**LAND APPLICATION SITE**

**LEWIS U. PEARCE**

**EXLUP 1**

**ESSEX COUNTY**

# VIRGINIA POLLUTION ABATEMENT PERMIT APPLICATION
# FORM D: MUNICIPAL EFFLUENT AND BIOSOLIDS

## PART D-VI: LAND APPLICATION AGREEMENT - BIOSOLIDS AND INDUSTRIAL RESIDUALS

A. This land application agreement is made on 11-16-15 between Lewis W. Pearce Tr referred to here as "Landowner", and Recyc Systems, Inc, referred to here as the "Permittee". This agreement remains in effect until it is terminated in writing by either party or, with respect to those parcels that are retained by the Landowner in the event of a sale of one or more parcels, until ownership of all parcels changes. If ownership of individual parcels identified in this agreement changes, those parcels for which ownership has changed will no longer be authorized to receive biosolids or industrial residuals under this agreement.

**Landowner:**
The Landowner is the owner of record of the real property located in Essex Co., Virginia, which includes the agricultural, silvicultural or reclamation sites identified below in Table 1 and identified on the tax map(s) attached as Exhibit A.

Table 1.: Parcels authorized to receive biosolids, water treatment residuals or other industrial sludges

| Tax Parcel ID | Tax Parcel ID | Tax Parcel ID | Tax Parcel ID |
|---|---|---|---|
| | | | |
| Tax Map-22 Parcel-9 | | | |
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| | | | |

☐ Additional parcels containing Land Application Sites are identified on Supplement A (check if applicable)

Check one: ☑ The Landowner is the sole owner of the properties identified herein.
☐ The Landowner is one of multiple owners of the properties identified herein.

In the event that the Landowner sells or transfers all or part of the property to which biosolids have been applied within 38 months of the latest date of biosolids application, the Landowner shall:

1. Notify the purchaser or transferee of the applicable public access and crop management restrictions no later than the date of the property transfer; and
2. Notify the Permittee of the sale within two weeks following property transfer.

The Landowner has no other agreements for land application on the fields identified herein. The Landowner will notify the Permittee immediately if conditions change such that the fields are no longer available to the Permittee for application or any part of this agreement becomes invalid or the information herein contained becomes incorrect.

The Landowner hereby grants permission to the Permittee to land apply residuals as specified below, on the agricultural sites identified above and in Exhibit A. The Landowner also grants permission for DEQ staff to conduct inspections on the land identified above, before, during or after land application of permitted residuals for the purpose of determining compliance with regulatory requirements applicable to such application.

| Class B biosolids | Water treatment residuals | Food processing waste | Other industrial sludges |
|---|---|---|---|
| ☒ Yes ☐ No | ☒ Yes ☐ No | ☒ Yes ☐ No | ☒ Yes ☐ No |

LEWIS 2 PEARCE Trustee — Landowner – Printed Name, Title
Signature
10 Pearcewood Lane, Hampton VA 23664 — Mailing Address & Phone Number
757-271-1076

**Permittee:**
Recyc Systems, Inc, the Permittee, agrees to apply biosolids and/or industrial residuals on the Landowner's land in the manner authorized by the VPA Permit Regulation and in amounts not to exceed the rates identified in the nutrient management plan prepared for each land application field by a person certified in accordance with §10.1-104.2 of the Code of Virginia.

The Permittee agrees to notify the Landowner or the Landowner's designee of the proposed schedule for land application and specifically prior to any particular application to the Landowner's land. Notice shall include the source of residuals to be applied.

☐ I reviewed the document(s) assigning signatory authority to the person signing for landowner above. I will make a copy of this document(s) available to DEQ for review upon request. (Do not check this box if the landowner signs this agreement)

Permittee – Authorized Representative Printed Name
Signature
PO Box 562 Remington, Virginia 22734
Mailing Address

VIRGINIA POLLUTION ABATEMENT PERMIT APPLICATION: PART D-VI LAND APPLICATION AGREEMENT

Permittee: Recyc Systems, Inc County or City: Essex Co.

Landowner: Lewis V. Pearce Trustee

## Landowner Site Management Requirements:

I, the Landowner, I have received a DEQ Biosolids Fact Sheet that includes information regarding regulations governing the land application of biosolids, the components of biosolids and proper handling and land application of biosolids.

I have also been expressly advised by the Permittee that the site management requirements and site access restrictions identified below must be complied with after biosolids have been applied on my property in order to protect public health, and that I am responsible for the implementation of these practices.

I agree to implement the following site management practices at each site under my ownership following the land application of biosolids at the site:

1. Notification Signs: I will not remove any signs posted by the Permittee for the purpose of identifying my field as a biosolids land application site, unless requested by the Permittee, until at least 30 days after land application at that site is completed.

2. Public Access
   a. Public access to land with a high potential for public exposure shall be restricted for at least one year following any application of biosolids.
   b. Public access to land with a low potential for public exposure shall be restricted for at least 30 days following any application of biosolids. No biosolids amended soil shall be excavated or removed from the site during this same period of time unless adequate provisions are made to prevent public exposure to soil, dusts or aerosols;
   c. Turf grown on land where biosolids are applied shall not be harvested for one year after application of biosolids when the harvested turf is placed on either land with a high potential for public exposure or a lawn, unless otherwise specified by DEQ.

3. Crop Restrictions:
   a. Food crops with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for 14 months after the application of biosolids.
   b. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after the application of biosolids when the biosolids remain on the land surface for a time period of four (4) or more months prior to incorporation into the soil,
   c. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months when the biosolids remain on the land surface for a time period of less than four (4) months prior to incorporation.
   d. Other food crops and fiber crops shall not be harvested for 30 days after the application of biosolids;
   e. Feed crops shall not be harvested for 30 days after the application of biosolids (60 days if fed to lactating dairy animals).

