



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

August 11, 2021

Mike Slonkosky  
Kit Slonkosky Trucking, LLC  
19796 DeWeese Rd  
Sidney, OH 45365

**Re:** Kit Slonkosky Trucking, LLC  
Permit- Short Term Approval  
Beneficial Use  
Shelby  
BENU022522

**Re:** Kit Slonkosky Trucking, LLC  
Permit – Short Term  
Exemption  
Beneficial Use  
Shelby  
BENU022522

**Subject: Kit Slonkosky Trucking, LLC  
Land Application Management Plan Permit Approval and Exemption  
Ground Cast Gypsum**

**Effective Date:** August 11, 2021

**Expiration Date:** August 11, 2026

Dear Mr. Slonkosky,

The Ohio Environmental Protection Agency (“Ohio EPA”) has reviewed the land application management plan (“LAMP”) Permit application submitted by Kit Slonkosky Trucking, LLC (“Slonkosky Trucking”) on October 9, 2020. This LAMP Permit is for the land application of ground cast gypsum (“cast gypsum”), generated by the Ross Casting and Innovation, LLC (“Ross Casting”) located at 402 Kuther Rd, Sidney, OH 45365, for agronomic benefit to agricultural fields.

Cast gypsum that has been ground can be used as a source of calcium and sulfur for plant nutrition and can improve soil tilth. Cast gypsum is a solid waste and Slonkosky Trucking would be required to obtain a permit and license under ORC Chapter 3734 and the rules promulgated thereunder to permanently place it upon the land. The Director of Ohio EPA (Director) has determined that issuing this LAMP Permit to use crushed gypsum mold sand in the quantities and under the circumstances specifically described in the application and as 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), the Director hereby exempts Slonkosky Trucking from the licensing, permitting, and state solid waste disposal fee provisions of ORC Chapter 3734 and rules adopted thereunder, specific to the land application of cast gypsum as authorized by and

in compliance with this LAMP Permit. This LAMP Permit is issued pursuant to Chapters 3734 and 6111 of the Ohio Revised Code (“ORC”) for the land application of cast gypsum as a soil amendment and nutrient source to agricultural fields in Ohio, subject to compliance with all conditions below.

## **CONDITIONS**

### **General Conditions**

1. This LAMP Permit authorizes Slonkosky Trucking to land apply cast gypsum as a soil amendment on agricultural fields for agronomic benefit. This LAMP Permit authorizes Slonkosky Trucking to land apply only cast gypsum that is managed in accordance with all Conditions of this LAMP Permit. This LAMP Permit shall not be construed to authorize any other use of cast gypsum.
2. Only cast gypsum that meets all the following is eligible for land application as a soil amendment on agricultural fields for agronomic benefit pursuant to this LAMP Permit, all other cast gypsum must be separately approved for land application by Ohio EPA:
  - a. Cast gypsum that is generated by Ross Casting;
  - b. Cast gypsum that has been ground to particle sizes no larger than 3/4 inch;
  - c. Cast gypsum that is not a hazardous waste; and
  - d. Cast gypsum that is managed in accordance with this LAMP Permit.
3. Slonkosky Trucking shall ensure that the cast gypsum land applied contains no more than 1.0% by weight foreign/inert materials and that no more than a fourth of this foreign matter (0.25% total) is plastic. If any sample exceeds 1.0% by weight foreign/inert material Slonkosky Trucking shall further screen or dispose of the cast gypsum.
4. Slonkosky Trucking shall conduct all activities in compliance with all local, state, and federal 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 groundwater and surface water.
5. Slonkosky Trucking shall provide a copy of the attached guidance document, “Best Management Practices for the Land Application and Storage of Waste Gypsum”, to each distributor and each end user that receives cast gypsum from Slonkosky Trucking.
6. Slonkosky Trucking shall obtain a written agreement from each distributor that receives cast gypsum from Slonkosky Trucking. The written agreement shall require that each distributor agree to comply with all of the following:
  - a. Comply with the attached guidance document, “Best Management Practices for the Land Application and Storage of Waste Gypsum”, including all restrictions and best management practices (“BMPs”) set forth therein;
  - b. The distributor will provide a copy of the attached guidance document, “Best Management Practices for the Land Application and Storage of Waste Gypsum”, to everyone receiving cast gypsum; and

