



Division of Surface Water Response to Comments

Project: Wiles Storage Pond, Receipt of Permit to Install (PTI) Application

Ohio EPA PTI No.: 1211412

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Ohio EPA held a public hearing on April 17, 2018, regarding the proposed PTI for the Wiles Storage Pond. This document summarizes the comments and questions received at the public hearing and during the associated comment period, which ended on April 24, 2018.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

To help you review this document, the questions are grouped by topic and organized in a consistent format.

Regulatory Comments

Comment 1: How will Ohio EPA ensure that only Class B biosolids are placed within the proposed Wiles Storage Pond? When this gets approved, is there a process that they can change or add to the lagoon?

Response 1: The Permit-to-Install (PTI) is specific to the generator and type of material that can be managed at the facility. The PTI includes appropriate conditions to prohibit any materials other than those specifically identified by the permit application. Ohio EPA performs compliance inspections to ensure conditions of the permit are met. Continued operation of the facility is managed pursuant to Ohio EPA's biosolids rules requiring a valid National Pollutant Discharge Elimination (NPDES) permit or management plan. This permit includes a variety of conditions covering monitoring as well as record keeping requirements.

A new NPDES permit would be required prior to any change in biosolid generators. The NPDES permit process for this change would include a public notification period prior to a final action.

Comment 2: **Several commenters were concerned with who will test the Class B biosolids and when will they be tested.**

Response 2: Class B biosolids are strictly regulated in accordance with Ohio Administrative Code (OAC) Chapter 3745-40 (Ohio's sewage sludge rules) and Buckeye Biogas, LLC's NPDES permit, No. 3IN00380*AD. Monitoring of pollutant parameters is performed by the generator, Buckeye Biogas, LLC, on a monthly basis. In addition, Ohio EPA performs compliance inspections to ensure that accurate self-monitoring is being performed.

Comment 3: **Several commenters were concerned with how often and who will test the soil and water around the proposed Wiles Storage Pond.**

Response 3: A ground water monitoring program will be developed and implemented as a condition of the PTI. Ohio EPA will incorporate the ground water monitoring program as a requirement of the management plan. The ground water monitoring plan 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 that includes semi-annual monitoring; and
6. ground water monitoring reporting to Ohio EPA.

Existing and additional ground water monitoring wells have been or will be installed so the ground water will be sampled periodically with reports submitted to Ohio EPA. Monitoring would be conducted by Buckeye Biogas, LLC. Ohio EPA has the authority to sample the wells or split sample as necessary. Ohio EPA also will perform various types of inspections and data reviews to ensure that the proposed Wiles Storage Pond is in compliance with the PTI and management plan.

Comment 4: **How is the construction of the Wiles Storage lagoon regulated by Ohio EPA?**

Response 4: The design and installation of wastewater treatment facilities or a storage lagoon such as the proposed Wiles Storage lagoon require a PTI from Ohio EPA pursuant to OAC Chapter 3745-42. The proposed Wiles Storage Pond will also be regulated by a management plan. Additionally, Buckeye Biogas, LLC is regulated by a NPDES permit.

This construction project will disturb more than one acre or property, therefore a general NPDES storm water permit is also required for construction activities. Permit No. 3GC09671*AG has been issued.

Comment 5: **Who is responsible for addressing Class B biosolids that have spilled onto roadways or potential lagoon overflow into a creek?**

Response 5: The generator, Buckeye Biogas, LLC, would be required to address spills in accordance with the *Prevention/Contingency Plan for Spills* submitted with the PTI. The management plan will also contain requirements for reporting and promptly addressing any release of material.

Citizens can contact Quasar Energy Group, LLC at (216) 986-999 or Ohio EPA's Northeast District Office at (330) 963-1200 to report biosolid spills on a roadway. For spills that are in imminent danger of entering "waters of the state",

citizens should immediately call Ohio EPA's spill hotline, (800) 282-9378.

Comment 6: **Several commenters were concerned with the amount of Class B biosolids generated by Buckeye Biogas, LLC, how many trucks per day would enter the property, the weight of the trucks and the hours trucks would transport class B biosolids to the proposed Wiles Storage Pond.**

Response 6: Buckeye Biogas, LLC is designed for an annual capacity of 10,078,031 gallons. This is equal to 25,628 gallons (6.4 dry tons) of Class B biosolids per day. The maximum storage volume of the proposed Wiles Storage Pond will be 9,251,851 gallons.

Trucking and hours of operation are not regulated by Ohio EPA.

Comment 7: **Why is a public notice not required with a permit application?**

Response 7: Public notice requirements for Ohio EPA permits are outlined in the Ohio Administrative Code (OAC) Section 3745-49-07. The public notice of this PTI is only required upon final action of the director.

Comment 8: **Several commenters were concerned about the quality and contaminants in the biosolids such as trace/heavy metals are in the sludge. Is it safe?**

Response 8: Class B biosolids must be sampled on a periodic basis and meet the requirements of OAC Chapter 3745-40 prior to land application. The rules contain standards for trace heavy metals. If the biosolids do not meet the criteria, they must be re-processed or disposed of at a landfill.

No known health issues have been linked to the beneficial use of biosolids that meet the required standards. Biosolid application is a practice used worldwide for decades. For additional information regarding the safety of biosolids, please refer to "Human Health Comments" section of this document.

Comment 9: **Several commenters were concerned about the issue of pest control.**

Response 9: “Vector attraction” is the term used in the regulations related to “pest control”. Biosolids generated by Buckeye Biogas, LLC are treated to meet the vector attraction reduction (VAR) requirements established within OAC 3745-40-04. Buckeye Biogas, LLC satisfies VAR option No. VAR-1 (38 percent volatile solids reduction) to prevent a pest problem.

Comment 10: **How many lagoons like this are in Wayne County and Ohio?**

Response 10: The city of Wooster operates the only other biosolids lagoon in Wayne County. There are two private anaerobic digestion facilities that include biosolids lagoons in the state, Emerald BioEnergy, LLC and Haviland Energy, LLC.

Comment 11: **Are operators required to go through EPA training? How is this enforced?**

Response 11: Certified operators are required to oversee the technical operation of the treatment works, sewerage system or each wastewater treatment facility. As part of the certification process, an operator must receive an Ohio EPA certification and pass an examination. OAC Chapter 3745-7 outlines the classification and minimum staffing requirements for all treatment works, sewerage systems or wastewater treatment facilities within a treatment works.

Comment 12: **How long will this lagoon be in operation? How long can material be stored in the lagoon?**

Response 12: The PTI is a one-time permit for installation of the proposed Wiles Storage Pond. The Wiles Storage Pond can continue to operate while it is in substantial compliance with all applicable regulations, rules and permit conditions or until such time that it is closed by the company. Any changes to the design of the system must be approved by Ohio EPA prior to construction.

