

Date: May 27, 2022

Re: Licking County, Hartford Township
Application No. 4MP00004*BM
Land Application Management Plan Permit for Trillium Farm Holdings, LLC
Plans Received: July 12, 2021
From: Doug Mack, Trillium Farm Holdings, LLC

Modification Issue Date: May 27, 2022
Modification Effective Date: June 1, 2022
Expiration Date: December 31, 2022

Trillium Farm Holdings, LLC
Attn: Doug Mack
10513 Croton Road
Johnstown, OH 43031

Ladies and Gentlemen:

The Ohio Environmental Protection Agency has reviewed the land application management plan submitted pursuant to Ohio Revised Code Section 6111.44 and rule 3745-42-13 of the Ohio Administrative Code. The plan is approved subject to the condition of compliance with all applicable laws, rules, regulations and all the conditions below and in Part I and/or Part II of this permit.

The entity shall perform the proposed land application in strict accordance with the conditions in this plan approval and with the method of operation outlined in the land application management plan submitted to the Ohio Environmental Protection Agency. Approval of the land application management plan does not constitute assurance that the proposed operation will be in compliance with all Ohio laws and regulations.

This plan approval is not an authorization for a discharging land application system. Pursuant to rule 3745-42-13 of the Ohio Administrative Code and rule 3744-42-02 of the Ohio Administrative Code, a discharging land application system requires a permit to discharge (NPDES permit) and a permit to install, in accordance with Chapter 6111 of the Ohio Revised Code. The applicant shall apply for an NPDES permit 180 days prior to operating a discharging land application system and a permit to install prior to installing the land application system.

Any unauthorized discharges to waters of the state must be reported to Ohio EPA (toll free) by calling 1-800-282-9378 within 2 hours of discovery. For violations of other plan approval conditions, the entity must send a written report to the Ohio EPA Central District Office within seven days of becoming aware of noncompliance.

The applicant is required to submit a revised land application management plan application, if the Director of the Ohio EPA deems it necessary.

The director may add, delete, or change any conditions to a land application management plan permit to protect human health or the environment.

Any expansion of the operation or modification of the treatment works or the expansion or modification of any land application area must be approved by the Ohio EPA.

The director of the Ohio Environmental Protection Agency, or his authorized representative(s), may enter upon the premises of the land application system during its construction or its operation at any reasonable time for the purpose of making inspections, conducting tests, examining records, or reports pertaining to the installation, modification, or operation of the land application system.

Issuance of this permit does not relieve you of the duty of complying with all applicable federal, state, and local laws, ordinances, and regulations.

This permit shall expire at midnight on the expiration date shown above. In order to receive authorization to continue to land apply beyond the date of expiration, you shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel", which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

Sincerely,

Laurie A. Stevenson
Director

cc: Central District Office
Licking County Health Department
Anthony Nosco, DSW, CO

Part II, OTHER REQUIREMENTS

1. This plan approval is for the land application of truck wash water from the Trillium Farm Holdings, LLC facility located at 10513 Croton Road, Hartford, OH. All other beneficial uses must be separately approved by the Ohio EPA.
2. Trillium Farm Holdings, LLC shall be responsible for proper operation and maintenance of the land application system. The approved land application system shall be operated in a manner to prevent any runoff from authorized sites.
3. By January 31 of each year, Trillium Farm Holdings, LLC shall prepare and submit a report detailing the land application activities involving the truck wash water for the previous calendar year. The annual report shall contain information detailing the amount of truck wash water, in gallons, land applied in the previous calendar year, as well as any copies of the results of pollutant analysis that have been completed for the truck wash water or soil samples during the previous calendar year. Copies of the report shall be submitted to the Ohio EPA Central District Office and the Ohio EPA Division of Surface Water Central Office, PO Box 1049, Columbus, OH 43216-1049.
4. Any new site proposed for land application shall be authorized by the Ohio EPA prior to the land application of truck wash water.
5. At least once per calendar year, Trillium Farm Holdings, LLC shall have the truck wash water analyzed for the parameters contained in the land application management plan permit 4MP00004*BM. The truck wash water from the storage pond shall be analyzed annually for solids, volatile solids, total nitrogen, ammonia and nitrate nitrogen, phosphorus, potassium, sodium, and pH.
6. At least once per every three years, Trillium Farm Holdings, LLC shall have the land application soil site samples analyzed for the parameters contained in the land application management plan permit 4MP00004*BM. The soil samples from the land application site shall be analyzed for pH, total exchange capacity, organic matter, sulfur, phosphorus, calcium, magnesium, potassium, sodium, boron, iron, manganese, copper, zinc, and aluminum.
7. If there has been a precipitation event greater than 0.25 inches within 24 hours, no truck wash water shall be land applied. If the twenty-four hour forecast for precipitation shows a chance equal to or greater than 0.25 inches of precipitation, no truck wash water shall be land applied. Daily records of NWS forecasts and rainfall records shall be kept in the facility's operating record.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge to an effluent storage pond or to land application of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"MGD" means million gallons per day.