4. Livestock Access Restrictions:
   Following biosolids application to pasture or hayland sites:
   a. Meat producing livestock shall not be grazed for 30 days,
   b. Lactating dairy animals shall not be grazed for a minimum of 60 days.
   c. Other animals shall be restricted from grazing for 30 days;

5. Supplemental commercial fertilizer or manure applications will be coordinated with the biosolids and industrial residuals applications such that the total crop needs for nutrients are not exceeded as identified in the nutrient management plan developed by a person certified in accordance with §10.1-104.2 of the Code of Virginia;

6. Tobacco, because it has been shown to accumulate cadmium, should not be grown on the Landowner's land for three years following the application of biosolids or industrial residuals which bear cadmium equal to or exceeding 0.45 pounds/acre (0.5 kilograms/hectare).

L V Pearce 11-16-15

Landowner's Signature Date

Farm Operator Signature Mailing Address & Phone Number

# VIRGINIA POLLUTION ABATEMENT PERMIT APPLICATION
# FORM D: MUNICIPAL EFFLUENT AND BIOSOLIDS

## PART D-VI: LAND APPLICATION AGREEMENT - BIOSOLIDS AND INDUSTRIAL RESIDUALS

A. This land application agreement is made on 12-2-15 between Nancy R. Pearce referred to here as "Landowner", and Recyc Systems, Inc, referred to here as the "Permittee". This agreement remains in effect until it is terminated in writing by either party or, with respect to those parcels that are retained by the Landowner in the event of a sale of one or more parcels, until ownership of all parcels changes. If ownership of individual parcels identified in this agreement changes, those parcels for which ownership has changed will no longer be authorized to receive biosolids or industrial residuals under this agreement.

### Landowner:

The Landowner is the owner of record of the real property located in Essex Co, Virginia, which includes the agricultural, silvicultural or reclamation sites identified below in Table 1 and identified on the tax map(s) attached as Exhibit A.

Table 1.: Parcels authorized to receive biosolids, water treatment residuals or other industrial sludges

| Tax Parcel ID | Tax Parcel ID | Tax Parcel ID | Tax Parcel ID |
|---|---|---|---|
| Tax Map 22 Parcel 9 | | | |
| | | | |
| | | | |
| | | | |
| | | | |

☐ Additional parcels containing Land Application Sites are identified on Supplement A (check if applicable)

Check one: ☒ The Landowner is the sole owner of the properties identified herein.
☐ The Landowner is one of multiple owners of the properties identified herein.

In the event that the Landowner sells or transfers all or part of the property to which biosolids have been applied within 38 months of the latest date of biosolids application, the Landowner shall:

1. Notify the purchaser or transferee of the applicable public access and crop management restrictions no later than the date of the property transfer; and
2. Notify the Permittee of the sale within two weeks following property transfer.

The Landowner has no other agreements for land application on the fields identified herein. The Landowner will notify the Permittee immediately if conditions change such that the fields are no longer available to the Permittee for application or any part of this agreement becomes invalid or the information herein contained becomes incorrect.

The Landowner hereby grants permission to the Permittee to land apply residuals as specified below, on the agricultural sites identified above and in Exhibit A. The Landowner also grants permission for DEQ staff to conduct inspections on the land identified above, before, during or after land application of permitted residuals for the purpose of determining compliance with regulatory requirements applicable to such application.

| Class B biosolids | Water treatment residuals | Food processing waste | Other industrial sludges |
|---|---|---|---|
| ☒ Yes ☐ No | ☒ Yes ☐ No | ☒ Yes ☐ No | ☒ Yes ☐ No |

NANCY R. PEARCE Nancy R. Pearce 10 PEARCEWOOD LANE HAMPTON, VA 23664
757-851-5703

Landowner – Printed Name, Title Signature Mailing Address & Phone Number

### Permittee:

Recyc Systems, Inc, the Permittee, agrees to apply biosolids and/or industrial residuals on the Landowner's land in the manner authorized by the VPA Permit Regulation and in amounts not to exceed the rates identified in the nutrient management plan prepared for each land application field by a person certified in accordance with §10.1-104.2 of the Code of Virginia.

The Permittee agrees to notify the Landowner or the Landowner's designee of the proposed schedule for land application and specifically prior to any particular application to the Landowner's land. Notice shall include the source of residuals to be applied.

☐ I reviewed the document(s) assigning signatory authority to the person signing for landowner above. I will make a copy of this document(s) available to DEQ for review upon request. (Do not check this box if the landowner signs this agreement)

Recyc Systems, Inc
PO Box 562 Remington, Virginia 22734

Permittee – Authorized Representative Printed Name Signature Mailing Address

VIRGINIA POLLUTION ABATEMENT PERMIT APPLICATION: PART D-VI LAND APPLICATION AGREEMENT

Permittee: Recyc Systems, Inc County or City: Essex

Landowner: NANCY R. PERCE

## Landowner Site Management Requirements:

I, the Landowner, I have received a DEQ Biosolids Fact Sheet that includes information regarding regulations governing the land application of biosolids, the components of biosolids and proper handling and land application of biosolids.

I have also been expressly advised by the Permittee that the site management requirements and site access restrictions identified below must be complied with after biosolids have been applied on my property in order to protect public health, and that I am responsible for the implementation of these practices.

I agree to implement the following site management practices at each site under my ownership following the land application of biosolids at the site:

1. Notification Signs: I will not remove any signs posted by the Permittee for the purpose of identifying my field as a biosolids land application site, unless requested by the Permittee, until at least 30 days after land application at that site is completed.