Biosolids cannot be stored within the proposed Wiles Storage Pond for more than two years. This means the volume of Class B biosolids must be “turned over” within two years. Appropriate records are required documenting the volume of Class B biosolids being transported to the proposed Wiles Storage Pond and volume removed for beneficial use from the proposed Wiles Storage Pond.

Comment 13: **When material is removed from the lagoon, how is it managed?**

Response 13: The lagoon will contain Class B biosolids that will be beneficially used for farm-field application as a soil amendment material that has similar qualities to fertilizer. This activity is regulated by OAC Chapter 3745-40.

Comment 14: **Several commenters were concerned about why permits were issued to the proposed Wiles Storage Pond prior to the public hearing.**

Response 14: According to Ohio EPA Division of Surface Water records, the following two permits have been issued for the property where the Wiles Storage Pond is proposed to be located:

General NPDES Permit for Construction Activities
Permit No. 3GC09671*AG issued Sept. 28, 2017, for an earth disturbance of five acres.

Level 1 Isolated Wetland Permit
Ohio EPA ID No. 185731 issued April 26, 2018, for 0.039 acres of impact to a forested Category 2 wetland.

When possible, Ohio EPA will try to coordinate issuance of permits together; however, each permit application has specific and individual applicability criteria. When this criterion is met, Ohio EPA is obligated to issue the permit by rule. Coverage under these two permits is not subject to a public hearing.

Comment 15: **Another farm down the road has a field where biosolids are used and was recently completely flooded. How can this be allowed?**

Response 15: Prior to land application of Class B biosolids, each farm field is evaluated for soil type and condition, any streams or wetlands on the site, and proper siting criteria in accordance with our rules.

Land application on a field that is frequently flooded is prohibited unless Class B biosolids are applied using same-day incorporation or injection in areas during periods when flooding is expected. If you witness the beneficial use of biosolids that are not complying with these requirements,

contact Ohio EPA, Northeast District Office at (330) 963-1200.

Comment 16: **Is there a different standard for manure lagoons under the Ohio Department of Agriculture, compared to Ohio EPA's regulations for PTI of sewer sludge lagoon?**

Response 16: Yes. The Ohio Department of Agriculture's standards for manure storage and treatment facilities are established in OAC Section 901. Non-agricultural biosolids or wastewater treatment lagoons must be approved by Ohio EPA utilizing applicable rules and guidelines. When performing the PTI review for the proposed Wiles Storage Pond, Ohio EPA used Natural Resources Conservation Service Conservation Practice Standard Waste Storage Facility Code 313, which has some consistency with OAC Section 901.

Comment 17: **Several commenters were concerned about nutrient management of the Class B biosolids stored within the proposed Wiles Storage Pond.**

Response 17: The nutrients associated with Class B biosolids will be taken up by the growing crop(s) for the crop year(s) on the Ohio EPA-authorized beneficial use site.

OAC Section 3745-40-08(A)(2) establishes the agronomic rates that must be satisfied during the beneficial use of Class B biosolids.

Comment 18: **Does the city of Wooster treatment plant have the same pretreatment protocol as other treatment plants to help lower hazardous chemicals, heavy metals and/or pharmaceuticals?**

Response 18: Yes. The city of Wooster has a pretreatment program to regulate their industrial customers and limit the type pollutants discharged to the City.

Comment 19: **What has Buckeye Biogas been doing with the digester material until now?**

Response 19: The treated biosolids have been placed on agricultural fields as a soil amendment material (fertilizer) that will help improve and maintain productive soils and stimulate plant growth.

Comment 20: **Is Ohio Department of Natural Resources (ODNR) involved in the construction/permitting of the basin (dam safety permit)?**

Response 20: No. ODNR's Dam Safety Program only regulates structures that meet the criteria of their program. This project does not meet their criteria for regulation.

Comment 21: **Aside from phosphorus or nitrogen, are the fields where sludge is to be applied tested periodically as part of their application approval for heavy metals or other potential contaminants?**

Response 21: Yes, pursuant to OAC Section 3745-40-08(D)(5).

Design Comments

Comment 22: **Several commenters asked why a 10-million-gallon lagoon is required for a 550,000-gallon anaerobic digester.**

Response 22: Ohio EPA's regulations regarding the design of biosolids storage facilities do not contain a maximum volume requirement.

Comment 23: **Several commenters were concerned about the effectiveness of the proposed 12-inch liner protecting ground water.**

Response 23: The detailed plans for the proposed Wiles Storage Pond did propose a 12-inch clay liner at the time of the hearing. After further review, the design has been changed to an 18-inch recompacted clay liner to achieve a 1×10^{-7} cm/sec permeability. In addition, a 6-inch protective soil cover layer is proposed over the 18-inch recompacted soil liner.

After review of the underlying natural materials, ground water layers and design criteria, the proposed liner will be protective of ground water. A ground water monitoring program also will be developed as a condition of the PTI and a requirement of the management plan to provide an additional assurance of ground water protection. Routine monitoring will be required in the management plan.

To protect the clay liner from sun and weather exposure a 12-inch protective soil cover layer will be placed over the 18-

inch recompacted clay liner on the embankments of the proposed Wiles Storage Pond. A 6-inch protective soil cover layer will be placed over the 18-inch recompacted clay liner on the floor of the proposed Wiles Storage Pond.

Comment 24: **Why was this location chosen to construct the lagoon?**

Response 24: The location of the lagoon was a business decision made by Buckeye Biogas, LLC over which Ohio EPA has no authority.

Comment 25: **Several commenters were concerned with the use of rubber tires or other track equipment needed to push materials in the lagoon. Can you explain how that will not compromise the liner as well?**

Response 25: This aspect of the design and operation was modified during the PTI review process. Equipment will not be used at the proposed Wiles Storage Pond to manage the material. In addition, a 6-inch protective soil cover layer is proposed over the 18-inch recompacted soil liner.

Comment 26: **Several commenters were concerned about potential overflows or that the “earthen liner” could be compromised.**

Response 26: If an overflow event occurs, Buckeye Biogas, LLC would be required to address the situation as noted above in item 5. Also, in accordance with the *Land Application Management Plan*, Buckeye Biogas, LLC would be required to perform weekly inspections of the proposed Wiles Storage Pond once the storage volume for Class B biosolids exceeds 50 percent.

Comment 27: **Several commenters were concerned about the potential for the lagoon to overflow.**

Response 27: The design of the proposed Wiles Storage Pond includes permanent level-markers that would be used within the storage pond. Visual inspections will be performed by Buckeye Biogas, LLC employees. In addition, Ohio EPA will issue a permit that will include a requirement to monitor and report the levels of biosolids stored within the proposed storage pond.

