



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

May 10, 2021

Keith W. Wahoske
Pixelle Specialty Solutions, LLC
232 East 8th Street
Chillicothe, Ohio 45601

Re: Pixelle Specialty Solutions, LLC
Permit- Short Term Exemption
Approval Approval
Beneficial Use
Ross County
BENU020719

**Subject: Pixelle Specialty Solutions, LLC
Land Application Management Plan Permit Approval and Exemption
Pulp and Paper Mill Wastewater Treatment Plant Residuals**

Effective Date: May 10, 2021

Expiration Date: May 10, 2026

Dear Mr. Wahoske:

The Ohio Environmental Protection Agency (“Ohio EPA”) has reviewed the land application management plan (“LAMP”) Permit application submitted by Pixelle Specialty Solutions, LLC (“Pixelle”) on March 13, 2020. The LAMP Permit application requests authorization to land apply pulp and paper mill wastewater treatment plant residuals generated by the Pixelle paper manufacturing facility located at 232 East 8th Street in Chillicothe, Ohio (“Facility”), for reclamation of both active mine lands and abandoned mine lands located in Ohio (together, “reclamation mine sites”).

Pixelle creates a product called BYPRO, comprised of the pulp and paper mill wastewater treatment plant residuals. The BYPRO is produced by combining wastewater sludge from the Facility’s primary and secondary wastewater treatment processes. BYPRO consists of cellulose fiber, clay, lime, and other materials used in pulp and paper manufacturing. A polymer solution (less than one percent active ingredient) is often added during secondary treatment to aid in dewatering. The Director of Ohio EPA (“Director”) has determined that issuing this LAMP Permit to land apply BYPRO in the quantities and under the circumstances specifically authorized in this LAMP Permit is unlikely to adversely affect public health or safety or the environment.

This LAMP Permit is issued pursuant to Chapters 3734 and 6111 of the Ohio Revised Code (“ORC”) for the land application of BYPRO for reclamation of both active mine lands and abandoned mine lands. On active mine lands, BYPRO is used as a soil amendment and substitute for fertilizer, lime, and mulch. On abandoned mine lands, BYPRO is used as a replacement for topsoil. Pursuant to the authority of the Director under ORC Chapters 3734 and 6111, this LAMP Permit for Pixelle is hereby issued subject to compliance with all conditions below.

Further, the Director has determined that granting an exemption from the applicable solid waste provisions of ORC Chapter 3734 to use BYPRO, in the 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), the Director hereby exempts Pixelle from the applicable solid waste provisions of ORC Chapter 3734 and rules adopted thereunder specific to the land application of BYPRO as authorized by and in compliance with this LAMP Permit.

CONDITIONS

General Conditions

1. This LAMP Permit authorizes Pixelle to land apply only BYPRO that is managed in accordance with all Conditions of this LAMP Permit. Only BYPRO generated by the Facility is eligible for land application under this LAMP Permit. This authorization shall not be construed to authorize any other use of BYPRO. Land application of BYPRO under this LAMP Permit is limited to a maximum application rate of 100 dry tons per acre, except as provided in Condition 31, at reclamation mine sites approved in writing by Ohio EPA pursuant to Condition 4 of this LAMP Permit.
2. Only BYPRO that is not a hazardous waste as defined by ORC Chapter 3734, Ohio Administrative Code (“OAC”) Rule 3745-50-10(A), and OAC Rule 3745-51-03 is eligible for land application under this LAMP Permit.
3. This LAMP Permit does not authorize the storage or land application of any BYPRO that was placed on any reclamation mine site prior to the effective date of this LAMP Permit.
4. Prior to transporting BYPRO to any reclamation mine site for storage or land application, Pixelle shall obtain written approval from Ohio EPA in accordance with this Condition. At least ninety (90) days prior to the date Pixelle proposes to commence transporting BYPRO to a reclamation mine site, Pixelle shall submit to Ohio EPA’s Central Office, Division of Materials and Waste Management all of the following:
 - a. A completed *Request to Use BYPRO for Reclamation* form that includes the following certification statement signed by the owner of the proposed reclamation mine site:

“I am the holder of legal title to the mine lands described on this form, or am authorized by the holder or by law to give consent for the storage and land application of BYPRO on the mine lands, and there are no restrictions to the granting of consent under this form.

