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Mary Taylor, Lt. Governor
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OHIO E.P.A.

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CERTIFIED

April 1, 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: John Lasseter Date: 4-1-13

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

Dear Mr. Ziss:

In accordance with Ohio Administrative Code (OAC) Rule 3745-560-205, the owner or operator of a Class II solid waste composting facility may accept an alternative bulking agent after approval by the Director of the Ohio Environmental Protection Agency (Ohio EPA). On December 27, 2012, Ohio EPA received a request from Kurtz Brothers, Inc., seeking approval to utilize an alternative bulking agent in a pilot project 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 bulking agent consists of a mixture of alum sludge from the City of Avon Lake's drinking water treatment plant and anaerobic sanitary sludge from the wastewater treatment plant (the sludge mixture). 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 through runoff and to groundwater. However, too much alum sludge applied to croplands can result in excessive phosphorous immobilization causing phosphorous deficiency in plants. In the presence of sufficient quantities of phosphorous and organic material, as in anaerobic wastewater treatment sludge and compost, alum sludge is not expected to sorb all of the phosphorous. But, each source of alum sludge is unique in its phosphorous sorption capacity due to the unique chemical characteristics of the water that was treated. The proposed pilot project is to determine whether using a mixture of alum sludge and anaerobic

sanitary sludge as a compost bulking agent is feasible. Kurtz proposes in the pilot project to vary the amount of sludge mixture used as alternative bulking agent from 33 percent to 50 percent of the total material to be composted.

The sludge mixture described in written documentation submitted on December 27, 2012, is hereby approved by Ohio EPA for use as an alternative bulking agent for composting in a pilot project at the Facility, subject to the following conditions:

1. The alternative bulking agent shall be managed in accordance with written documentation submitted on December 27, 2012; OAC Chapter 3745-560, "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 the mixed sludge generated by the Avon Lake water and wastewater treatment plants shall be accepted as an alternative bulking agent at the Facility unless otherwise authorized by Ohio EPA.
3. The Director of Ohio EPA (Director), or an authorized representative, 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, the owner or operator is unable to abate nuisance conditions or has not complied with the conditions of this authorization, then the owner or operator 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. The owner or operator shall have the cured compost tested for the parameters listed in Tables 1, 2, 3, and 4 as specified in OAC Rule 3745-560-230. In addition to the parameters listed in the Rule, the owner or operator shall have the cured compost tested for aluminum.
6. Cured compost that meets the quality standards limits found in Tables 1, 2, 3, and 4 of OAC Rule 3745-560-230 and aluminum of less than 77,000 mg/kg may be distributed for unrestricted use.
7. Cured compost that does not meet the acceptable quality standards stated in this approval shall be:
 - a. Recirculated into the composting process; or
 - b. Disposed of at a licensed solid waste disposal facility.

8. Not later than sixty days after the testing of the compost piles containing the sludge mixture, the owner or operator shall submit to Ohio EPA and the Cuyahoga County Health Department a report describing the impact of any varying percentages of the sludge mixture on the composting process. The report shall include, at a minimum: the start and end dates for each pile; a narrative of the inclusion percentages, quantity of material, turning frequency, and the composting methodology; a narrative of problems or challenges encountered and how they were resolved; test results; and a recommendation for future inclusion percentages.
9. Upon review of the project report as required in Condition 8 of this approval letter, Ohio EPA, Division of Materials and Waste Management (DMWM), may authorize the use of inclusion rates determined to provide value to the composting process.
10. This alternative bulking agent approval is issued solely to Kurtz Brothers, Inc., Cloverleaf Composting Facility, and is not transferable upon change of ownership. No other persons may utilize the materials which are specified in this approval at the Facility.
11. This approval shall terminate one (1) year after receipt of the first load of the sludge mixture for use in the compost pilot project, or upon closure of the Facility or non-renewal of the annual operating license, whichever occurs first.
12. The owner or operator shall notify Ohio EPA, NEDO, DMWM not later than three days after receiving the first load of sludge mixture for use in the compost pilot project.

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 notified that this action of the 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:

Mr. Jason Ziss
Kurtz Brothers, Inc.
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Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions regarding this letter, please contact Peter Ferron of Ohio EPA, DMWM at (614) 728-5367.

Sincerely,



Scott J. Nally
Director

PF/

cc: Scott Hester, DMWM, CO
Jarnal Singh, DMWM, NEDO
Steve Baytos, Avon Lake Municipal Utilities
John McLeod, Cuyahoga County Health District