According to the PTI revisions, the proposed Wiles Storage Pond would include adding one foot of freeboard to the

above maximum operating level, elevation 1,167.6 feet above mean sea level (AMSL), that has been sized to accommodate a 25-year, 24-hour (4.39 inches) storm event. The one foot of freeboard is equal to a storage volume of 1,248,185 gallons.

According to the *Wiles Storage Pond Land Application Management Plan May 2018*, "...if an excessive precipitation event were to occur and were to exceed the 12" minimum freeboard, material would be transferred to another NPDES permitted facility".

Comment 28: Why is the lagoon even open/uncovered?

Response 28: Ohio EPA's regulations regarding the design of biosolids storage facilities do not require a cover.

Comment 29: Will there be a road going around the lagoon?

Response 29: Yes. According to the revised detailed plans, a roadway is proposed along the western length and approximately half of the northern length of the proposed Wiles Storage Pond.

Comment 30: Is the need for this size of lagoon or a lagoon at all outweigh the negative public opinion and/or potential environmental/public health impact?

Response 30: The permits issued by Ohio EPA are protective of human health and the environment and based on current rules and laws. The company's economic benefit and public opinion of this project are outside Ohio EPA's review jurisdiction.

Comment 31: How deep will the lagoon be?

Response 31: The maximum biosolids depth in the lagoon below the freeboard is 11.6 feet, which equates to a storage volume of 9,251,851 gallons.

Comment 32: Quasar has not shown that the material on site is suitable for use to construct the pond.

Response 32: The detailed plans for the proposed Wiles Storage Pond did propose a 12-inch clay liner at the time of the hearing. After further review, the design has been changed to an 18-inch recompacted clay liner to achieve a 1×10^{-7} cm/sec

permeability. In addition, a 6-inch protective soil cover layer is proposed over the 18-inch recompacted soil liner.

After review of the underlying natural materials, ground water layers and design criteria, the proposed liner will be protective of ground water. A ground water monitoring program also will be developed as a condition of the PTI and a requirement of the management plan to provide an additional assurance of ground water protection. Routine monitoring will be required in the management plan.

To protect the clay liner from sun and weather exposure a 12-inch protective soil cover layer will be placed over the 18-inch recompacted clay liner on the embankments of the proposed Wiles Storage Pond. A 6-inch protective soil cover layer will be placed over the 18-inch recompacted clay liner on the floor of the proposed Wiles Storage Pond.

Comment 33: **How does ion exchange (Ca and Na) affect the lifespan of the clay?**

Response 33: Ohio's clay is not readily susceptible to this type of reaction. Bentonite is very sensitive to Na/Ca ion exchange. In the United States, the product is predominantly Na-bentonite, so if Ca reacts and replaces the Na, the permeability goes up.

Comment 34: **How will the existing drainage swale going through the footprint of the lagoon be managed?**

Response 34: The swale that runs through the storage pond will be routed around the pond. There is a diversion ditch that routes the runoff from the west side to the east side around the northern portion of the proposed Wiles Storage Pond.

Ground Water Comments

Comment 35: **Several commenters were concerned with who will pay for testing and possible damages to private potable water sources.**

Response 35: A ground water monitoring program will be developed as a condition of the PTI and as a requirement of a management plan issued to the proposed Wiles Storage Pond. Existing and additional ground water monitoring wells have been or will be installed so the ground water will be sampled periodically with the reports submitted to Ohio EPA. The

ground water monitoring program will provide early detection of any potential threat to ground water. 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 that includes semi-annual monitoring; and
6. ground water monitoring reporting to Ohio EPA.

Comment 36: Who will pay for testing the lagoon and ground water?

Response 36: The cost of testing the biosolids and their ground water monitoring program is Buckeye Biogas, LLC's responsibility.

Comment 37: Can you guarantee all water will be safe and chemicals in water will not affect crops grown where it is spread?

Response 37: When Class B biosolids are treated and managed in accordance with OAC Chapter 3745-40, there will be minimal risk to human health and the environment. Beneficially used Class B biosolids will aid agricultural crops as they act as soil amendment material (fertilizer) that will help improve and maintain productive soils and stimulate plant growth.

Comment 38: At what depth is ground water?

Response 38: Two water-bearing units have been identified beneath the proposed Wiles Storage Pond. These are referred to as the Uppermost Aquifer System (UAS) and the Significant Zone of Saturation (SZS). Each of these hydrostratigraphic units dip to the north. That is, each unit is encountered at shallower depths at the south end of the property and deeper depths at the north end of the property. Therefore, the depths at which each unit is encountered will vary across the site.

The UAS is comprised of bedrock and overlying "clayey" sand and gravel. Based on boring logs recorded during the installation of ground water monitoring wells on April 12,

2018, the UAS is encountered at elevations ranging from 1,130.46 feet to 1,141.6 feet Above Mean Sea Level (AMSL). These elevations correspond to depths of 31 to 25 feet below ground surface. Underling the proposed unit, the UAS is a semi-confined hydrostratigraphic unit. The potentiometric surface (water level within the wells) ranges from 1,147.54 to 1,147.88 feet AMSL. These elevations correspond to depths of 13.83 to 19.34 feet below ground surface.

The SZS, where present, is comprised of two- to four-foot-thick silty sand. Based on boring logs recorded during the installation of ground water monitoring wells on April 12 and 13, 2018, the SZS is encountered at elevations ranging from 1,146.1 to 1,157.7 feet AMSL. These elevations correspond to depths of 15.5 to 6 feet below ground surface. Underlying the proposed unit, the SZS is a semi-confined hydrostratigraphic unit. The potentiometric surface ranges from 1,159.14 to 1,060.04 feet AMSL. These elevations correspond to depths of 2.26 to 3.66 feet below ground surface.

Property/Real Estate Comments

Comment 39: Several commenters were concerned with the impact of the proposed Wiles Storage Pond on property values and ability to sell their homes.

Response 39: Ohio EPA's permitting authority is limited to evaluation of environmental impacts and the Agency cannot consider property value.

Comment 40: What prevents the material from damaging the environment if no one is actively managing it?

Response 40: Proper operation and management of the proposed Wiles Storage Pond will be a condition of the PTI and a requirement of the management plan. In addition, biosolids testing and active record-keeping are requirements of the NPDES permit issued to Buckeye Biogas, LLC. Any violations of an approved PTI, management plan or an NPDES permit are subject to enforcement by Ohio EPA.

Compliance History Comments

Comment 41: Several commenters were concerned with the numerous violations that Quasar Energy Group, LLC has previously received.