I have read and understood Pixelle’s LAMP Permit, and I agree to allow BYPRO generated by the Pixelle paper manufacturing facility located at 232 East 8th Street in Chillicothe, Ohio to be stored and land applied on the mine lands identified on this form in accordance with the conditions in Pixelle’s LAMP Permit. I understand that additional authorizations from Ohio EPA’s Division of Surface Water may be required prior to storing or land applying BYPRO.

The Ohio Department of Natural Resources (“ODNR”) has authorized the use of BYPRO on these mine lands for reclamation.

I agree to allow federal, state, and local regulatory staff access to the reclamation mine site for the purposes of inspecting and authorizing the BYPRO reclamation mine site, inspecting and taking photographs of the storage and land application of BYPRO, and collecting and analyzing samples from the BYPRO land application site. I reserve the right to ask the above parties for proper identification at any time."

- b. The proposed BYPRO application rate together with the total amount of BYPRO that Pixelle will land apply at the reclamation mine site in accordance with this LAMP Permit;
 - c. A map of the proposed reclamation mine site that depicts the locations of surface waters of the state, the location and dimensions of proposed BYPRO storage areas, the location and dimensions of proposed reclamation areas, and the information needed to demonstrate compliance with Conditions 26; 27; 28.a, b, c, d, and e; and 33.d, e, f, g, and h;
 - d. Latitude and longitude information for the reclamation mine site; and
 - e. Copies of ODNR documents described in Condition 6.
 - f. Unless otherwise directed by Ohio EPA in writing, Pixelle shall submit the *Request to Use BYPRO for Reclamation* form via the Division of Materials and Waste Management's virtual dropbox:

https://fileshare.epa.ohio.gov/filedrop/co_dmwm_submittals
5. Pixelle is responsible for identifying and obtaining any additional authorizations necessary to land apply BYPRO as described in this LAMP Permit. Except for the applicable solid waste provisions of ORC Chapter 3734 and rules adopted thereunder exempted by this LAMP Permit, issuance of this LAMP Permit to Pixelle neither relieves Pixelle of the duty to comply with nor authorizes Pixelle to conduct activities in violation of any applicable federal, state, or local laws, ordinances, or regulations. All activities shall be accomplished in compliance with all federal, state, or local laws, ordinances, and regulations pertaining to environmental protection, including but not limited to the control of air pollution, leachate, and storm water run-on and run-off and protection of ground water and surface water.
 6. Nothing in this LAMP Permit authorizes Pixelle to deviate from any reclamation requirements in the Ohio Department of Natural Resources ("ODNR") mining permit for active mine sites or the ODNR reclamation design documents for abandoned mine lands, whichever is applicable. In the event that Pixelle is unable to comply with both this LAMP Permit and any applicable ODNR authorization, Pixelle shall immediately notify Ohio EPA's Southeast District Office, Division of Materials and Waste Management in writing.
 7. Pixelle shall provide a copy of this LAMP Permit and Sections 4 and 5 of the LAMP Permit application to the recipient of any BYPRO intended for land application.
 8. Pixelle may land apply and store BYPRO only in accordance with this LAMP Permit and shall not create a nuisance or adversely affect public safety or health or the environment. Should a nuisance condition develop at a location where BYPRO is being land applied or stored, or if Ohio EPA determines that land application or storage of BYPRO at a location is a threat to

