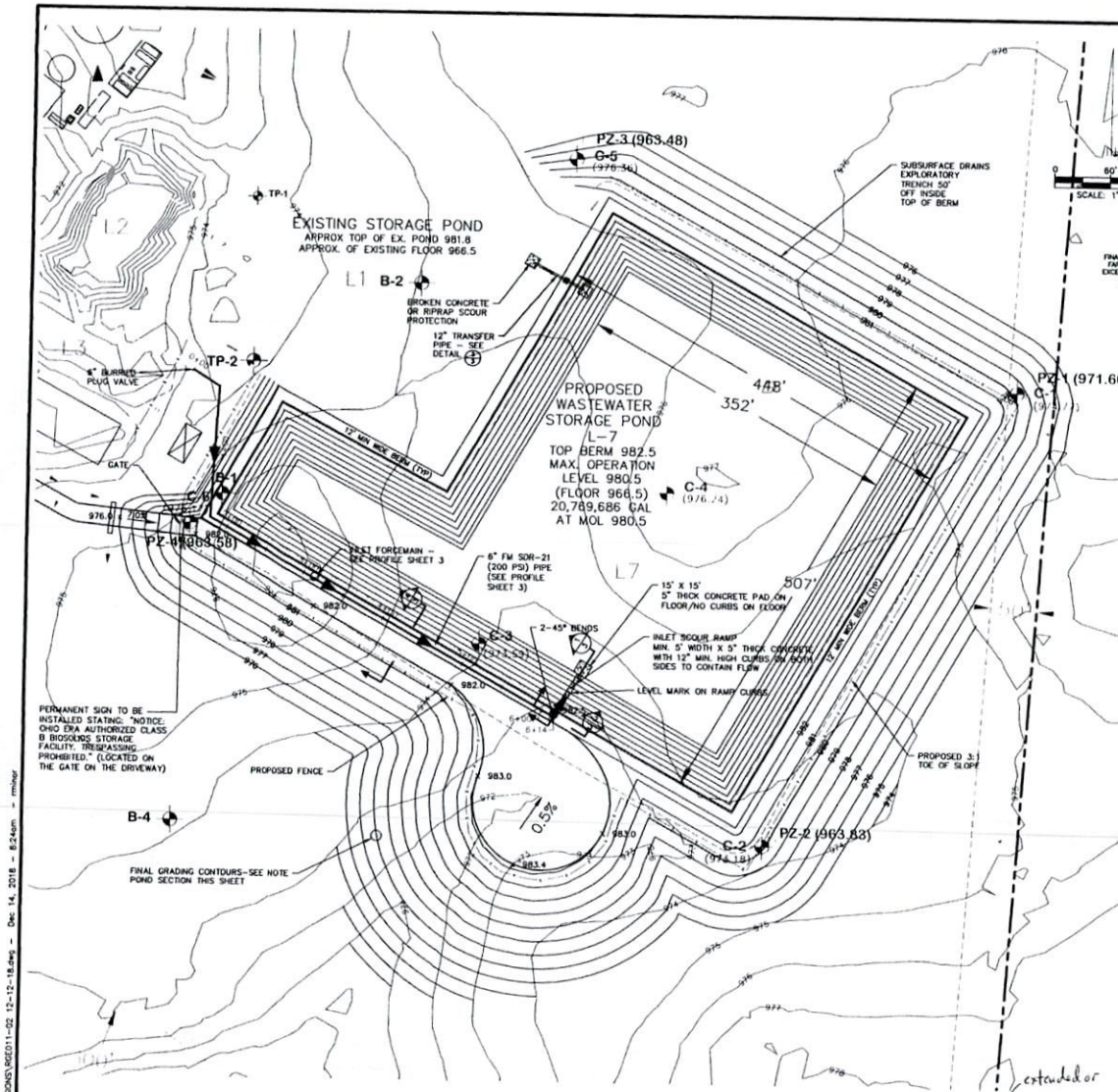
NORTH POINT ENGINEERING
6657 Frank Ave. N.W. Suite 200 North Canton, Ohio 44720 330 - 494 - 8888
REG. PROF. ENG. DAVID A. GERDEMAN, P.E. LICENSE NO. E-48568

12-12-18
DATE

RENERGY, INC.
EMERALD BIO ENERGY
TITLE SHEET AND SITING/SETBACK PLAN
WESTFIELD TOWNSHIP, MORROW COUNTY, OHIO

1/4

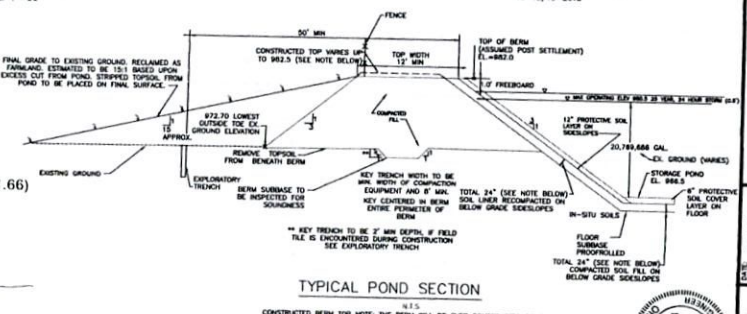
A:\RGE011\12-12-18 REVISIONS\RGE011-01 12-12-18.dwg - Dec 13, 2018 - 1:45pm - dyngdon



ALL PIEZOMETERS TO BE PROPERLY DECOMMISSIONED IN ACCORDANCE WITH OEPA TECHNICAL GUIDANCE MANUAL FOR HYDROGEOLOGIC INVESTIGATIONS OF GROUND WATER MONITORING CHAPTER 9 "SEALING BORINGS AT DECOMSSIONED MONITORING WELLS" JULY 2016

SITE PLAN LEGEND:

- EXIST. PROPERTY BOUNDARY
- EXIST. CONTOURS LIDAR OSIP POINT DATA
- SURVEY BENCH MARK
- PROPOSED FENCE
- SUBSURFACE DRAINS EXPLORATORY TRENCH
- B-3 SOIL BORINGS ON TRICAR, LTD. PLANS, SEPTEMBER 2006
- TP-1 SOIL BORINGS ON TRICAR, LTD. PLANS, SEPTEMBER 2006
- C-1 SOIL BORINGS BY ENVIROCORE 10-18/19-2018 WITH SURVEYED EXISTING GROUND ELEVATION
- C-1 PIEZOMETERS BY ENVIROCORE 10-18/19-2018



TYPICAL POND SECTION

N.T.S.

CONSTRUCTED BERM TOP NOTE: THE BERM WILL BE OVER CONSTRUCTED 5% OF THE BERM HEIGHT ABOVE EXISTING GROUND. FINAL HEIGHT VARIES 982.5 MAX.

WASTEWATER STORAGE POND CONSTRUCTION SPECIFICATIONS

COMPACTED ENGINEERED SOIL FILL

- SUBJECT TO THE ENGINEER'S APPROVAL, AREAS TO RECEIVE FILL SHALL BE STRIPPED TO REMOVE ALL VEGETATION, TOPSOIL, ORGANIC MATTER, OVERLY SOFT MATERIAL AND OTHER UNSUITABLE MATERIALS PRIOR TO THE PLACEMENT OF FILL MATERIALS. OVEREXCAVATED AREAS SHALL BE REPLACED WITH COMPACTED FILL.

FILL SHALL CONSIST OF ON-SITE EXCAVATED, SOIL MATERIALS FREE OF FOREIGN MATERIALS, REFUSE, ROOTS OR OTHER DELETERIOUS SUBSTANCES.

IF ENCOUNTERED, THE CONTRACTOR SHOULD BE PREPARED TO REMOVE SURFACE AND GROUND WATER FROM THE CONSTRUCTION AREA.

PLACEMENT OF FILL MATERIALS SHALL BE APPROVED BY THE ENGINEER AND INSPECTED WHEN REQUIRED. WHEN TESTING IS REQUIRED, ALLOW THE ENGINEER'S REPRESENTATIVE TIME TO PERFORM TESTING/INSPECTION AFTER COMPLETION OF EACH LAYER OF FILL IN THE DESIGNATED AREA.

- PRECOMPACTED LIFT THICKNESS: THE LIFT THICKNESS SHALL BE EQUIVALENT TO THE LENGTH OF THE FEET OF THE SHEEPSFOOT ROLLER PLUS 2 INCHES, NOT TO EXCEED 8 INCHES IN TOTAL LOOSE LIFT THICKNESS.
- MAXIMUM ROCK DIAMETER: 3 INCHES.
- MINIMUM MOISTURE CONTENT: THE SOIL MATERIAL SHALL BE OF SUFFICIENT MOISTURE TO EASILY FORM IT INTO A MOIST, SOMEWHAT SOFT, BALL BY HAND AND NOT DEVELOP ANY CRACKS. THIS MOISTURE CONTENT APPROXIMATES OPTIMUM PLUS 2%.
- COMPACTION EQUIPMENT: SHEEPSFOOT ROLLER WITH A MINIMUM 200-PSI FOOT CONTACT PRESSURE, AND FEET A MINIMUM OF 7"IN LENGTH.
- COMPACTION EFFORT: A MINIMUM OF 6 PASSES OF THE ROLLER OVER ALL POINTS OF EACH LIFT. WHEN THE MOISTURE CONTENT IS ADEQUATE, THE SHEEPSFOOT ROLLER WILL PENETRATE THE SOIL.
- ANY ADDITIONAL WATER NEEDED FOR PROPER COMPACTION SHALL BE THOROUGHLY MIXED IN WITH A DISK PRIOR TO COMPACTION.
- THE SURFACE OF A COMPACTED LIFT MUST BE SUFFICIENTLY MOIST TO ALLOW BONDING WITH THE NEXT LIFT; OTHERWISE THE SURFACE NEEDS TO BE SCARIFIED, WETTED TO THE MINIMUM MOISTURE CONTENT, AND RECOMPACTED PRIOR TO PLACEMENT OF THE NEXT LIFT.
- IN LIEU OF THE PLACEMENT FILL SPECIFICATIONS ABOVE, THE CONTRACTOR CAN ELECT TO USE ALTERNATE SHEEPSFOOT COMPACTION EQUIPMENT PROVIDED EACH LIFT IS TESTED TO HAVE ACHIEVED A MINIMUM OF 95% OF MDD AND AT A MOISTURE OF +0% TO +4% OF OPTIMUM MOISTURE. TESTS SHALL BE DONE AT A MINIMUM OF 1 TEST PER LIFT, MIN 1 TEST PER PRODUCTION DAY.

24" RECOMPACTED SOIL LINER

IN ADDITION TO THE MINIMUM SPECIFICATIONS FOR ENGINEERED COMPACTED SOIL, THE 24" RECOMPACTED SOIL LINER WILL BE COMPACTED AT A MINIMUM DENSITY OF MOISTURE CONTENT AS NEEDED TO ACHIEVE A MAXIMUM 1×10^{-7}CM/SEC. THIS DENSITY AND MOISTURE CONTENT WILL BE CONFIRMED IN THE FIELD USING THE NUCLEAR GAUGE METHOD AT A RATE OF 1 TEST PER LIFT, MINIMUM 1 TEST PER PRODUCTION DAY BASED ON DAC-3745-42-13.

THE CLAY LINER SHOULD BE RE-COMPACTED TO A MINIMUM 97.4% OF MAXIMUM DRY DENSITY AND +1.3% WET OF OPTIMUM MOISTURE.

AGITATION PUMP OUT PAD

SCOUR PROTECTION WILL BE A MIN 5" LAYER OF CONCRETE PLACED ON TOP OF THE SOIL, FORMED SUCH AS TO CONTAIN FLOW TO THE BOTTOM OF POND. THE CHANNEL WILL BE AT LEAST 6' WIDE AND CONTOURED TO CONTAIN FLOW WITH 6" MIN CURB.

MEASURING DEVICE

FOR THE PROPOSED STORAGE POND, THE CONTRACTOR WILL INSTALL ONE LEVEL MEASURING DEVICE. THE MEASURING DEVICE WILL BE A 12" HIGH 1/2" MIN. DIAMETER REBAR ANCHORED INTO THE CONCRETE RAMP PORTION OF THE INLET SCOUR PROTECTION AS NOTED IN THE PLANS. THE PINS ARE TYPICALLY SET INTO THE TOP OF THE CURB ON THE RAMP. A SEPARATE ROD WILL BE SET FOR EACH ELEVATION STARTING AT THE MAXIMUM OPERATING ELEVATION AND EVERY EVEN ONE FOOT INCREMENT BELOW THAT DOWN TO AT LEAST ELEVATION 972, AS DETAILED IN THE VOLUME TABLE SHEET 4. A LEVEL MARKER WILL BE SET AT THE 50% FULL MARK. THE ACTUAL FINAL ELEVATIONS TO BE USED WILL BE DETERMINED AT COMPLETION OF CONSTRUCTION BASED UPON AS-BUILT DIMENSIONS.

SUBBASE PROOF ROLLING

THE SUBBASE GRADE ON BOTH THE BOTTOM OF THE POND AND BELOW GRADE PORTIONS OF THE SIDESLOPES OF THE POND WHICH IS THE BOTTOM OF THE COMPACTED SOIL LINER, SHALL BE PROOFROLLED IN THE PRESENCE OF A QUALIFIED TECHNICIAN WITH A LOADED RUBBER TIRED TRUCK OR SCRAPER MAKING REPETIVE OFFSET PASSES OVER THE ENTIRE AREA. IF EXCESSIVE OR IRREGULAR DEFLECTION (IDENTIFIED AS IN EXCESS OF 3 INCHES) AND PUMPING ARE OBSERVED THE DELINEATED AREA SHALL BE OVER EXCAVATED TO A MINIMUM OF 36 INCHES AND INSPECTED FOR SAND OR PUMPABLE SOILS. IF PRESENT, ANY SAND AND NON LOW PERMEABLE SOILS WILL BE OVEREXCAVATED AND REMIXED TO A VERTICAL AND HORIZONTAL DISTANCE OF AT LEAST 3' BELOW THE RECOMPACTED CLAY LINER AND REPLACED WITH ENGINEERED FILL AS DIRECTED BY THE ENGINEER.

FENCING

FENCING THE POND AND PROVIDING FLOTATION DEVICES FOR PUBLIC SAFETY IS REQUIRED. WARNING SIGNS WITH A ROPE AND SAFETY FLOTATION DEVICE SHALL BE PLACED ON AT LEAST TWO SIDES OF AN POND. LOCATE THE PERMANENT FENCE SO THAT EASY ACCESS IS POSSIBLE FOR THE AGITATING AND PUMPING EQUIPMENT. A 4' HIGH WIRE MESH FENCE PER NRCS STANDARD 382 OR EQUAL SHALL BE INSTALLED.

EXPLORATORY TRENCH

AT THE BEGINNING OF CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE A 48" DEEP FIELD TILE EXPLORATORY TRENCH 50 FEET OUTSIDE THE PROPOSED POND AS NOTED IN THE DRAWING. THE CONTRACTOR SHALL PERMANENTLY PLUG ALL ENCOUNTERED FIELD TILE SYSTEMS. BY SEALING WITH A PLASTIC CAP IF THE PIPE IS NOT INTACT OR BY PACKING CLAYEY SOILS OR BACKFILLING WITH CONCRETE IF THE PIPE IS BROKEN. (IF DRAINING AWAY) AND/OR NEROLITE THE ENCOUNTERED TILE SYSTEM USING SAME TYPE/SIZE TILE WITH FITTINGS IN A MANNER ACCEPTABLE TO THE OWNER. ALL TILES INSIDE OF THE 50' SETBACK SHALL BE COMPLETELY REMOVED. DOCUMENTATION MUST BE PROVIDED BY CONTRACTOR AND INCLUDED IN THE FIELD DOCUMENT.

AGITATION RAMP AND FLOOR PAD

SCOUR PADS AT RAMPS WILL BE CONSTRUCTED ON TOP OF THE FINISHED CLAY LINER. SAND BAGS WILL BE USED TO FORM THE PADS AT RAMPS OR THE CONTRACTOR SHALL FILL ANY HOLES IN THE LINER MADE BY THE FORM PINS WITH POWDERED BENTONITE.

OVEREXCAVATION

ANY SAND, GRAVEL, OR SILTY SOILS ENCOUNTERED DURING EXCAVATION OF THE POND SHALL BE OVER-EXCAVATED AS SPECIFIED BY THE CERTIFYING ENGINEER AND REPLACED WITH COMPACTED SOIL FILL. OVEREXCAVATION DEPTH SHALL BE A MINIMUM OF 3' BELOW THE BASE OF THE 24" COMPACTED CLAY LINER.