2. Public Access
   a. Public access to land with a high potential for public exposure shall be restricted for at least one year following any application of biosolids.
   b. Public access to land with a low potential for public exposure shall be restricted for at least 30 days following any application of biosolids. No biosolids amended soil shall be excavated or removed from the site during this same period of time unless adequate provisions are made to prevent public exposure to soil, dusts or aerosols;
   c. Turf grown on land where biosolids are applied shall not be harvested for one year after application of biosolids when the harvested turf is placed on either land with a high potential for public exposure or a lawn, unless otherwise specified by DEQ.

3. Crop Restrictions:
   a. Food crops with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for 14 months after the application of biosolids.
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   c. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months when the biosolids remain on the land surface for a time period of less than four (4) months prior to incorporation.
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   e. Feed crops shall not be harvested for 30 days after the application of biosolids (60 days if fed to lactating dairy animals).

4. Livestock Access Restrictions:
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   a. Meat producing livestock shall not be grazed for 30 days.
   b. Lactating dairy animals shall not be grazed for a minimum of 60 days.
   c. Other animals shall be restricted from grazing for 30 days;

5. Supplemental commercial fertilizer or manure applications will be coordinated with the biosolids and industrial residuals applications such that the total crop needs for nutrients are not exceeded as identified in the nutrient management plan developed by a person certified in accordance with §10.1-104.2 of the Code of Virginia;

6. Tobacco, because it has been shown to accumulate cadmium, should not be grown on the Landowner's land for three years following the application of biosolids or industrial residuals which bear cadmium equal to or exceeding 0.45 pounds/acre (0.5 kilograms/hectare).

Nancy R. Perce 12/2/2015

Landowner's Signature Date

Farm Operator Signature Mailing Address & Phone Number

# FARM DATA SHEET

| | | | |
|---|---|---|---|
| **SITE NAME:** | Lewis U. Pearce | **COUNTY:** | Essex |
| **OWNER:** | Lewis U. Pearce Trustee and Nancy R. Pearce Trustee | **OPERATOR:** | Clarence Tignor, Jr. |
| **OWNER'S ADDRESS:** | 10 Pearcewood Lane<br>Hampton, VA 23664 | **OPERATOR'S ADDRESS:** | 31325 Sparta Road<br>Milford, VA 22514 |
| **OWNER'S TELEPHONE:** | 757-291-1076 | **OPERATOR'S TELEPHONE:** | 804-633-6630 |
| **GENERAL FARM TYPE:** | Row Crops | **CELL PHONE:** | - |
| **# CATTLE:** | None | **EMAIL:** | - |
| **LAGOON or SLURRY:** | None | **LATITUDE:** | 37°59'47"N |
| **TOPO QUAD:** | Cauthornville | **LONGITUDE:** | 77°03'16"W |
| **COMMENTS:** | | | |
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# RECYC SYSTEMS, INC
## FIELD DATA SHEET

| Field Identification | Gross Acres | Environmentally Sensitive Soils | | | | Hydro Map | Tax Map # | FSA Tract # |
|---|---|---|---|---|---|---|---|---|
| | | Water Table | Bed Rock/Shallow | Surf/Leach | Freq Flood | | | |
| EXLUP 1 | 27.7 | - | - | - | - | RA 59 | TM 22-9 | T 3255<br>F 1, 2 |
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| TOTAL ACRES IN SITE | 27.7 | | | | | | | |

VIRGINIA POLLUTION ABATEMENT PERMIT APPLICATION: PART D-VI LAND APPLICATION AGREEMENT

Landowner Coordination Form

This form is used by the Permittee to identify properties (tax parcels) that are authorized to receive biosolids and/or industrial residuals, and each of the legal landowners of those tax parcels. A Land Application Agreement-Biosolids and Industrial Residuals from original signature must be attached for each legal landowner identified below prior to land application at the identified parcels.