- human health or the environment, then permission to land apply or store BYPRO at that location may be withdrawn or suspended by Ohio EPA. Immediately upon withdrawal or suspension of permission to land apply or store BYPRO at a particular location, Pixelle shall cease all activities for which permission was withdrawn or suspended.
9. Pixelle shall take necessary actions to ensure BYPRO is stored and land applied in accordance with this LAMP Permit at all approved reclamation mine sites where BYPRO is stored or land applied.
 10. Pixelle shall not store or land apply BYPRO in any area described in ORC section 3734.02(M), including within the boundaries of a state park, a state park purchase area, any unit of the national park system, any property that lies within the boundaries of a national park or recreation area that is located in this state, or any candidate area located in this state and identified for potential inclusion in the national park system.
 11. BYPRO is a solid waste and Pixelle would be required to obtain a permit and license under ORC Chapter 3734 and the rules promulgated thereunder to land apply it. The Director has determined that granting an exemption from the applicable solid waste provisions of ORC Chapter 3734 to use BYPRO in the quantities and under the circumstances specifically authorized in this LAMP Permit is unlikely to adversely affect public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), Pixelle is hereby exempted from the obligation to obtain a license and permit under applicable solid waste provisions of ORC Chapter 3734 and the rules adopted thereunder for BYPRO that is stored or land applied as authorized by and in compliance with this LAMP Permit.
 12. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), Pixelle is hereby exempt from the requirement to collect and remit the state solid waste disposal fee levied under ORC Section 3734.57(A) for use of the BYPRO in accordance with this LAMP Permit.
 13. Nothing in this LAMP Permit shall be construed as a waiver from the requirements of ORC Chapter 3734 or the regulations promulgated thereunder, except as expressly provided herein. This LAMP Permit shall not be interpreted to release Pixelle from responsibility under ORC Chapters 3704, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
 14. Pixelle shall not cause pollution of waters of the state or place or cause to be placed any BYPRO in a location where it causes pollution of waters of the state except in accordance with an effective National Pollutant Discharge Elimination System (NPDES) Permit. Pixelle shall report to Ohio EPA any unauthorized discharges to waters of the state that it causes or of which it is aware within 24 hours of discovery.
 15. Pixelle shall notify the Director, in writing, within seven days of discovering noncompliance with this LAMP Permit.
 16. The Director may add, delete, or change any conditions of this LAMP Permit to protect human health or safety or the environment. Ohio EPA specifically reserves the right to add constituents and applicable limits and rates to Tables 1, 2, and 3 as it deems necessary to protect public health, safety, or the environment, without modifying this LAMP Permit, by providing 30-days written notice to Pixelle. At the conclusion of the 30-day notice period,

each constituent added, together with its related limits and rates, shall be considered part of Table 1, 2, or 3, as appropriate.

17. Pixelle shall furnish to the Director, or an authorized representative of Ohio EPA, within 30 days of receiving a written request, any information that the Director or an authorized representative of Ohio EPA requests to determine whether cause exists for revoking coverage under or determining compliance with this LAMP Permit
18. To the extent that any provision in this LAMP Permit conflicts with a provision in Pixelle's LAMP Permit application, or in any attachment to Pixelle's LAMP Permit application, Pixelle shall comply with this LAMP Permit and this LAMP Permit shall supersede any inconsistent requirement in Pixelle's LAMP Permit application, in any attachment to Pixelle's LAMP Permit application, or any document submitted pursuant to this LAMP Permit.
19. This LAMP Permit to land apply BYPRO from the Facility shall expire at midnight on the expiration date shown above. In order to receive authorization to land apply BYPRO beyond the above date of expiration, Pixelle shall submit such information and forms as are required by Ohio EPA no later than 180 days prior to the above expiration date.

Sampling and Analysis

20. Pixelle shall collect and analyze at least one representative sample of BYPRO intended for land application pursuant to this LAMP Permit quarterly. The required quarterly sampling shall be conducted at least 30 days apart. Pixelle shall collect and analyze an additional representative sample, in accordance with Section 6 of the approved LAMP Permit application and this LAMP Permit, if there is a substantial change in the generation process or the raw materials used. For the purposes of this LAMP Permit, a "substantial change" in the generation process or in the raw materials used is a change that could reasonably be anticipated to result in an exceedance of any constituent limit specified in Table 1. Pixelle shall ensure that the collection and analysis of all samples conform to Section 6 of the LAMP Permit application and the following:
 - a. The samples collected shall be representative of the BYPRO to be land applied.
 - b. The samples shall be analyzed for the constituents listed in Table 1.
 - c. The reported detection limits for the analyses shall be below the Ceiling Concentration Limits specified for each constituent in Table 1.
 - d. Only analytical methods that are approved by US EPA and/or Ohio EPA shall be employed.
21. Pixelle shall not average monitoring results to meet any Ceiling Concentration Limit in Table 1.
22. Pixelle shall not designate, make available, or distribute for land application any BYPRO for which any analytical result indicates that a constituent concentration exceeds the Ceiling Concentration Limit specified in Table 1 ("tested BYPRO"). Upon receipt of such an analytical result, Pixelle shall report the result in writing to Ohio EPA and shall immediately cease land application of the tested BYPRO and shall dispose of the tested BYPRO at a licensed solid waste facility not later than ninety days (90) after receiving the analytical result. Pixelle shall

not designate, make available, or distribute for land application any BYPRO produced after the tested BYPRO unless authorized by Condition 23.