"gpd" means gallons per day

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"mg/kg" means milligrams per kilogram

"Reporting Code" is a five-digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility or land application site. It also means the land application of treated sewage or liquid industrial waste in a manner inconsistent with the conditions of this permit.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

"Sewage" means any liquid waste containing sludge, sludge materials, or animal or vegetable matter in suspension or solution, and may include household wastes as commonly discharged from residences and from commercial, institutional, or similar facilities.

"Treated sewage" means sewage treated by a treatment works.

"Industrial waste" means sludge or sludge materials or a water-carried or liquid waste resulting from any process of industry, manufacture, trade, or business or development of any natural resource.

"Treatment works" means any plant, disposal field, lagoon, dam, pumping station, building sewer connected directly to treatment works, incinerator, or other works used for the purpose of treating, stabilizing, blending, composting, or holding sewage, sludge, sludge materials, industrial waste, or other wastes, except as otherwise defined.

2. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities, or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and land application systems and the quantity and quality of the treated sewage or liquid industrial waste authorized for land application.

3. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/edmr-pin-information-and-application>

- C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.
- D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 4. "Sampling and Analytical Methods", the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.
- E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 6. "Records Retention".

4. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

5. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling;
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

6. RECORDS RETENTION

The permittee shall retain all of the following records for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration, and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and

F. Records of all data used to complete the application for this permit for a period of at least five years from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Ohio EPA. The five-year period for retention of records shall start from the date of sample, measurement, report, or application.

7. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district office of the Ohio EPA. Both the Clean Water Act and Section 6111.05 of the Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

8. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

9. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

- A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit,
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or Ohio Revised Code Chapter 6111, any substances or parameters at any location.

10. UNAUTHORIZED DISCHARGE

- A. The permittee shall not cause pollution or cause to be placed any waste in a location where it causes pollution of any waters of the state, except in accordance with an effective national pollutant discharge elimination system (NPDES) permit.
- B. Any unauthorized discharges or spills to waters of the state must be reported to Ohio EPA (toll free) by calling 1-800-282-9378 within 2 hours of discovery. The director shall be notified in writing within seven days of the permittee discovering noncompliance with this permit.

11. UNAUTHORIZED BYPASSES

- A. Bypass not exceeding limitations – The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.

2. Unanticipated Bypass – The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24-hour notice).

C. Prohibition of Bypass

1. Bypass from a land application site is prohibited, and the Director may take enforcement action against a permittee for bypass from a land application site, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed or available in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
 Southwest District Office: swdo24hournpdes@epa.ohio.gov
 Northwest District Office: nwdo24hournpdes@epa.ohio.gov
 Northeast District Office: nedo24hournpdes@epa.ohio.gov
 Central District Office: cdo24hournpdes@epa.ohio.gov
 Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting section:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/individual-wastewater-discharge-permits>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330

Southwest District Office: (800) 686-8930
 Northwest District Office: (800) 686-6930
 Northeast District Office: (800) 686-6330
 Central District Office: (800) 686-2330
 Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
 Southwest District Office: swdo24hournpdes@epa.ohio.gov
 Northwest District Office: nwdo24hournpdes@epa.ohio.gov
 Northeast District Office: nedo24hournpdes@epa.ohio.gov
 Central District Office: cdo24hournpdes@epa.ohio.gov
 Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting section:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/individual-wastewater-discharge-permits>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
 Southwest District Office: (800) 686-8930
 Northwest District Office: (800) 686-6930
 Northeast District Office: (800) 686-6330
 Central District Office: (800) 686-2330
 Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
 - b. The time(s) at which the discharge occurred, and was discovered;
 - c. The approximate amount and the characteristics of the discharge;
 - d. The stream(s) affected by the discharge;
 - e. The circumstances which created the discharge;
 - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
 - g. What remedial steps are being taken; and,
 - h. The name and telephone number of the person(s) responsible for such remedial steps.
2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
- C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
- D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
1. The compliance event which has been or will be violated;
 2. The cause of the violation;
 3. The remedial action being taken;
 4. The probable date by which compliance will occur; and,
 5. The probability of complying with subsequent and final events as scheduled.
- E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
- F. If the permittee becomes aware that it failed to submit an application or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any land application in violation of this permit.