PROTECTIVE COVER SOIL

SHALL CONSIST OF COHESIVE SOIL COMPACTED TO THE GENERAL SPECIFICATIONS FOR COMPACTED ENGINEERED SOIL FILL.

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DATE 8-24-18
PREPARED BY DAG
DRAWN BY MH
CHECKED BY DAG
FILE RCE011-02
DATE 11-12-18

RENERGY, INC.
EMERALD BIOENERGY
WASTEWATER POND PLAN AND SPECIFICATIONS
WESTFIELD TOWNSHIP, MORROW COUNTY, OHIO

2/4

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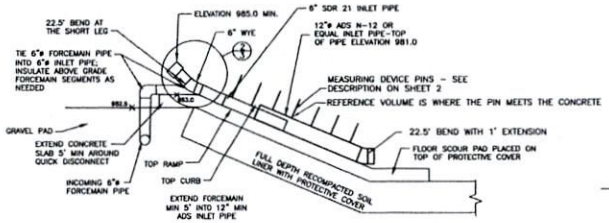
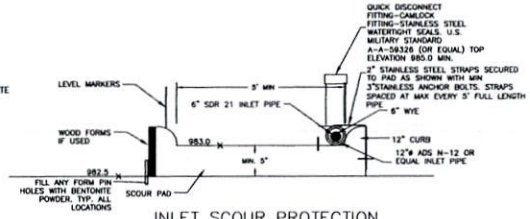
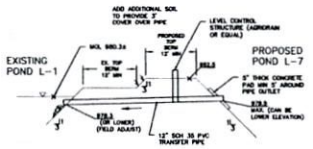


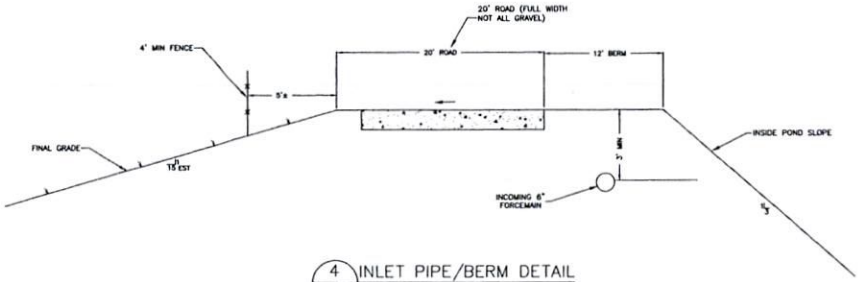
1/3 INLET SCOUR PROTECTION
N.T.S.



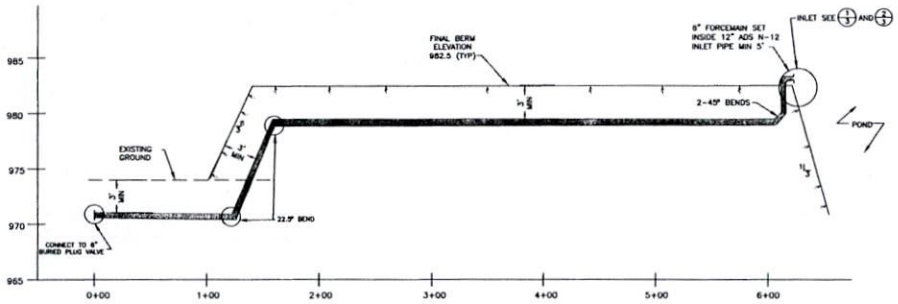
2/3 INLET SCOUR PROTECTION END VIEW
N.T.S.



TRANSFER PIPE DETAIL 3/3
NTS



4/3 INLET PIPE/BERM DETAIL
N.T.S.



INLET FORCEMAIN PROFILE
1"=50' H
1"=5' V

STATE OF OHIO DAVID A. GERDEMAN E-48569 PROFESSIONAL ENGINEER

NORTH POINT ENGINEERING
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DATE: 8-24-18
PREPARED BY: DAG
DRAWN BY: LMH
CHECKED BY: DAG
FILE: RGE011-02

12-12-18
DATE

REG. PROF. ENG. DAVID A. GERDEMAN P.E. LICENSE NO. E-48569

RENERGY, INC.
EMERALD BIOENERGY
WASTEWATER POND DETAILS
WESTFIELD TOWNSHIP, MORROW COUNTY, OHIO

3/4

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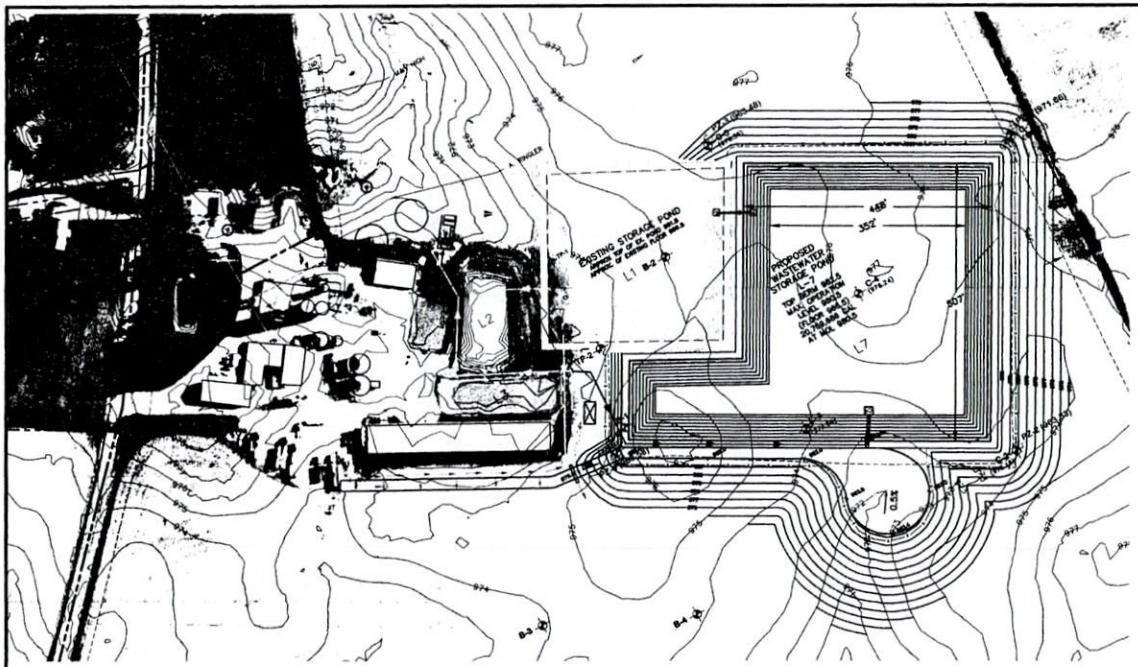


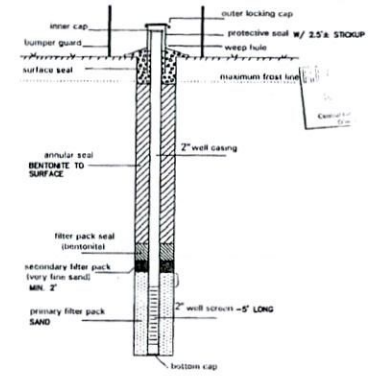


Figure 7.1 Cross-section of a typical single-riser/limited interval monitoring well.
PIEZOMETER
(NTS)

VOLUME TABLE

(THIS TABLE WILL BE MODIFIED WITH FINAL AS-BUILT INFORMATION)

ELEVATION CONTOUR	CONTOUR AREA	AVERAGE AREA	HEIGHT BETWEEN	INCREMENTAL STORAGE VOLUME	CUMULATIVE FROM BOTTOM (CUBIC FEET)	CUMULATIVE FROM BOTTOM (GALLONS)
966.5	177,708.1					
		159,784	1.1	239,676	239,676	1,792,780
968	141,859.7					
		170,145	2	340,290	579,966	4,338,146
970	198,430.3					
		182,237	2	364,475	944,441	7,064,417
972	166,043.7					
		194,618	2	389,236	1,333,677	9,971,903
974	223,192.3					
		207,287	2	414,573	1,748,250	13,076,910
976	191,382.0					
		229,243	2	458,486	2,206,736	16,511,746
978	267,103.7					
		235,184	2.5	587,960	2,794,696	20,900,888
980.5	203,264.3					
		257,323	2	514,646	3,309,342	24,618,230
982.5	311,381.8					

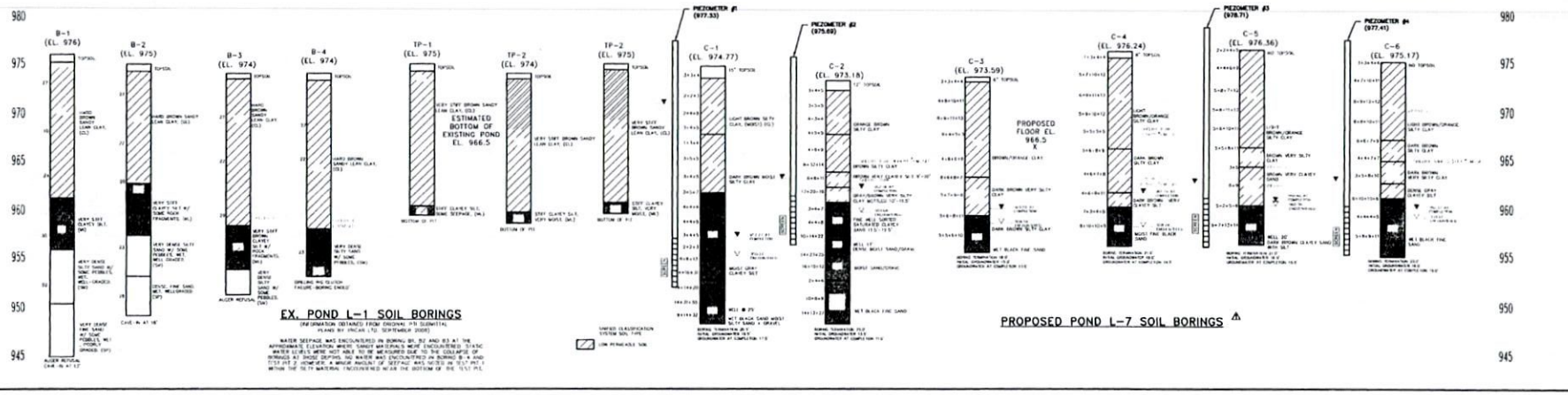
PERMEABILITY TESTING SUMMARY ⚠

SAMPLE TYPE	SOIL DESCRIPTION	USCS CLASSIFICATION	LOCATION	DEPTH (FEET)	REMOLDED SPECIFICATION (STANDARD PROCTOR)	MDD (pcf)	OPTIMUM MOISTURE (%)	TESTED PERMEABILITY (cm/sec)	LIQUID LIMIT (%)	PLASTICITY INDEX	PASSING 200 SIEVE (%)	% CLAY
SHELBY TUBE	BROWN LEAN CLAY WITH SAND	CL	C-2	8.6-8.9	N/A	N/A	N/A	4.6×10^{-8}	27	10	78.16	20.14
SHELBY TUBE	BROWN LEAN CLAY WITH SAND	CL	C-4	8.4-8.7	N/A	N/A	N/A	5.5×10^{-8}	23	8	73.66	20.81
SHELBY TUBE	BROWN LEAN CLAY WITH SAND	CL	C-4	12.4-12.7	N/A	N/A	N/A	6.3×10^{-8}	27	10	78.39	21.65
SHELBY TUBE	BROWN LEAN CLAY WITH SAND	CL	C-6	11.6-11.9	N/A	N/A	N/A	5.3×10^{-8}	28	8	77.64	19.08
BULK	BROWN LEAN CLAY WITH SAND	CL	VARIES	1-10	97.8 +1.3%	110.9	16.4	4.6×10^{-8}	34	12	89.52	28.21

Boring Number	Latitude	Longitude	Boring Depth	Elevation
C-1	40.4441	-82.9569	25	975.00
C-2	40.4427	-82.9578	25	973.20
C-3	40.4432	-82.9590	18	974.20
C-4	40.4438	-82.9582	20	976.45
C-5	40.4448	-82.9586	20	976.50
C-6	40.4438	-82.9603	20	974.45

Piezometer/Well Information

Soil Boring	Piezometer Number	Depth to Bottom of Well (ft.)	Elevation (Top of 2" PVC	Water Level Reading 31-Oct Depth (ft.)	31-Oct Elevation	12-Nov Depth (ft.)	12-Nov Elevation
C-1	PZ-1	25.3	977.33	6.48	970.85	5.67	971.66
C-2	PZ-2	19.3	975.69	12.49	963.2	11.86	963.83
C-5	PZ-3	22.51	978.71	15.92	962.79	15.23	963.48
C-6	PZ-4	22.03	977.41	14.39	963.02	13.83	963.58



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RENERGY, INC.

EMERALD BIOENERGY
SUBSURFACE INFORMATION
BORING LOGS AND BORING
LOCATION PLAN
WESTFIELD TOWNSHIP, MORROW COUNTY, OHIO

4/4

DATE: 10-17-18
PREPARED BY: DAG
DRAWN BY: LMH
CHECKED BY: DAG
FILE: R2E011-C4

REG. PROF. ENG. DAVID A. GEORGIAN, P.E. LICENSE NO. E-48866

EMERALD BIOENERGY, LLC

CAPITAL IMPROVEMENT PROJECT

OHIO EPA PTI SUBMITTAL OCTOBER 2018

2279 COUNTY ROAD 156
CARDINGTON, OH 43315

OBC BUILDING NOTES

Code Summary Report:
Proposed Building: Emerald Bioenergy, LLC
Project address: 2279 County Road 156
Cardington, OH 43315

The project has been designed around the following codes: 2011 OBC, OMC, OPC, OFC, NEC & ASHRAE 90.1 (2007).

Chapter 3: Use and Occupancy Classification:

306.2 Factory Industrial F-1 Factory Moderate Hazard Occupancy

Factory industrial uses which are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following:
Construction and agricultural machinery
Machinery
Use Group: F-1, Factory (moderate)
Square Footage: Existing Total 2,356 SF
PFRP Building 4,000 SF
Total 6,356 SF

Chapter 5: General Building Heights and Areas

Table 503
ALLOWABLE HEIGHT AND BUILDING AREAS
Height limitations shown as stories and feet above grade plane.
Area limitations as determined by the definition of "Area, building" per floor.
TYPE OF CONSTRUCTION - II-B
Group
F-1 Stories 2 & 55'
Area 15,500

Chapter 6: Types of Construction

Construction Type: 2-B, noncombustible unprotected
Table 601
FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (hours)

Building Element:		Type II-B
Structural frame - including columns, girders, trusses:		0
Bearing Walls Exterior		0
Interior		0
Nonbearing walls and partitions	Exterior:	See Table 602
Nonbearing walls and partitions	Interior:	0
Floor Construction - Including supporting beams and joists:		0
Roof Construction - Including supporting beams and joists:		0

Chapter 10: Means of Egress

TABLE 1004.1.2 - MAXIMUN FLOOR AREA ALLOWANCES PER OCCUPANT

OCCUPANCY	FLOOR AREA IN SQ.FT. PER OCCUPANT
Agricultural building	300 gross
Industrial areas	100 gross
Accessory storage areas, mechanical equipment room	300 gross
Warehouses	500 gross

Occupant Load for Emerald Bioenergy project = 6,356 SF ÷ 300 SF/occupant = 21 occupants

1014.1 Exit or exit access doorways required. Two exits or exit access doorways from any space shall be provided where one of the following conditions exists:
1. The occupant load of the space exceeds the values in Table 1014.1.
2. The common path of egress travel exceeds the limitations of Section 1013.3.
3. Where required by Sections 1014.3, 1014.4 and 1014.5.
Exception: Group I-2 occupancies shall comply with Section 1013.2.2.

