



Natural Resources Conservation Service
1934 Deyerle Ave., Suite A
Harrisonburg, VA 22801

Telephone: 540/434-1404
Fax: 540/434-1519

Tim Grove
97 Railside Drive
Weyers Cave, VA 24486

August 19, 2010

Tim,

On Tuesday, July 13, 2010 you and I conducted soil investigations on several properties in Augusta and Rockingham Counties. The investigations centered on Augusta County map units 79B-Timberville silt loam, 0 to 7 percent slopes and 80B-Timberville cherty silt loam, 0 to 7 percent slopes. Also include in Augusta County was a stop at an area mapped 39-Fluvaquents, nearly level. In Rockingham County we looked at three farms. The soils observed were 46A-Millrock loamy sand, 0 to 4 percent slopes and 68B-Timberville variant silt loam, 0 to 7 percent slopes. We visited these farms and more specifically these map units because you have permits for land application of biosolids on these properties. According to the soil survey reports, the Timberville map unit is frequently flooded for brief periods of time during the months of April through October. The Fluvaquents is flooded and should be somewhat poorly drained to poorly drained. The Millrock map unit is frequently flooded for brief periods of time during the months of December through September. You questioned the flooding hazard on your permitted sites, thus the need for the on-site soil investigations.

This correspondence addresses the situations found on all the properties visited except for Kenny Earman which was covered in a letter to you dated July 14, 2010.

Mark Hanger - Middlebrook area of Augusta County

This area is mapped 80B. It is located on a concave landform surrounded by upland soils. It drains into a small intermittent stream. Corn is planted on the less sloping areas of this map unit adjacent to the stream and also on the more sloping areas of this same map unit. The field in question is in millet but will be planted to grass. Biosolids were applied and incorporated approximately two months ago. When this area goes back to hay/pasture the incorporation of the biosolids will not be possible. According to the regulations, if an area is frequently flooded the biosolids must be incorporated. It is my opinion that this map unit would not flood during the specified time period of April through October. The lowest and most level areas of this map unit would be susceptible to flooding during winter snow melts and early spring rains, a period of approximately three months.

Mike Hemp - south of Middlebrook in Augusta County

Fields 9 and 10 - This area is mapped 79B. It consists of a rolling limestone topography with the concave areas being mapped the 79 map unit. The entire area is planted to corn. It is my opinion that this map unit would not flood during the specified time period of April through October. The

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lowest and most level areas of this map unit would be susceptible to flooding during winter snow melts and early spring rains, a period of approximately three months.

Field P4 - The area is used for pasture and is mapped 79B. The area that would be susceptible to flooding would be along a narrow strip of the very lowest area in this delineation. Again, I believe the area would be susceptible to flooding during winter snow melts and early spring rains, a period of approximately three months.

Fields 14 and 15 - These fields are mapped 79B and are at the head of a watershed in a very narrow strip. Residual soils are mapped on the convex areas and limestone outcrops are common. The 79B unit would not be subject to frequent flooding. The low areas may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Neil Hanger - Middlebrook area of Augusta County

The area is mapped 79B. Approximately 15 to 35 percent of the surface is covered with gravel and cobble size chert fragments. The lowest areas may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Robert Christian - Middlebrook area of Augusta County

The area is mapped 79B and is much exaggerated. The B slope makes up only a very narrow portion of the area delineated. The lowest area may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Sarah Kinsinger - Stuarts Draft area of Augusta County

The area is mapped 79B and is on a rolling limestone landscape. The main part of this delineation is on a 3 percent slope with several smaller concave areas flowing into it. The delineation goes across a ridge where the State road is located, so it is at the upper reaches of the watershed. The entire field is planted to soybeans. The lowest areas may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Benton Conner - Stuarts Draft area of Augusta County

The area is mapped 79B and is on a broad rolling limestone landscape. The entire field is planted to soybeans. The lowest areas may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months. We had a discussion with the farm operator and he stated that this past winter in late January there was a thaw in conjunction with rain and the lowest area of the field had water flowing over it deep enough to move corn stubble.

Eric Showalter - Stuarts Draft area of Augusta County

Small area of 79B in a corn field that would not flood during the summer months and not frequently during winter and early spring.

David Rosson - west of Waynesboro in Augusta County

Field #1 - Area mapped 79B near watershed divide would not flood frequently any time of year.