14. AUTHORIZED LAND APPLICATION ACTIVITIES

All land application authorized herein shall be consistent with the terms and conditions of this permit. The land application of any treated sewage or liquid industrial waste authorized for land application by this permit more frequently than, or at concentrations or loadings in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Ohio Revised Code Sections 6111.09 and 6111.99.

15. CHANGES IN WASTEWATER TO BE LAND APPLIED

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the wastewater which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance of this permit. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased concentrations or loading of pollutants to be land applied. Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary land application effluent limitations for any pollutants not identified and limited herein. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

16. HAZARDOUS SUBSTANCES AND OTHER PROHIBITED WASTES

Treated sewage or liquid industrial waste land applied under this permit shall not be a hazardous waste as defined in Ohio Revised Code Section 3734.01 and Ohio Administrative Code Rules 3745-50-10(H) and 3745-51-03, a polychlorinated biphenyl (PCB) regulated under 40 CFR Part 761, or "radioactive material," or "technologically enhanced naturally occurring radioactive material" as defined in and regulated under Ohio Revised Code Chapter 3748.

17. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;

2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the authorized land application.

B. Pursuant to rule 3745-42-02, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this land application permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

18. TRANSFER OF OWNERSHIP OR CONTROL

This land application permit may be transferred or assigned, and a new owner or successor can be authorized to land apply under this permit, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

19. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this land application permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

20. SOLIDS DISPOSAL

Collected grit and screenings shall be disposed of in a licensed sanitary landfill. Other solids and sewage sludge shall be disposed of in a licensed sanitary landfill or may in some cases be beneficially used, including by land application, in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules. Land application or other beneficial use of solids and sewage sludge requires separate permit authorization from Ohio EPA.

21. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This land application permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

22. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or BYPASSES, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

23. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

24. PROPERTY RIGHTS

The issuance of this land application permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

25. SEVERABILITY

The provisions of this land application permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

26. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of OAC 3745-42-03(B).

All reports submitted to the Director shall be signed and certified in accordance with the requirements of OAC 3745-42-03(B).

27. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who purposely falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation or imprisoned not more than four years, or both.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation or imprisoned not more than one year, or both.

D. ORC 6111.99 provides that any person who purposely violates Sections 6111.04, 6111.042, 6111.05, or division (A) or (C) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than four years, or both.



Plan Approval - Management Plan For Sludge or Industrial Byproducts other than Treated Sewage

Note: This form, with the attachments indicated, is intended to serve as the main substance of the management plan. If you prefer to submit a separate and complete document to serve as your management plan, then to respond to a question where a description or calculation is requested (such as Items C.1 through C.4), simply enter the page numbers of the submitted plan where the information requested can be found. Please respond on this form when just a check mark or brief statement is requested.

FOR AGENCY USE ONLY

Application Number:	Date Received: / /
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Applicant:	Trillium Farms Holdings, LLC
Facility Owner:	Ohio Fresh Eggs, LLC
Application/Plans Prepared by:	Ashley Singh
Project Name:	Truck Washwater Pond Permit Modification

A. Background Information

- a. Briefly describe type and source of material to be land applied: Washwater including biodegradable disinfectant agents for cleaning of trucks that go to multiple farms to comply with biosecurity protocols.
- b. Briefly describe proposed uses of materials (agronomic uses, soil blends, structural fill, etc.): The washwater has an agronomic use with plant nutrient value and is suitable for land application.
- c. Existing Plan Approval number: 4MP00004*BM N/A

B. Generating Facility N/A

a. Amount of sludge/byproduct generated	<u>2,000,000</u> gpy	dry tons/year
b. Amount proposed for beneficial use	<u>2,000,000</u> gpy	dry tons/year
c. Disposal method for amount not used	N/A	
d. Storage capacity at facility:	<u>208</u>	days