- c. The distributor will maintain and make available to Ohio EPA upon request records of the name, address, and telephone number of each recipient of cast gypsum, the location(s) where cast gypsum was stored or placed on the land, and the tonnage provided to each recipient.
7. Slonkosky Trucking shall obtain a written agreement from each end user that receives cast gypsum from Slonkosky Trucking. The written agreement shall require that each end user agrees to comply with the attached guidance document, “Best Management Practices for the Land Application and Storage of Waste Gypsum.”
8. 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 Slonkosky Trucking 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.
9. Slonkosky Trucking shall not cause pollution of waters of the state or place or cause to be placed any cast gypsum 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. Slonkosky Trucking 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.
10. Slonkosky Trucking shall notify the Director, in writing, within seven days of discovering noncompliance with this LAMP Permit.
11. The Director may add, delete, or change any conditions of this LAMP Permit to protect public health or safety or the environment. Ohio EPA specifically reserves the right to add constituents and applicable limits and rates to Table 1 and Table 2 as it deems necessary to protect public health, safety, or the environment, without modifying this LAMP Permit, by providing 30-days written notice to Slonkosky Trucking. 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 or 2 as appropriate.
12. Slonkosky Trucking shall furnish to the Director, or an authorized representative of Ohio EPA, not later than 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
13. This LAMP Permit to land apply cast gypsum from Ross Casting shall expire at midnight on the expiration date shown above. In order to receive authorization to land apply cast gypsum beyond the above date of expiration, Slonkosky Trucking shall submit such information and forms as are required by Ohio EPA no later than 180 days prior to the above expiration date.
14. To the extent that any provision in this LAMP Permit conflicts with a provision in Slonkosky Trucking’s LAMP Permit application, or in any attachment to Slonkosky Trucking’s LAMP Permit application, Slonkosky Trucking shall comply with this LAMP Permit, and this LAMP Permit shall supersede any inconsistent requirement in Slonkosky Trucking’s LAMP Permit application, in any attachment to Slonkosky Trucking’s LAMP Permit application, or any document submitted pursuant to this LAMP Permit.

15. The Director, or the Director's authorized representative(s), may, upon presentation of credentials or other documents as may be required by law, enter upon the premises of Slonkosky Trucking or any site where cast gypsum land application takes place, at any reasonable time, for the purpose of conducting inspections, collecting samples of cast gypsum, conducting tests, taking photographs, or examining records or reports pertaining to the installation, modification, or operation of the land application system for cast gypsum.
16. Slonkosky Trucking is responsible for identifying and obtaining any additional authorizations necessary to land apply cast gypsum as described in this LAMP Permit.

### **Sampling and Analysis**

17. Only cast gypsum 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. Analysis submitted to Ohio EPA with the LAMP Permit application demonstrated the cast gypsum is not a hazardous waste.
18. Slonkosky Trucking shall notify Ohio EPA if it anticipates a change in the generating process or if the raw materials used in the generating process of cast gypsum substantially change, as defined in Condition 19. If deemed necessary, the Director may request that Slonkosky Trucking submit a revised LAMP Permit application for approval.
19. Slonkosky Trucking shall collect and analyze at least one composite sample per calendar year of the cast gypsum intended for land application pursuant to this LAMP Permit. Slonkosky Trucking shall collect and analyze an additional composite sample 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. Slonkosky Trucking shall ensure that the collection and analysis conform to the following:
  - a. The cast gypsum samples collected shall be representative of the cast gypsum to be land applied.
  - b. Samples of cast gypsum shall be collected using a strategy to obtain representative samples as described in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846)*<sup>1</sup>;
  - c. Each composite sample of cast gypsum shall be collected by taking a minimum of two discrete samples of cast gypsum and compositing the discrete samples into one composite sample for analysis;
  - d. Each sample(s) shall be analyzed for total metals, as described in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, for each constituent listed in Table 1 of this LAMP Permit.