Permittee: Recyc Systems Inc. Site Name: Lewis U. Pearce

County or City: Essex County

Please Print Signature not required on this page

| Tax Parcel ID(s) | Landowners (s) |
|---|---|
| Tax Map 22 Parcel 9 | Lewis U. Pearce Trustee and Nancy R. Pearce Trustee |
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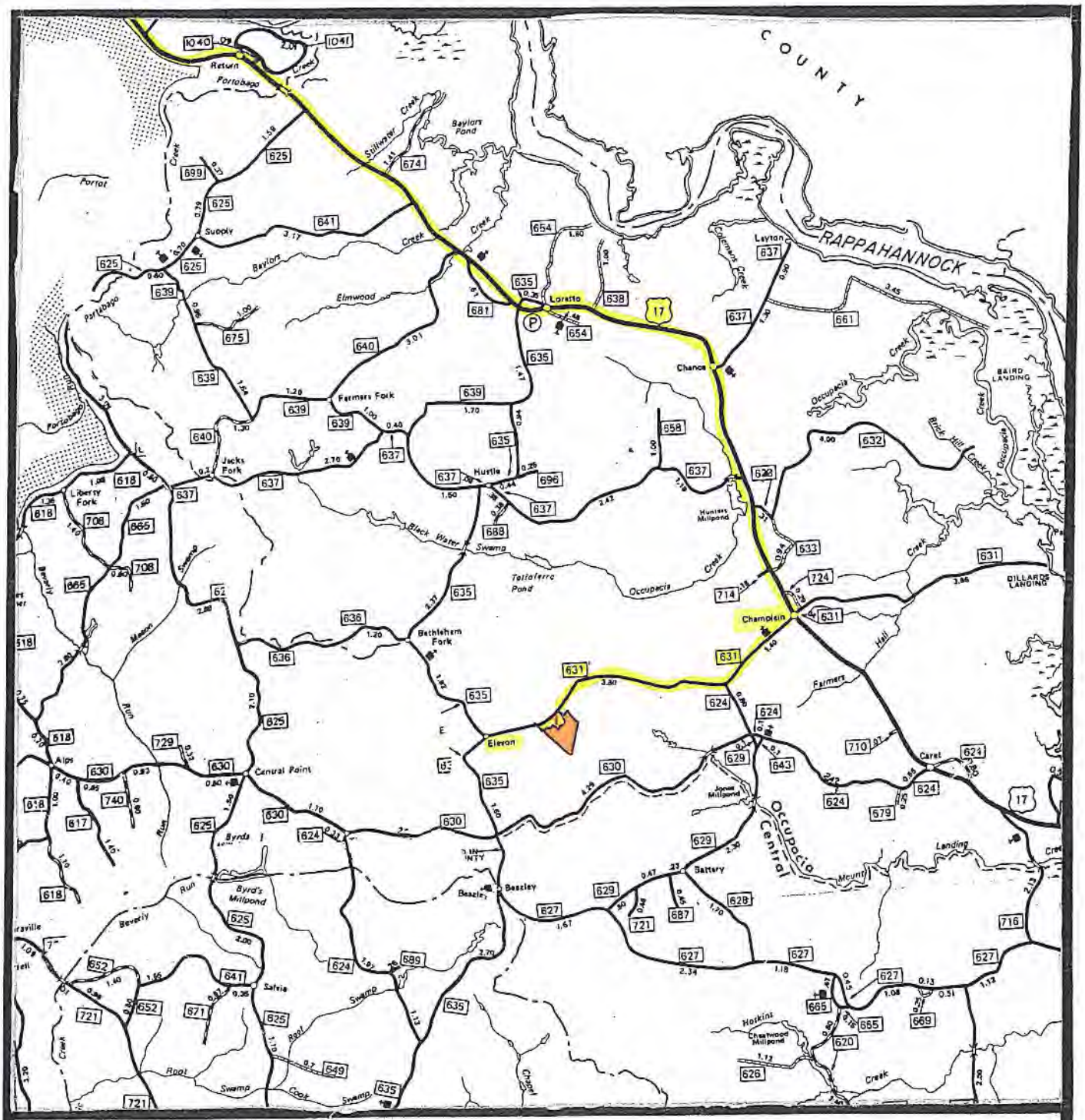
# MAPS

