



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

# REVISED

September 25, 2018

Buckeye Biogas, LLC  
Attn: Mel Kurtz

8600 E. Pleasant Valley Rd  
Independence, OH 44131

RE: Buckeye Biogas, LLC  
Permit-Long Term  
Approval  
Surface Water Permit to Install  
Wayne  
DSWPT11211412

Subject: Wiles Storage Pond - Earthen Lined Storage Pond for anaerobically digested biosolids generated by Buckeye Biogas LLC. Canaan Twp.  
Plans Received on January 03, 2018  
Plans Revised on August 15, 2018  
From: Quasar Energy Group, 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 "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, 4<sup>th</sup> 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: Northeast District Office

Wayne County Health District

North Point Engineering

## Ohio Environmental Protection Agency

Permit to Install

Application No: 1211412

Applicant Name: Buckeye Biogas, LLC  
Address: 8600 E. Pleasant Valley Rd  
City: Independence  
State Zip: OH 44131

**REVISED**

Person to Contact: Mel Kurtz  
Telephone: 216-986-9999

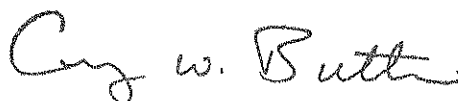
Description of Proposed Source: Wiles Storage Pond - Earthen Lined Storage Pond for anaerobically digested biosolids generated by Buckeye Biogas LLC. Canaan Twp., Wayne

Issuance Date: September 25, 2018

Effective Date: September 25, 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



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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 Wiles Storage Pond 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. The owner shall be responsible for proper operation and maintenance of the wastewater disposal system.
4. 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, if applicable.
5. 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.
6. The applicant shall notify the Ohio Environmental Protection Agency if the applicant does not continue as the sole user of the sewage disposal system.
7. The Wiles Storage Pond is only approved for the storage of properly digested class B biosolids 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, stillage, and Ohio EPA approved feedstock.
8. The storage level of the Wiles Storage Pond shall not exceed the elevation of 1167.6 feet above mean sea level.
9. The Land Application Management Plan and the Prevention/Contingency Plan for Spills at Wiles Storage Pond included as part of the approved PTI shall be implemented.
10. The following records shall be maintained and made available to Ohio EPA for review upon request:
  1. Hauling manifests that document the generator, date, time, and volume (gallons and percent solids content) of class B biosolids that were transported to the Wiles Storage Pond;
  2. Hauling manifests that document the date, time, and volume (gallons and percent solids content) of class B biosolids that were transported from the Wiles Storage Pond for beneficial use, transfer to another NPDES permitted facility, or disposal within a landfill;
  3. The completed Monthly Wiles Storage Pond Inspection Forms;
  4. Any complaints related to the operation of the Wiles Storage Pond; and
  5. The analytical results and chain of custody forms used to determine the percent volatile solids content of class B biosolids generated from the anaerobic digester tank.
11. In the event that the operation and use of the Wiles Storage Pond will be terminated, a complete and approvable PTI for closure of the Wiles Storage Pond shall be submitted to Ohio EPA.
12. The conditions in this permit shall remain valid until superseded by another Director's Action.
13. Benchmark monitoring for a volatile solids content not to exceed 50 % shall be monitored from the anaerobic digester tank used to treat the class B biosolids prior to storage in the Wiles Storage Pond. Benchmark monitoring are for use to determine the overall effectiveness of the anaerobic treatment system and to assist in knowing when additional control measures are necessary. Benchmark values are not limits.
14. The storage of class B biosolids within the Wiles Storage Pond shall not result in the generation of a nuisance odor, as determined by Ohio EPA. Should a nuisance odor be generated, all necessary corrective actions, including the installation of appropriate odor control equipment, to eliminate or minimize the creation of such nuisance odors shall be implemented.

15. All storage and transfer of class B biosolids shall comply with Chapter 6111 of the Ohio Revised Code and Chapter 3745-40 of the Ohio Administrative Code.

16. A groundwater monitoring program shall be developed and submitted to Ohio EPA for review and authorization within sixty (60) days of this permit to install (PTI) approval. The ground water monitoring program shall, at a minimum, include the following items:

1. The number of ground water monitoring wells to be installed;
2. The siting of ground water monitoring wells;
3. The vertical placement of the ground water monitoring wells;
4. How ground water monitoring wells are to be installed;
5. A sampling and analysis plan; and
6. Ground water monitoring reporting to Ohio EPA.

The ground water monitoring program shall be implemented once authorized by Ohio EPA.

17. Class B biosolids are prohibited from being transferred to and stored within the Wiles Storage Pond until the initial monitoring of all the groundwater monitoring wells are sampled and reported, in accordance with the authorized ground water monitoring program, to Ohio EPA. The initial monitoring is required to establish the natural background of pollutant concentrations in the groundwater.

18. In the event that the groundwater monitoring program determines that the Wiles Storage Pond has resulted in a discharge of pollutants to groundwater that exceed the natural background of pollutant concentrations, the facility shall, within thirty (30) days of being notified by Ohio EPA, submit a corrective action plan to Ohio EPA to identify and eliminate the discharge from the Wiles Storage Pond and to remediate the groundwater. The corrective action plan shall be immediately implemented upon authorization from Ohio EPA.

19. Adequate biosolids storage volume shall be provided and maintained to enable the Wiles Storage Pond to maintain compliance with the biosolids beneficial use frozen and/or snow-covered prohibitions and restrictions of OAC Section 3745-40-08. No later than September 15 of each year, the Wiles Storage Pond shall evaluate the storage capacity and determine what corrective actions are needed to avoid exceeding the design of 1.4 feet of freeboard. The Wiles Storage Pond shall develop an operational plan based upon the evaluation findings and detail the specific corrective actions that will be implemented to ensure that the design freeboard is not exceeded. For example, the Wiles Storage Pond's operational plan should detail that at least four months of storage capacity will be available by December 1 of each year. The operation plan shall include documentation of the storage levels, what information was considered in the evaluation, and the specific corrective actions that will be implemented to avoid exceeding the design freeboard.

20. The volume of class B biosolids stored within the Wiles Storage Pond shall not exceed 9,251,851 gallons.

21. 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.