



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

OHIO E.P.A.
JUN 11 2015

JUN 11 2015

REGISTERED DIRECTOR'S JOURNAL

Mr. Leo Gingras
Nutrinsic Corporation
600 S. Cherry St. Suite 314
Glendale, Colorado 80246

Re: Nutrinsic Corporation
Permit – Short Term
Approval
Beneficial Use
Butler County
BENU020867

Exemption

**Subject: Nutrinsic Corporation
Land Application Management Plan Permit Approval and Exemption
Surplus Animal Feed Solids**

Effective Date: JUNE 11, 2015

Expiration Date: JUNE 10, 2020

Dear Mr. Gingras:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the land application management plan (LAMP) permit application received December 29, 2014, submitted by Nutrinsic Corporation (Nutrinsic), pursuant to Ohio Revised Code (ORC) Chapters 6111 and 3734 for the proposed beneficial use of dewatered wastewater sludge generated by the MillerCoors Trenton Brewery (MillerCoors) located at 2525 Wayne Madison Rd., Trenton, Ohio. The LAMP permit application proposes to use Surplus Animal Feed Solids (SAFS), comprised of dewatered wastewater sludge from the beer making process blended with diatomaceous earth and hydrated lime. The dewatered wastewater sludge is produced from the solids removed from primary and secondary treatment of the plant's process wastewater stream generated during the production of beer.

Nutrinsic intends to land apply SAFS at a rate which supplements the agronomic needs of the upcoming crop. In addition to land application, SAFS may be distributed for use as an ingredient in manufactured topsoil.

Pursuant to the authority under ORC Chapters 6111 and 3734, this LAMP permit for Nutrinsic is approved subject to compliance with all conditions below.

Further, granting an exemption from the applicable solid waste provisions of ORC Chapter 3734 to use SAFS in quantities and under the circumstances specifically authorized in this LAMP permit is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), Nutrinisic and any recipient of SAFS generated from MillerCoors are hereby exempted from the applicable solid waste provisions of ORC Chapter 3734 and rules adopted thereunder specific to the land application of SAFS as authorized in this permit approval.

CONDITIONS

1. This LAMP permit authorizes Nutrinisic to beneficially use SAFS in accordance with the LAMP permit application received December 29, 2014. Only SAFS generated from the MillerCoors Wastewater Treatment Plant, as identified in the attached LAMP permit application, is eligible for beneficial use under this permit. All other beneficial uses must be separately approved by Ohio EPA.
2. Nutrinisic shall provide a copy of the LAMP permit authorization as well as Section V of the LAMP permit application to the recipient of any SAFS intended for beneficial use.
3. The Director, or his authorized representative(s), may enter upon the premises of the Nutrinisic site, at any reasonable time, for the purpose of conducting inspections, collecting samples of SAFS, conducting tests, or examining records or reports pertaining to the land application of SAFS.
4. Issuance of this permit does not relieve Nutrinisic of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations, except as exempted herein.
5. Nutrinisic shall notify Ohio EPA if it anticipates a substantial change in, or does change, the generating process or if the raw materials used in the generating process of the SAFS change. For the purpose of this LAMP permit, a substantial change is a change which results in SAFS with additional constituents or a higher concentration of constituents. If deemed necessary, the Director may request that Nutrinisic submit a revised LAMP application for approval.
6. The following records shall be maintained by Nutrinisic for a minimum of 5 years and be made available to Ohio EPA upon request:
 - a. The name, address, and telephone number of all recipients of SAFS from Nutrinisic for land application.
 - b. A description of the process, including raw materials, used to generate the SAFS.
 - c. Records of the annual volume of SAFS that is designated for beneficial use under this approval.
 - d. A sampling plan detailing where samples of SAFS are to be collected, how frequently those samples are to be collected, and a list of parameters and test methods that are used to characterize the samples.
 - e. All laboratory reports of all characterizations of the SAFS.