# Recyc Systems™ Inc. (Biosolids Land Application)



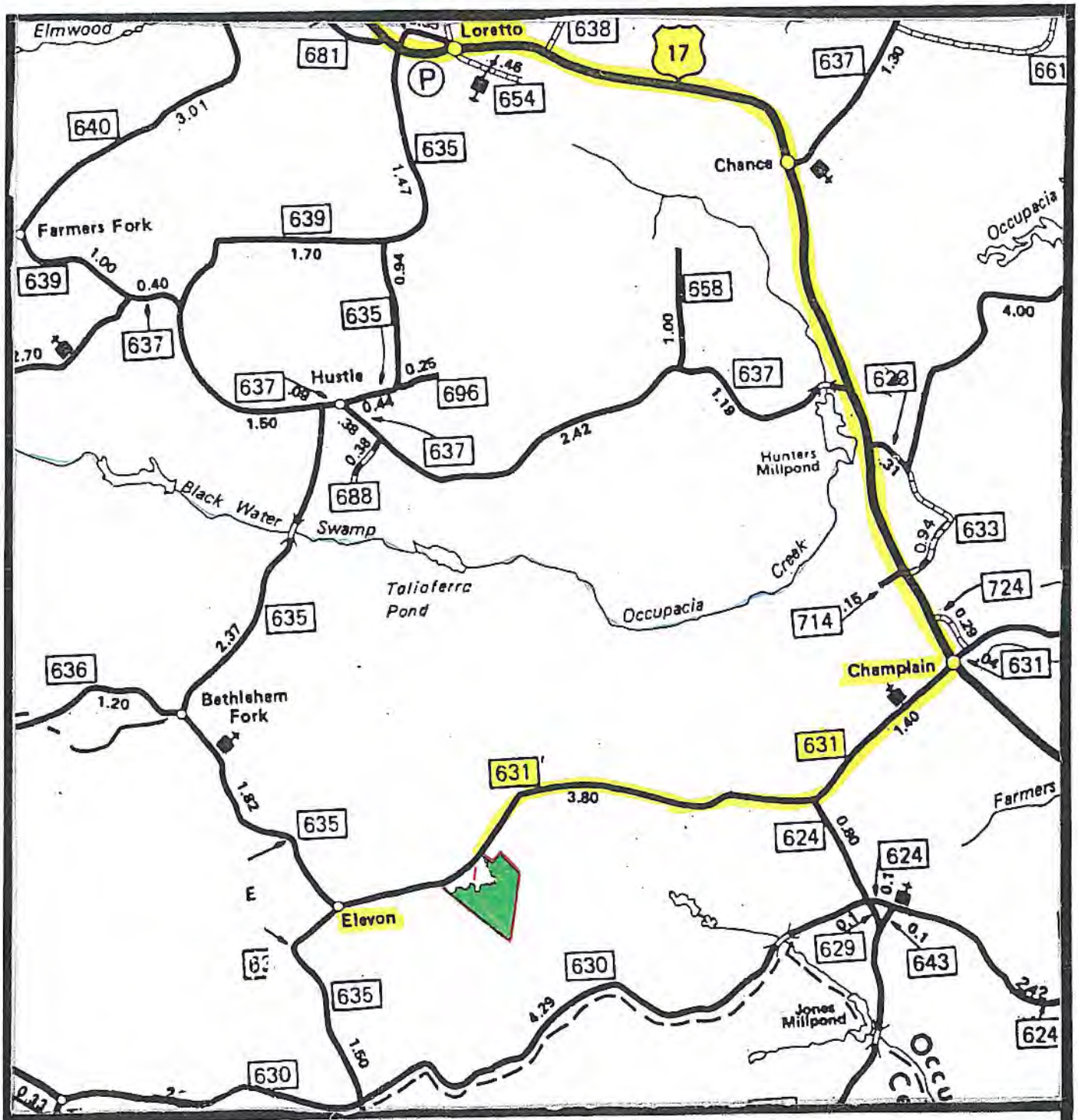

**Scale:** 1"= 2 miles

EXLUP 1

## VICINITY MAP

N

# Recyc Systems™ Inc. (Biosolids Land Application)

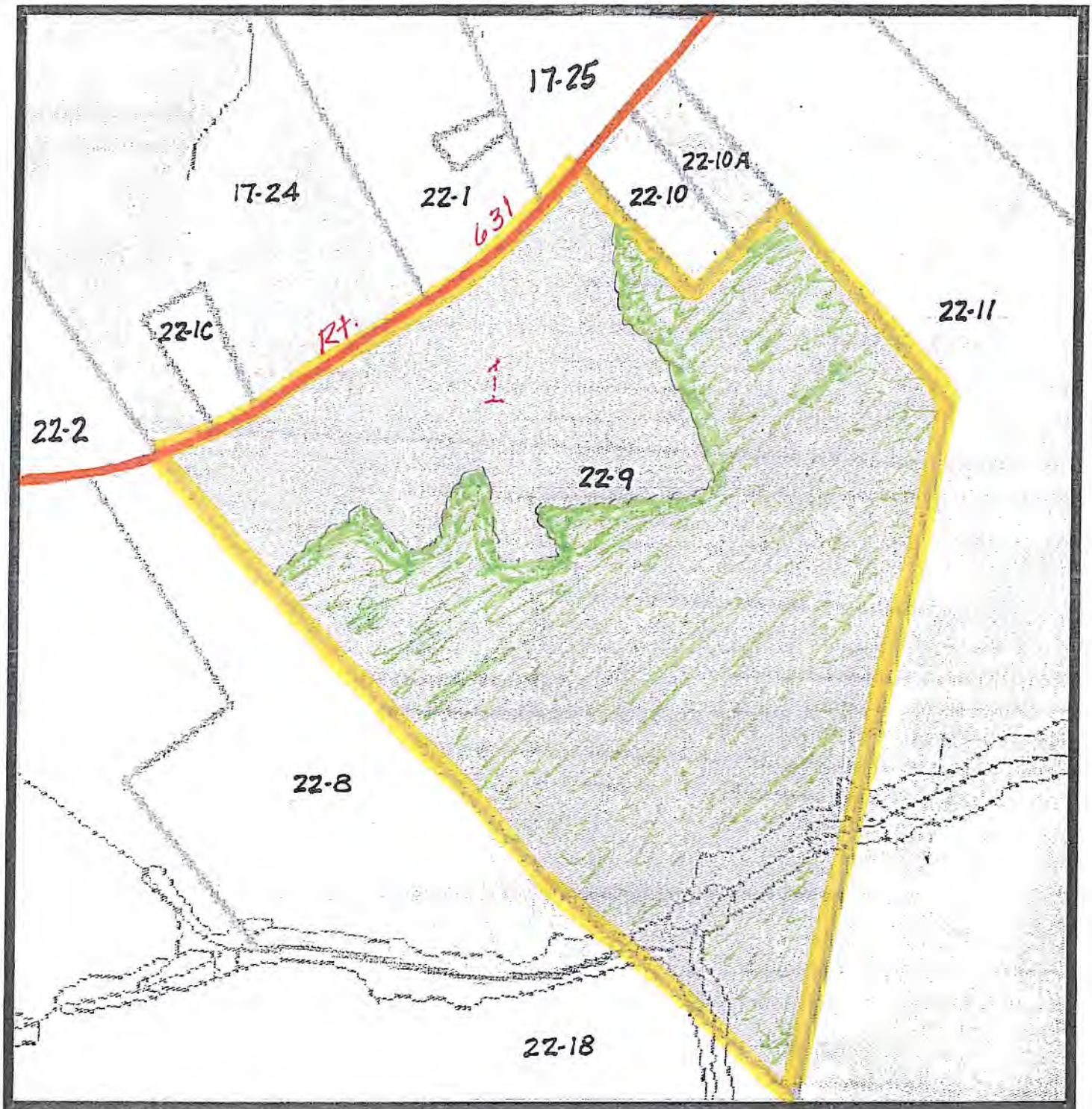



**Scale:** 1"= 1 mile EXLUP 1

## VICINITY MAP

N

# Recyc Systems™ Inc. (Biosolids Land Application)




**Scale:** 1"= 500'

EXLUP 1

TAX MAP

N

# ADJOINING LANDOWNERS

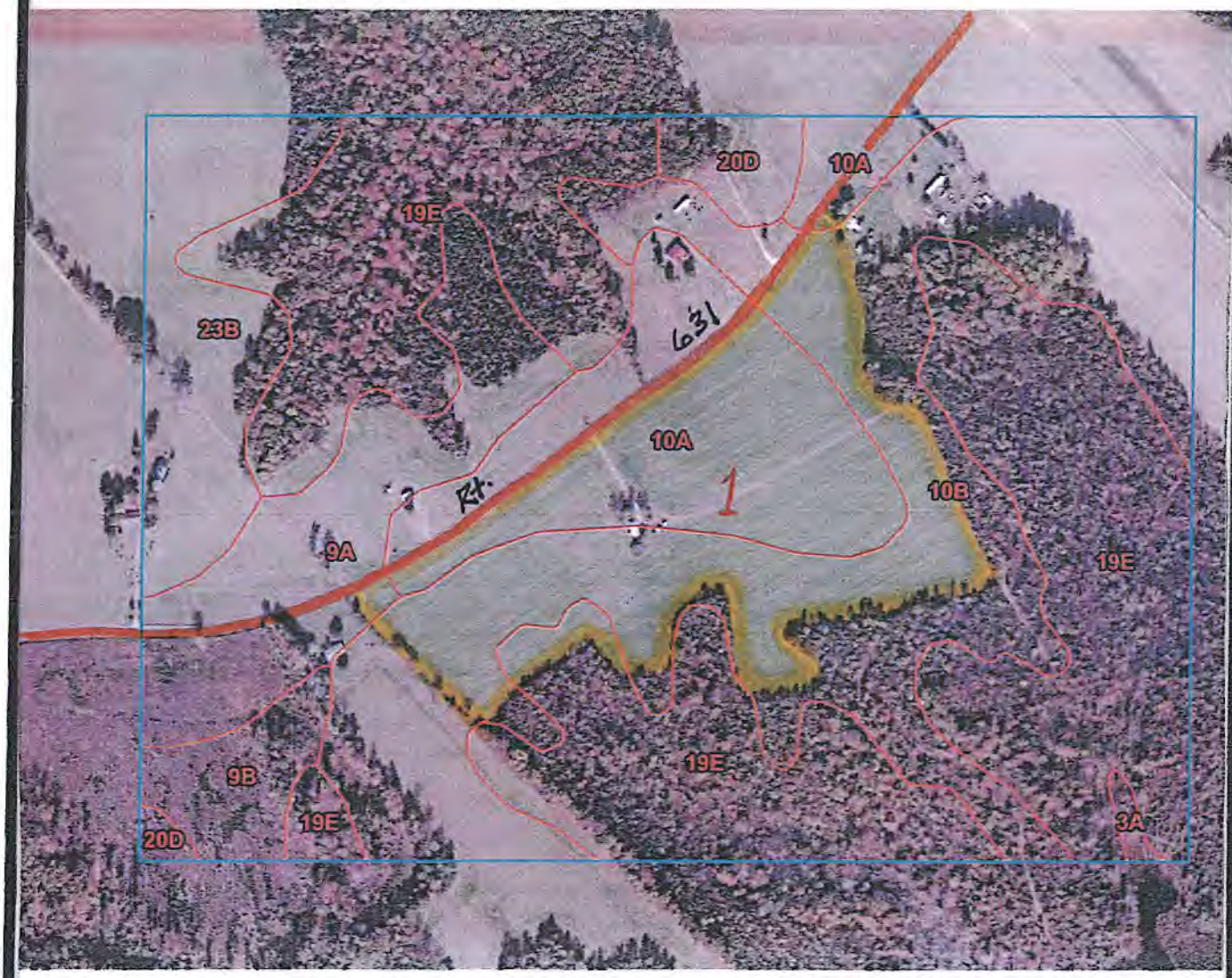
## Lewis U. Pearce

## ESSEX COUNTY

| Tax Map | Parcel # | Owner Name(s) |
|---|---|---|
| 17 | 24 | Joseph J. Wright |
| | 25 | Nancy H. Loving |
| 22 | 1 | Monica E. Joseph |
| | 1C | Joseph J. Wright et. als. |
| | 2 | Joe E. Swinson |
| | 8 | Robert Lee Clarke et. ux. |
| | 10 | Herbert V. Reynolds et. al. |
| | 10A | Edmund R. Mozingo et. ux. |
| | 11 | Elizabeth Ellis Shuford |
| | 18 | Rebecca Ann Taylor |

# Recyc Systems™ Inc. (Biosolids Land Application)

Soil Map—Essex County, Virginia




Map Scale: 1:6,000 if printed on A landscape (11" x 8.5") sheet.