Fields #4 and 5 - (separate tract) Area is located under power line and is in grass (hay). The landowner has a grass waterway in the lower areas of these fields which is approximately 60 feet wide. These lowest areas may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Keith Shaver - Harriston area of Augusta County

The area is mapped 79B and starts on a drainage divide. The lower areas of this map unit may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Eddie Shaver - Harriston area of Augusta County

The area is mapped 79B and is adjacent to Keith's property. The lower areas of this map unit may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Wayne Rothery - McGaheysville area of Rockingham County

A section of this field is mapped 46A. The northeast corner of this field along the State Road would flood but it makes up a very small part of this field. There is a step up, with limestone outcrops, to the adjacent delineation (47B-Monongahela). The 46A unit appears to be exaggerated in its size, taking in some of the 47B unit, which would not flood. The adjacent landowner has many buildings on the 46A map unit including their house. It is doubtful that the area floods frequently.

Bob Threewitts - Keezletown area of Rockingham County

Area mapped 68B. Only the lowest areas may be subject to occasional flooding during winter snow melts and early spring rains, a period of approximately three months.

Jordan Brothers - Rockingham County

Mapped 68B upstream of pond. Delineation consists of the concave areas of this rolling limestone landscape. The area that could possibly flood is much smaller than what is delineated and is subject to flooding during winter snow melts and early spring rains, a period of approximately three months.

During this visit I observed numerous delineations of soils that are designated as being frequently flooded. Some, no doubt flood but more likely on a less frequent basis. It is apparent that any soil map unit with a frequent flood frequency should have an on-site investigation conducted where biosolids are to be land applied.

Sincerely,

Don Flegel
Soil Scientist

**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 6/28/19 between Indian Ridge III Business Trust referred to here as "Landowner", and Houff Corporation, 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 Augusta County, Virginia, which includes the agricultural, silvicultural or reclamation sites identified below in Table 1 and identified on the tax map(s) with county documentation identifying owners, attached as Exhibit A.

Table 1.: Parcels authorized to receive biosolids, water treatment residuals or other industrial sludges			
<u>Tax Parcel ID</u>	<u>Tax Parcel ID</u>	<u>Tax Parcel ID</u>	<u>Tax Parcel ID</u>
83-70B	83-72A		
83-71			
83-72			

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.

<u>Class B biosolids</u>	<u>Water treatment residuals</u>	<u>Food processing waste</u>	<u>Other industrial sludges</u>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

Printed name Indian Ridge III Business Trust By: <u>Sara Kinsinger</u>	Mailing Address 1853 Indian Ridge Road, Stuarts Draft, VA 24477	Landowner Signature 
Title* <u>Secretary</u>	Phone No. 540-234-9246	
<input type="checkbox"/> I certify that I have authority to sign for the landowner as indicated by my title as executor, Trustee or Power of attorney, etc. <input checked="" type="checkbox"/> I certify that I am a responsible official [or officer] authorized to act on behalf of the following corporation, partnership, proprietorship, LLC, municipality, state or federal agency, etc.		

Permittee:

Houff Corporation, 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.

Printed name Timothy J. Grove	Mailing Address 97 Rainside Drive, Weyers Cave, VA 24486	Permittee- Authorized Representative Signature 
Title Biosolids Manager	Phone No. 540-234-9246	

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

Permittee: Houff Corporation

County or City: Augusta

Landowner: Indian Ridge III Business Trust

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:

