

Chairman Creech, Vice Chair Klopenstein, Ranking Member Brent and members of the House Agriculture Committee, my name is John Trimner. I am a resident of Mount Perry in Perry County here in the state of Ohio. Thank you for the opportunity for me to share my reasons for writing in support of House Bill 193. I am writing as a result of the experience we encountered when Quasar began the process of building a sewage sludge/biosolids lagoon in our community. Because of this, it has become clear to community members here that is important to create a local voice when considering the construction and permitting of a facility like this in the state of Ohio.

We found out about the proposed lagoon when we discovered construction had begun less than two miles from Mount Perry. Some community members began an investigation into the activity and discovered a brief announcement in a small ad in a local news flyer. We hastily organized a community meeting regarding this, but the permit for construction had already been granted. We scheduled a Q&A session with OEPA and answers given we either we'll get back to you or this was done according to the rule. This is the mantra from OEPA, the rule was followed. We came to understand that the content of submissions to OEPA by Quazar were not verified but that as long as the boxes in a form were checked off, it was done according to the rule and so perfectly ok.

The location of the lagoon was driven by Quazar finding a landowner willing to sell a parcel for a large sum of money and the promise of continued payments from the use of the lagoon. No site evaluation was done in any real effort to safeguard

the local aquifer or the nearby stream. Several wells were drilled some to depths reaching the local aquifer, which is near the surface at this location, and although most would fail the standards for a facility of this type (as indicated on soil use maps produced by the US government) a few were used and approval for the site was granted, allowing construction to begin. If local government had been included as HB 193 would permit, this site would never have been approved.

Our soil type is not appropriate for this kind of lagoon. The bottom of the lagoon is within a few feet of our local drinking water source for all wells in the area. Runoff from failures in the construction site frequently found their way into the nearby stream prompting OEPA to cite the failures, but no real action was taken as OEPA insists on “assisting violators to come back into compliance.”

Remediation plans used by Quazar were direct “cut and paste” sections from another facility and OEPA even asked them to correct the name of the facility in their response, but assumed the rest of the report was true and accurate. Therein lies the problem with OEPA permitting and lack of oversight – they accept at face value every claim made in an application without independent verification that the information is indeed true. The proposed changes would allow for some outside verification to ensure the safety of a community.

When the company learned we were going to appeal the liner proposed in the lagoon, one from an inferior in situ clay, they preemptively amended their application to upgrade the liner. Once the upgrade was permitted, they stored the material improperly and our finding evidence of this caused them to remove the

liner material and attempt to go back to the inferior and non-compliant dirt liner. During all of this, based on faulty reporting to OEPA, OEPA approved the application for operation of the lagoon, even though it had not been completed, had not been inspected, had been cited for violations, and had no liner materials on hand. This is a totally unacceptable situation.

The current permitted lagoon site has been abandoned and the work so far is deteriorating. The site is a mess. However, it is permitted and the potential remains for a 20.6 million gallon sewage sludge lagoon to go into operation in a location and with a build plan totally unfit for this facility. Local participation in this project would have allowed the oversight needed to select a qualified location and ensure that no danger was presented to the community in which it was constructed.

It appears the operating procedure of companies building these facilities follows a pattern of preying on desperate or greedy landowners, understating the project intended for a community, and placing notice in the most inconspicuous way possible in order to conceal the project from the public and yet tick off a box for OEPA. It is also apparent to this writer that the least possible action is taken that meets a requirement to check off a box by the industry. It also seems that once they get an approved application, this becomes the template – sometimes a simple cut and paste procedure – to guarantee that OEPA approves other unrelated applications. Once approved, OEPA uses that approval as the means to override any objection to the project. This is a circular system in which all applications are approved and defended on this premise even though none of the

specifics of the application are verified by OEPA. In essence, a company could falsify data or plans on an application without concern of oversight (OEPA assumes their statements are verified by the company engineers) and once approved they cannot be easily challenged.

Once permitted, it is nearly impossible to correct the violations perpetrated by the sewage sludge companies. The long-suffering efforts of the Greene County residents bear testimony to this truth. The vast majority of communities have not the financial resources or the legal expertise to go up against the system in place and so give up after their resources are exhausted or until it is determined that OEPA approved the facility “by the rules” and so it is “so”, full stop - end of argument. A review of appeals to facilities reveals this exact outcome, it was approved, therefore it is right.

Please understand that HB193 does not in any way impact an agricultural application of the regulations, but only seeks to further regulate and give some local control to commercial facilities that utilize feedstock for the biodigester or biosolids lagoons composed of human waste (and the inherent human pathogens, hormones and pharmaceuticals they contain); commercial waste from businesses that utilize a wide range of chemicals, and toxins; industrial waste with all the chemicals and elements commonly found in such material (diluted to an acceptable level per load); and household wastewater discharges – in essence everything and anything that goes down a drain.

Once at a water treatment facility this wastewater is then processed to separate the solids (a process which concentrates the chemicals, toxins, etc. previously diluted in the wastewater) from the water, so that the water is safe to discharge into waterways. The concentrated waste is then used and treated in a biodigester to reduce the bacterial load and to produce methane gas or biogas which is extracted for other uses. This treatment does reduce the bacterial load of the product but does nothing to remove the chemicals, toxins, PFAS, PFOS, human parasites, hormones, pharmaceuticals, and other noxious materials from the sewage sludge which is now rebranded as “biosolids.”

In conclusion, I support efforts to add a layer of oversight to the permitting process for commercial biodigesters and sewage sludge lagoons by involving local government in this process.

Thank you for your attention and for allowing me to provide my support for HB193.

Sincerely,

A handwritten signature in black ink that reads "John M. Trimner". The signature is written in a cursive style with a large, stylized initial 'J'.

John M. Trimner

13081 Church Street

Mount Perry, OH 43760

[jmtrimner@gmail.com](mailto:jmtrimner@gmail.com)