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<sup>1</sup> EPA publication SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846)," as amended through July 2016.

- e. The reported detection limits for the analyses shall be below the limits specified for each constituent in Table 1 of this LAMP Permit.

**Table 1: Constituent Limits**

<b>Constituents<sup>2</sup></b>	<b>Ceiling Concentration Limits (mg/kg)</b>
Arsenic	41
Barium	15,000
Beryllium	160
Boron	16,000
Cadmium	39
Chromium, total	180,000
Copper	1,500
Lead	300
Mercury	11
Molybdenum	75
Nickel	420
Selenium	100
Thallium	0.78
Zinc	2,800

20. If there is a substantial change in the generation process or the raw materials used in generating the cast gypsum, Slonkosky Trucking shall collect and analyze an additional composite sample of cast gypsum for the Resource Conservation and Recovery Act heavy metals (RCRA 8 metals: arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver) for leaching potential using the Toxicity Characteristic Leaching Procedure (TCLP) Method 1311 as described in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846)*, to demonstrate that the cast gypsum is not a hazardous waste as defined in ORC Section 3734.01, OAC Rule 3745-50-10(A), OAC Chapter 3745-51-03.
21. Slonkosky Trucking shall not designate, make available, or distribute for land application any cast gypsum for which any analytical result indicates that a constituent concentration exceeds any Ceiling Constituent Concentration Limit specified in Table 1 (“exceeded cast gypsum”). Upon receipt of such an analytical result, Slonkosky Trucking shall immediately cease land application of the exceeded cast gypsum and shall dispose of the exceeded cast gypsum at a licensed solid waste facility not later than ninety days (90) after receiving the analytical result.
22. Slonkosky Trucking may land apply cast gypsum produced after the exceeded cast gypsum (“newly-produced cast gypsum”) only upon receipt of analytical results demonstrating that the newly-produced cast gypsum does not exceed any of the Ceiling Constituent

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<sup>2</sup> Limits for Barium, Beryllium, Boron, Mercury, and Thallium are US EPA Regional Screening Levels; Residential Soil. Those for Arsenic, Cadmium, Copper, Lead, Molybdenum, Nickel, Selenium, and Zinc are US EPA 40 Code of Federal Regulations Part 503 Pollutant Concentrations (Table 3 of 503.13)

Concentration Limits specified in Table 1. Until such analytical results are received, Slonkosky Trucking shall not designate, make available, or distribute for land application newly-produced cast gypsum, and shall dispose of newly-produced cast gypsum at a licensed solid waste facility.

23. Slonkosky Trucking shall analyze the cast gypsum for the constituents listed in Table 2 so that users may determine the appropriate maximum agronomic application rate. When calculating the appropriate application rate, end users shall perform all of the following:
- a. Consult Ohio State University Bulletin 945, Gypsum as an Agricultural Amendment: General Use Guidelines (or subsequent updated versions);
  - b. Base the application rate on the ideal fertilizer range for the crop to be grown and the existing nutrient status of the soil at the land application site (as determined by the most recent sampling results of the cast gypsum and the soil);
  - c. Consider the potential for runoff of the cast gypsum, either by itself or carried in storm water.

**Table 2: Agronomic Testing Parameters**

Parameters
Calcium
Chloride
Moisture (%)
pH
Sulfur

**Storage Conditions**

24. Except for temporary storage as authorized by Condition 28, Slonkosky Trucking may only store and process cast gypsum at 19796 DeWeese Road Sidney, Ohio (“Long-Term Storage and Processing”).
25. Long-Term Storage and Processing shall not exceed 800 tons of cast gypsum.
26. Slonkosky Trucking may request written authorization from Ohio EPA Central Office’s Division of Materials and Waste Management in order to store and process more than 800 tons of cast gypsum or store and process cast gypsum at a location other than 19796 DeWeese Road Sidney, Ohio. Authorization to add storage and processing locations or increase the storage and processing limit shall be requested, in writing, to Ohio EPA with an explanation of the reason for the request.
27. Except for temporary storage as authorized by Condition 28 Slonkosky Trucking shall store and process cast gypsum inside a structure or device having a roof or cover, sidewalls, and a base sufficiently impermeable to prevent contact with precipitation and surface water when storing and processing cast gypsum.