Response 41: Ohio EPA initiated an enforcement action against Quasar to address odor related issues that were occurring at several Quasar owned and operated facilities. The company developed and implemented an odor mitigation plan. While periodic odor complaints still do occur, the level of complaints is down, and the company is responding when issues arise.

Comment 42: What is the typical time frame for the facility to come into compliance, according to the compliance notice?

Response 42: A regulated entity that has been issued a notice of violation (NOV) must provide a written response that includes the corrective action(s) that have been or will be implemented to address a violation documented by Ohio EPA. The timeframe for submitting the written response to Ohio EPA will vary depending on the nature of the violation and the risk to the environment.

Comment 43: Why are they even being allowed to submit a new application, when they have been unable to run previous projects without issue?

Response 43: Ohio EPA does not have the ability to deny the PTI for the proposed Wiles Storage Pond if it satisfies the PTI application and design requirements established within OAC Chapter 3745-40 and OAC Chapter 3745-42.

Zoning Comments

Comment 44: Why is a commercial enterprise allowed in a residential area? If the local government did have zoning which did not allow a waste lagoon, would Ohio EPA not consider that zoning regulation?

Response 44: Ohio EPA does not have authority over zoning requirements. Any questions or concerns related to zoning requirements should be directed to your local zoning office.

Odor Comments

Comment 45: Several commenters were concerned about the use of a tree buffer to mitigate the potential for offsite odors to be generated.

Response 45: Numerous organizations have published odor management guidance documents related to the use of manure storage lagoons and livestock farms. These published guidance documents recommend that tree windbreaks will help assist in the mitigation of nuisance-odor generation via benefits that include absorption of ammonia gas; deposition of dust particles by slowing the air speed; allowing mixing to occur between odorous and non-odorous air; filtering odor compounds and dust particulates via adsorption to leaf surfaces; and natural breakdown of odors via bacteria living on leaf surfaces that can metabolize odor compounds.

A few of these guidance documents can be obtained from the following websites:

<https://www.extension.umn.edu/agriculture/manure-management-and-air-quality/air-quality/preparing-an-odor-management-plan/>

<https://www.fs.usda.gov/nac/practices/windbreaks.shtml>

https://www.nrcs.usda.gov/Internet/FSE_PLANTMATERIALS/publications/mdpmctn7166.pdf

http://msue.anr.msu.edu/news/vegetative_buffers_to_control_odors_on_livestock_farms

Comment 46: What does Ohio EPA consider a nuisance odor?

Response 46: OAC 3745-40-01(QQQ) defines “nuisance odor” to mean “...an emission of any gas, vapor, aerosol or combination thereof from the management of sewage sludge or biosolids, in whatever quantities, that causes, either alone or in reaction with other air contaminants, injurious effects to public health or the environment or unreasonable interference with the comfortable enjoyment of life or property”.

Comment 47: Several commenters provided an overall concern about odors potentially generated by the lagoon system and how will the odors controlled to prevent nuisance conditions.

The detailed plans for the proposed Wiles Storage Pond include a number of specific components for odor control: (1) a tree buffer; (2) a Camlock fitting and pipe that discharges below the surface of the biosolids; (3) the creation of a crust on the surface of the pond; (4) only allowing the storage of digested biosolids; (5) incorporating an isolation distance of 1,050 feet from the nearest residence not owned by the property owner where the proposed storage pond is to be located; and (5) incorporating engineering components into the design to minimize odor generation.

Nuisance odors generated by the proposed Wiles Storage Pond would be a violation of the PTI, management plan and NPDES permit and would be subject to enforcement.

Comment 48: **Ohio EPA needs to require quantitative measures to assess the continued presence of nuisance odors following requirements to install specific odor controls.**

Response 48: Odors can be subjective in nature and may vary widely depending on numerous factors, including, but not limited to, environmental conditions and compounds associated with the biosolids. Many odors can be detected at low levels, below that of any instrumentation for creating a quantitative measurement. Ohio EPA will perform inspections and take appropriate actions if nuisance odors are generated.

Comment 49: **The odor this project will generate would be considered an indirect impact of the project. Ohio Administrative Code chapter 3745-1-50(U) defines “indirect impacts” as follows: “...effects which are caused by the project that occur further removed in distance from the project, but are still reasonably foreseeable”.**

Response 49: Indirect impacts defined in OAC 3745-1-50 are related to director’s actions regarding stream and wetland certifications. This section does not pertain to PTI approvals.

Comment 50: **OAC 3745-15-07(B) prohibits air pollution nuisances from sources regulated under Chapter 3745-31 of the Administrative Code, whether there is a corresponding permit. Therefore, any air or NPDES permit issued to Quasar for installation and/or operation of the proposed pond must require that the operation of the source not cause a nuisance.**

Response 50: Appropriate operational provisions will be incorporated into the NPDES permit for Buckeye Biogas, LLC to minimize and/or eliminate generating potential nuisance odors from the biosolids stored within the proposed Wiles Storage Pond. In addition, the PTI approval and management plan will include specific conditions to prohibit the generation of nuisance odors from the proposed Wiles Storage Pond.

Tree Buffer Comments

Comment 51: How will leaves and nuts falling into the lagoon affect the contents?

Response 51: The tree buffer is compliant with OAC Chapter 3745-40 and the addition of leaves and nuts via the wind will not adversely affect the stored Class B biosolids.

Comment 52: Several commenters were concerned about how roots from the trees surrounding the lagoon could impact the liner and berm integrity.

Response 52: The typical Tree Protection Zone (TPZ) should encompass the canopy plus an additional radial width of 10 feet. Most root zones are in the top 6-12 inches of soil and, if necessary, can be identified easily to confirm interference or infiltration.

Comment 53: Will the area be mowed so that trees do not start growing?

Response 53: Periodic inspections will need be performed to ensure that no new tree or other vegetation growth impacts the berm and liner.

Comment 54: Recent storms have caused some of the existing trees around the lagoon to fall. Has anyone inspected those remaining trees to ensure they will continue to provide buffer and not fall? Could a fallen tree impact the liner?

Response 54: Yes, the remaining trees have been inspected and inspections will continue. In the event of a fallen tree, it would be necessary to evaluate any potential impacts to the liner.

Comment 55: If trees are to be used to alleviate odors and provide sight obstruction, would it not be prudent to plant year 'round trees like fast-growing pines instead of deciduous trees?

Response 55: At present, native onsite trees will be used to minimize and/or eliminate nuisance odors. In the event that tree loss (i.e. wind, disease, etc.) occurs within the proposed tree buffer, fast-growing hybrid willow trees will be planted in accordance with the *Land Application Management Plan's* "Tree Replacement and Planting Plan".

Human Health Comments

Comment 56: Several commenters were concerned about environmental health management and human health issues associated with biosolids lagoon and land application of biosolids.