Table 1

Constituent	Ceiling Concentration Limit (milligrams per kilogram dry weight basis)
Arsenic	75
Cadmium	85
Copper	4300
Lead	840
Mercury	57
Nickel	420
Selenium	100
Zinc	7500

23. Pixelle shall dispose of BYPRO produced after the tested BYPRO (“newly-produced BYPRO”) at a licensed solid waste facility until analytical results demonstrate that newly-produced BYPRO meets all Ceiling Concentration Limits in Table 1 . Pixelle may land apply newly-produced BYPRO only upon submission in writing to Ohio EPA of analytical results demonstrating that the newly-produced BYPRO does not exceed any Ceiling Concentration Limit and after receipt of Ohio EPA’s written acceptance of the analytical results.

24. If any constituent concentration exceeds the Quarterly Concentration Limit listed in Table 2, Pixelle shall, based on the testing result, calculate the cumulative loading rate for that constituent for each reclamation mine site where the BYPRO material is applied and shall ensure that BYPRO is not applied such that the Cumulative Constituent Loading Rate listed in Table 3 is exceeded. If Pixelle takes more than one sample during a quarter, Pixelle may average test results only if the BYPRO sampling and analysis was conducted in accordance with a BYPRO sampling and analysis plan that includes averaging and that has been previously approved in writing by Ohio EPA.

Table 2

Constituent	Quarterly Concentration Limit (milligrams per kilogram dry weight basis)
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420
Selenium	100
Zinc	2800

Table 3

Constituent	Cumulative Constituent Loading Rate (pounds per acre)
Arsenic	36.6
Cadmium	34.8
Copper	1339.9
Lead	267.9
Mercury	15.2
Nickel	375.1
Selenium	89.3
Zinc	2500.4

25. Pixelle shall notify Ohio EPA if it anticipates a change in, or does change, the generating process or if the raw materials used in the generating process of BYPRO substantially change, as defined in Condition 20. If deemed necessary, the Director may require that Pixelle submit a revised LAMP Permit application for approval before land applying any BYPRO generated after the substantial change.

Land Application of BYPRO

26. When applying BYPRO to active mine sites, Pixelle shall apply BYPRO only in the following areas:
- a. Areas where sediment basins designed for surface mine use are collecting runoff; or
 - b. Areas without sediment basins that have a vegetated buffer zone between the application area and surface waters of the state of not less than 150 feet.
27. When applying BYPRO to abandoned mine lands, Pixelle shall apply BYPRO only in areas for which ODNR has specified a water management system in the design documents and shall maintain at a minimum a 100 foot buffer to waters of the state.
28. Notwithstanding any other provision of this LAMP Permit, Pixelle shall:
- a. Not apply BYPRO to drainage ways, sediment pond banks, wetland areas, or other waters of the state;
 - b. Not apply BYPRO on a floodplain or flood-prone area;
 - c. Not apply BYPRO within 300 feet of an occupied structure, as defined in OAC Rule 3745-40-01(O), unless a reduction in this distance for land application of BYPRO is approved, in writing, by the landowner and, if applicable, the resident of the occupied structure;
 - d. Not apply BYPRO within 600 feet of wells and surface waters used for drinking water or watering livestock or within 100 feet of wells and surface waters used for drinking water or watering livestock if there is a 100-foot grass buffer between the land

application area and wells and surface waters used for drinking water or watering livestock;

- e. Not apply BYPRO within 150 feet of any waters of the state that are not referenced in Condition 28.d, unless approved in writing by Ohio EPA's Division of Surface Water;
 - f. Not apply BYPRO during precipitation events, which for purposes of this Condition means when the forecast indicates that there is a fifty percent or greater chance that 0.25 inches of rain will occur within twenty-four hours;
 - g. Not apply BYPRO onto frozen ground as defined in OAC Rule 3745-40-01(F) or snow-covered ground as defined in OAC Rule 3745-40-01(S); and
 - h. Take measures to control fugitive dust and other air emissions that may result from activities authorized through this LAMP Permit.
29. Not later than fourteen days after land application of BYPRO under this LAMP Permit, Pixelle shall employ site stabilization and erosion control procedures on all areas where BYPRO is land applied. Site stabilization and erosion control procedures may include seeding and establishing vegetation in a manner consistent with ODNR requirements or other methods approved in writing by Ohio EPA.
30. Pixelle may apply BYPRO at a rate of up to 100 dry tons per acre without any site-specific discharge monitoring requirements.
31. Pixelle may apply BYPRO at a rate of 101 to 300 dry tons per acre only if the following discharge monitoring is conducted:
- a. Monthly representative discharge samples shall be collected during the initial curing stage prior to the establishment of vegetation, provided there is sufficient precipitation to generate discharge, in accordance with the following:
 - i) Samples shall be collected during or shortly after precipitation and shall be representative of the runoff from the application site;
 - ii) Samples shall be collected from the primary sediment basin discharge following precipitation or from the designated water management system discharge if runoff is not collected into a sediment basin;
 - iii) Samples shall be collected and preserved in accordance with 40 CFR 136.3;
 - iv) Samples shall be analyzed for TKN, phosphorous, dissolved oxygen, BOD₅, and COD.
 - b. Semiannual representative discharge samples shall be collected once vegetation is established in accordance with the following:
 - i) Samples shall be collected in the Spring and Fall provided there is sufficient precipitation to create discharge;