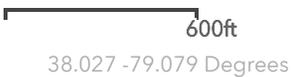
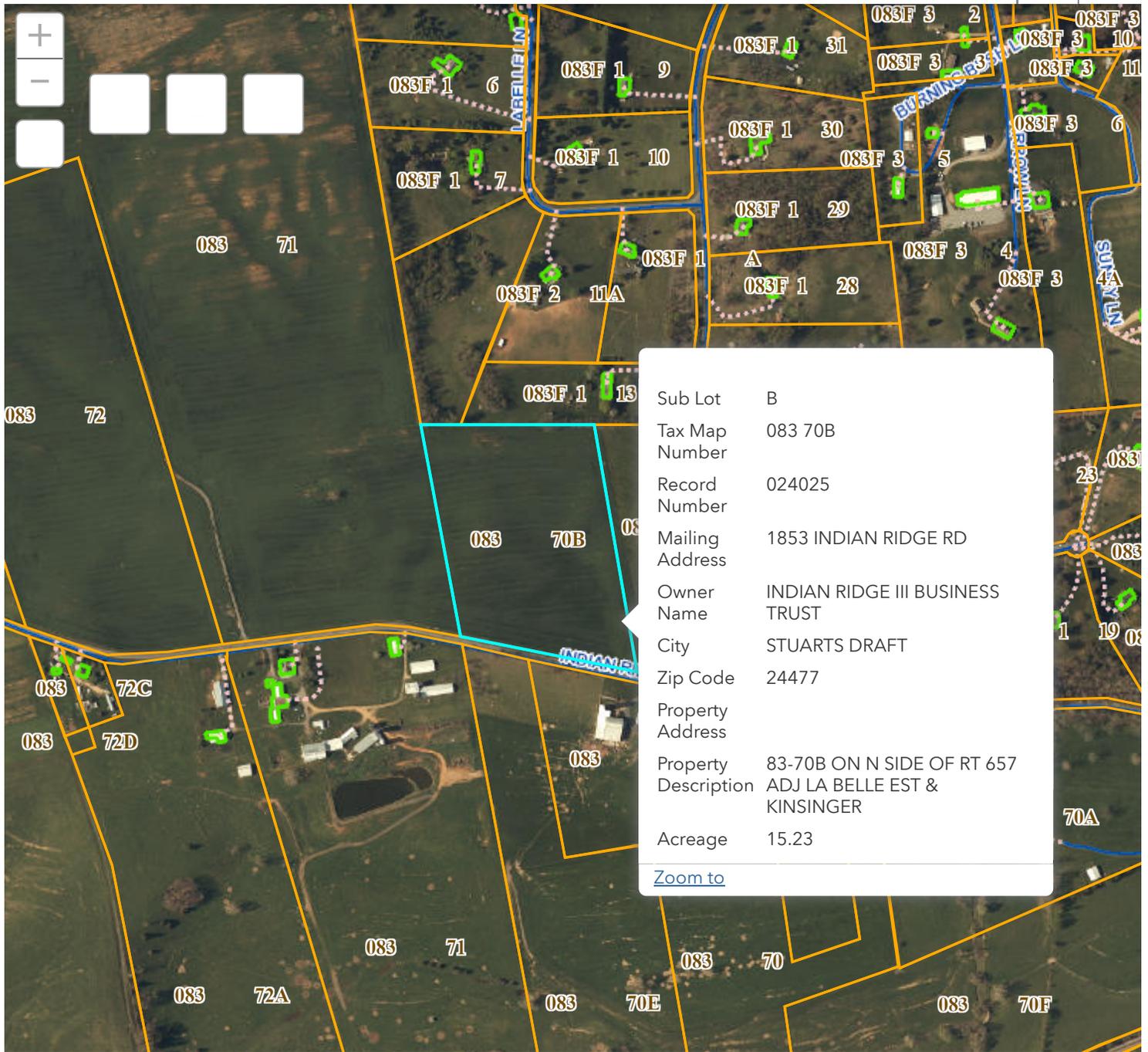
1. Notification Signs: I will not remove any signs posted by the Permittee for the purpose of identifying my field as a biosolids land application site, unless requested by the Permittee, until at least 30 days after land application at that site is completed.
2. Public Access
 - a. Public access to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