28. Slonkosky Trucking may temporarily store cast gypsum at the land application site pursuant to this Condition. Slonkosky Trucking shall use BMPs when storing cast gypsum at a land application site pursuant to this LAMP Permit including, at a minimum, all of the following:
- a. Storing cast gypsum at the land application site for not more than 90 days prior to land application;
  - b. Storing cast gypsum 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;
  - c. Minimizing the exposure of cast gypsum to precipitation, snowmelt, and runoff throughout the storage, processing, and staging of the material (including loading and unloading, disposal, cleaning, and maintenance operations);
  - d. The use of grading, berming, or curbing to prevent cast gypsum runoff and divert run-on away from storage areas;
  - e. Providing and maintaining a 50-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;
  - f. Locating all cast gypsum storage areas at least 300 feet from any occupied structure;
  - g. Locating all cast gypsum storage areas at least 300 feet from public water system and private wells and surface waters used for drinking water or watering livestock and at least 100 feet from other surface waters of the state;
  - h. 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 cast gypsum is stored on land;
  - i. Not storing cast gypsum in areas that are either over or within a sensitive groundwater area, including any of the following:
    - (i) Karst terrain;
    - (ii) A sand and gravel pit;
    - (iii) A limestone or sandstone quarry;
    - (iv) A drinking water source protection area with less than ten feet of low permeability clay rich glacial till between the bottom of the storage area and the aquifer used by the applicable public water supply well as a source of ground water;
    - (v) An aquifer designated on an Ohio Department of Natural Resources Ground Water Resources map for the county in which the land application 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 storage area and the aquifer;

- j. Taking measures to control fugitive dust and other air emissions that may result from activities authorized through this LAMP Permit.
29. Except for storage as authorized by Condition 28, Slonkosky Trucking shall obtain any other applicable authorizations from Ohio EPA Division of Surface Water prior to storing cast gypsum.

**Land Application Conditions**

30. Slonkosky Trucking shall not land apply cast gypsum pursuant to this LAMP Permit at a rate that exceeds two tons of cast gypsum per acre per year for each land application site.
31. Slonkosky Trucking shall land apply or transfer to a land application site for land application, at least fifty per cent by weight or volume of the amount of cast gypsum that was stored at the beginning of the calendar year.
32. Notwithstanding any other provision of this LAMP Permit, Slonkosky Trucking shall use BMPs when applying cast gypsum on the ground for agronomic benefit as a soil amendment pursuant to this LAMP Permit including, at a minimum, all of the following:
- a. Cast gypsum shall not be land applied within 300 feet of public water system wells and surface waters used for drinking water or watering livestock or within 100 feet of public water system 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 public water system wells and surface waters used for drinking water or watering livestock;
  - b. Cast gypsum shall not be land applied within 33 feet of any waters of the state that are not referenced in Condition 32.a, unless approved in writing by Ohio EPA's Division of Surface Water;
  - c. Cast gypsum shall not be land applied during precipitation ;
  - d. Cast gypsum shall not be land applied to saturated soil;
  - e. Cast gypsum shall not be land applied onto frozen or snow-covered ground; and
  - f. Measures to control fugitive dust and other air emissions that may result from activities authorized through this LAMP Permit shall be taken.
33. Slonkosky Trucking shall not place cast gypsum 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.
34. Slonkosky Trucking may land apply and store cast gypsum only in accordance with this LAMP Permit and shall not create a nuisance or adversely affect public safety or health or the environment. The Director may revoke this LAMP Permit if the Director determines that a nuisance condition or a threat to public health, safety, or the environment exists. Immediately upon the effective date of any written notification from the Director of

revocation of this LAMP Permit, Slonkosky Trucking shall cease distribution and land application under this LAMP Permit. The Director may require Slonkosky Trucking to remove the material, remediate the site, or to take other action as appropriate to eliminate the nuisance or threat.