Response 56: U.S. EPA performed a comprehensive risk assessment process, which included numerous developmental steps, that began in 1982 and ended with the publishing of 40 CFR 503 on Feb. 19, 1993.

The comprehensive risk assessment process included a hazard assessment and profile evaluation, a \$1.2 million biosolids sample collection and analyses component, a treatment works questionnaire, an initial identification of 200 pollutants based upon expected toxicity, profile assessments of fifty pollutants, and the development of risk assessment based upon organism exposure, 98th percentile approach, individual and aggregate risks, health effects quantification, acceptable level of cancer risk from potentially toxic organic pollutants (1×10^{-4}), the type of data used, linearity assumption for plant uptake of inorganic pollutants, food consumption, pollutant transport, organic and inorganic pollutants, and the "40 Cities Study".

Due to extensive public and scientifically peer-reviewed comments, U.S. EPA made revisions in data models and assumptions used in the comprehensive risk assessment process. It should be highlighted that 14 potential exposure pathways resulting from the beneficial use of biosolids were also included in the comprehensive risk assessment process.

U.S. EPA's *A Guide to the Biosolids Risk Assessment for the EPA Part 503 Rule* can be found at:

<https://www.epa.gov/biosolids/guide-biosolids-risk-assessment-epa-part-503-rule>

In 2007, the Virginia Department of Health published a study entitled *Health Effects of Biosolids Applied to Land: Available Scientific Evidence* (Jenkins, Armstrong *et al.* 2007), which concluded that "...although much still needs to be learned about the content, bioavailability and fate of chemicals and pathogens in biosolids and their health effects, there does not seem to be strong evidence of serious health risks when biosolids are managed and monitored appropriately". This document can be found at:

<https://www.wef.org/globalassets/assets-wef/3---resources/topics/a-n/biosolids/technical-resources/wef-fact-sheet-microconstituents-v25-aug-2017.pdf>

To date, research does not suggest significant risk to human health or the environment for contaminants that may be present in biosolids but are not addressed in federal regulation at the concentrations found in land-applied biosolids.

It is important to note that direct contact with emerging microconstituents, such as pharmaceuticals and personal care products, is at much higher doses than is possible through any exposure pathways to biosolids that may exist. Microconstituents in biosolids are unlikely to pose a risk to human health or the environment for the following reasons:

- Synthetic organic compounds that survive wastewater treatment are degraded or strongly bound to organic matter in soil.
- Plants do not uptake significant amounts of these synthetic compounds.
- Site management practices for biosolids (such as buffer zones and restrictions on application timing) reduce the opportunity for these compounds to move to water bodies.

(From https://catalog.extension.oregonstate.edu/sites/catalog/files/project/pdf/pnw508_0.pdf).

Ohio EPA monitors the research of microconstituents in biosolids and will update the regulations as needed. Ohio EPA believes that the beneficial use of biosolids is protective of human health and the environment when biosolids are treated and managed in accordance with state and federal regulations.

Comment 57: **Several commenters were concerned about the development of health problems from exposure to biosolids and who would pay for their loss.**

Response 57: This issue can be more appropriately addressed by your own legal counsel to advise you of your rights and potential causes of action.

Ohio EPA believes that the beneficial use of biosolids are protective of human health and the environment when biosolids are treated and managed in accordance with OAC Chapter 3745-40.

Comment 58: **Several commenters were concerned with the potential impacts of antibiotics/pharmaceutical/chemotherapy, personal care product waste and other chemicals used during wastewater treatment plant processing and the management of biosolids.**

Response 58: Ohio EPA does not have legal authority to regulate these pollutants; however, it should be noted that for contaminants that may be present in biosolids that are not addressed by 40 CFR 503, to date, research does not suggest significant risk to human health or the environment at the concentrations found in land-applied biosolids. See Response 56 for more information.

Comment 59: **Several commenters had concerns related to material released/spilled from tanker trucks on the roadway and human contact.**

Response 59: The generator, Buckeye Biogas, LLC, would be required to address spills in accordance with the *Prevention/Contingency Plan for Spills* submitted with the PTI. The management plan will also contain requirements for reporting and promptly addressing any release of material.

Citizens can contact Quasar Energy Group, LLC at (216) 986-999 or Ohio EPA's Northeast District Office at (330) 963-1200 to report any spills of biosolids onto a roadway. For spills that have an imminent danger of entering waters of the state, citizens should immediately contact Ohio EPA's spill hotline number, (800) 282-9378.

Comment 60: **Several commenters were concerned with the public hearing moderator's comment regarding Class B biosolids brought to the auditorium must be immediately removed or the police would be called. The commenters were concerned with how safe Class B biosolids are considered if Ohio EPA required the removal from the auditorium.**

Response 60: The hearing moderator stated that university police requested that no biosolids be brought into the auditorium. If biosolids were brought in, university police asked to be advised so they could remove them. The university also requested that no food or drink be permitted in the auditorium.

The regulations for safely managing Class B biosolids were developed for beneficial use to protect human health while minimizing direct contact. Bringing the biosolids into a public hearing would not comply with the regulations and create a safety concern due to direct contact.

Comment 61: **A prion is an infectious agent composed entirely of protein material, one of which is transmissible to other prion proteins, leading to disease similar to viral infection.**

Response 61: According to a 2005 article, "Mad Cow Disease, Creutzfeldt-Jakob Disease, Other TSEs, and Biosolids," as published in the *Journal of Residuals Science & Technology*, "...there is no evidence, at the present, of the presence of abnormal prions in wastewater or biosolids".

Comment 62: **Lagoons generate aerosols containing microbiological and chemical constituents. Many of the compounds are carcinogenic and/or mutagens. People are at an increased risk of cancer and adverse health outcomes.**

Response 62: According to a 2005 article, "Estimation of Bioaerosol Risk of Infection to Residents Adjacent to a Land Applied Biosolids

Site Using an Empirically Derived Transport Model,” as published in the *Journal of Applied Microbiology*, “...a conservative estimate at 30Æ5 m (assumed to be nearest adjacent residences) downwind, resulted in risks of infection of 1:100,000, to the more realistic 1:10,000,000 per exposure. Conservative annual risks were calculated to be no more than 7:100,000 where as a more realistic risk was no greater than 7:10,000,000. Overall, the viral risk to residences adjacent to land application sites appears to be low, both for one time and annual probabilities of infection”.

Funding Comments

Comment 63: Isn't it true that Ohio EPA has less funding and support now than before? How can we guarantee any sort of lagoon can be regulated?

Response 63: Ohio Revised Code (ORC) Section 3745.11 provides a dedicated funding source for implementation of Ohio EPA's biosolids program.