TABLE 1014.1 - SPACES WITH ONE MEANS OF EGRESS

OCCUPANCY	MAXIMUM OCCUPANT LOAD
A,B,E,F,M,U	50
H-1, H-2, H-3	3
H-4, H-5, I-1, I-3, I-4, R	10
S	30

TABLE 1018.2 - BUILDINGS WITH ONE EXIT

OCCUPANCY	MAXIMUM HEIGHT OF BUILDING ABOVE GRADE PLANE	MAXIMUM OCCUPANTS (OR DWELLING UNITS) PER FLOOR AND TRAVEL DISTANCE
A,B,E, F, M, U	1 Story	50 occupants and 75 feet travel distance
H-2, H-3	1 Story	3 occupants and 25 feet travel distance
H-4, H-5, I, R	1 Story	10 occupants and 75 feet travel distance
Sa	1 Story	30 occupants and 100 feet travel distance
Sb, F, M, Sa	2 Stories	30 occupants and 75 feet travel distance
R-2	2 Stories	4 dwelling units and 50 feet travel distance

Chapter 11: Accessibility

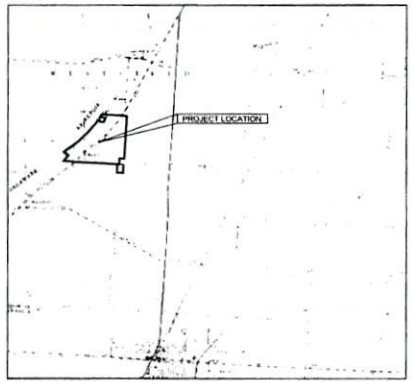
TABLE 1106.1 - ACCESSIBLE PARKING SPACES

TOTAL PARKING SPACES PROVIDED	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
More than 1,000	20, plus one for each 100 over 1,000

Chapter 29: Plumbing Requirements

TABLE 2902.1 - MINIMUM NUMBER OF REQUIRED PLUMBING FACILITIES

CLASSIFICATION:	Factory and Industrial
USE GROUP:	F-1 and F-2
DESCRIPTION:	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials
WATER CLOSETS M & F:	1 per 100
LAVATORIES M & F:	1 per 100
BATHTUB OR SHOWER:	See Section 411 of the plumbing code
DRINKING FOUNTAINS:	1 per 400 (See Section 410.1 of the plumbing code)
OTHER:	1 service sink



LOCATION MAP
NOT TO SCALE
USGS ASHLEY QUADRANGLE, OHIO
7.5 MINUTE SERIES (TOPOGRAPHIC)

OWNER
EMERALD BIOENERGY, LLC
2279 COUNTY ROAD 156
CARDINGTON, OH 43315
WESTFIELD TOWNSHIP, MORROW COUNTY, OHIO
PHONE: 419-253-5300
CONTACT: TAYLOR FAECHER

PROCESS DEVELOPER
GREEN ARROW, LLC
1680 MADISON AVENUE
WOOSTER, OH 44691
PHONE: 330-465-9132
CONTACT: NED MAST

PROCESS ENGINEER
ADAMS & CHRISTENSEN ENGINEERING, INC.
782 WEXFORD CT.
GRAYSLAKE, ILLINOIS 60030
PHONE: 847-363-7078
CONTACT: RODNEY F. CHRISTENSEN, P.E.

STORAGE POND ENGINEER
NORTH POINT ENGINEERING CORPORATION
6657 FRANK AVE NW, SUITE 200
NORTH CANTON, OH 44720
PHONE: 330-494-8888
CONTACT: DAVID GERDEMAN, P.E.

STATE OF OHIO
RODNEY CHRISTENSEN
E-65730
REGISTERED
PROFESSIONAL ENGINEER
10/12/2018

DRAWING NAME	DESCRIPTION	REVISION
G-001	TITLE SHEET	-
G-002	SITE LOCATION MAP	-
G-003	EMERALD BIOENERGY & QUAD FARM SITE PLAN	-
G-004	EMERALD BIOENERGY EXISTING CONDITIONS	-
G-005	QUAD FARM EXISTING CONDITIONS	-
G-006	EMERALD BIOENERGY PROPOSED CONDITIONS	-
1702-0001-001	PROCESS FLOW DIAGRAMS & MASS BALANCE - SHEET INDEX	-
1702-0010-001	MASS BALANCE - FEEDSTOCK AND DIGESTATE	-
1702-0010-002	MASS BALANCE - FEEDSTOCK AND DIGESTATE	-
1702-0010-003	MASS BALANCE - BIOGAS	-
1702-0010-004	MASS/ENERGY BALANCE - PFRP CALC. SUMMARY	-
1702-0010-005	STORAGE LAGOONS	-
1702-1001-001	001 - INTRO - TITLE SHEET	-
1702-1001-002	001 - INTRO - DRAWING LIST	-
1702-1001-003	001 - INTRO - SYMBOL LEGEND	-
1702-1001-004	001 - INTRO - INSTRUMENT DETAILS	-
1702-1001-005	001 - INTRO - MOTOR CONTROL DETAILS	-
1702-1001-006	001 - INTRO - VALVE DETAILS	-
1702-1010-001	010 - PLANT UTILITIES	-
1702-1015-001	015 - MANURE TANK	-
1702-1020-001	020 - FEEDSTOCK RECEIVING	-
1702-1021-001	021 - EXISTING HEATING & DOSING PUMP	-
1702-1022-001	022 - PFRP PUMPS & HEAT EXCHANGERS (NEW)	-
1702-1024-001	024 - PFRP PLUG FLOW TANKS (NEW)	-
1702-1025-001	025 - BIOMASS RECEIVING TANK	-
1702-1026-001	026 - BIOMASS PFRP TANK (NEW)	-
1702-1030-001	030 - DUAL PURPOSE TANK	-
1702-1035-001	035 - BIOGAS PIPING (NEW)	-
1702-1040-001	040 - EFFLUENT LAGOONS	-
1702-1060-001	060 - GAS UPGRADE COMPRESSOR SKID (NEW)	-
1702-1061-001	061 - PRESSURE SWING ADSORPTION SKID (NEW)	-
1702-1062-001	062 - GAS UPGRADE TANK SKID (NEW)	-
1702-1063-001	064 - THERMAL OXIDIZER FLARE (NEW)	-
1702-1065-001	065 - GAS METERING & ANALYSIS (NEW)	-
1702-1070-001	070 - BIOGAS FLARE	-
1702-1072-001	072 - BIOGAS FLARE (NEW)	-
1702-1080-001	080 - COMBINED HEAT & POWER GENERATOR	-
1702-1090-001	090 - HEATING LOOP	-
1702-1092-001	092 - EXPANSION HEATING LOOP (NEW)	-
1702-1092-002	092 - EXPANSION HEATING LOOP (NEW)	-
1702-1092-003	092 - EXPANSION HEATING LOOP (NEW)	-
1702-1095-001	095 - BIOGAS/NATURAL GAS BOILER (NEW)	-
1702-1096-001	096 - BIOGAS/NATURAL GAS BOILER (NEW)	-
A-001	ARCHITECTURAL - PFRP BUILDING FLOOR PLAN	-
A-002	ARCHITECTURAL - PFRP BUILDING ROOF PLAN	-
A-003	ARCHITECTURAL - PFRP BUILDING ELEVATIONS	-
A-004	ARCHITECTURAL - PFRP BUILDING ELEVATIONS	-
DP-001	PROCESS PIPING - EMERALD BIOENERGY & QUAD FARM SITE OVERVIEW	-
DP-002	PROCESS PIPING - EMERALD BIOENERGY SITE OVERVIEW	-
DP-003	PROCESS PIPING - EMERALD BIOENERGY PLANT EXPANSION	-
DP-004	PROCESS PIPING - QUAD FARM LAGOON PIPING	-
DP-100	PROCESS PIPING - PFRP BUILDING	-
DP-301	PROCESS PIPING - PFRP BUILDING PIPING SECTIONS	-
DP-302	PROCESS PIPING - PFRP BUILDING PIPING SECTIONS	-
DP-501	PROCESS PIPING DETAILS	-
DQ-001	PROCESS EQUIPMENT - EQUIPMENT LAYOUT	-
DQ-901-1	PROCESS EQUIPMENT - 230KGAL BIOMASS HOLDING TANK T-028	-
DQ-901-2	PROCESS EQUIPMENT - 230KGAL BIOMASS HOLDING TANK T-028 DETAILS	-
DQ-902	PROCESS EQUIPMENT - 2200GAL PFRP JACKETED PLUG FLOW TANK T-024A	-
DQ-903	PROCESS EQUIPMENT - 2200GAL PFRP JACKETED PLUG FLOW TANK T-024B	-
RGE011-01	TITLE SHEET AND SITING/SETBACK PLAN	-
RGE011-02	WASTEWATER POND PLAN AND DETAILS AND SUBSURFACE INFORMATION	-
RGE011-03	SUBSURFACE INFORMATION	-

INDUSTRIAL WASTE DISPOSAL
APPROVED
OHIO ENVIRONMENTAL PROTECTION AGENCY
AS EVIDENCED BY COPY OF
LETTER OF APPROVAL
HERETO ATTACHED

PAID
Amount $2100.00 Date 9/6/18
Check # 1874 Date 9/27/18

RECEIVED
NOV 05 2018
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Ohio EPA

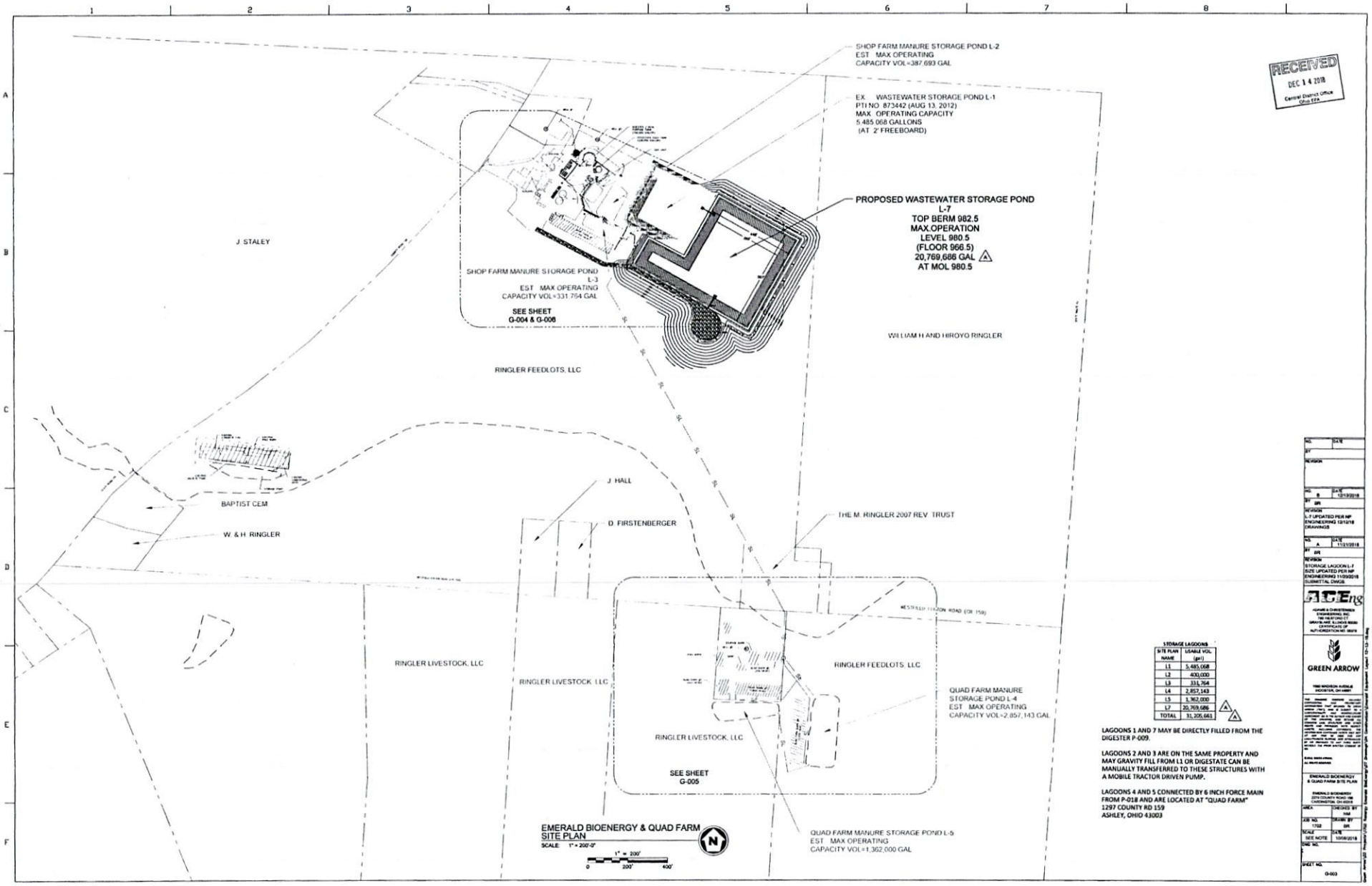
ACE
ADAMS & CHRISTENSEN ENGINEERING INC.
782 WEXFORD CT
GRAYSLAKE, ILLINOIS 60030
CERTIFICATE OF AUTHORIZATION NO. 3579

GREEN ARROW
1680 MADISON AVENUE
WOOSTER, OH 44691

NO	DATE
BY	
REVISION	

EMERALD BIOENERGY PLANT EXPANSION
TITLE SHEET
EMERALD BIOENERGY
2279 COUNTY ROAD 156
CARDINGTON, OH 43315

DRAWN BY: NM	CHECKED BY: BH
JOB NO. 1702	REVIEW BY: BH
SCALE SEE NOTE	DATE 09/27/2018
DWG NO.	
SHEET NO. G-001	



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STORAGE LAGOONS	
SITE PLAN NAME	USABLE VOL. (gal)
L1	5,485,068
L2	400,000
L3	331,764
L4	2,857,143
L5	1,362,000
L7	20,769,686
TOTAL	31,205,661

LAGOONS 1 AND 7 MAY BE DIRECTLY FILLED FROM THE DIGESTER P-009.

LAGOONS 2 AND 3 ARE ON THE SAME PROPERTY AND MAY GRAVITY FILL FROM L1 OR DIGESTATE CAN BE MANUALLY TRANSFERRED TO THESE STRUCTURES WITH A MOBILE TRACTOR DRIVEN PUMP.

LAGOONS 4 AND 5 CONNECTED BY 6 INCH FORCE MAIN FROM P-018 AND ARE LOCATED AT "QUAD FARM"
1297 COUNTY RD 159
ASHLEY, OHIO 43003

NO.	DATE
BY	
REVISION	
NO. B	DATE 12/13/2018
BY DR	
REVISION L-7 UPDATED PER NP ENGINEERING 12/12/18 DRAWINGS	
NO. A	DATE 11/21/2018
BY DR	
REVISION STORAGE LAGOON L-7 SIZE UPDATED PER NP ENGINEERING 11/20/2018 SUBMITTAL DWGS	

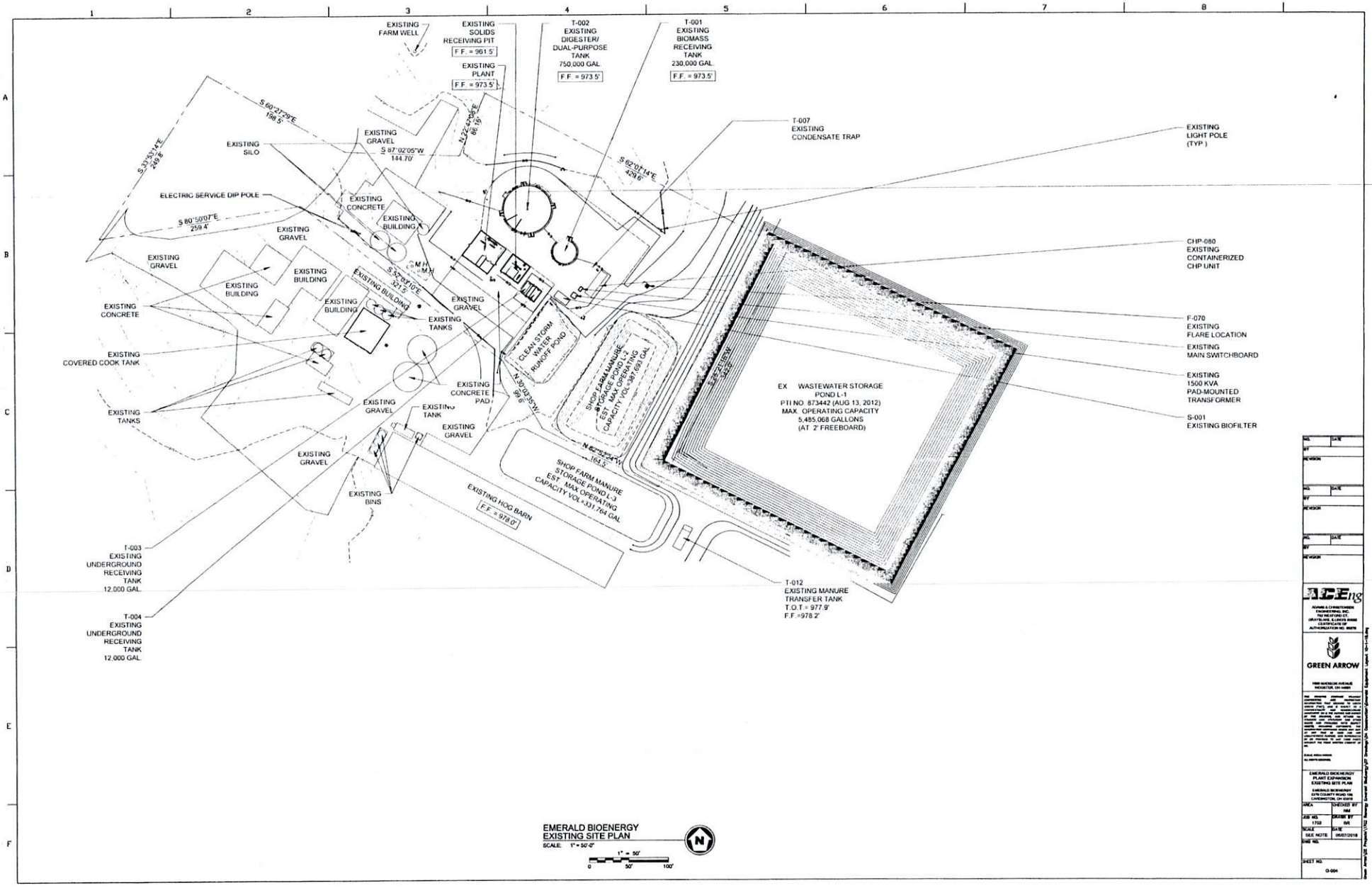
ACEng
ADAMS & CHRISTENSEN ENGINEERING INC
1900 MADISON AVENUE
MATTOON, ILLINOIS 61938
CERTIFICATE OF AUTHORIZATION NO. 184978