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

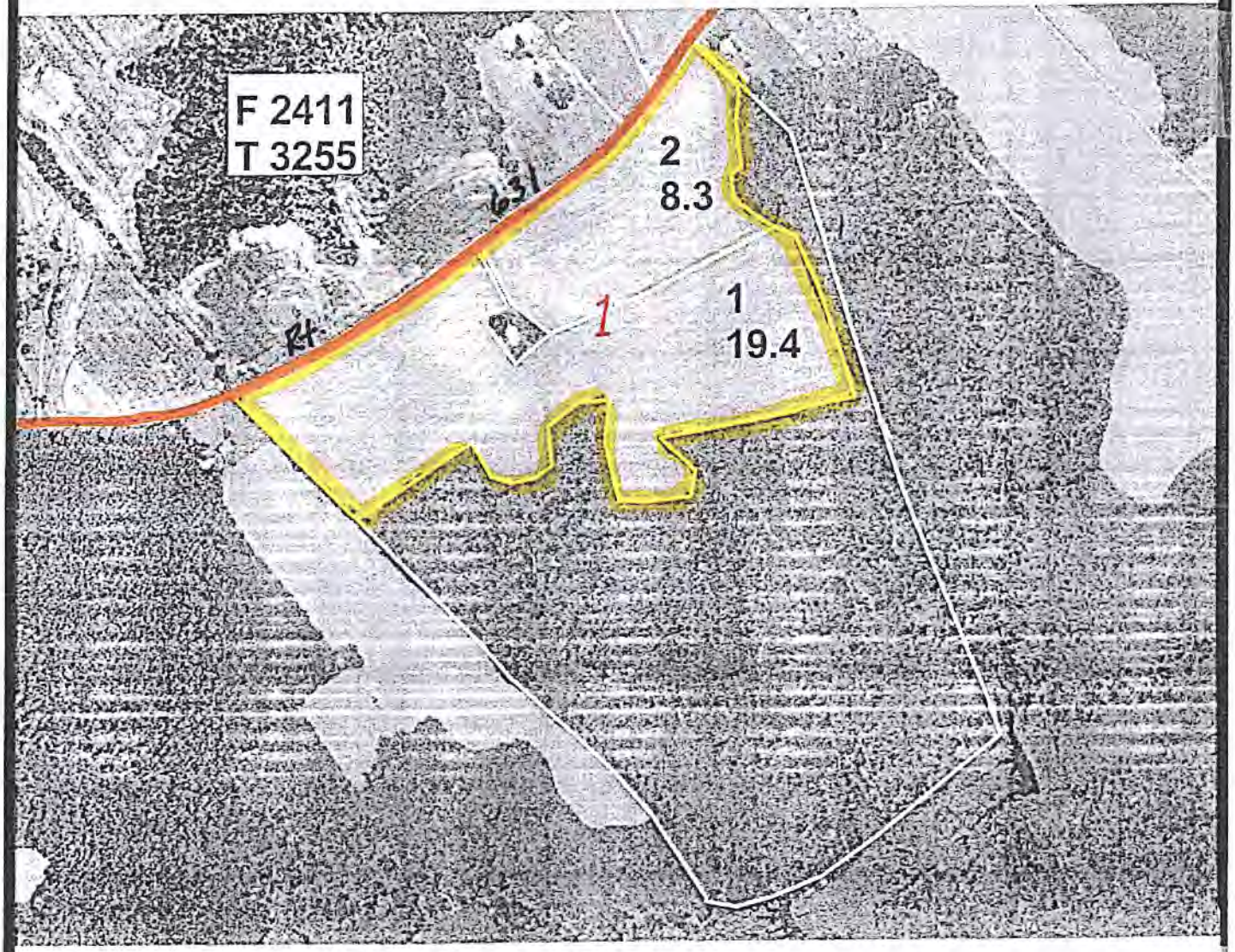
**Scale:** 1"= 500'