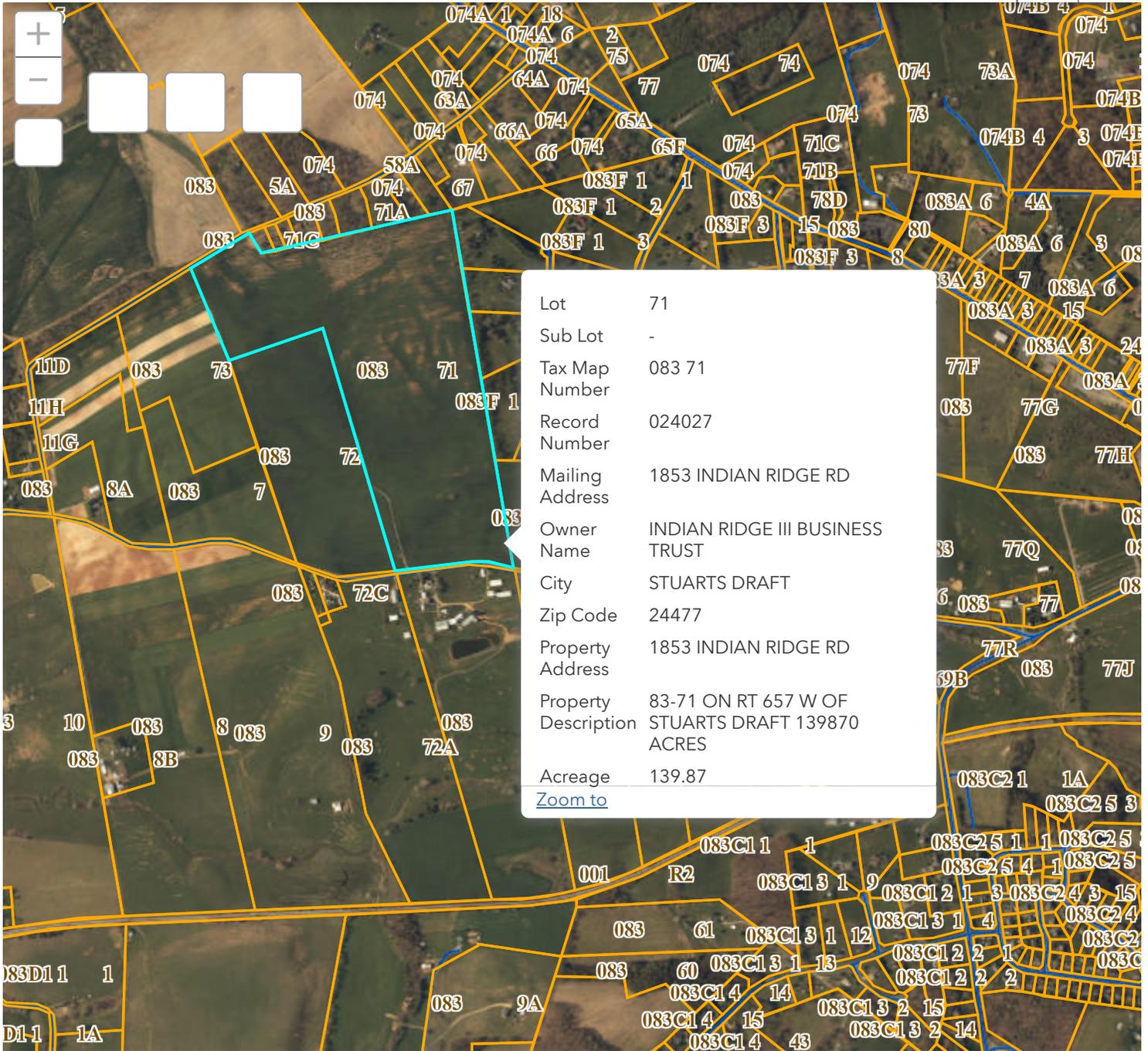

Landowner's Signature


Date



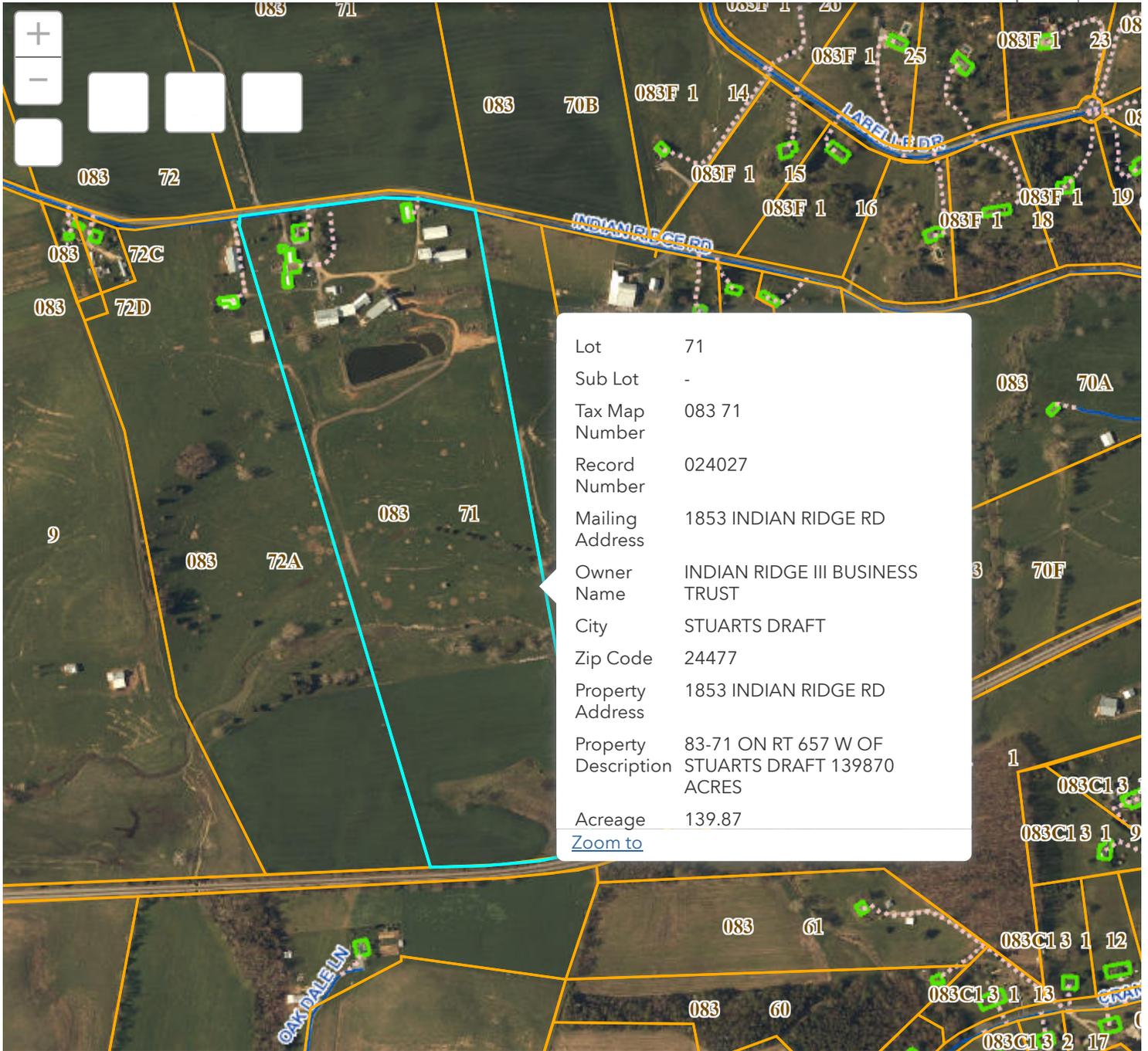
App State

Click to restore the map extent and layers visibility where you left off.