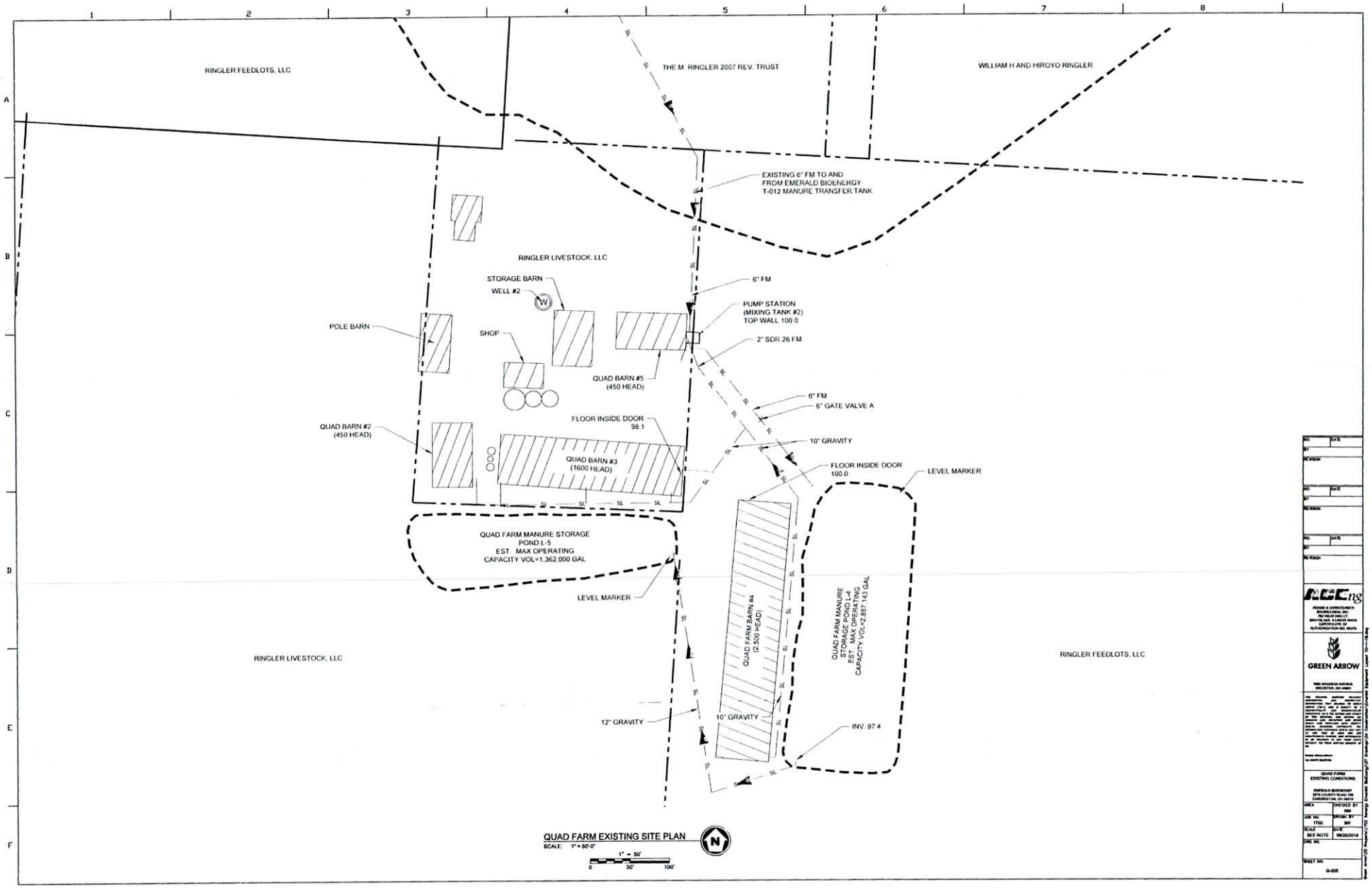
GREEN ARROW
1900 MADISON AVENUE
MATTOON, OH 43003

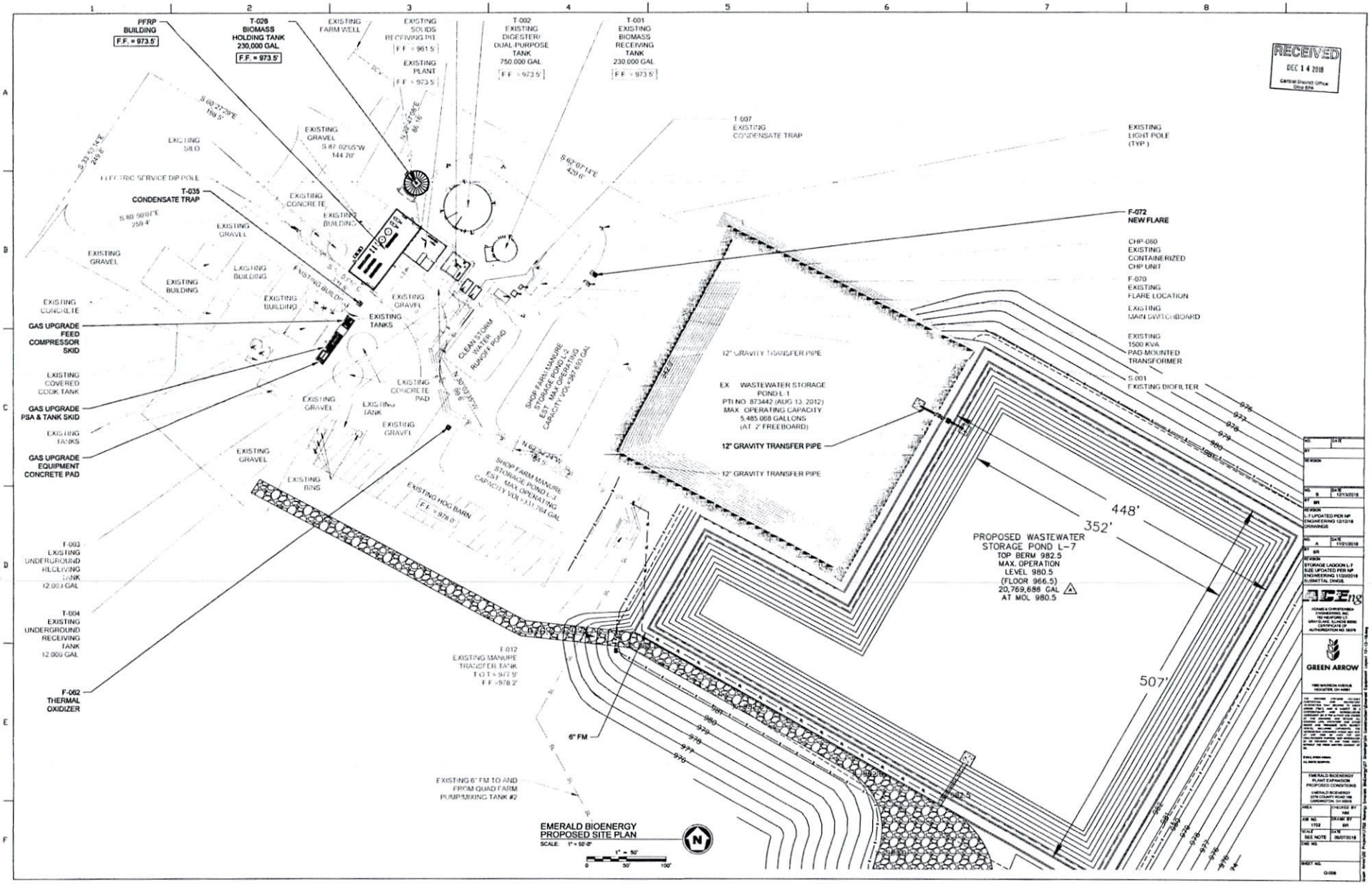
EMERALD BIOENERGY
& QUAD FARM SITE PLAN

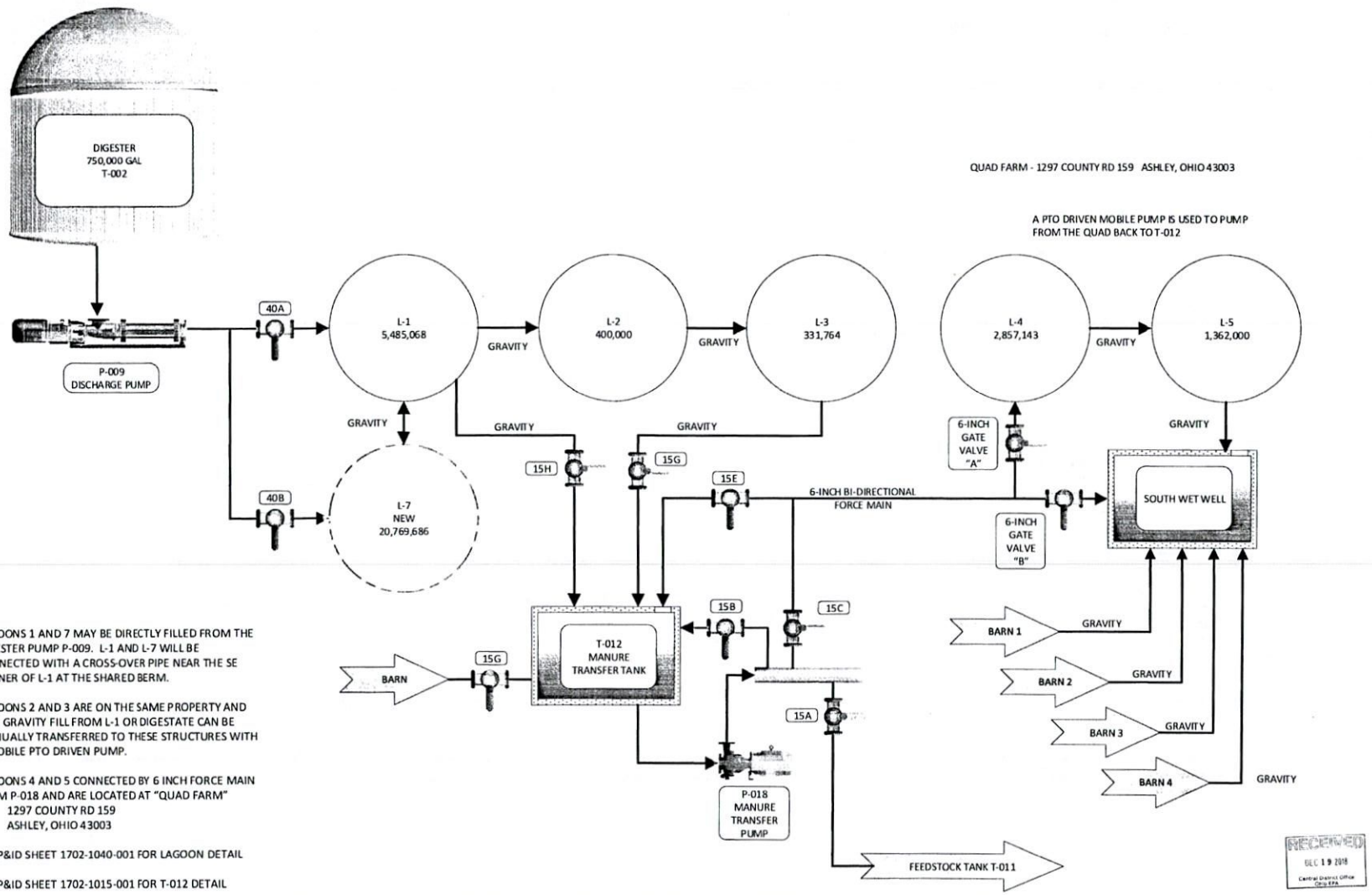
EMERALD BIOENERGY
2070 COUNTY ROAD 198
CHARDON/ESTAL, OH 43024

AREA	CHECKED BY NW
JOB NO. 1702	DRAWN BY DR
SCALE SEE NOTE	DATE 10/08/2018
DWG NO.	
SHEET NO. G-003	


EXISTING FARM WELL
EXISTING SOLIDS RECEIVING PIT
F.F. = 961.5'
EXISTING PLANT
F.F. = 973.5'
T-002 EXISTING DIGESTER/ DUAL-PURPOSE TANK 750,000 GAL.
F.F. = 973.5'
T-001 EXISTING BIOMASS RECEIVING TANK 230,000 GAL.
F.F. = 973.5'
T-007 EXISTING CONDENSATE TRAP
EXISTING LIGHT POLE (TYP.)
CHP-080 EXISTING CONTAINERIZED CHP UNIT
F-070 EXISTING FLARE LOCATION
EXISTING MAIN SWITCHBOARD
EXISTING 1500 KVA PAD-MOUNTED TRANSFORMER
S-001 EXISTING BIOFILTER
EXISTING SILO
ELECTRIC SERVICE DIP POLE
EXISTING GRAVEL
EXISTING CONCRETE
EXISTING BUILDING
EXISTING COVERED COOK TANK
EXISTING TANKS
EXISTING CONCRETE PAD
EXISTING BINS
CLEAN STORM WATER RUNOFF POND
SHOP FARM MANURE STORAGE POND L-2 EST. MAX OPERATING CAPACITY VOL.=387,693 GAL.
SHOP FARM MANURE STORAGE POND L-3 EST. MAX OPERATING CAPACITY VOL.=331,764 GAL.
EXISTING HOG BARN
F.F. = 978.0'
EX. WASTEWATER STORAGE POND L-1
PTI NO. 873442 (AUG 13, 2012)
MAX. OPERATING CAPACITY
5,485,068 GALLONS
(AT 2' FREEBOARD)
T-003 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL.
T-004 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL.
T-012 EXISTING MANURE TRANSFER TANK
T.O.T.= 977.9'
F.F.=978.2'
EMERALD BIOENERGY
EXISTING SITE PLAN
SCALE: 1" = 50'-0"
1" = 50'
0 50' 100'
ACEng
GREEN ARROW
EMERALD BIOENERGY PLANT EXPANSION
EXISTING SITE PLAN
EMERALD BIOENERGY
2376 COUNTY ROAD 19B
CARDINGTON, OH 43315
AREA
CHECKED BY
JOB NO. 1702
DRAWN BY
SCALE SEE NOTE
DATE 06/07/2018
SHEET NO.
G-004


