

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

A. This land application agreement is made on 3/8/17 between Berkley Plantation A Partnership referred to here as "Landowner", and Nutri-Blend, 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 Charles City 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
<u>50-12</u>			

☐ 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

MALCOLM E. JAMIESON GEN. PARTNER

Landowner - Printed Name, Title

Signature

Mailing Address

12600 HARRISON LANDING RD, CHARLES CITY VA

Permittee:

Contact: 804-829-6018

Nutri-Blend, 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)

Bill Burnett

Permittee - Authorized Representative  
Printed Name

Bill Burnett

Signature

Nutri-Blend, Inc.  
PO Box 38060  
Henrico, VA 23231

Rev 9/14/2012

David Black: operator  
804-306-2360

Corrected 10/16/23

Permittee: Nutri-Blend County or City: Charles City  
Landowner: Berkley Plantation A Partnership

### 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

MARCH 8, 2017  
Date



**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* form with original signature must be attached for each legal landowner identified below prior to land application at the identified parcels.

This form is not required when Form D - VPA Permit Application Workbook, Tabs 13.a and/or 13.b, are submitted. The information on that form supersedes the need to complete this Landowner Coordination Form.

Permittee:

NUTRI-BLEND INC SITE: Berkley Plantation

County or City:

CHARLES CITY

Please Print

(Landowner signatures are not required on this

<u>Tax Parcel ID(s)</u>	<u>Landowner(s)</u>
50-12	Berkley Plantation, A Partnership

**NUTRI-BLEND INC  
CHARLES CITY  
BERKLEY PLANTATION**

DEQ CONTROL NUMBER	SITE BOOK NAME	FIELD ID	GROSS ACRES	ADJUSTED GROSS ACRES	CHANGE + / -	LANDOWNER	TAX PARCEL	NOTES
<a href="#">51036-00110-0000</a>	Berkley Plantation	512-1	41.1	41.1		Berkley Plantation, A Partnership	50-12	
<a href="#">51036-00111-0000</a>	Berkley Plantation	512-10	15.4	27	11.6	Berkley Plantation, A Partnership	50-12	Acreage Correction
<a href="#">51036-00112-0000</a>	Berkley Plantation	512-12	77.7	77.7		Berkley Plantation, A Partnership	50-12	
<a href="#">51036-00112-0000</a>	Berkley Plantation	512-9	4.7	4.7		Berkley Plantation, A Partnership	50-12	
51036-00112-0000	Berkley Plantation	512-13	18.6	18.6		Berkley Plantation, A Partnership	50-12	
<a href="#">51036-00114-0000</a>	Berkley Plantation	512-2	11	11		Berkley Plantation, A Partnership	50-12	
<a href="#">51036-00115-0000</a>	Berkley Plantation	512-5	104.2	125	20.8	Berkley Plantation, A Partnership	50-12	Acreage Correction
<a href="#">51036-00116-0000</a>	Berkley Plantation	512-8	10.7	10.7		Berkley Plantation, A Partnership	50-12	
<a href="#">51036-00116-0000</a>	Berkley Plantation	512-6	36.1	30.1	-6.0	Berkley Plantation, A Partnership	50-12	Acreage Correction
					0.0			
					0.0			
					0.0			
		TOTALS	319.5	345.9	26.4			



## SITE BOOK INFORMATION

COUNTY: County -- VPA00828  
SITE BOOK NAME: Berkley Plantation  
TRACT NUMBERS: T-512

LATITUDE / LONGITUDE: see field data sheets {Determined by Online Maps}

LANDOWNER NAME: see landowner coordination form

OPERATORS NAME: David Black  
ADDRESS: 5500 Salem Run Rd  
Charles City, VA  
TELEPHONE #: 804-306-2360

GENERAL FARM TYPE: Agriculture

DEQ CONTROL #	FIELD ID #	GROSS ACRES	TAX ID #
<a href="#">51036-00110-0000</a>	512-1	41.1	50-12
<a href="#">51036-00111-0000</a>	512-10	27	50-12
<a href="#">51036-00112-0000</a>	512-12	77.7	50-12
<a href="#">51036-00112-0000</a>	512-9	4.7	50-12
51036-00112-0000	512-13	18.6	50-12
<a href="#">51036-00114-0000</a>	512-2	11	50-12
<a href="#">51036-00115-0000</a>	512-5	125	50-12
<a href="#">51036-00116-0000</a>	512-8	10.7	50-12
<a href="#">51036-00116-0000</a>	512-6	30.1	50-12