C. Land Application (If N/A, Skip to D) N/A

- a. Use category of land application area (check all that apply): Unrestricted Access site Restricted Access site
- b. Quantity of material to be land applied:
.67 Inches/acre/year (annual average-liquid) _____ Dry tons/acre/year (annual average-sludge)
- c. Does the land application area have subsurface drains/tiles located less than 24 inches below natural grade?
 Yes No Unknown at this time
- d. Amount of land area available for land application if known (do not include buffer zones in the figure) 796.3 acres
- e. Maximum slope of land to be used for land application = 2-6 %
- f. Type(s) of crops or vegetation to be grown on land application area: **corn and soybeans**

C.1 Describe the method or methods used for the storage and land application of sludge/other byproducts (including detailed information about the distribution system):

Washwater from a biosecurity wash station is collected in an Ohio EPA approved (2012, PTI no. 812781) 1,142,517 gallon clay-lined storage pond. This water will be land applied via 1 of 5 center pivot irrigation systems (4 of which are approved under permit no.4MP00004*BM - L1, L2, L3, L4; seeking approval for Hatchery site) after being transferred to 1 of 5 egg washwater ponds (4 approved at the 4 Trillium egg production farms; seeking approval for Hatchery site). These 5 ponds provide additional storage capacity for the biosecurity washwater. Washwater may also be land applied directly from the various ponds via surface application utilizing a drag hose system or tanker spreaders on fields outside each farms' pivot areas. Land application will occur on fields approved under the egg washwater permits administered by the Ohio Department of Agriculture. This approval will add approximately 109.7 acres for land application at the Hatchery Farm location.

C.2 State what the maximum land application rate(s) are proposed to be and the total acres required and available for land application. Attach calculations and references showing how the application rates and acreage needs were determined.

We are proposing to add an additional 19 acres under a 5th pivot and an additional 90.7 acres of crop land not under irrigation from the Hatchery Farm location (in addition to the already permitted 150.3 acres under center pivots and 536.3 acres of crop land not under irrigation, totaling to 169.3 acres under center pivots and 627 acres of crop land not under irrigation). If all of the estimated 2 million gallons is applied under the 5 center pivot fields (preferred), then the application rate would be 11,813 gallons/acre or 0.44" total annual applications. The additional 90.7 acres of cropland at the Hatchery location are available for land application via methods other than center pivot irrigation, such as tank spreaders or drag-hose.

This will reduce land application rates by over 10% of what is currently approved.

C.3 Describe the monitoring of the material to be land applied and the soils in the land application area(s), including frequency, methods and parameters that will be measured in each:

Land application will occur on egg processing land application fields permitted by the Ohio Department of Agriculture for the associated MCAFFs: Croton Layer 1, 2, 3, 4 and Hatchery. Consistent with those permit requirements, the washwater from the storage pond will be analyzed annually for solids, volatile solids (organic portion of solids), total nitrogen, ammonia and nitrate nitrogen, phosphorous, sodium and pH. Soil samples are taken at a minimum of every 3 years and analyzed for pH, total exchange capacity, organic matter, sulfur, phosphorous, calcium, magnesium, potassium, sodium, boron, iron, manganese, copper, zinc, and aluminum. Analytical parameters will be consistent with methods approved for laboratory accreditation by the North American Proficiency Testing Program. Current soil test information is attached.

C.4 Describe the appropriate weather conditions required for the land application of sludge/other byproducts and how they will be determined and documented:

Land application procedures required by the Ohio Department of Agriculture will be adhered to, including weather conditions that mandate if there has been a precipitation event >.25" within 24 hrs., no wastewater will be applied, and if the 24-hr. forecast for precipitation shows an equal to or greater than chance of >.25" of precipitation no wastewater will be applied. Daily records of NWS forecasts and rainfall records are kept in the facility's operating record.

C.5 Check which land application activities listed below are proposed. If yes, please explain how runoff, ponding or discharges to waters of the state will be prevented (attach separate pages as needed).

Do you propose to land apply during precipitation events?
If **yes**, please explain: Yes No

Do you propose to spray irrigate when instantaneous wind speeds exceed 20 miles per hour?
If **yes**, please explain: Yes No

Do you propose to land apply within 10-year floodplain?
If **yes**, please explain: Yes No

Do you propose to land apply in wetlands?
If **yes**, please explain: Yes No

Do you propose to land apply where the land application contract is expired or void? If yes , please explain:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Do you propose to land apply when the ground is saturated at or near the surface? If yes , please explain:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Do you propose to land apply where there is at less than 12 inches between final grade and bedrock, sand or gravel lenses, compacted glacial till, and/or normal ground water elevation? If yes , please explain:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

C.6 List setback distances that will be observed for all of the following:

Ditches/Streams/Waterways:	<u> </u> >100	feet	Private Water Supply Well:	<u> </u> >300	feet
Residences/Business:	<u> </u> >300	feet	Public Water Supply Well:	<u> </u> >500	feet
Sinkholes:	<u> </u> N/A	feet	Public Surface Drinking Water Intake:	<u> </u> N/A	feet
Pond or Lake:	<u> </u> >100	feet	Other:	<u> </u>	feet

Attach additional pages if different setbacks are proposed for different methods of application (e.g. greater setbacks should be observed for surface application than injection).