RINGLER FEEDLOTS, LLC
THE M. RINGLER 2007 REV. TRUST
WILLIAM H AND HIROYO RINGLER
EXISTING 6" FM TO AND FROM EMERALD BIOENERGY T-012 MANURE TRANSFER TANK
RINGLER LIVESTOCK, LLC
STORAGE BARN
WELL #2
6" FM
PUMP STATION (MIXING TANK #2) TOP WALL 100.0
2" SDR 26 FM
POLE BARN
SHOP
QUAD BARN #5 (450 HEAD)
6" FM
6" GATE VALVE A
FLOOR INSIDE DOOR 98.1
QUAD BARN #2 (450 HEAD)
10" GRAVITY
QUAD BARN #3 (1600 HEAD)
FLOOR INSIDE DOOR 100.0
LEVEL MARKER
QUAD FARM MANURE STORAGE POND L-5 EST. MAX OPERATING CAPACITY VOL=1,362,000 GAL
LEVEL MARKER
QUAD FARM BARN #4 (2,500 HEAD)
QUAD FARM MANURE STORAGE POND L-4 EST. MAX OPERATING CAPACITY VOL=2,857,143 GAL
RINGLER LIVESTOCK, LLC
RINGLER FEEDLOTS, LLC
12" GRAVITY
10" GRAVITY
INV. 97.4
QUAD FARM EXISTING SITE PLAN
SCALE: 1" = 50'-0"
1" = 50'
0
50'
100'
N
GREEN ARROW
QUAD FARM
EXISTING CONDITIONS
EMERALD BIOENERGY
STEN COUNTY ROAD 156
CARDINGTON, OH 43315
AREA
CHECKED BY
NM
JOB NO.
1702
DRAWN BY
SH
SCALE
SEE NOTE
DATE
06/25/2018
DWG NO.
SHEET NO.
G-005


PFRP BUILDING
F.F. = 973.5'
T-026 BIOMASS HOLDING TANK 230,000 GAL
F.F. = 973.5'
EXISTING FARM WELL
EXISTING SOLIDS RECEIVING PIT
F.F. = 981.5'
EXISTING PLANT
F.F. = 973.5'
T-002 EXISTING DIGESTER/ DUAL-PURPOSE TANK 750,000 GAL
F.F. = 973.5'
T-001 EXISTING BIOMASS RECEIVING TANK 230,000 GAL
F.F. = 973.5'
T-007 EXISTING CONDENSATE TRAP
EXISTING LIGHT POLE (TYP.)
EXISTING SILO
EXISTING GRAVEL
ELECTRIC SERVICE DIP POLE
T-035 CONDENSATE TRAP
EXISTING CONCRETE
EXISTING BUILDING
EXISTING GRAVEL
EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
EXISTING GRAVEL
EXISTING CONCRETE
GAS UPGRADE FEED COMPRESSOR SKID
EXISTING TANKS
EXISTING COVERED COOK TANK
GAS UPGRADE PSA & TANK SKID
EXISTING TANKS
GAS UPGRADE EQUIPMENT CONCRETE PAD
EXISTING GRAVEL
EXISTING CONCRETE PAD
EXISTING TANK
EXISTING GRAVEL
EXISTING GRAVEL
EXISTING BINS
CLEAN STORM WATER RUNOFF POND
SHOP FARM MANURE STORAGE POND L-2 EST. MAX. OPERATING CAPACITY VOL = 387,659 GAL
SHOP FARM MANURE STORAGE POND L-4 EST. MAX. OPERATING CAPACITY VOL = 337,784 GAL
EXISTING HOG BARN
F.F. = 978.0'
T-003 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL
T-004 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL
F-062 THERMAL OXIDIZER
T-012 EXISTING MANURE TRANSFER TANK
T.O.T. = 977.9'
F.F. = 978.2'
6" FM
EXISTING 6" FM TO AND FROM QUAD FARM PUMP/MIXING TANK #2
F-072 NEW FLARE
CHP-060 EXISTING CONTAINERIZED CHP UNIT
F-070 EXISTING FLARE LOCATION
EXISTING MAIN SWITCHBOARD
EXISTING 1500 KVA PAD-MOUNTED TRANSFORMER
S-001 EXISTING BIOFILTER
12" GRAVITY TRANSFER PIPE
EX. WASTEWATER STORAGE POND L-1
PTI NO. 873442 (AUG 13, 2012)
MAX. OPERATING CAPACITY
5,485,068 GALLONS
(AT 2' FREEBOARD)
12" GRAVITY TRANSFER PIPE
12" GRAVITY TRANSFER PIPE
448'
352'
507'
PROPOSED WASTEWATER STORAGE POND L-7
TOP BERM 982.5
MAX. OPERATION LEVEL 980.5
(FLOOR 966.5)
20,769,686 GAL
AT MOL 980.5
EMERALD BIOENERGY PROPOSED SITE PLAN
SCALE: 1" = 50'-0"
RECEIVED
DEC 14 2018
GREEN ARROW
EMERALD BIOENERGY PLANT EXPANSION PROPOSED CONDITIONS



NOTES:

1. LAGOONS 1 AND 7 MAY BE DIRECTLY FILLED FROM THE DIGESTER PUMP P-009. L-1 AND L-7 WILL BE CONNECTED WITH A CROSS-OVER PIPE NEAR THE SE CORNER OF L-1 AT THE SHARED BERM.
2. LAGOONS 2 AND 3 ARE ON THE SAME PROPERTY AND MAY GRAVITY FILL FROM L-1 OR DIGESTATE CAN BE MANUALLY TRANSFERRED TO THESE STRUCTURES WITH A MOBILE PTO DRIVEN PUMP.
3. LAGOONS 4 AND 5 CONNECTED BY 6 INCH FORCE MAIN FROM P-018 AND ARE LOCATED AT "QUAD FARM"
   1297 COUNTY RD 159
   ASHLEY, OHIO 43003
4. SEE P&ID SHEET 1702-1040-001 FOR LAGOON DETAIL
5. SEE P&ID SHEET 1702-1015-001 FOR T-012 DETAIL

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DEC 19 2018
Central District Office
Ohio EPA

NO	DATE
BY	
REVISION	
NO. A	DATE 11/21/18
BY BR	
REVISION UPDATED FOR NP ENG. 11/20/18 L-7 SIZE	

ACEng
ADAMS & CHRISTENSEN ENGINEERING, INC.
782 WEXFORD CT.
GRAYSLAKE, ILLINOIS 60030
CERTIFICATE OF AUTHORIZATION NO. 053/9

GREEN ARROW
1680 MADISON AVENUE
WOOSTER, OH 44691

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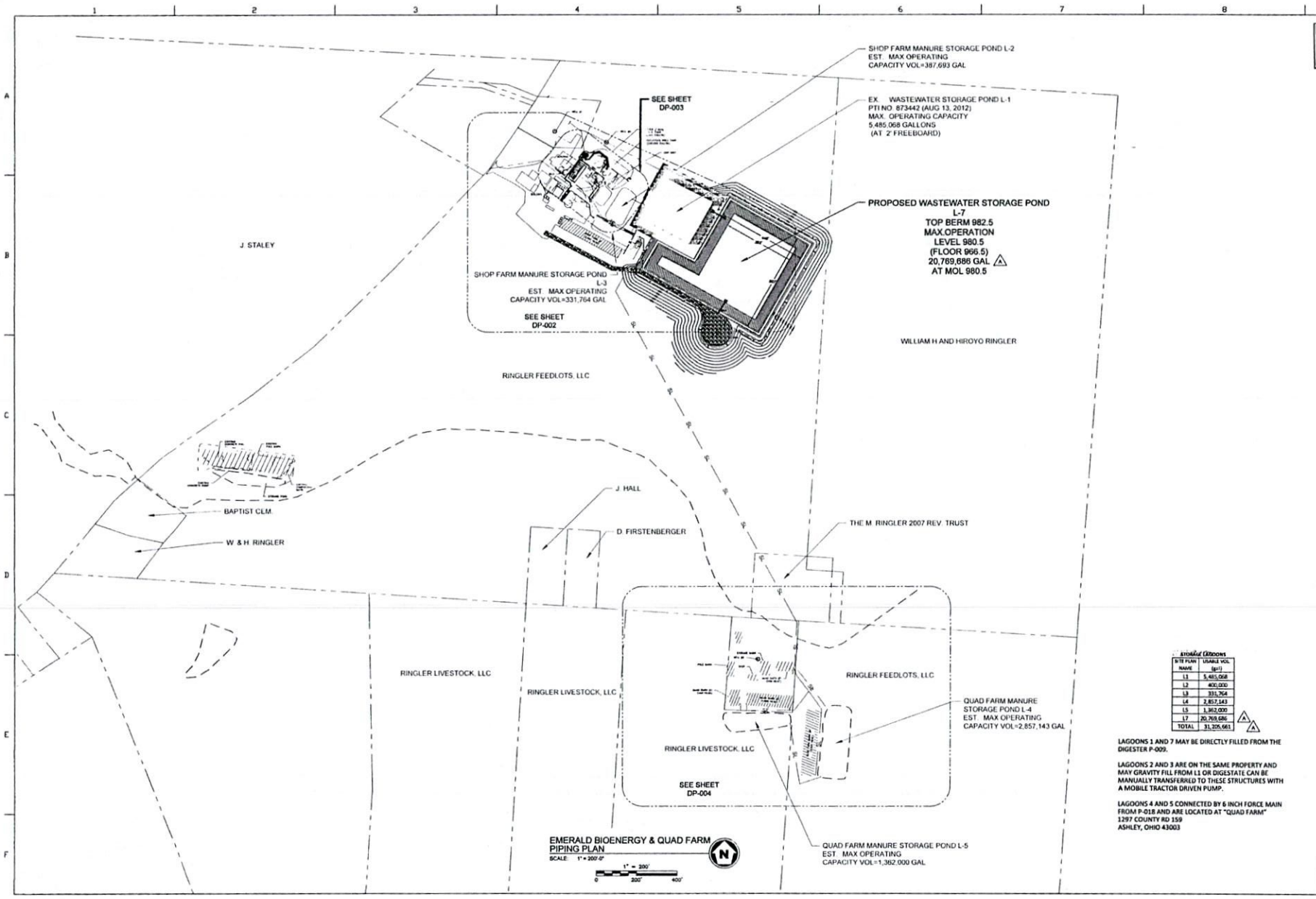
STORAGE LAGOONS

AREA	CHECKED BY CH
JOB NO. 1702	DRAWN BY NM
SCALE N.T.S.	DATE 08/23/18
DWG NO. 0010-005	
SHEET NO. 5	

C:\Users\nmsatt\Google Drive\Green Arrow\02 Projects\1702 Renergy Emerald Bioenergy\07 Drawing\02 PFD\



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Ohio EPA

STORAGE LAGOONS	
SITE PLAN NAME	USABLE VOL (gal)
L1	5,485,068
L2	400,000
L3	331,764
L4	2,857,143
L5	1,362,000
L7	20,769,686
TOTAL	31,205,661

LAGOONS 1 AND 7 MAY BE DIRECTLY FILLED FROM THE DIGESTER P-009.

LAGOONS 2 AND 3 ARE ON THE SAME PROPERTY AND MAY GRAVITY FILL FROM L1 OR DIGESTATE CAN BE MANUALLY TRANSFERRED TO THESE STRUCTURES WITH A MOBILE TRACTOR DRIVEN PUMP.

LAGOONS 4 AND 5 CONNECTED BY 6 INCH FORCE MAIN FROM P-018 AND ARE LOCATED AT "QUAD FARM"
1297 COUNTY RD 159
ASHLEY, OHIO 43003

NO.	DATE
B	12/13/2018

REVISION
L-7 UPDATED PER NP ENGINEERING 12/12/18 DRAWINGS

NO.	DATE
A	11/21/2018

REVISION
STORAGE LAGOON L-7 SIZE UPDATED PER NP ENGINEERING 11/20/2018 SUBMITTAL DWGS

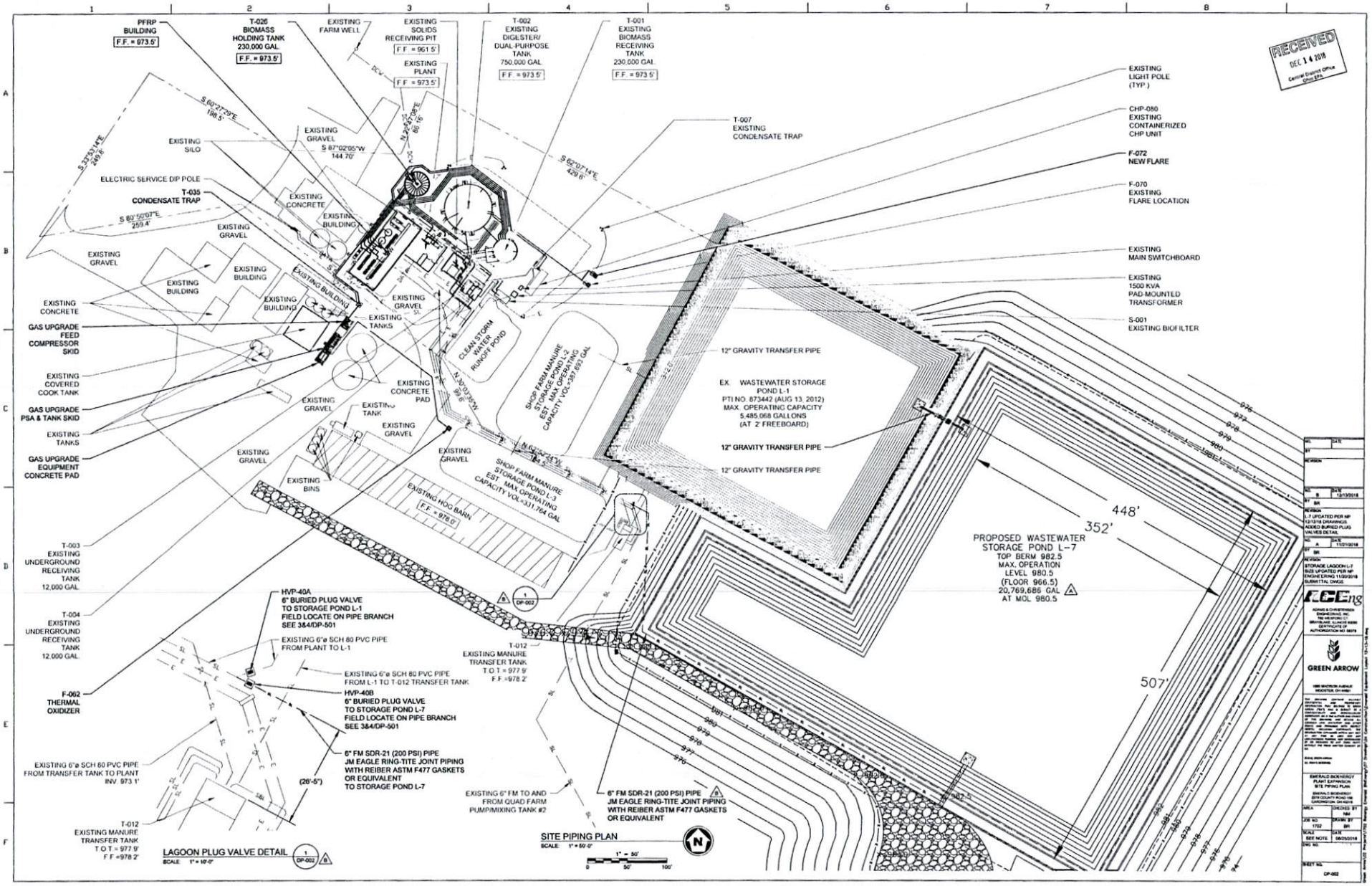
ACEng
ADAMS & CHRISTENSEN ENGINEERING, INC.
7812 MILFORD RD
GREENVILLE, OHIO 45331
CERTIFICATE OF AUTHORIZATION NO 28079