TOTAL GROSS ACRES 345.9

TOTAL NUMBER OF FIELDS 9



## FIELD DATA SHEET

SITE NAME: Berkley Plantation

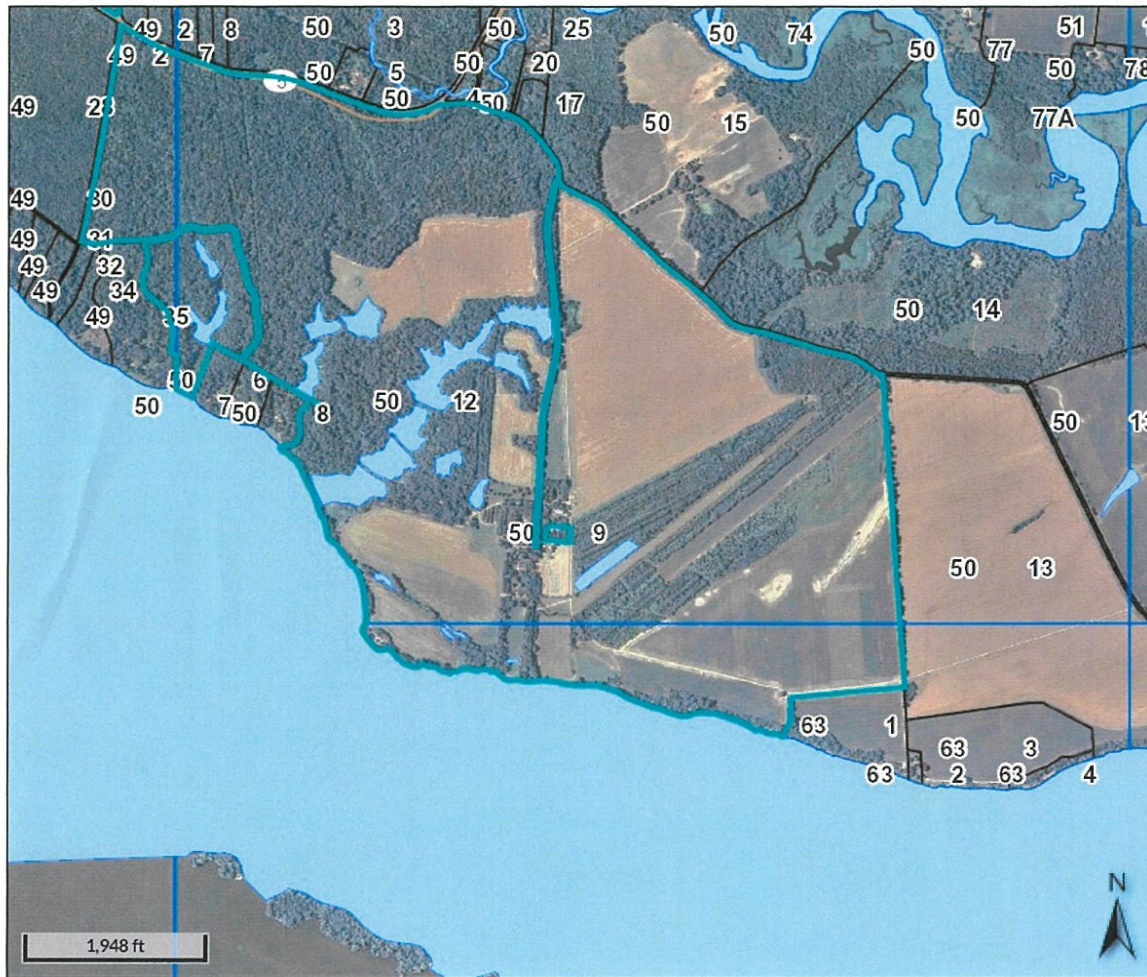
TRACT: T-512

FIELD #	GROSS ACRES	FIELD TYPE	FARM COORDINATES		OWNER
			LATITUDE	LONGITUDE	
1	41.1	Row Crop	37.321	-77.175	Berkley Plantation, A Partnership
2	11	Row Crop			Berkley Plantation, A Partnership
5	125	Row Crop			Berkley Plantation, A Partnership
6	30.1	Row Crop			Berkley Plantation, A Partnership
8	10.7	Row Crop			Berkley Plantation, A Partnership
9	4.7	Row Crop			Berkley Plantation, A Partnership
10	27	Row Crop			Berkley Plantation, A Partnership
12	77.7	Row Crop			Berkley Plantation, A Partnership
13	18.6	Row Crop			Berkley Plantation, A Partnership
<b>TOTAL</b>	345.9				



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Charles City County, VA



Overview



Legend

- Map Index
- Parcels
- Parcel Numbers
- Streams & Rivers
- Water Bodies
- Roads

Parcel ID	50 12	Alternate 2006 ID		Owner Address	BERKLEY PLANTATION, A PARTNERSHIP	Last 2 Sales			
Sec/Twp/Rng	n/a				12602 HARRISON LANDING ROAD	Date	Price	Reason	Qual
Property Address	12600 HARRISON LANDING ROAD	Class	DWELLING		CHARLES CITY, VA 23030	1/9/1997	0	n/a	U
	CHARLES CITY	Acreage	n/a			n/a	0	n/a	n/a
District	HARRISON								
Brief Tax Description	BERKELEY CMD13 IN#17-340 IN#17-791 PS#15-17-1348								
	(Note: Not to be used on legal documents)								