### **Recordkeeping and Reporting**

35. Slonkosky Trucking shall maintain daily tracking logs for each day that cast gypsum is received, transferred or land applied which include, at a minimum, the following information:
  - a. Daily and cumulative cast gypsum quantities delivered to each site during the calendar year;
  - b. Daily and cumulative cast gypsum quantities land applied during the calendar year, including the locations; and
  - c. Daily and cumulative cast gypsum quantities stored during the calendar year, including the storage pile locations and initial accumulation dates.
  
36. Slonkosky Trucking shall maintain the following records for a minimum of 5 years after the land application of cast gypsum pursuant to this LAMP Permit, and shall make the records available to Ohio EPA upon request:
  - a. Records of the annual tonnage of cast gypsum that is land applied pursuant to this LAMP Permit;
  - b. The name, address, and telephone number of each recipient of cast gypsum, the location(s) where cast gypsum was stored or placed on the land, and the tonnage provided by Slonkosky Trucking and any distributors to each recipient;
  - c. Written agreements with all distributors and end users that receive cast gypsum from Slonkosky Trucking, as required in Conditions 5 and 6;
  - d. The tracking log required by this LAMP Permit as required in Condition 35;
  - e. A description of the process, including raw materials, used to generate cast gypsum;
  - f. The sampling plan detailing where and how samples of cast gypsum were collected, as well as dates that the annual samples were collected;
  - g. The laboratory reports of all sampling and analyses of cast gypsum; and
  - h. Documentation demonstrating that the cast gypsum is not a hazardous waste as defined by ORC Section 3734.01, OAC Rule 3745-50-10(A), and OAC Rule 3745-51-03.
  
37. By April 1st of each year, Slonkosky Trucking shall submit to Ohio EPA a report identifying the material characterization and the land application activities involving cast gypsum for the previous calendar year. At a minimum, the annual report shall include:

- a. Records of the annual amount of cast gypsum that Slonkosky Trucking received;
  - b. Records of the annual amount of cast gypsum that is land applied;
  - c. Records of the recipient(s) and the location(s) where cast gypsum was stored and land applied and the amount provided by Slonkosky Trucking to each recipient;
  - d. The analytical results for the most recent year's sampling and analyses;
  - e. Calculations demonstrating that during the preceding calendar year, the amount of cast gypsum that was land applied, or transferred to a different site for land application, equals at least seventy-five per cent by weight or volume of the amount of cast gypsum that was accumulated at the beginning of the calendar year.
38. In the annual report, Slonkosky Trucking 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."*

39. For the first certification statement, Slonkosky Trucking shall insert the initial effective date of this LAMP Permit as the beginning date for the certified period of time. The certification statement 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, shall subject the signatory to liability under ORC Section 2921.13, and 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. Slonkosky Trucking shall send the annual report to one of the following:

For digital submittals, submit files to the Division of Materials and Waste Management's virtual dropbox: [https://fileshare.epa.ohio.gov/filedrop/co\\_dmwm\\_submittals](https://fileshare.epa.ohio.gov/filedrop/co_dmwm_submittals)

or

For mailings, use the post office box number:

Ohio Environmental Protection Agency  
Division of Materials and Waste Management  
Attn: Beneficial Use Unit  
P.O. Box 1049  
Columbus, Ohio 43216-1049

or

For deliveries to the building:

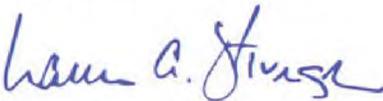
Ohio Environmental Protection Agency  
Lazarus Government Center  
Division of Materials and Waste Management  
Attn: Beneficial Use Unit  
50 West Town Street  
Columbus, Ohio 43215

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, 4<sup>th</sup> 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](https://fileshare.epa.ohio.gov/filedrop/co_dmwm_submittals).

