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Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

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CERTIFIED

September 4, 2013

Mr. Jason Ziss
Kurtz Brothers, Inc.
Cloverleaf Composting Facility
6415 Granger Road
Independence, OH 44131

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Donny Cassel Date: 9-4-13

**RE: Kurtz Brothers, Inc., Cuyahoga County
Class II Composting Facility
Registration No. 18-C2R-1129
Alternative Bulking Agent Approval**

Dear Mr. Ziss:

In accordance with Ohio Administrative Code (OAC) Rule 3745-560-205(A), the owner or operator of a Class II solid waste composting facility may compost alternative bulking agents after approval by the Director of the Ohio Environmental Protection Agency (Ohio EPA). On June 18, 2013, Ohio EPA received a request from Kurtz Brothers, Inc. (Kurtz) seeking approval to utilize an alternative material at their Cloverleaf Composting Facility (Facility). This Class II solid waste composting facility is located at 6415 Granger Road in Independence, Cuyahoga County, Ohio.

The alternative material consists of alum sludge from the City of Warren's water treatment plant and will serve as an alternative bulking agent. Alum is mixed with the raw water allowing the very fine suspended particles to stick together and settle out. The clarified water can then be more easily filtered and disinfected at the water treatment plant. It has been demonstrated that alum sludge from water treatment plants applied to land can effectively control the loss of phosphorous to surface water runoff. However, too much alum sludge applied to croplands can result in phosphorous deficiency in plants due to excessive phosphorous immobilization. In the presence of sufficient quantities of phosphorous and organic material, as in compost, alum sludge will not sorb all of the phosphorous. Each source of alum sludge is unique in its phosphorous sorption capacity due to the unique chemical characteristics of the water treated with alum. Kurtz conducted a pilot project, approved by Ohio EPA in 2012, and from the results of the pilot project Kurtz determined that using alum sludge as an alternative bulking agent in compost is feasible.

The alum sludge described in written documentation submitted on June 18, 2013, is hereby approved by Ohio EPA as an alternative bulking agent for composting at the Facility, subject to the following conditions:

1. The alternative bulking agent shall be managed in accordance with written documentation submitted on June 18, 2013; OAC Rules 3745-560-01 through 3745-560-435, "Solid Waste Composting Regulations"; OAC Rule 3745-15-07, "Air Pollution Nuisances Prohibited"; and Ohio Revised Code (ORC) Chapter 6111, "Water Pollution Control."
2. Only alum sludge generated by the Warren water treatment plant shall be accepted as an alternative bulking agent at the Facility.
3. Ohio EPA may enter the Facility during reasonable times, in accordance with applicable law, to inspect, conduct tests, or examine records and reports concerning the utilization of the alternative bulking agent and compliance with this authorization.
4. If, in the judgment of Ohio EPA, Kurtz is unable to abate nuisance conditions or has not complied with the conditions of this authorization, then Kurtz shall, upon written notification, cease acceptance of the alternative bulking agent and dispose of all material containing the alternative bulking agent at a licensed solid waste landfill.
5. Testing requirements shall be fulfilled after the alternative bulking agent mixture has completed the thermophilic and curing stages of composting. Kurtz shall have the cured compost tested for the parameters listed in Tables 1, 2, 3, and 4 of OAC Rule 3745-560-230.
6. Cured compost that meets the quality standards limits found in Tables 1, 2, 3, and 4 of OAC Rule 3745-560-230 may be distributed for unrestricted use.
7. Cured compost that does not meet the quality standards limits found in Table 1, 2, 3, and 4 of OAC Rule 3745-560-230 shall be:
 - a. Recirculated into the composting process; or
 - b. Disposed of at a licensed solid waste disposal facility.
8. This approval for alternative bulking agent shall terminate upon closure of the Facility and/or non-renewal of the annual operating license.
9. This alternative bulking agent approval is issued solely to Kurtz for use at the Facility and is not transferable upon change of ownership. No other persons may utilize the alternative bulking agent specified in this approval at the Facility.

Mr. Jason Ziss
Kurtz Brothers, Inc.
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Issuance of this alternative bulking agent approval does not constitute expressed or implied agreement that the monitoring of the facility performed and implemented in accordance with this alternative bulking agent approval, and/or its terms and conditions, will constitute compliance with applicable state and federal laws, rules, and regulations nor does issuance of this approval assure that necessary operating permits or licenses will be granted.

You are hereby notified that this action of the Director of the Ohio Environmental Protection Agency (Director) is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (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
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions regarding this letter, please contact Scott Hester of Ohio EPA, DMWM at (614) 644-2621.

Sincerely,



Scott J. Nally
Director

PF/

cc: Scott Hester, DMWM, CO
Lynn Sowers, DMWM, NEDO
Vince Romeo, City of Warren Water Plant
John McLeod, Cuyahoga County Health Department