C.7 Land application on frozen/snow-covered ground is not recommended. If land application on frozen/snow-covered ground is proposed, please indicate which of the following practices will be used to minimize pollutant discharges or nuisances:

- Application rate is limited to 10 wet tons/acre for solid materials (50% moisture or more) and 5 wet tons/acre for material less than 50% moisture. For liquids the application rate is limited to 5,000 gallons/acre.
- Applications will be made on land with at least 90% surface residue cover.
- Material shall not be land applied on more than 20 contiguous acres, separated by breaks of at least 200 feet.
- Application setbacks shall be increased to at least 200 feet from all grassed waterways, drainage ditches, streams, surface inlets, and water bodies.
- The rate of application will not exceed: ____ lbs Nitrogen/acre or ____ lbs Phosphorus/acre
- Application will not take place on slopes greater than 6% unless material is applied in alternating strips less than 200' wide generally on the contour, or in the case of contour strips, on alternating strips.

If any of these practices are not proposed to be followed, please attach a description of how pollutant discharges will be minimized during application on frozen/snow covered ground.

C.8 Describe or list any other practices that will be used to minimize pollutant discharges or nuisances:

Land application will only occur when soils are at less than 75% of field capacity of available water per ODA Appendix B of rule 901:10-2-14. Also, Appendix A, Table 2 of 901:10-2-14 (land application restrictions) will be adhered to. In addition, a phosphorus index is performed on the application field and a nutrient utilization budget is performed to ensure nutrients applied through the wastewaters are fully utilized by growing crops annually. There are no frozen/snow-covered ground applications planned due to storage capacities available in the 4 Layer site storage ponds, the Hatchery storage pond and the Truck washwater pond.

C.9 Land Application Records

How will land application information be recorded? : Daily during application

- Ohio EPA's Land Application Record Form Our Own Land Application Record Form (attached)

Where will the records be kept? : Facility office

C.10 Application Site Map (If known)

a. A map locating each land application site shall be attached. Each site shall be labeled "Restricted access site" or "Unrestricted access site". The map(s) should show the following items and are considered part of this plan:

- All present and known proposed occupied buildings within 300 feet of the land application area.
- All present and known proposed non occupied buildings within 300 feet of the land application area.
- All present and known proposed public and private water supply wells within 1,000 feet of the land application area.
- All sinkholes and waters of the state (including ditches, grass waterways, streams and rivers) within 200 feet of the land application area.
- All public surface drinking water supply intakes within 1500' of the land application area.
- All present and known proposed developments and public access areas within 300 feet of the land application area.

b. If the land application site(s) are not known, will site maps be submitted before land application starts? Yes No

D. Other Beneficial Uses

1. Is this material one of the following:
- Spent Foundry Sand
 - Bottom Ash From Coal Combustion
 - Fly Ash
 - Steel Slag
 - Sludge
 - Other:

2. If the material is "Other", have you contacted Ohio EPA to discuss the applicable regulations? Yes No

3. Is a comprehensive management plan attached for uses other than land application? Yes No

E. Miscellaneous Information:

The following items shall be included with this land application management plan:

- Two copies of the Permit-to-Install/Plan Approval Application Form A or the NPDES Permit Application.
- If applicable, two copies of the site and soil evaluation(s) (For renewal applications, this is only needed if additional or different areas)
- One copy of the sampling results for the material to be beneficially used (the most recent, but no older than one year).
- Four copies of this management plan and any attachments or Four copies of a separate/complete management plan.
- Fee check payable to "Treasurer, State of Ohio."