EXLUP 1

## SOIL MAP

N

# Recyc Systems™ Inc. (Biosolids Land Application)




**Scale:** 1"= 500'

EXLUP 1

## AERIAL MAP

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# Legend for Site Plan

House and Well

Well / Spring

Perennial Streams & Surface

Wet Spot

Intermittent Stream / Drainage

Trees and Woods

Private Drive

Rock / Rocky Area

Sinkhole

Severely Eroded Spot

State Road

Field Boundary / Fence

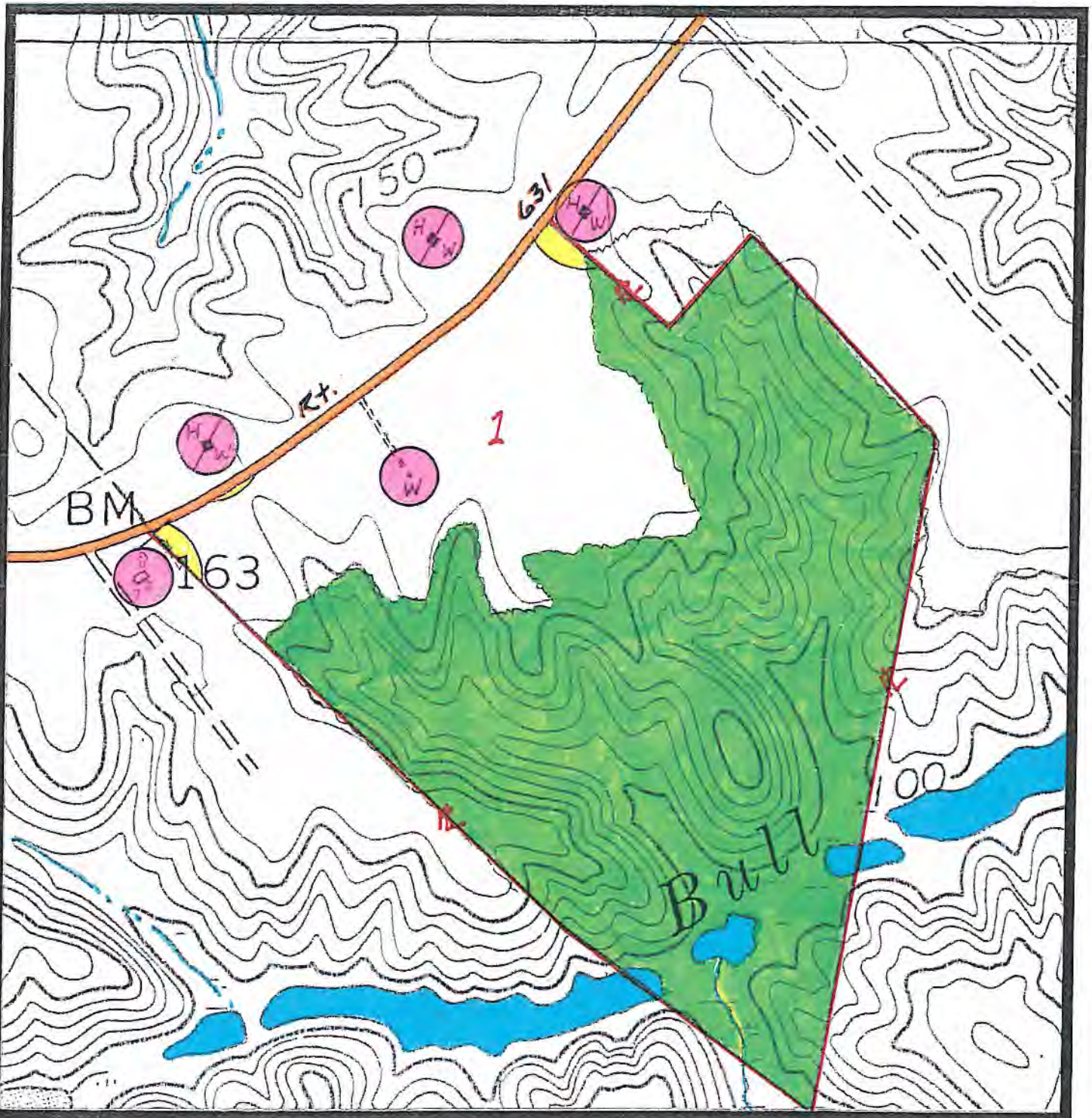
Property Line

Slope

Frequent Flooded Soil

Livestock Water Trough

# Recyc Systems™ Inc. (Biosolids Land Application)




**Scale:** 1"= 500'

EXLUP 1

## SITE PLAN

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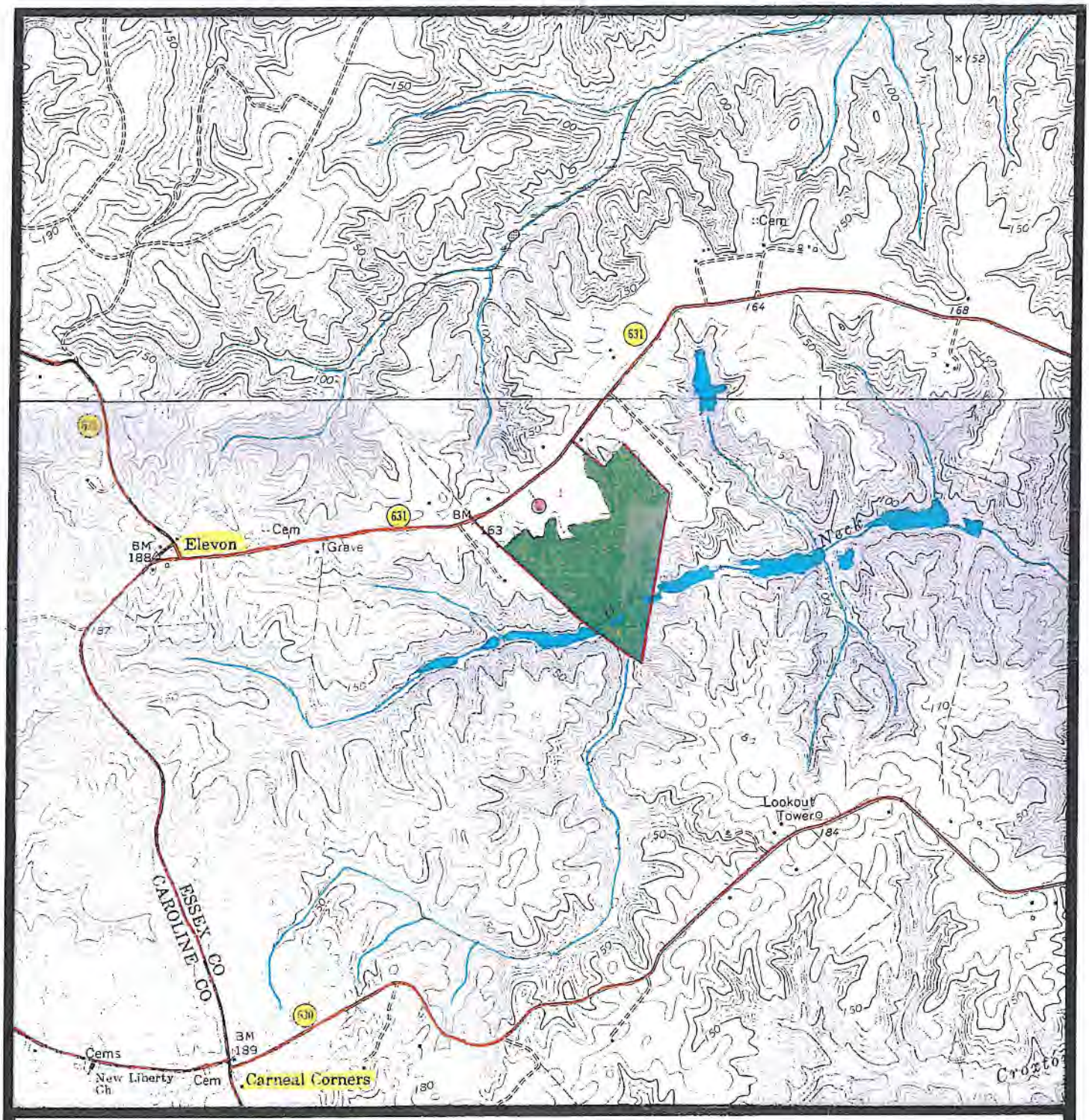
# Recyc Systems™ Inc. (Biosolids Land Application)




**Scale:** 1"= 2,000'

EXLUP 1

## TOPOGRAPHIC MAP

N