0.2mi
38.023 -79.082 Degrees

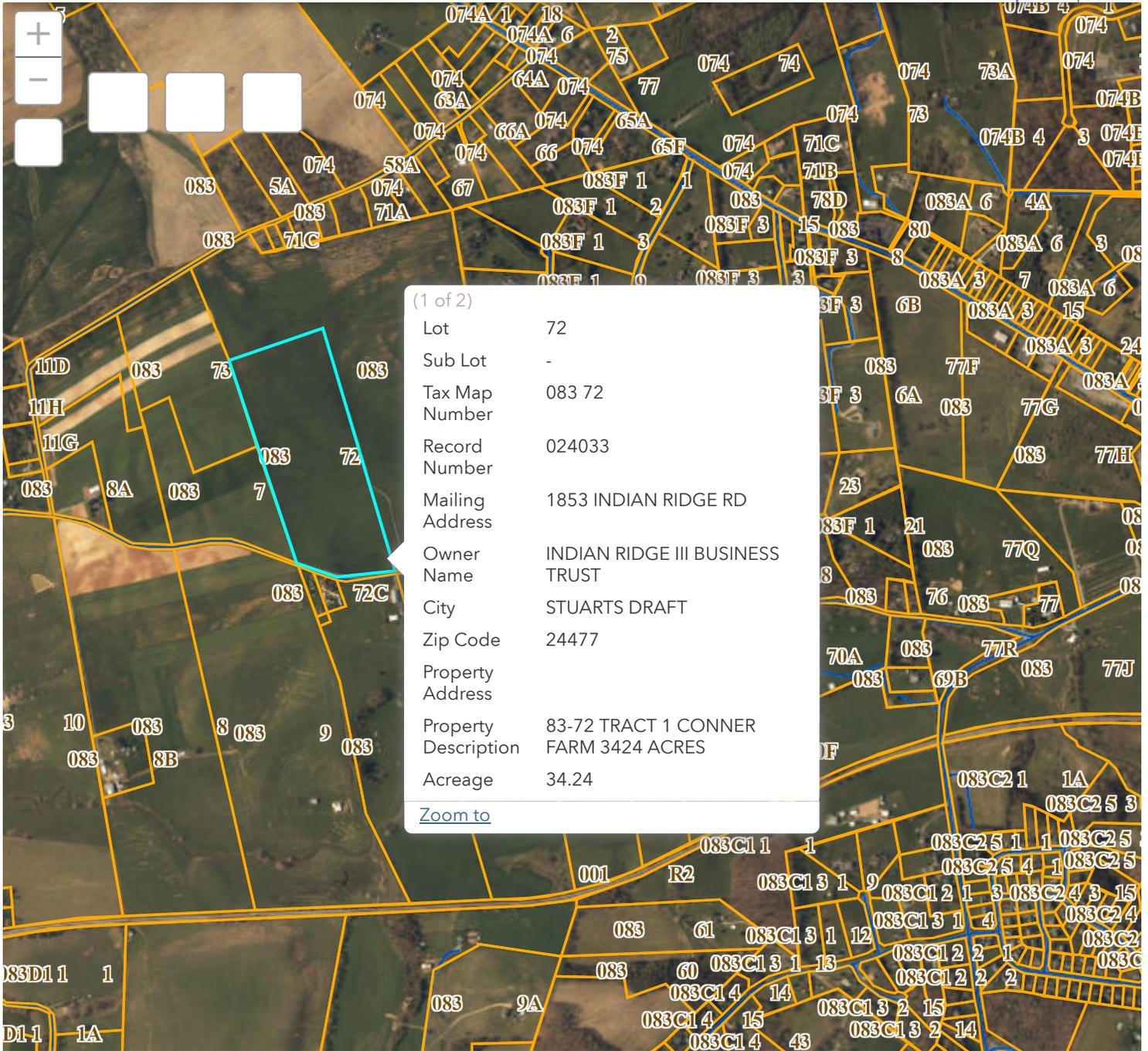
App State
Click to restore the map extent and layers visibility where you left off.



Lot	71
Sub Lot	-
Tax Map Number	083 71
Record Number	024027
Mailing Address	1853 INDIAN RIDGE RD
Owner Name	INDIAN RIDGE III BUSINESS TRUST
City	STUARTS DRAFT
Zip Code	24477
Property Address	1853 INDIAN RIDGE RD
Property Description	83-71 ON RT 657 W OF STUARTS DRAFT 139870 ACRES
Acreage	139.87
Zoom to	