Sincerely,



Laurie A. Stevenson  
Director

LAS/PC

Attached: "Best Management Practices for the Land Application and Storage of Waste Gypsum"



## Best Management Practices for the Land Application and Storage of Waste Gypsum

*This document is intended to provide practical best management practices (“BMPs”) for use when storing or land applying waste gypsum as a soil amendment on agricultural fields in Ohio. For purposes of this document, waste gypsum includes gypsum that results from flue gas desulfurization processes, gypsum molds, and gypsum derived from other solid waste or construction and demolition debris. These BMPs are designed to minimize potential adverse impacts to public health, safety, and the environment, thus benefitting businesses, the environment, and the citizens of Ohio.*

### Storage BMPs

Any person storing waste gypsum prior to land application on agricultural fields should take measures to minimize the waste gypsum’s potential impact on human health and the environment by employing the following BMPs:

- Waste gypsum shall not be stored at the site of land application for more than 90 days prior to land application.
- Waste gypsum shall be stored in a manner that minimizes exposure of the stored waste gypsum to any potential runoff from precipitation or any other source of surface water runoff.
- Waste gypsum shall not be stored in areas that are either over or within a sensitive groundwater area, including: karst terrain, sand and gravel pits, limestone or sandstone quarries, and drinking water source protection areas. Karst terrain is generally located within western Ohio. If you need assistance in determining whether your potential storage location is over or within a sensitive groundwater area, please contact Ohio EPA at the phone number or email address provided below.
- Waste gypsum shall be stored in a manner that prevents any waste gypsum from entering surface waters of the state. Surface waters of the state include streams, lakes, reservoirs, ponds, marshes, wetlands, ditches, and other waterways.
- Waste gypsum shall be stored at least 300 feet away from any occupied structures. An occupied structure is a structure where one or more human beings may be present.
- All waste gypsum storage areas shall be at least 300 feet away from any water used for drinking or for watering livestock, including public water system wells and private wells.
- All waste gypsum storage areas shall be at least 100 feet away from any surface waters of the state including: streams, lakes, reservoirs, ponds, marshes, wetlands, ditches, or other waterways.
- Waste gypsum shall be managed in a manner that minimizes dust and other air emissions that may result from its storage and transportation.

# Best Management Practices for the Land Application and Storage of Waste Gypsum

## Land Application Conditions

When land applying waste gypsum, measures should be employed to prevent it from entering nearby surface water and to prevent dust and other air emissions. Any person land applying waste gypsum as a soil amendment on agricultural fields should at a minimum employ the following BMPs:

- Waste gypsum shall not be land applied at a rate greater than two tons of waste gypsum per acre per year.
- Waste gypsum shall not be land applied any closer than 100 feet to public water system wells and surface waters used for drinking water or watering livestock. For all other surface waters of the state, including streams, lakes, reservoirs, ponds, marshes, wetlands, ditches, and other waterways, waste gypsum shall not be land applied closer than 33 feet.
- Waste gypsum shall not be land applied during precipitation events.
- Waste gypsum shall not be land applied to saturated soil.
- Waste gypsum shall not be land applied onto frozen or snow-covered ground.
- Waste gypsum shall be managed in a manner that minimizes dust and other air emissions that result from its land application.
- Waste gypsum shall not be land applied 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.

## More Information

If you have questions regarding the BMPs described in this document or need additional information or assistance, please contact Ohio EPA's Division of Materials and Waste Management Beneficial Use Group at (614) 644-2621 or email us at [Maera.Flynn@epa.ohio.gov](mailto:Maera.Flynn@epa.ohio.gov). Additional resources may also be found on the Beneficial Use Program's website: <https://www.epa.state.oh.us/dmwm/Home/Beneficial-Use>.

## Disclaimer

The BMPs set out in this document are intended solely for guidance. The BMPs in this document are not intended and cannot be relied upon to create rights, enforceable by any party against Ohio EPA. All applicable laws and regulations remain binding and enforceable. Ohio EPA reserves the right to vary this guidance to change it any time without public notice and also reserves the right to deviate from this guidance on a case-by-case basis.