- ii) Samples may be collected from the primary sediment basin discharge following precipitation or the designated water management system discharge if runoff is not collected into a sediment basin;
- iii) Samples shall be collected and preserved in accordance with 40 CFR 136.3;
- iv) Samples shall be analyzed for dissolved oxygen, COD and phosphorus;
- v) Pixelle shall continue semi-annual sampling until Ohio EPA determines that the reclamation mine site is revegetated and is no longer contributing suspended solids to waters of the state in excess of applicable requirements or Pixelle submits to Ohio EPA whichever of the following is applicable to the reclamation mine site:
 - a) A Phase II Bond Release issued by ODNR for active coal mine lands;
 - b) A Revegetation Release issued by ODNR for active industrial mine lands;
 - c) A certification letter from ODNR that a reclamation project has been completed for abandoned mine lands.

32. Ohio EPA may revise this LAMP Permit if discharge samples exceed Ohio's water quality standards set forth in OAC Chapter 3745-1.

Storage of BYPRO

33. Pixelle shall use Best Management Practices when storing BYPRO pursuant to this LAMP Permit including, at a minimum, the following:
- a. Storing BYPRO in a manner that minimizes horizontal transport of material and prevents direct runoff into waters of the state through the construction of dikes or berms.
 - b. Minimizing the exposure of BYPRO to precipitation, snowmelt, and runoff throughout the storage, processing, and staging of the material (including loading and unloading, disposal, cleaning, and maintenance operations). Minimizing exposure can be achieved by ensuring all storage piles that remain idle for more than 14 consecutive days are protected from erosion by establishing a vegetative cover or other means to prevent transport of BYPRO by storm water. The establishment of a weed cover does not adequately minimize exposure for purposes of this LAMP Permit.
 - c. The use of grading, berming, or curbing to prevent BYPRO and storm water/leachate runoff from entering waters of the state and divert storm water run-on away from storage areas.
 - d. Providing and maintaining a 100-foot undisturbed natural buffer around surface waters of the state, directing storm water to vegetated areas to increase sediment removal and maximize storm water infiltration.

- e. Locating all BYPRO storage areas at least 300 feet from occupied structures, as defined in OAC Rule 3745-40-01(O).
 - f. Locating all BYPRO storage areas at least 600 feet from wells and surface waters used for drinking water or watering livestock and at least 100 feet from other surface waters of the state.
 - g. Unless otherwise provided in a permit issued under ORC Chapter 6111, creating surface diversions to catch any solids in runoff or to divert runoff away from waters of the state or adjacent properties at each site where BYPRO is stored on land.
 - h. Not storing BYPRO in areas that are either over or within a sensitive groundwater area, including any of the following:
 - i) Karst terrain;
 - ii) A drinking water source protection area with less than ten feet of low permeability clay rich glacial till between the bottom of the fill material and the aquifer used by the applicable public water supply well as a source of ground water;
 - iii) An aquifer designated on an Ohio Department of Natural Resources Ground Water Resources map for the county in which the beneficial use activity will take place as capable of yielding one hundred gallons-per-minute or more, which has less than ten feet of separation between the bottom of the fill material and the aquifer.
 - i. Taking measures to control fugitive dust and other air emissions that may result from activities authorized through this LAMP Permit.
34. Pixelle shall ensure that all applicable authorizations from Ohio EPA's Division of Surface Water are obtained prior to storing BYPRO.
35. Pixelle shall not store BYPRO at a reclamation mine site not approved for land application in accordance with this Permit. Pixelle may store BYPRO at approved reclamation mine sites for not more than ninety (90) days, unless otherwise authorized in accordance with Condition 36. Unless otherwise approved by Ohio EPA in writing, the amount of BYPRO stored at an approved reclamation mine site shall not exceed the amount that Pixelle specified in the application, submitted in accordance with Condition 4, will be applied at the site in accordance with the conditions of this LAMP Permit.
36. Pixelle may request written authorization from Ohio EPA Southeast District Office's Division of Materials and Waste Management in order to exceed the 90-day storage limit. Authorization to exceed the 90-day storage limit shall be requested, in writing, and shall specify the additional amount of time requested and explain the reason for the request. All requests pursuant to this Condition shall be submitted to Ohio EPA at least fourteen (14) days before BYPRO has been stored at an approved reclamation mine site for 90 days.