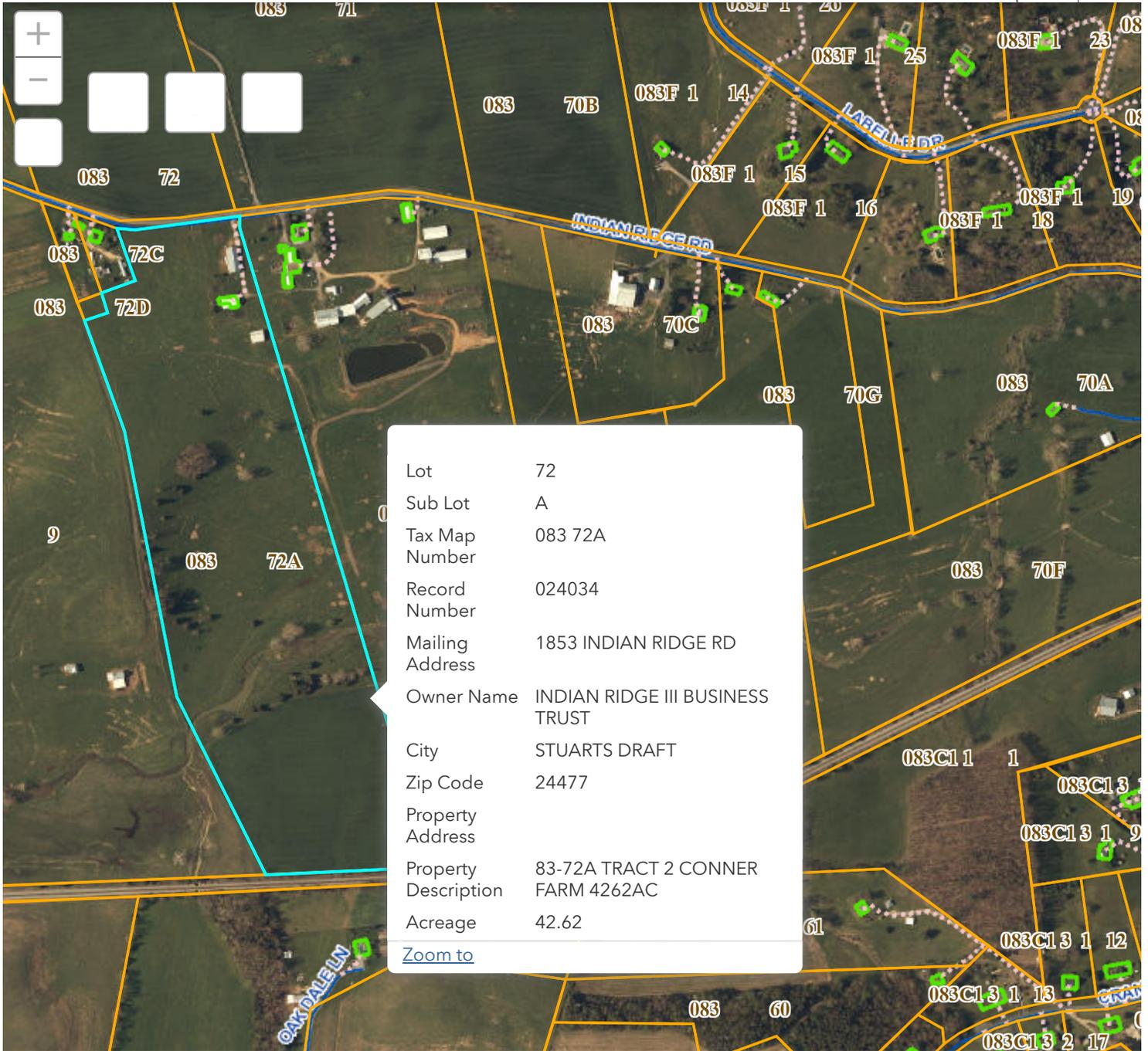
600ft
38.025 -79.081 Degrees

App State
Click to restore the map extent and layers visibility where you left off.



0.2mi
38.022 -79.086 Degrees

App State
Click to restore the map extent and layers visibility where you left off.



App State

Click to restore the map extent and layers visibility where you left off.

GENERAL LOCATION MAP

Indian Ridge Farm



Projection : Universal Transverse Mercator
Datum : WGS Datum (1984)
Zone Number : 17
Hemisphere : North