- f. A statement authorizing Ohio EPA staff to conduct inspections, collect samples, conduct tests, or examine records pertaining to the generation of SAFS.
7. Nutrinisic shall collect and analyze at least one sample per year of the SAFS intended for beneficial use and Nutrinisic shall collect and analyze additional samples if there are substantial changes in the generation process or the raw materials used.
 - a. The samples collected shall be representative of the SAFS beneficially used during the calendar year.
 - b. Nutrinisic shall have the sample(s) analyzed for the constituents listed in the table in Condition number 8.
 - c. The reported detection limit for the analysis shall be below the limit specified for each constituent in the table in Condition number 8.
 - d. Nutrinisic shall employ analytical methods that generate results in units consistent with the units in the table in Condition number 8.
 8. Concentrations of any constituents in the SAFS cannot exceed the limits for the specified constituents listed in the following table.

Constituent	Total (mg/kg)*
Arsenic (As)	41
Cadmium (Cd)	39
Copper (Cu)	1500
Lead (Pb)	300
Mercury (Hg)	17
Nickel (Ni)	420
Selenium (Se)	100
Zinc (Zn)	2800

* - dry weight basis

9. Ohio EPA reserves the right to add constituents to this list as it deems necessary.
10. By January 31 of each year, Nutrinisic shall submit a report identifying the material characterization and the beneficial use activities involving SAFS for the

previous calendar year. At a minimum, the annual report shall include the beneficial use along with the dry tons used for that beneficial use, and the analytical results for the most recent year's material characterization.

11. In the annual report, Nutrinsic shall include the following annual certification statement. The certification statement shall be printed out and signed beginning one year after the effective date of this approval and annually thereafter:

"I certify, under penalty of law, that the information contained in this annual report that will be used to determine compliance with the requirements contained in Chapters 6111 and 3734 of the ORC, and all rules thereunder, for the period beginning (insert date of last certification statement) and ending (insert current certification statement date) was prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

12. For the first certification statement, insert the initial effective date of this LAMP permit as the beginning date for the certified period of time. The certification statement shall be signed by one of the following persons: in the case of a corporation, by a principal executive officer of at least the level of vice president or the principal executive officer's duly authorized representative, if such representative is responsible for the overall operation of the facility; in the case of a partnership, a general partner; and in the case of a sole proprietorship, the proprietor. The signature shall constitute personal affirmation that all statements or assertions of fact in the records are true and complete and comply fully with applicable state requirements and shall subject the signatory to liability under ORC Section 2921.13.
13. The annual report shall be sent to the following address:

Ohio EPA - DMWM
Authorizing Actions and Engineering Unit
P.O. Box 1049
Columbus, OH 43216-1049

14. Storage and blending of the SAFS by Nutrinsic shall not create a nuisance and shall not adversely affect public safety or health or the environment. Should a nuisance condition develop, or a determination be made by Ohio EPA that storage or blending of SAFS is a threat to human health or the environment, then permission to use this material may be revoked upon written notification from the Director. Immediately upon the effective date of any such revocation, Nutrinsic shall cease application of SAFS.
15. Nutrinsic shall not cause pollution or cause any SAFS to cause pollution to any waters of the state and shall only discharge to waters of the state in accordance with an effective national pollutant discharge elimination system (NPDES) permit.

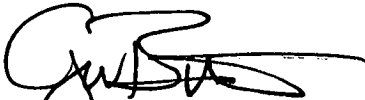
Any unauthorized discharges to waters of the state must be reported to Ohio EPA by calling (800) 282-9378 within 2 hours of discovery.

16. The Director shall be notified in writing within seven days if Nutrinisic discovers noncompliance with this LAMP permit. The Director may add, delete, or change any conditions to this LAMP permit to protect human health or the environment.
17. This permit to beneficially use SAFS from Nutrinisic shall expire at midnight on the expiration date shown above. In order to receive authorization to beneficially use SAFS beyond the above date of expiration, Nutrinisic shall submit such information and forms as are required by 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 ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 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 it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

Sincerely,



Craig W. Butler
Director

PC

Attachment: LAMP

cc: Leo Gingras, Nutrinisic Corporation
Pat Willoughby, DMWM, SWDO