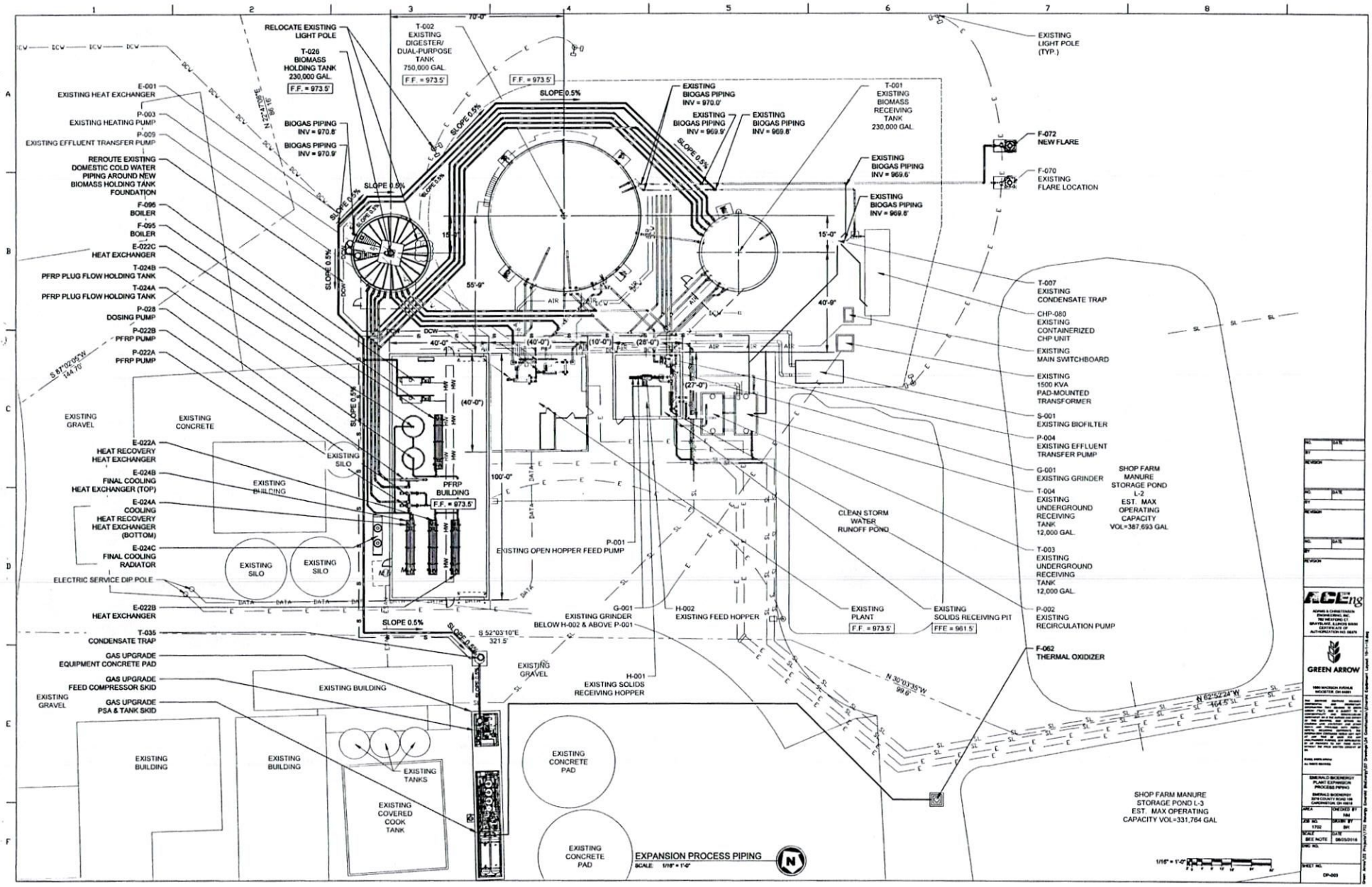
GREEN ARROW
1888 MADISON AVENUE
HOOKSTON, OH 43907

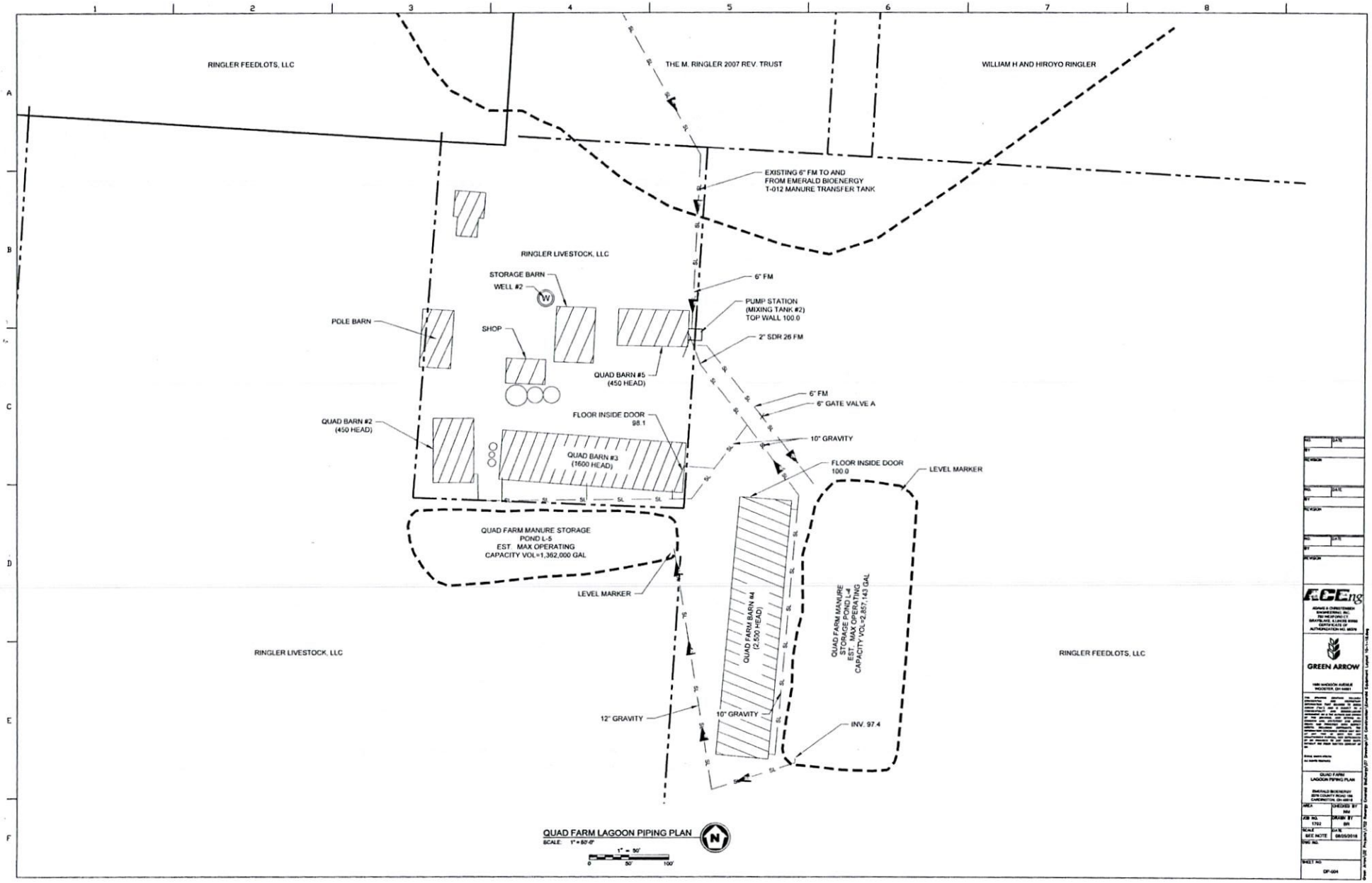
EMERALD BIOENERGY & QUAD FARM PIPING PLAN

EMERALD BIOENERGY
SITE COUNTY ROAD 159
CARDINGTON, OH 43315

AREA	CHECKED BY
1702	RAM
JOB NO.	DRAWN BY
	BH
SCALE	DATE
SEE NOTE	06/25/2018
DWG NO.	
SHEET NO.	
DP-001	


PFRP BUILDING F.F. = 973.5'
T-026 BIOMASS HOLDING TANK 230,000 GAL. F.F. = 973.5'
EXISTING FARM WELL
EXISTING SOLIDS RECEIVING PIT F.F. = 961.5'
EXISTING PLANT F.F. = 973.5'
T-002 EXISTING DIGESTER/ DUAL-PURPOSE TANK 750,000 GAL. F.F. = 973.5'
T-001 EXISTING BIOMASS RECEIVING TANK 230,000 GAL. F.F. = 973.5'
EXISTING LIGHT POLE (TYP.)
CHP-080 EXISTING CONTAINERIZED CHP UNIT
F-072 NEW FLARE
F-070 EXISTING FLARE LOCATION
EXISTING MAIN SWITCHBOARD
EXISTING 1500 KVA PAD-MOUNTED TRANSFORMER
S-001 EXISTING BIOFILTER
T-007 EXISTING CONDENSATE TRAP
EXISTING SILO
ELECTRIC SERVICE DIP POLE
T-035 CONDENSATE TRAP
EXISTING GRAVEL
EXISTING CONCRETE
EXISTING BUILDING
EXISTING TANKS
GAS UPGRADE FEED COMPRESSOR SKID
EXISTING COVERED COOK TANK
GAS UPGRADE PSA & TANK SKID
GAS UPGRADE EQUIPMENT CONCRETE PAD
EXISTING CONCRETE PAD
CLEAN STORM WATER RUNOFF POND
SHOP FARM MANURE STORAGE POND L-2 EST. MAX OPERATING CAPACITY VOL.=397,693 GAL
SHOP FARM MANURE STORAGE POND L-3 EST. MAX OPERATING CAPACITY VOL.=331,764 GAL
EXISTING HOG BARN F.F. = 978.0'
EXISTING BINS
12" GRAVITY TRANSFER PIPE
EX. WASTEWATER STORAGE POND L-1 PTI NO. 873442 (AUG 13, 2012) MAX. OPERATING CAPACITY 5,485,068 GALLONS (AT 2' FREEBOARD)
PROPOSED WASTEWATER STORAGE POND L-7 TOP BERM 982.5 MAX. OPERATION LEVEL 980.5 (FLOOR 966.5) 20,769,686 GAL AT MOL 980.5
448'
352'
507'
T-003 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL.
T-004 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL.
F-062 THERMAL OXIDIZER
HVP-40A 6" BURIED PLUG VALVE TO STORAGE POND L-1 FIELD LOCATE ON PIPE BRANCH SEE 3&4/DP-501
EXISTING 6"ø SCH 80 PVC PIPE FROM PLANT TO L-1
EXISTING 6"ø SCH 80 PVC PIPE FROM L-1 TO T-012 TRANSFER TANK
HVP-40B 6" BURIED PLUG VALVE TO STORAGE POND L-7 FIELD LOCATE ON PIPE BRANCH SEE 3&4/DP-501
6" FM SDR-21 (200 PSI) PIPE JM EAGLE RING-TITE JOINT PIPING WITH REIBER ASTM F477 GASKETS OR EQUIVALENT TO STORAGE POND L-7
EXISTING 6"ø SCH 80 PVC PIPE FROM TRANSFER TANK TO PLANT INV. 973.1'
T-012 EXISTING MANURE TRANSFER TANK T.O.T. = 977.9' F.F. = 978.2'
(26'-5")
T-012 EXISTING MANURE TRANSFER TANK T.O.T. = 977.9' F.F. = 978.2'
EXISTING 6" FM TO AND FROM QUAD FARM PUMP/MIXING TANK #2
6" FM SDR-21 (200 PSI) PIPE JM EAGLE RING-TITE JOINT PIPING WITH REIBER ASTM F477 GASKETS OR EQUIVALENT
LAGOON PLUG VALVE DETAIL
SITE PIPING PLAN
RECEIVED DEC 14 2018 Central District Office Ohio EPA
GREEN ARROW
EMERALD BIOENERGY PLANT EXPANSION SITE PIPING PLAN
DP-002


RELOCATE EXISTING LIGHT POLE
T-026 BIOMASS HOLDING TANK 230,000 GAL.
F.F. = 973.5'
T-002 EXISTING DIGESTER/ DUAL-PURPOSE TANK 750,000 GAL.
F.F. = 973.5'
E-001 EXISTING HEAT EXCHANGER
P-003 EXISTING HEATING PUMP
P-009 EXISTING EFFLUENT TRANSFER PUMP
REROUTE EXISTING DOMESTIC COLD WATER PIPING AROUND NEW BIOMASS HOLDING TANK FOUNDATION
F-096 BOILER
F-095 BOILER
E-022C HEAT EXCHANGER
T-024B PFRP PLUG FLOW HOLDING TANK
T-024A PFRP PLUG FLOW HOLDING TANK
P-028 DOSING PUMP
P-022B PFRP PUMP
P-022A PFRP PUMP
BIOGAS PIPING INV = 970.8'
BIOGAS PIPING INV = 970.9'
SLOPE 0.5%
EXISTING BIOGAS PIPING INV = 970.0'
EXISTING BIOGAS PIPING INV = 969.9'
EXISTING BIOGAS PIPING INV = 969.8'
EXISTING BIOGAS PIPING INV = 969.6'
T-001 EXISTING BIOMASS RECEIVING TANK 230,000 GAL.
EXISTING LIGHT POLE (TYP.)
F-072 NEW FLARE
F-070 EXISTING FLARE LOCATION
T-007 EXISTING CONDENSATE TRAP
CHP-080 EXISTING CONTAINERIZED CHP UNIT
EXISTING MAIN SWITCHBOARD
EXISTING 1500 KVA PAD-MOUNTED TRANSFORMER
S-001 EXISTING BIOFILTER
P-004 EXISTING EFFLUENT TRANSFER PUMP
G-001 EXISTING GRINDER
T-004 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL.
SHOP FARM MANURE STORAGE POND L-2 EST. MAX OPERATING CAPACITY VOL=387,693 GAL
T-003 EXISTING UNDERGROUND RECEIVING TANK 12,000 GAL.
P-002 EXISTING RECIRCULATION PUMP
F-062 THERMAL OXIDIZER
EXISTING GRAVEL
EXISTING CONCRETE
E-022A HEAT RECOVERY HEAT EXCHANGER
E-024B FINAL COOLING HEAT EXCHANGER (TOP)
E-024A COOLING HEAT RECOVERY HEAT EXCHANGER (BOTTOM)
E-024C FINAL COOLING RADIATOR
ELECTRIC SERVICE DIP POLE
E-022B HEAT EXCHANGER
T-035 CONDENSATE TRAP
GAS UPGRADE EQUIPMENT CONCRETE PAD
GAS UPGRADE FEED COMPRESSOR SKID
GAS UPGRADE PSA & TANK SKID
EXISTING SILO
EXISTING BUILDING
PFRP BUILDING
F.F. = 973.5'
EXISTING OPEN HOPPER FEED PUMP
P-001
G-001 EXISTING GRINDER BELOW H-002 & ABOVE P-001
H-002 EXISTING FEED HOPPER
H-001 EXISTING SOLIDS RECEIVING HOPPER
CLEAN STORM WATER RUNOFF POND
EXISTING PLANT F.F. = 973.5'
EXISTING SOLIDS RECEIVING PIT FFE = 961.5'
EXISTING TANKS
EXISTING COVERED COOK TANK
EXISTING CONCRETE PAD
SHOP FARM MANURE STORAGE POND L-3 EST. MAX OPERATING CAPACITY VOL=331,764 GAL
S 87°02'05"W 144.10'
N 22°17'09"E 98.16'
S 52°03'10"E 321.5'
N 30°03'35"W 99.6'
N 62°54'24"W 464.5'
EXPANSION PROCESS PIPING
SCALE 1/16" = 1'-0"
GREEN ARROW
ACEng
DP-003


RINGLER FEEDLOTS, LLC
THE M. RINGLER 2007 REV. TRUST
WILLIAM H AND HIROYO RINGLER
EXISTING 6" FM TO AND
FROM EMERALD BIOENERGY
T-012 MANURE TRANSFER TANK
RINGLER LIVESTOCK, LLC
STORAGE BARN
WELL #2
6" FM
PUMP STATION
(MIXING TANK #2)
TOP WALL 100.0
POLE BARN
SHOP
2" SDR 26 FM
QUAD BARN #5
(450 HEAD)
6" FM
6" GATE VALVE A
QUAD BARN #2
(450 HEAD)
FLOOR INSIDE DOOR
98.1
10" GRAVITY
QUAD BARN #3
(1600 HEAD)
FLOOR INSIDE DOOR
100.0
LEVEL MARKER
QUAD FARM MANURE STORAGE
POND L-5
EST. MAX OPERATING
CAPACITY VOL=1,362,000 GAL
LEVEL MARKER
QUAD FARM BARN #4
(2,500 HEAD)
QUAD FARM MANURE
STORAGE POND L-4
EST. MAX OPERATING
CAPACITY VOL=2,857,143 GAL
RINGLER LIVESTOCK, LLC
RINGLER FEEDLOTS, LLC
12" GRAVITY
10" GRAVITY
INV. 97.4
QUAD FARM LAGOON PIPING PLAN
SCALE: 1" = 50'-0"
1" = 50'
0
50'
100'
ACEng
GREEN ARROW
QUAD FARM
LAGOON PIPING PLAN
CHECKED BY
DRAWN BY
JOB NO.
1702
SCALE
SEE NOTE
DATE
08/05/2016
SHEET NO.
DP-004

Application No. OH0142492

Issue Date: March 29, 2021

Effective Date: May 1, 2021

Expiration Date: April 30, 2026

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Renergy, Inc.