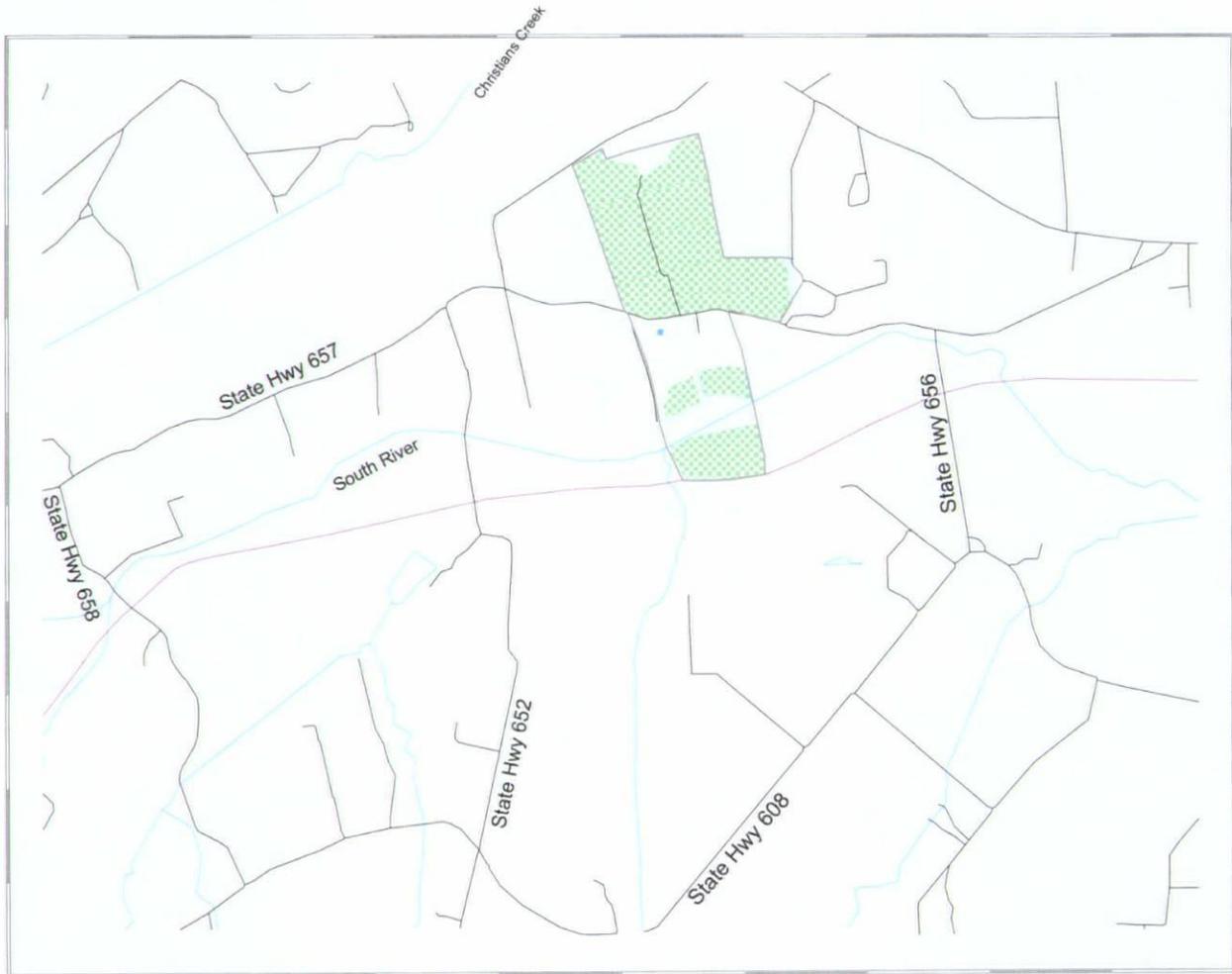


Scale 1 : 102501
10000 ft



EXHIBIT A - LOCATION MAP
Site KINS

Indian Ridge Farm
Herman Kinsinger, Landowner
Herman Kinsinger, Operator



LEGEND

- Property line
- Road
- River/watercourse
- Railroad
- Field

Projection : Universal Transverse Mercator
Datum : WGS Datum (1984)
Zone Number : 17
Hemisphere : North

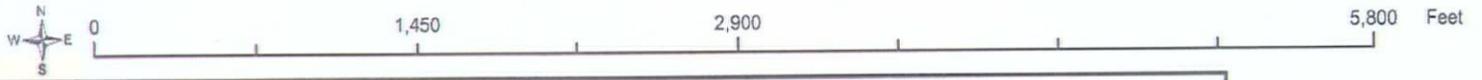
Scale 1 : 36924
5000 ft



THE VISION SYSTEM

Site: KINSINGER
Owner: Sara Kinsinger
Operator: Alton Kinsinger

Site Map



- KINSINGER Roads (25 ft buffer)
- KINSINGER Streams (50 ft buffer)
- ▨ KINSINGER Steep Land
- KINSINGER Houses (200 ft buffer)
- KINSINGER Rocks (50 ft buffer)
- KINSINGER Property Lines (100 ft buffer)
- ▨ KINSINGER Fields
- ▨ No-apply areas due to potential for off-site runoff