Wetlands Comments

Comment 64: Several commenters were concerned about what steps are being taken to protect wetlands.

Response 64: Development can occur within wetlands depending on the quality of the wetland, proposed size of impact to the wetland, the type of proposed development and receiving the appropriate permit or authorization for the proposed impact(s) from the U.S. Army Corps of Engineers and/or Ohio EPA's 401 Section.

Ohio EPA authorized the impact of 0.039 acres of forested Category 2 wetland. To compensate for the impact, Buckeye Biogas, LLC made payment for 0.1 acres of forested mitigation credits from the Huntington In-Lieu Fee Program.

Comment 65: Several commenters raised concerns that Buckeye Biogas, LLC appeared to have impacted the wetlands that were on the project site prior to receiving authorization from Ohio EPA.

Response 65: Staff with Ohio EPA's Division of Surface Water inspected the wetlands located on the proposed site for the Wiles Storage Pond on April 6, 2018, and April 23, 2018. Though

trees were cut, there was no soil disturbance or filling of the wetlands prior to authorization.

Comment 66: When were the wetlands delineated?

Response 66: MAD Scientist Associates, LLC, performed a delineation of the site on Oct. 5, 2017.

Comment 67: OAC Section 3745-40-07(C)(2)(b) provides that Class B biosolids may not be stored “within a low lying wet area or on soils frequently flooded”. Quasar has identified at least two areas of wetlands within the project area. In addition, Canaan residents have routinely observed standing or flowing water at or leaving the project area in the vicinity of the identified wetlands. These are necessarily “wet areas” and/or “soils frequently flooded.” Therefore, the selected location is not one where Ohio EPA can permit storage of Class B biosolids.

Response 67: Site topography will be modified and berms, diversion channels and under drains will be installed at the proposed Wiles Storage Pond to prevent ponding/flooding.

Air Quality Comments

Comment 68: How often is air quality is tested?

Response 68: Ohio EPA’s Division of Air Pollution Control (DAPC) has an established air quality monitoring network that is operated and maintained by Ohio EPA and local air agencies throughout the state. The annual monitoring network plan describes how monitoring sites are selected. Air quality information is retrieved from air monitors located at each site. Monitors have instruments to measure air quality/meteorological parameters 24 hours a day and provide real-time monitoring of air pollution episodes to determine compliance with ambient air quality standards. Ohio EPA does not install ambient air monitoring equipment to specifically monitor biosolids storage lagoons.

Comment 69: How can you assure that our air quality (i.e. airborne pathogens) won’t be negatively affected by an open lagoon?

Response 69: During a period covering August 2004 through January 2005, a study was conducted in North Carolina to evaluate the surface application of anaerobically digested Class B biosolids and the potential for pathogens to be transmitted via airborne particles. In April 2012, U.S. EPA published the study's findings in a report, *Multimedia Sampling During the Application of Biosolids on a Land Test Land Test Site*. One of the report's key research results concluded that "...two types of microbes, THB and fungi, were detected during both the control trial and the biosolids application test, especially at sampling points near the spreader. However, no specific bacterial pathogens (i.e., E. coli, Salmonella spp., S. aureus, Clostridium perfringens, and Enterococcus spp.), indicator microorganisms (i.e., fecal coliforms and coliphage), or enteric viruses were detected".

In addition, two of the 14 exposure pathways that were evaluated within U.S. EPA's comprehensive risk assessment were:

- Biosolids → Soil → Airborne Dust → Human
- Biosolids → Soil → Air → Human

Comment 70: **The proposed project would necessarily have maximum potential air emission far exceeding the threshold or requiring an air permit. Air permits are required for any source that has the potential to emit more than de minimus amounts of air contaminants. Is an air pollution permit not required or when is one required?**

Response 70: Air permitting issues are regulated under separate authority, specifically ORC Chapter 3704 and OAC Chapter 3745-31 and are not a part of the PTI under consideration under OAC Chapter 3745-42. Ohio EPA's Division of Surface Water did coordinate and consult with Ohio EPA's Division of Air Pollution Control as required by OAC Rule 3745-42-04. An air permit is not required for the proposed Wiles Storage Pond. Operational conditions have been developed to ensure sufficient digestion has been achieved within the anaerobic digester. These conditions are based on the OAC Chapter 3745-40 and anaerobic digester design. Sufficient digestion will address any air emissions and a de minimis source does not need to obtain an air permit under OAC Rule 3745-15-05.

Security Comments

Comment 71: Several commenters were concerned what steps are being taken to protect wildlife and/or prevent unauthorized access to the site.

Response 71: The detailed plans proposes the installation of a four-foot high wire mesh fence around the footprint of the proposed Wiles Storage Pond.

Geological Comments

Comment 72: Did they need samples from the actual lagoon site or were they looking for the perimeter and the wetlands?

Response 72: Initially, Buckeye Biogas, LLC's consultant installed borings within the footprint of the proposed Wiles Storage Pond. This phase of the subsurface investigation was conducted to collect initial site-specific stratigraphic and permeability information and data. Based on this initial phase of the subsurface investigation, Ohio EPA requested Buckeye Biogas, LLC's consultant to install ground water monitoring wells outside the footprint of the proposed Wiles Storage Pond. This phase of the subsurface investigation was conducted to further delineate water bearing units initially identified during phase I. Each phase of the subsurface investigation had its own purpose in collecting information and data regarding siting and potential construction of the proposed unit.

Comment 73: What is the depth to bedrock?

Response 73: The April 12, 2018, soil borings performed by Buckeye Biogas, LLC's consultant, HZW Environmental Consultants, bedrock was encountered at the following boring depths:

Boring B-6: 27.4 feet below the surface of the ground;
Boring B-7: 33.0 feet below the surface of the ground; and
Boring B-8: 28.9 feet below the surface of the ground.

Comment 74: What type of soil is predominant (SIL, SICL, loam)?

Response 74: According to the U.S. Department of Agriculture's Natural Resource Conservation Service Web Soil Survey, the two predominant soils are Wadsworth silt loam, 0 to 2 percent slopes (WaA) and Wadsworth silt loam, 2 to 6 percent slopes (WaB). According to the soil boring logs, the

predominant soils consist of varying percentages of silt and clay.

Comment 75: Any leak into the soils is a leak into ground water. Ohio EPA's hydrogeologic review states that the information submitted "suggest(s) that the ground water within the bedrock and unconsolidated material are in communication". There are several observations which lead to this conclusion. A. Well logs indicate that static levels are typically less than 10 feet BGS, with yields sufficient to supply residential water. B. The clayey sand and gravel layer is in contact with bedrock, so is a single hydrostratigraphic unit, with elevation of 1,143.3 feet AMSL. (Bottom of pond is 1,156' AMSL – only 12.7 feet away.) Due to lack of information, it is unclear whether there are units above the clayey sand and gravel that would be part of the UAS. C. Various intervals are moist. Moist silt can transport ground water, and needs to be further investigated. D. Seepage interval at 1,150 feet AMSL, indicating saturated zone, which may be part of UAS. E. Seepage zone at boring B-2 at elevation of 1,150 feet AMSL coincides with static levels, and is therefore in communication with regional aquifer, only 6 feet from bottom of pond.