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to treat, store, transfer, or beneficially use digester effluent and biosolids generated at Emerald Bioenergy, LLC located at 2279 County Road 156, Cardington, Ohio, Morrow County in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson

Laurie A. Stevenson
Director

Total Pages: 42

PENGAD 800-631-6989
EXHIBIT
7

Part I, A. - INTERNAL MONITORING REQUIREMENTS

1. Biomass Monitoring to Anaerobic Digester. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the biomass leaving the feedstock equalization tank prior to the anaerobic digester at Station Number 4IN00204601, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 601 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
51028 - Hydraulic Loading Rate (HLR) - GPD	50120	-	-	-	-	-	-	1/Week	Continuous	All
70318 - Sludge Solids, Percent Total - %	-	-	-	-	-	-	-	1/Week	Composite	All
70322 - Sludge Solids, Percent Volatile - %	-	-	-	-	-	-	-	1/Week	Composite	All
80116 - COD, Soluble - mg/l	-	-	-	-	-	-	-	1/Week	Composite	All
99981 - Organic Loading Rate (OLR) - lb/cf/day	-	-	-	-	-	-	-	1/Week	Continuous	All

NOTES for Station Number 4IN00204601:

a. The organic loading rate (OLR) shall be reported as a weekly average. OLR = [volume of biomass feed (GPD) x decimal fraction total solids x 8.34 (lb/gallon) x decimal fraction volatile solids] ÷ digester volume (cubic feet)

b. The hydraulic loading rate (HLR) shall be reported as a weekly average.

Part I, A. - INTERNAL MONITORING REQUIREMENTS

2. Anaerobic Digester Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the biomass in the anaerobic digester at Station Number 4IN00204602, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 602 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	3/Week	Composite	All
00410 - Alkalinity, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	3/Week	Composite	All
72026 - Detention Time, days - days	-	15	-	-	-	-	-	1/Week	Continuous	All
99978 - Temperature, In Sludge - F	-	68	-	-	-	-	-	1/Day	Continuous	All
99980 - Volatile Fatty Acids (VFA) - mg/l	-	-	-	-	-	-	-	3/Week	Composite	All

NOTES for Station Number 4IN00204602:
a. Temperature shall be the daily minimum.
b. Minimum detention time or mean cell residence time (MCRT) shall be calculated as described in the SOP required by Part II. E.

Part I, A. - INTERNAL MONITORING REQUIREMENTS

4. Anaerobic Digester Effluent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the effluent from the anaerobic digester at Station Number 4IN00204603, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 603 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00157 - Solids, Total Volatile - % Removed	-	38	-	-	-	-	-	1/Week	Calculated	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
70322 - Sludge Solids, Percent Volatile - %	-	-	-	-	-	-	-	1/Week	Composite	All
80116 - COD, Soluble - mg/l	-	-	-	-	-	-	-	1/Week	Composite	All
99979 - Foreign Matter, percent - %	1.0	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 4IN00204603:
a. Foreign matter (inert) sampling shall be performed in accordance with the alternative screening waiver issued on June 24, 2015.

Part I, A. - POND MONITORING REQUIREMENTS

5. Pond Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor pond L1 at Station Number 4IN00204604, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 604 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Total	All
99977 - Maximum Operating Level (MOL), Sludge - mgals	5.48507	-	-	-	-	-	-	1/Week	Total	All

Part I, A. - POND MONITORING REQUIREMENTS

5. Pond Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor pond L2 at Station Number 4IN00204605, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 605 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Total	All
99977 - Maximum Operating Level (MOL), Sludge - mgals	0.38769	-	-	-	-	-	-	1/Week	Total	All

Part I, A. - POND MONITORING REQUIREMENTS

5. Pond Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor pond L3 at Station Number 4IN00204606, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 606 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Total	All
99977 - Maximum Operating Level (MOL), Sludge - mgals	0.33176	-	-	-	-	-	-	1/Week	Total	All

Part I, A. - POND MONITORING REQUIREMENTS

5. Pond Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor pond L4 at Station Number 4IN00204607, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 607 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Total	All
99977 - Maximum Operating Level (MOL), Sludge - mgals	2.85714	-	-	-	-	-	-	1/Week	Total	All

Part I, A. - POND MONITORING REQUIREMENTS

5. Pond Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor pond L5 at Station Number 4IN00204608, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 608 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Total	All
99977 - Maximum Operating Level (MOL), Sludge - mgals	1.36200	-	-	-	-	-	-	1/Week	Total	All

Part I, A. - POND MONITORING REQUIREMENTS

5. Pond Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor pond L7 at Station Number 4IN00204609, and report to the Ohio EPA in accordance with the following table.

Table - Internal Monitoring Station - 609 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Total	All
99977 - Maximum Operating Level (MOL), Sludge - mgals	20.76969	-	-	-	-	-	-	1/Week	Total	All

Part I, B. - MONITORING REQUIREMENTS FOR BENEFICIAL USE

1. Beneficial Use Monitoring - During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the digester effluent or biosolids prior to land application at Station Number 4IN00204581, and report to the Ohio EPA in accordance with the following table.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Composite	All
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Month	Composite	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 4IN00204581:
a. Monitoring is required when digester effluent or biosolids are removed for beneficial use. The monitoring data shall be reported monthly on each Electronic Discharge Monitoring Report (eDMR). The monitoring data can be collected at any time during the reporting period.

b. Samples shall be collected and analyzed close enough to the time of beneficial use to be reflective of the current quality of the effluent or biosolids, but not so close that the results of the analysis are not available prior to beneficial use.

c. Metal pollutant analysis must be completed during each reporting period, whether effluent or biosolids are removed from the treatment works or not, or the number of composite samples collected and reported shall be increased prior to the next beneficial use event to account for the reporting period(s) in which beneficial use did not occur, unless all previously accumulated effluent or biosolids have been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.

d. If metal analysis has not been completed previously during each reporting period: when effluent or biosolids are removed from the treatment works, all metal analysis results shall be reported on the applicable eDMR by entering the separate results on different days within the DMR with a note to indicate the actual day(s) when the samples were collected.

e. If no effluent or biosolids are removed from the treatment works for beneficial use during the reporting period, the permittee shall report under station 581 by selecting the "No Discharge" check box on the data entry form.

f. Sludge weight. To convert from gallons of liquid effluent or biosolids to dry tons: dry tons= gallons x 8.34 (lb/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

g. Units of mg/kg are on a dry weight basis.

Part I, B. - MONITORING REQUIREMENTS FOR TRANSFER TO REGIONAL STORAGE FACILTY

2. Biosolids Monitoring - Class B biosolids transferred to a regional storage facility. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the biosolids prior to transfer to an NPDES permitted Class B biosolids regional storage facility at Station Number 4IN00204582, and report to the Ohio EPA in accordance with the following table.

Table - Sludge Monitoring - 582 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Composite	All
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Month	Composite	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 4IN00204582:

a. Monitoring is required when Class B biosolids are transferred to a regional storage facility. Class B biosolids PR And VAR requirements

shall be met prior to being transferred to a permitted Class B biosolids regional storage facility. The monitoring data shall be reported monthly on each Electronic Discharge Monitoring Report (eDMR). The monitoring data can be collected at any time during the reporting period and may be the same data as reported under the 581 monitoring station.

b. Samples of the biosolids shall be collected and analyzed close enough to the time of transfer to a regional storage facility to be reflective of the current quality of the biosolids, but not so close that the results of the analysis are not available prior to the beneficial use of biosolids.

c. Metal pollutant analysis must be completed during each reporting period, whether biosolids are removed from the treatment works or not, or the number of composite samples collected and reported shall be increased prior to the next beneficial use event to account for the reporting period(s) in which beneficial use did not occur, unless all previously accumulated biosolids have been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.

d. If metal analysis has not been completed previously during each reporting period: when biosolids are removed from the treatment works, all metal analysis results shall be reported on the applicable eDMR by entering the separate results on different days within the DMR with a note to indicate the actual day(s) when the samples were collected.

e. If no biosolids are removed from the treatment works for transfer to a regional storage facility during the reporting period, the permittee shall report under station 582 by selecting the "No Discharge" check box on the data entry form.

f. Sludge weight is a calculated total for the year. To convert from gallons of liquid biosolids to dry tons of biosolids: dry tons= gallons x 8.34 (lb/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

g. Units of mg/kg are on a dry weight basis.

Part I, B. - MONITORING REQUIREMENTS FOR LANDFILL

3. Digester effluent, Sludge, or Biosolids Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the digester effluent, sewage sludge, or biosolids that are removed for disposal in a mixed solid waste landfill at Station Number 4IN00204586, and report to the Ohio EPA in accordance with the following table.

Table - Sludge Monitoring - 586 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

Notes for Station Number 4IN00204586:

a. Monitoring is required when digester effluent, sewage sludge, or biosolids are removed from the permittee's facility for disposal in a solid waste landfill. The total Sludge Fee Weight of effluent, sewage sludge, or biosolids disposed of in a solid waste landfill for the entire year shall be reported on the December Electronic Discharge Monitoring Report (eDMR).

b. If no digester effluent, sewage sludge, or biosolids are removed from the Permittee's facility for disposal in a solid waste landfill during the year, select the "No Discharge" check box on the data entry form.

c. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

Part I, B. - MONITORING REQUIREMENTS FOR TRANSFER

4. Digester effluent, Sludge, or Biosolids Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the digester effluent, sewage sludge, or biosolids that are removed for transfer to another NPDES permit holder for treatment at Station Number 4IN00204588, and report to the Ohio EPA in accordance with the following table. Station 588 shall not be used to report biosolids transferred to a Class B biosolids regional storage facility.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 4IN00204588:

a. Monitoring is required when digester effluent, sewage sludge, or biosolids are removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Electronic Discharge Monitoring Report (eDMR).

b. If no digester effluent, sewage sludge, or biosolids are removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form.

c. Sludge weight is a calculated total for the year. To convert from gallons of liquid effluent, sewage sludge, or biosolids to dry tons: dry tons= gallons x 8.34 (lb/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

Part I, B. - SLUDGE OR BIOSOLIDS MONITORING REQUIREMENTS

6. Monitoring of Material from Digester Clean-out. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the material that is removed from the anaerobic digester during clean-out at Station Number 4IN00204589, and report to the Ohio EPA in accordance with the following table.

Table - Sludge Monitoring - 589 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00400 - pH - S.U.	-	-	-	-	-	-	-	When Disch.	Composite	December
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01003 - Arsenic, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01028 - Cadmium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01043 - Copper, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01052 - Lead, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01068 - Nickel, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01093 - Zinc, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
01148 - Selenium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
04174 - Free Liquids, In Sludge - Pass = 0 Fail = 1	-	-	-	-	-	-	-	When Disch.	Composite	December
31641 - Fecal Coliform in Sludge - MPN/G	-	-	-	-	-	-	-	When Disch.	Multiple Grab	December
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	When Disch.	Total	December
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	When Disch.	Total	December
70318 - Sludge Solids, Percent Total - %	-	-	-	-	-	-	-	When Disch.	Composite	December
71921 - Mercury, Total In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
78465 - Molybdenum In Sludge - mg/kg	-	-	-	-	-	-	-	When Disch.	Composite	December
99973 - Sludge Volume, to regional storage facility - gals	-	-	-	-	-	-	-	When Disch.	Total	December
99974 - Sludge Weight, to regional storage facility - dry tons	-	-	-	-	-	-	-	When Disch.	Total	December
99975 - Sludge Volume, to approved beneficial use sites - gals	-	-	-	-	-	-	-	When Disch.	Total	December
99976 - Sludge Weight, to approved beneficial use sites - dry tons	-	-	-	-	-	-	-	When Disch.	Total	December
99979 - Foreign Matter, percent - %	-	-	-	-	-	-	-	When Disch.	Composite	December

NOTES for Station Number 4IN00204589:

a. Monitoring is required when material is removed from the anaerobic digester during a clean-out prior to beneficial use or transfer to a regional storage facility to confirm classification as Class B biosolids. The monitoring data shall be reported on Electronic Discharge Monitoring Report (eDMR). The total sludge weight removed shall be reported under 70316. The sludge weight for each use category shall be reported under 99973, 99974, 99975, or 99976, as applicable.

b. Samples of the clean-out material shall be collected and analyzed close enough to the time of beneficial use or transfer to a regional storage facility to confirm classification as Class B biosolids, but not so close that the results of the analysis are not available prior to beneficial use or transfer to a regional storage facility. Only material that meets the limits set forth in this table shall be considered Class B biosolids eligible to be beneficially used or transferred to a regional storage facility.

c. Free Liquid, In Sludge, shall be used to report the results of the paint filter liquids test using SW-846 Test Method 9095B. Only biosolids that have no liquid detected, i.e. pass the paint filter test, are eligible for regional storage at a dry storage facility. For reporting, Pass = 0 and Fail = 1

d. If no material is removed from the treatment works during a digester clean-out, the permittee shall report under station 589 by selecting the "No Discharge" check box on the data entry form.

e. For sludge weight, to convert from gallons of liquid biosolids to dry tons of biosolids: dry tons= gallons x 8.34 (lb/gallon) x 0.0005 (tons/lb) x decimal fraction total solids

Part I, B. - GROUNDWATER MONITORING REQUIREMENTS

5. Groundwater Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the piezometer, PZ-1 at Station Number 4IN00204701, and report to the Ohio EPA in accordance with the following table.

Table - Well Monitoring - 701 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00011 - Water Temperature - F	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00070 - Turbidity - J.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00400 - pH - S.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00615 - Nitrogen, Nitrite (NO2) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00620 - Nitrogen, Nitrate (NO3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00929 - Sodium, Total (Na) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00937 - Potassium, Total (K) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00940 - Chloride, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00945 - Sulfate, (SO4) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual

NOTES for Station Number 4IN00204701:
a. Sampling shall be performed in the months of June and December.
b. The following parameters shall be monitored in the field: conductivity, pH, temperature, and turbidity. All other parameters shall be monitored in a laboratory.

Part I, B. - GROUNDWATER MONITORING REQUIREMENTS

6. Groundwater Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the piezometer, PZ-2 at Station Number 4IN00204702, and report to the Ohio EPA in accordance with the following table.

Table - Well Monitoring - 702 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00011 - Water Temperature - F	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00070 - Turbidity - J.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00400 - pH - S.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00615 - Nitrogen, Nitrite (NO2) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00620 - Nitrogen, Nitrate (NO3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00929 - Sodium, Total (Na) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00937 - Potassium, Total (K) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00940 - Chloride, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00945 - Sulfate, (SO4) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual

NOTES for Station Number 4IN00204702:
a. Sampling shall be performed in the months of June and December.
b. The following parameters shall be monitored in the field: conductivity, pH, temperature, and turbidity. All other parameters shall be monitored in a laboratory.

Part I, B. - GROUNDWATER MONITORING REQUIREMENTS

7. Groundwater Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the piezometer, PZ-3 at Station Number 4IN00204703, and report to the Ohio EPA in accordance with the following table.

Table - Well Monitoring - 703 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00011 - Water Temperature - F	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00070 - Turbidity - J.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00400 - pH - S.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00615 - Nitrogen, Nitrite (NO2) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00620 - Nitrogen, Nitrate (NO3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00929 - Sodium, Total (Na) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00937 - Potassium, Total (K) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00940 - Chloride, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00945 - Sulfate, (SO4) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual

NOTES for Station Number 4IN00204703:
a. Sampling shall be performed in the months of June and December.
b. The following parameters shall be monitored in the field: conductivity, pH, temperature, and turbidity. All other parameters shall be monitored in a laboratory.

Part I, B. - GROUNDWATER MONITORING REQUIREMENTS

8. Groundwater Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the piezometer, PZ-4 at Station Number 4IN00204704, and report to the Ohio EPA in accordance with the following table.

Table - Well Monitoring - 704 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00011 - Water Temperature - F	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00070 - Turbidity - J.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00400 - pH - S.U.	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00615 - Nitrogen, Nitrite (NO2) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00620 - Nitrogen, Nitrate (NO3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00929 - Sodium, Total (Na) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00937 - Potassium, Total (K) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00940 - Chloride, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
00945 - Sulfate, (SO4) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual

NOTES for Station Number 4IN00204703:
a. Sampling shall be performed in the months of June and December.
b. The following parameters shall be monitored in the field: conductivity, pH, temperature, and turbidity. All other parameters shall be monitored in a laboratory.

Part I.C. SCHEDULE OF COMPLIANCE

1. STABILITY

Not later than 6 months from the effective date of this permit, the permittee shall submit a plan to implement a method to demonstrate a stable digestate. (Event code 34099)

a. Ohio EPA will review the plan and provide comments to the permittee. The permittee shall respond to any comments as noted by Ohio EPA within 14 days of receipt.

b. Within 14 days of notification of acceptance of this plan by Ohio EPA, the permittee shall initiate implementation of the plan, including any revisions necessary to address Ohio EPA comments, and submit an NPDES permit modification request for the inclusion of alternative stability assessment parameters.