Reporting

37. Not later than April 1st of each year, Pixelle shall submit a report to Ohio EPA summarizing BYPRO management activities for the previous calendar year. At a minimum, the annual report shall include:
- a. The name, address, and contact name and telephone number of all approved reclamation mine sites;
 - b. Aerial maps that identify land application and storage locations at each reclamation mine site, including latitude and longitude coordinates;
 - c. For each reclamation mine site, the cumulative quantity of BYPRO land applied during the previous calendar year and amount of BYPRO currently stored at each location identified on the aerial maps prepared in accordance with Condition 37.b.;
 - d. The tracking logs maintained for each reclamation mine site in accordance with this LAMP Permit;
 - e. The inspection log maintained for each reclamation site in accordance with this LAMP Permit;
 - f. Results of analyses conducted in accordance with Condition 20;
 - g. The cumulative loading rate calculations if required by Condition 24, in pounds per acre, for all areas where BYPRO was land applied during the reporting period;
 - h. The analytical results for all discharge monitoring for the year conducted in accordance with Condition 31; and
 - i. The volume of BYPRO disposed at landfills or transported out of Ohio for land application or disposal.
38. In the annual report, Pixelle shall include the following annual certification statement, which 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. 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."

39. 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:
- a. 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.
 - b. In the case of a partnership, a general partner.
 - c. In the case of a sole proprietorship, the proprietor.
40. Unless otherwise directed by Ohio EPA in writing, Pixelle shall submit the annual report via the Division of Materials and Waste Management's virtual dropbox:

https://fileshare.epa.ohio.gov/filedrop/co_dmwm_submittals

Recordkeeping

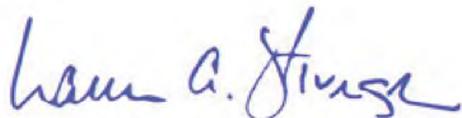
41. Pixelle shall maintain tracking logs for each recipient of BYPRO, which include, at a minimum, the following information:
- a. Daily and cumulative BYPRO quantities delivered to each reclamation mine site;
 - b. Daily and cumulative BYPRO quantities land applied, including the locations; and
 - c. Daily and cumulative BYPRO quantities stored, including the storage pile locations and initial accumulation dates.
42. Pixelle shall inspect each approved reclamation mine site at least semiannually to ensure that BYPRO is stored and land applied in accordance with this LAMP Permit and with any agreement Pixelle has entered into regarding the management of BYPRO at the reclamation mine site. Pixelle shall maintain an inspection log that, at a minimum, includes the following:
- a. The date, time, and location of the inspection;
 - b. The name of the individuals present at the time of the inspection;
 - c. The approximate volume of BYPRO observed at each storage location; and
 - d. Any observations related to noncompliance with this LAMP Permit.
43. The following records shall be maintained by Pixelle 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 BYPRO from Pixelle for land application;
 - b. All written permissions by landowners and, if applicable, the residents of the occupied structures required by Condition 28.c.

- c. A description of the process, including raw materials, used to generate BYPRO;
- d. Records of the annual volume of BYPRO that is designated for land application under this LAMP Permit;
- e. The tracking logs required by this LAMP Permit;
- f. The inspection log required by this LAMP Permit;
- g. All laboratory reports of all analyses of the BYPRO;
- h. The cumulative loading rate information if required by Condition 24 of this LAMP Permit; and
- i. All logs, reports, and other documents required by this LAMP Permit.

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 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." The Commission, in its discretion, may reduce the fee 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 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

Questions concerning this LAMP Permit should be directed to Ohio EPA's Beneficial Use Unit at (614) 644-2621 or submit a digital request to Division of Materials and Waste Management's virtual dropbox at the following address: https://fileshare.epa.ohio.gov/filedrop/co_dmwm_submittals



Laurie A. Stevenson
Director

LAS/PC
Attachment: LAMP Permit application