Response 75: This comment incorrectly moves to a conclusion that is not supported by the information and data submitted to Ohio EPA that is publicly available. The results of the Phase II subsurface investigation indicate that, on-site, the shallow hydrostratigraphic unit is not interconnected with the Uppermost Aquifer System.

Comment 75: Weight of evidence suggests hydrostratigraphic units are present above the clayey sand and gravel/bedrock unit.

Response 75: A shallow hydrostratigraphic unit is present above the clayey sand and gravel/bedrock unit. This shallow hydrostratigraphic unit is not interconnected with the Uppermost Aquifer System.

Comment 76: Ohio EPA re-states that more investigation is needed, and specifies a minimum set of requirements for the investigation, including specific soil borings and at least three ground water monitoring wells in each of the identified hydrostratigraphic units encountered. CRAP

requests that additional investigation be required prior to any permit action.

Response 76: Additional information has been provided since the hearing as part of the technical review of the PTI application.

Location Comments

Comment 77: I was told that this project was stopped in Medina County and would like to know why it was stopped in Medina County and then moved out of Medina County.

Response 77: Ohio EPA is unaware of a proposed biosolids storage lagoon proposed for installation in Medina County.

Comment 78: I would like to know what locations at the proposed lagoon site were requested to supplement the original geology report.

Response 78: Boring Nos. B-6, B-7, B-8, B-9, and B-10.

Comment 79: Commenters were concerned about the location close to the road and homes.

Response 79: The lagoon meets the siting criteria established in OAC Chapter 3745-42.

Comment 80: Will the proximity of storage of biosolids and sewage sludge in lagoon affect our local watershed?

Response 80: The lagoon is designed, in accordance with OAC Chapter 3745-40, OAC Chapter 3745-42, and Natural Resources Conservation Service Conservation Practice Standard Waste Storage Facility Code 313, to prevent any releases to the environment and to protect the watershed.

Public Information Comments

Comment 81: Will inspection findings be available to the public?

Response 81: Yes. All Ohio EPA records, including inspection letters and notices of violation, are public unless they are exempt from disclosure under Ohio law.

Comment 82: How are residents notified of biosolid land application on adjacent farm fields?

Response 82: When beneficial use sites are authorized or transferred to a Class B biosolids generator, a public notice regarding these actions is published in the local newspaper. In addition, Ohio EPA provides copies of the beneficial use site authorizations and transfers to the local county health department and township trustees.

In addition, signage must be posted at beneficial use sites seven days prior to a beneficial-use event occurring.

Comment 83: **Canaan residents request that any permit issued for the Wiles Storage Pond project require that monitoring reports be routinely copied directly to CRAP by Quasar, so that the residents can ensure compliance is maintained.**

Response 83: Ohio EPA does not have the authority to require Quasar Energy Group, LLC to provide information directly to the public; however, all information pertaining to the proposed Wiles Storage Pond that is maintained by Ohio EPA, except for information that is exempt from public records, is subject to public file review requests.

PTI Application Comments

Comment 84: **Comments were submitted about the PTI application review during the public notice period. Items noted were:**

- **Clay and earth are not the same material for a liner and should be specified;**
- **Construction schedule needs updated;**
- **Antidegradation question not answered;**
- **Site description needs updated for property acreage;**
- **Load out tower not shown on plans;**
- **Mixing area not shown on plans;**
- **PTO mixer appropriateness for this pond;**
- **The alternate hauling location;**
- **Oil/Gas well located within footprint concern; and**
- **Size and adequacy of tree buffer.**

Response 84: These technical comments were addressed during Ohio EPA's application review. The revised application submitted by Quasar Energy Group, LLC was updated accordingly.

Comment 85: The “Monitoring/Tracking” section of the LAMP states that reduction of volatile solids to meet Option 1, 38 percent reduction for Vector Attraction Control will be measured by recording the solids entering the Buckeye Biogas ... and comparing it to “those volatile solids remaining in the” pond. Calculation procedures are specified in a U.S. EPA guidance document: Environmental Regulations and Technology - Control of Pathogens and Vector Attraction in Sewage Sludge”, EPA-625/R-92/013, 1992, found at: <https://www.epa.gov/sites/production/files/2015-07/documents/epa-625-r-92-013.pdf>

That guidance says that the reduction is to be measured at the “end point of treatment”. See EPA Guidance, Section 8.2, at page 59. Unless Quasar is trying to permit this pond as a treatment facility, which would impose an entirely new set of regulatory requirements, the measurement point for reduction must be prior to the sludge entering the proposed pond, and should not be applied to the sludge “remaining in the” pond. It can be measured as it leaves the anaerobic digester, or on the truck (though representativeness of sampling would need to be addressed). This part of the LAMP should be revised to ensure that VAR is measured in a way that does not render the pond a “treatment facility”.

Response 85: Section 8.2 of U.S. EPA’s guidance document *Environmental Regulations and Technology - Control of Pathogens and Vector Attraction in Sewage Sludge* states “...the end point where volatile solids are measured to calculate volatile solids losses can be at any point in the process. Because volatile solids continue to degrade throughout sewage sludge treatment, it is recommended that samples be taken at the end point of treatment”. In addition, section 8.14 further states “...unlike pathogenic bacteria, volatile solids cannot regenerate once they are destroyed, so samples can be taken at any point along the process. However, since volatile solids are destroyed throughout treatment, it is recommended that samples be taken at the end of processing”.

The NPDES permit issued to Buckeye Biogas, LLC, No. 31N00380*AD will require the collection of a final volatile solids sample at the end of the anaerobic digestion process

located at Buckeye Biogas, LLC. This sample collection location will be utilized to determine if a volatile solids reduction option would comply with OAC Chapter 3745-40 and U.S. EPA's guidance document *Environmental Regulations and Technology - Control of Pathogens and Vector Attraction in Sewage Sludge*.

Lagoon Crust Comments

Comment 86: How thick is the crust going to be? If the amount put into the lagoon is very small, how can the crust form to prevent the smell and how long will it take for that crust to form? How will crust be maintained during load-in/load-out and mixing?