2. ODOR MITIGATION PLAN

a. The permittee shall submit to Ohio EPA for acceptance an Odor Mitigation Plan (OMP) for the purpose of optimizing operations to reduce air emissions thereby reducing nuisance odors. The OMP shall include:

. i. An evaluation of all potential sources that may contribute to off-site odors. Potential odor sources include, but are not limited to, delivery trucks, feedstock receiving station, effluent loading areas, effluent trucks, captured air handling system, malfunctioning/improperly maintained biofilter, pressure relief valves, venting from tanks (feedstock and digester), leak detection system, ponds, and routine maintenance;

. ii. An evaluation of possible odor source reduction measures to be implemented at the potential odor sources or during potentially odorous activities;

. iii. An evaluation of operational improvements or facility modifications that could be used to minimize off-site odors from or during the potential odor sources;

. iv. A proposed schedule for implementing any recommended odor mitigation measures identified through the evaluation process.

b. The plan shall be submitted to Ohio EPA for acceptance no later than 2 months from the effective date of this permit. (Event Code 34099)

. i. Ohio EPA will review the plan and provide comments to the permittee. The permittee shall respond to any comments as noted by Ohio EPA within 30 days of receiving Ohio EPA comments.

c. Upon acceptance of the OMP by Ohio EPA, the permittee shall implement the recommended measures, improvements, and modifications in accordance with the plan and schedule specified in the OMP. A complete Permit-to-Install (PTI) application and approvable detail plans must be submitted where required.

Part II, OTHER REQUIREMENTS

A. Description of the required sampling stations are as follows:

Sampling Station	Description
4IN00204581	Beneficial use of digester effluent or Class B biosolids
4IN00204582	Class B biosolids transferred to an NPDES permitted regional storage facility
4IN00204586	Landfilling of digester effluent, sewage sludge, or biosolids
4IN00204588	Transferring digester effluent, sewage sludge, or biosolids to another NPDES permit holder for treatment
4IN00204601	Biomass leaving feedstock equalization tank, prior to anaerobic digester
4IN00204602	Biomass in anaerobic digester
4IN00204603	Effluent from anaerobic digester
4IN00204604	Pond 1 (L1) 40°26'40.027" N, 82°57'33.818" W
4IN00204605	Pond 2 (L2) 40°26'40.376" N, 82°57'37.379" W
4IN00204606	Pond 3 (L3) 40°26'39.088" N, 82°57'38.059" W
4IN00204607	Pond 4 (L4) 40°26'13.898" N, 82°57'23.411" W
4IN00204608	Pond 5 (L5) 40°26'14.885" N, 82°57'28.444" W
4IN00204609	Pond 7 (L7) 40°26'37.172" N, 82°57'28.757" W
4IN00204701	Piezometer 1 (PZ-1) East corner of L7
4IN00204702	Piezometer 2 (PZ-2) South corner of L7
4IN00204703	Piezometer 3 (PZ-3) North corner of L7
4IN00204704	Piezometer 4 (PZ-4) West corner of L7

B. All treatment, storage, transfer, disposal or beneficial use of digester effluent or biosolids by the Permittee shall comply, as applicable, with Chapter 6111 of the Ohio Revised Code, Chapter 3745 of the Ohio Administrative Code (OAC), any further requirements specified in this national pollutant discharge elimination system (NPDES) permit, and any other pertinent actions of the Director.

C. If sewage sludge or biosolids are received as a feedstock, the permittee shall demonstrate pathogen reduction (PR) using alternative P-4, anaerobic digestion in accordance with OAC 3745-40-04(B)(4).

D. If sewage sludge or biosolids are received as a feedstock, vector attraction reduction (VAR) shall be met using alternative VAR-1, a minimum of 38% volatile solids reduction in accordance with OAC 3745-40-04 (C)(1).

E. If sewage sludge or biosolids are received as a feedstock, an SOP that details how PR and VAR are met as described in OAC 3745-40-09(C) shall be submitted to Ohio EPA for acceptance within 60 days of the effective date of this permit. This SOP shall include how the mean cell residence time for each digester is calculated.

F. This NPDES permit is for the beneficial use of effluent or Class B biosolids generated from the anaerobic digestion of animal wastes, biosolids, energy crops (i.e. grain, hay, silage, spilled and soiled feed, and stover), fats, oils, and greases (FOG), food scraps, food waste, glycerin byproducts from bio-diesel production, sewage sludge, stillage byproducts from ethanol production, and yard waste for the purpose of producing energy from methane generation. All other feedstocks must be separately approved by Ohio EPA

G. Upon issuance of this permit, the permittee shall begin submitting a monthly tracking sheet to Ohio EPA by the 20th day of the month following the month-of-interest. The tracking sheet shall include, at a minimum, the following for each feedstock load received:

1. Date received
2. Type of feedstock
3. Amount delivered
4. Location accepted (liquid or solids receiving station, biomass tank, or digester)

H. A Facility Operational Plan shall be maintained at the facility and made available to Ohio EPA upon request. This plan shall include, at a minimum, the following:

1. Facility overview and process flow diagram that describes material management such as feedstock unloading procedures, feedstock mixing procedures, digester feed rate determination, and target operating conditions, e.g. digester time and temperature range, pH, and VFA/Alk ratio.

2. Standard Operating Procedures (SOPs) for routine maintenance for treatment and odor mitigation components.

3. SOPs for emergency conditions that threaten the environment.

4. SOPs for land application that address, at a minimum, the following:
a. Compliance with applicable site restrictions.
b. Minimization of off-site odors.
c. Injection and incorporation procedures.
d. Soil sampling procedures.
e. Agronomic rate calculations.
f. Development and distribution of Notice and Necessary Information Sheets (NANIs).
g. Sign placement.
h. Calibration of land application equipment.
i. Use of mobile storage tanks.
j. Monitoring of sites with subsurface tile drainage.
k. Use of drag hoses.
l. Tracking of biosolids from multiple facilities to one beneficial use site.

5. A spill contingency plan that establishes measures and procedures to respond to a spill event at the facility, storage facility, or at beneficial use sites in order to minimize discharges to surface waters, and to prevent public exposure to the spilled material. This plan shall, at a minimum, include:
a. Emergency contact information.
b. Notification protocol.
c. Types and locations of equipment that will be used to clean a spill.
d. Procedures for preventing discharges to waters of the state.
e. Response and remediation procedures.

6. Copies of annual training logs with staff signatures showing that they have received training for the plans outlined in Part II. H.

I. A summary of changes to the Facility Operational Plan that have been made during each calendar year shall be submitted with the annual sludge report required by Part II. X.

J. A Sampling Plan shall be submitted to Ohio EPA for acceptance within 60 days of the effective date of this permit. This plan shall include, at a minimum, the following for all required sampling:
1. Sample collection or monitoring locations
2. Sample or monitoring frequency
3. Sample collection or monitoring procedures
4. Sample storage and preservation procedures

(EVENT CODE 22099)

K. For composite samples, a minimum of six grab samples shall be collected at such times and locations, and in such fashion, as to be representative.

L. By the 20th of each month the permittee shall submit to Ohio EPA, a graph showing both biogas production and the concentration of Volatile Fatty Acids (VFA) per day for the previous month.

M. Effluent Ponds

1. Only effluent that has been treated by anaerobic digestion at Emerald BioEnergy, LLC shall be stored in the ponds noted in Part II Item A. No other feedstocks shall be placed directly into the ponds.

2. The levels of the ponds shall not exceed the gallons available at the approved maximum operating level (MOL) listed below.

.	Gallons at Approved MOL
Pond 1 (L1)	5,485,068
Pond 2 (L2)	387,693
Pond 3 (L3)	331,764
Pond 4 (L4)	2,857,143
Pond 5 (L5)	1,362,000
Pond 7 (L7)	20,769,686

3. Effluent shall not be transferred to a pond when the level is at or above MOL.

4. Should any pond level go above the MOL, the permittee shall immediately notify Ohio EPA and take appropriate action to bring the level below MOL.

5. Each pond must be equipped with a depth marker that clearly indicates the approved MOL and freeboard. The depth marker shall be labeled in inches and easily accessed and read.

6. Adequate storage volume shall be provided and maintained to enable the facility to comply with the MOL requirement and minimum facility storage requirement of at least 120 days. No later than September 15 of each year, the permittee shall evaluate the storage capacity in the ponds and complete a storage evaluation form to be submitted to Ohio EPA by November 1. The storage evaluation shall demonstrate that by December 1, the MOL and minimum facility storage will be maintained in each pond. Failure to submit the evaluation or to take actions the evaluation indicates are necessary shall be considered a violation of this permit.
(Event Code 95999)

7. Mixing/Agitation of the ponds shall be limited to normal weekday business hours (8am to 5pm).

8. The ponds shall be inspected for structural integrity (including evidence of erosion, leakage, animal damage, problems of emerging vegetation) on a monthly basis. Inspection records shall be maintained and made available to Ohio EPA for review upon request. If the permittee or Ohio EPA determines that the soil liners have be impacted by erosion or other structural issues, the liner must be repaired and re-certified by a professional engineer.

9. The ponds must be maintained to discourage vectors. Control of vegetation around the perimeter and within the ponds shall be routinely performed to allow for visual inspection and access to the ponds, to eliminate mosquito habitats, and to prevent roots from damaging the pond liners. Should nuisance vectors associated with the ponds occur, as determined by Ohio EPA, the permittee shall immediately implement all approved corrective action to address the situation.

10. Fencing, other access control devices, and signage required by the applicable PTI for each pond shall be maintained throughout the life of the facility.

N. The permittee shall submit the agronomic rate calculations for each authorized beneficial use site no later than on the day that beneficial use commences at the site. The agronomic rate calculations shall include, at a minimum, the nutrient concentrations of the biosolids, soil phosphorus test results, soil types, crop types, expected crop yield, crop nitrogen requirements, all nutrient sources used at the field, and the total percent solids of liquid biosolids. This information shall be submitted through email to Ohio EPA- Central Office. Ohio EPA may request additional information be included in the agronomic rate submittals.

O. The permittee shall submit a notice of beneficial use site application and receive authorization to beneficially use Class B biosolids at beneficial use sites within Delaware, Marion, Morrow, or Union Counties prior to the beneficial use of Class B biosolids. Beneficial use of biosolids in counties not listed requires a modification of this permit. Notice of Class B beneficial use site applications shall be submitted in accordance with OAC 3745-40-06. Beneficial use of Class B biosolids shall comply with OAC 3745-40-08.

P. The treatment, storage, transfer, disposal or beneficial use of digester effluent or biosolids shall not result in the generation of a nuisance odor, as determined by Ohio EPA. Should a nuisance odor be generated at the facility, a storage facility, or a beneficial use site, all necessary corrective actions to eliminate nuisance odors, including the installation of appropriate odor control equipment in accordance with an approved PTI, shall be immediately implemented.

Q. After acceptance of the initial Odor Mitigation Plan (OMP) in accordance with Part 1, C. Item 2, the permittee shall submit an OMP annual report to Ohio EPA by March 1 of each year. This report shall include a discussion on the effectiveness of the OMP and any revisions made during the year.

R. If groundwater monitoring indicates an increasing trend in concentration(s) for the parameter(s) monitored for Stations 4IN00204701 though 4IN00204704, the permittee shall, within thirty (30) days of being notified by Ohio EPA, submit an evaluation report of the source(s) of the increase including all sources considered, the methods used in the evaluation, and a corrective action plan if an identified source is associated with the Renergy facility, ponds, or operations. The corrective action plan shall be immediately implemented upon authorization of the plan from Ohio EPA

S. Any unauthorized discharge to waters of the state shall be reported to Ohio EPA by e-mail or telephone within thirty minutes of discovery in accordance with Part III.2.

T. Any conditions that result in an unauthorized discharge, reportable spill, or release from the facility, during transport, during activities related to storage, or during the beneficial use shall be reported to Ohio EPA by email or telephone within 24 hours of discovery and, if applicable, within 30 minutes of discovery in accordance with Part III.12.B.2. Reports of the event shall be submitted in accordance with OAC 3745-40-12. For the purposes of this permit, a reportable spill is defined as a spill that is greater than 50 gallons, has entered or has the potential to enter waters of the state, has impacted or has the potential to impact human health, or has occurred on a public roadway or high potential public exposure site. Any spill that does not meet the definition of reportable spill shall be contained and cleaned immediately.

U. Any issue outside of normal operations at the treatment works such as digester upset, systemic methanogen lethality, air release, foaming or rapid volume expansion events, tank ruptures, or explosions shall be reported to Ohio EPA by email or telephone within 24 hours of discovery. For the purposes of this permit, air release is defined as an emission that exceeds one hour in duration or two hours total during a 24-hour period. An air release does not represent normal operations of the facility's vents or emergency pressure relief valves. The issue may require that feedstock acceptance be halted or a failure analysis be performed. Within five days of discovery of any issue, the permittee shall submit a report to Ohio EPA that details the following information:

1. The name of the permittee and a contact name and telephone number.
2. The time(s) at which the issue occurred and was discovered.
3. The characteristics of the issue that occurred.
4. The circumstances that created the issue.
5. The name and telephone number for the person(s) who have knowledge of the issue.
6. What remedial steps have been or will be implemented to address the issue and prevent its recurrence.

V. The permittee shall not store or stockpile sewage sludge, feedstocks, or biosolids at the facility outside of treatment processes or permitted storage locations. Class B biosolids may be stored at authorized beneficial use sites in accordance with OAC 3745-40-07 or an approved PTI for a mobile storage tank.

W. Any regional or off-site storage facility that is proposed for the storage of biosolids generated by the permittee must be approved by Ohio EPA prior to the storage of biosolids in accordance with OAC 3745-40-07. The permittee shall submit PTI and NPDES permit applications, as applicable, for the regional storage facility to Ohio EPA for review and approval that shall include engineered plans, design details, supplemental information required by rule, and any additional information requested by Ohio EPA.

X. No later than March 1 of each calendar year, the Permittee shall submit an annual sludge report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

Y. If sewage sludge or biosolids are no longer accepted for treatment and the permittee wishes to no longer be required to comply with OAC 3745-40, the permittee shall submit, at a minimum, the following:

1. A plan to Ohio EPA for acceptance that details how the biosolids in the ponds will be removed to a point that no longer requires compliance with OAC 3745-40.

2. An application for a land application management plan (LAMP) for the land application of the effluent that no longer contains sewage sludge or biosolids.

3. An application for a PTI for any equipment that will be utilized to treat or land apply digester effluent that does not contain sewage sludge or biosolids.

Z. The permittee shall notify Ohio EPA within 7 days when the facility is no longer being actively operated.

AA. A closure plan shall be submitted if the facility will be permanently closed and may require pond closures in accordance with an approved PTI.

BB. Documents shall be submitted to:

Ohio EPA - Central Office
Division of Surface Water, Biosolids Program
biosolids@epa.ohio.gov

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;

B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;

C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;

D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;

E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;

F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.

C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For partnerships - a general partner;

3. For a sole proprietorship - the proprietor; or,

4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

http://epa.ohio.gov/dsw/edmr/eDMR.aspx

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

A. The exact place and date of sampling; (time of sampling not required on EPA 4500)

B. The person(s) who performed the sampling or measurements;

C. The date the analyses were performed on those samples;

D. The person(s) who performed the analyses;

E. The analytical techniques or methods used; and

F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

A. All sampling and analytical records (including internal sampling data not reported);

B. All original recordings for any continuous monitoring instrumentation;

C. All instrumentation, calibration and maintenance records;

D. All plant operation and maintenance records;

E. All reports required by this permit; and

F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.

D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

http://epa.ohio.gov/dsw/permits/individuals.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The limit(s) that has been exceeded;

c. The extent of the exceedance(s);

d. The cause of the exceedance(s);

e. The period of the exceedance(s) including exact dates and times;

f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,

g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

http://www.epa.ohio.gov/dsw/permits/permits.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The time(s) at which the discharge occurred, and was discovered;

c. The approximate amount and the characteristics of the discharge;

d. The stream(s) affected by the discharge;

e. The circumstances which created the discharge;

f. The name and telephone number of the person(s) who have knowledge of these circumstances;

g. What remedial steps are being taken; and,

h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;

2. The cause of the violation;

3. The remedial action being taken;

4. The probable date by which compliance will occur; and,

5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;

2. The addition of any new significant industrial discharge; and

3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;

2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than $25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Not withstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.