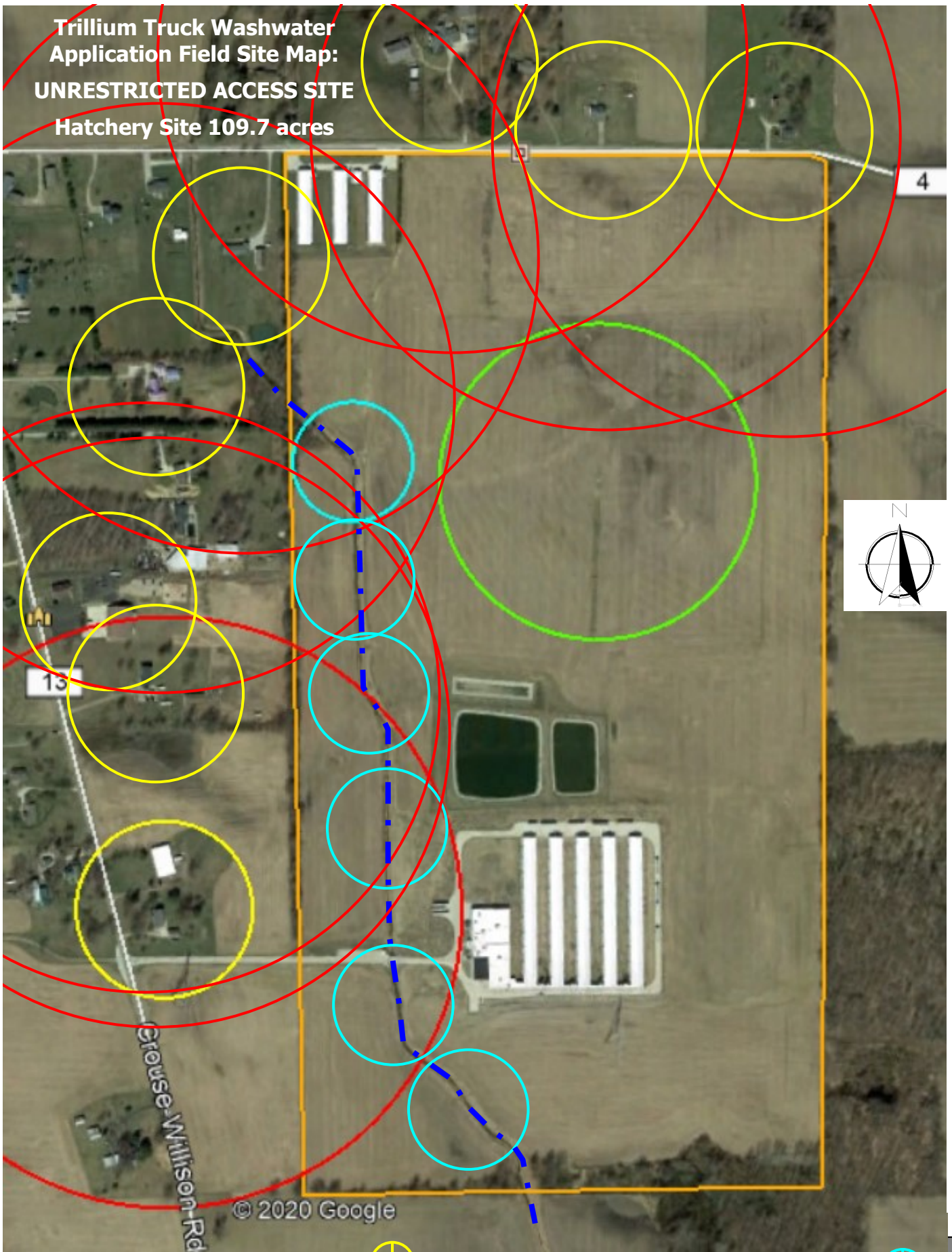
The following additional information is included with this form: land application record forms

F. The foregoing data is a true statement of facts pertaining to this proposed management plan.

Printed (Person Preparing Plan): Ashley Singh Title: Senior Manager of Compliance, Trillium Farm Holdings, LLC

Signed:  Date: 7 / 12 / 2021

**Trillium Truck Washwater
Application Field Site Map:
UNRESTRICTED ACCESS SITE
Hatchery Site 109.7 acres**



Occupied and non-occupied buildings, 300'
Public and private water supply wells, 1000'
Application field boundary

A legend box containing three symbols: a yellow circle with a crosshair, a red circle with a crosshair, and a solid yellow horizontal line.

Waters of the state, 200'
Grass waterways, ditches
Center pivot irrigation field boundary

A legend box containing three symbols: a cyan circle with a crosshair, a blue dashed line, and a solid green circle.