Response 86: The formation of a crust is a direct result of the preponderance of floating biomass, density of the biosolid and the specific gravity of the components which make up the nutrient rich mixture called digestate. Buckeye Biogas, LLC has indicated that a surface tension inherent in the digestate particles results in an almost elastic surface that thickens over time. The crust can vary from a fraction of an inch to several inches in thickness. Several naturally occurring events could affect the formation and endurance of the crust. Freeze-thaw and mechanical forces could affect the crust during seasonal beneficial use events. The proposed Wiles Storage Pond's inlet for adding new biosolids is located subsurface, once the crust forms it is not disturbed until the next beneficial use event.

General Comments

Comment 87: How does the Sullivan Township site in Ashland compare to this site?

Response 87: The proposed Wiles Storage Pond is for the temporary storage of liquid Class B biosolids. The Sullivan Township site is an authorized Class B beneficial use (i.e. land application) site like sites in Canaan Township that have been authorized for the beneficial use (i.e. land application) of Class B biosolids.

Comment 88: Several commenters inquired about who oversees the construction of the lagoon.

Response 88: Buckeye Biogas, LLC and its consultants would oversee the construction of the lagoon. In addition, Ohio law requires the proposed Wiles Storage Pond be constructed in accordance with the PTI and if it is not, it would be a violation of law and could be subject to enforcement action.

Comment 89: **Several commenters inquired about how often is the lagoon inspected.**

Response 89: Ohio EPA's inspection frequency will vary depending on the type of inspection being performed. Complaint inspections may occur more frequently than compliance inspections, which occur once every five years.

Comment 99: **How many inspectors do you have on staff to field these complaints and what is the approximate timeline in between the receipt of a complaint and an inspector going out to do an inspection?**

Response 99: Ohio EPA has three inspectors in the biosolids program, one of whom is in the Northeast District Office to ensure a prompt response to complaints. The timeline for response varies and is related to the nature of the complaint and environmental impact.

Comment 100: **Several commenters were concerned with Ohio EPA being reactive instead of being proactive.**

Response 100: Ohio EPA utilizes the effective laws and rules when evaluating a PTI, management plan or NPDES application and establishing any permit terms and conditions. Combined, these are developed to prevent environmental issues. Additionally, Ohio EPA will meet with the regulated community on a regular basis to discuss issues and prevent potential violations.

Ultimately, Ohio EPA must document violations of the applicable regulations, rules and conditions located in Ohio Revised Code, Ohio Administrative Code and permits in order to formally require corrective actions to be implemented.

Comment 101: **How many gallons of water equal one inch of rainfall?**

Response 101: One inch of rain falling on one acre of ground is equal to approximately 27,154 gallons.

Comment 102: **If the owner of the facility goes bankrupt, who cleans up the site?**

Response 102: Environmental claims for injunctive relief to fix problems are not dischargeable in bankruptcy. Ohio EPA has extensive experience working with bankruptcy trustees to ensure that facilities going through bankruptcy are nonetheless protective of the environment.

Comment 103: **Will this meeting have any bearing on the outcome of this decision with the number of community that showed up?**

Response 103: The public hearing for the proposed Wiles Storage Pond was well attended and many people took the opportunity to provide testimony. Ohio EPA also received written comments during the public hearing and the public comment period. The testimony and written comments were considered in the evaluation of the permit application.

Comment 104: **What is effluent?**

Response 104: Ohio EPA refers to the "effluent" as Class B biosolids that must be treated and managed in accordance with OAC Chapter 3745-40.

Comment 105: **Why aren't other methods such as dry composting, drying beds, etc. being utilized?**

Response 105: The methods described in the comment are dewatering operations. The PTI application details that liquid Class B biosolids generated from Buckeye Biogas, LLC will be transferred to the proposed Wiles Storage Pond. The option to dewater biosolids is a business decision and not a rule requirement.

Comment 106: **How do you formally file a complaint with Ohio EPA if corrections are not made to my neighbor's lagoon?**

Response 106: Odor complaints can be directed to Ohio EPA's odor hotline at (330) 963-1212. All other complaints associated with the proposed Wiles Storage Pond can be directed to Ohio EPA's Division of Surface Water using the Northeast District Office hotline at (330) 963-1200.

Comment 107: Why are open top trucks allowed?

Response 107: Ohio EPA does not regulate the transportation and shipping of commercial products. Ohio State Highway Patrol enforces Federal Motor Carrier Safety Regulations and Public Utility Commission of Ohio Safety Rules that pertain to commercial motor carriers.

Comment 108: Several commenters raised the issue of worker safety at the proposed Wiles Storage Pond and requested that a hygiene station be installed.

Response 108: Worker safety is under the authority of the Occupational Safety and Health Administration (OSHA), not Ohio EPA.

Comment 109: What material can be received and digested at the Buckeye Biogas facility near OARDC?

Response 109: Part II.B of Buckeye Biogas, LLC's NPDES permit, No. 3IN00380*AD, authorizes "...the beneficial use of biosolids generated from the anaerobic digestion of sewage sludge, biosolids, manure, food waste, fats, oils, grease, energy crops (i.e. grain, hay, silage, spilled and soiled feed, and stover), glycerin, and stillage for the purpose of producing energy from methane generation. All other uses and feedstocks must be separately approved by Ohio EPA".

Comment 110: Who can we speak with about the following?

Response 110: Local land use and zoning
Wayne County Planning Department
(330) 287-5420

Road traffic and noise
Wayne County Engineer
(330) 287-5500
Wayne County Sheriff
(330) 287-5750
Ohio State Highway Patrol
(330) 833-1056

Property value impact
Wayne County Auditor
(330) 287-5430

Out-of-county or out-of-state waste

Wayne County Environmental Services
(330) 263-5035
Ohio EPA's Northeast District Office
(330) 963-1200

Comment 111: Why is there a need for the lagoon?

Response 111: Buckeye Biogas, LLC decided a regional storage facility for Class B biosolids was needed to remove Class B biosolids from the treatment works and allow for the temporarily storage of Class B biosolids prior to beneficial use on Ohio EPA-authorized beneficial use sites.

Comment 112: Has the operation of a lagoon like this ever been closed or shut down or the PTI revoked due to enforcement issues?

Response 112: Ohio EPA is not aware of any Class B biosolids regional storage facility being closed, shut down or having a PTI revoked due to enforcement issues.

Comment 113: What is the local health department's role should the PTI be approved and lagoon in operation?

Response 113: ORC Section 6111.03(Q)(2) states "...the director has exclusive authority to regulate sewage sludge management in this state".

The local health department will continue to assist with monitoring private potable water sources that serve residential homes near the proposed Wiles Storage Pond. If odor complaints are received by the local health department, Ohio EPA requested that the complaints be forwarded to Ohio EPA Northeast District Office's odor hotline at (330) 963-1212.

End of Response to Comments