Date created: 8/3/2021  
Last Data Uploaded: 8/3/2021 1:57:17 AM

Developed by Schneider GEOSPATIAL

Tax Map



# MAP KEY

Highlighted Roads  
Show Haul Route (Road Map)

Property Line

100 ft Buffer



Water (Surface)

100 ft without Veg Buffer  
35 ft with Veg Buffer



Field Boundary

rk

Rock Outcrop

50 ft Buffer



Slope

15% Max



Sink Hole

100 ft Buffer



Intermittant Stream

Refer tp Water and  
PWS setbacks

H/W

House/Well

200 ft Buffer

PAS

Publicly Accessible Site

200 ft from Property Line  
400 ft from PAS

PWS

Public Water Supply

400 ft from Reservoir  
100 ft stream/tributary

All Improved Roadways

10 Ft Buffer



Water Supply Well or Spring

100 Ft Buffer

CEM

Cemetery

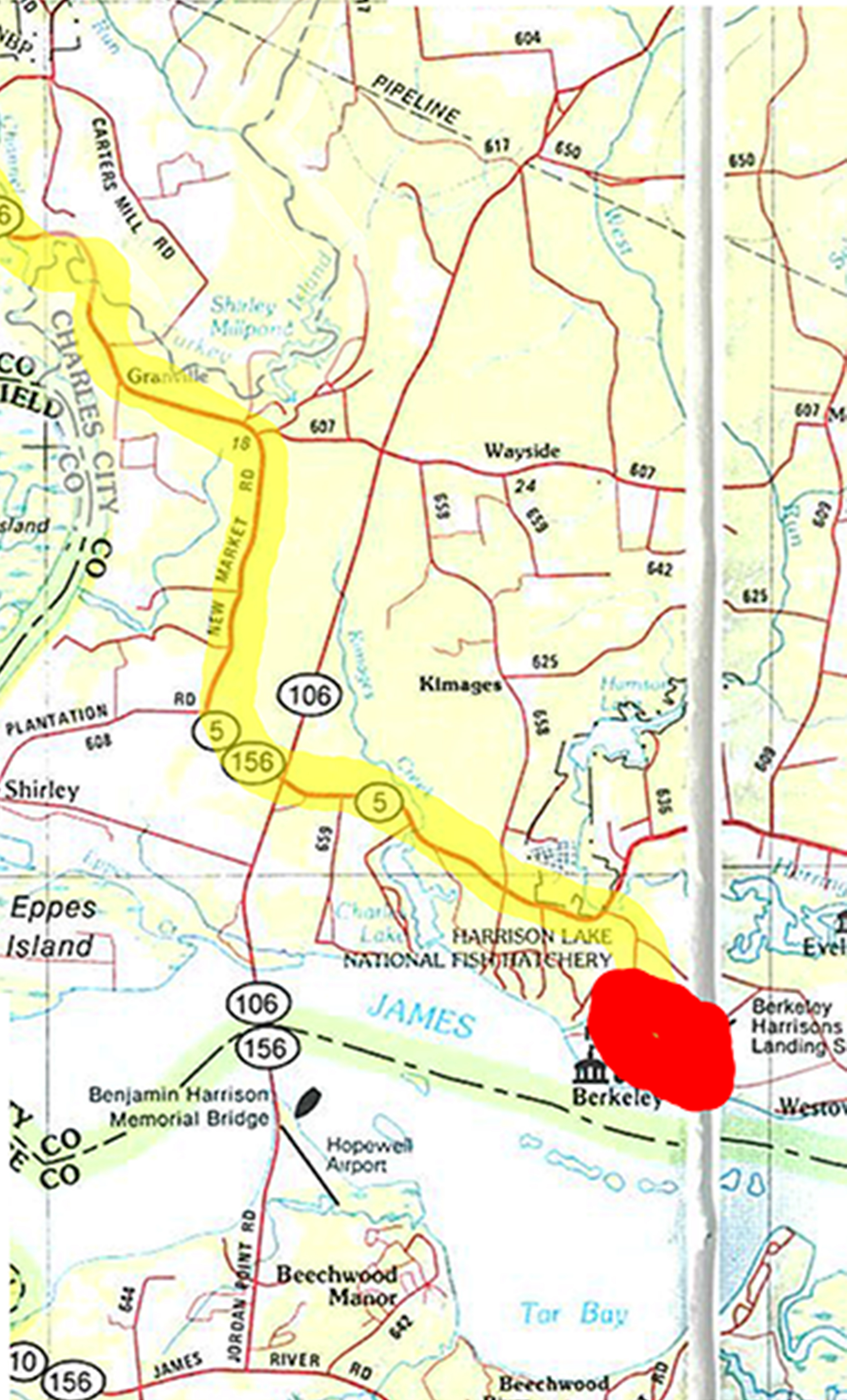




Berkley Plantation  
T-512

1"=1 mile

7/10/23

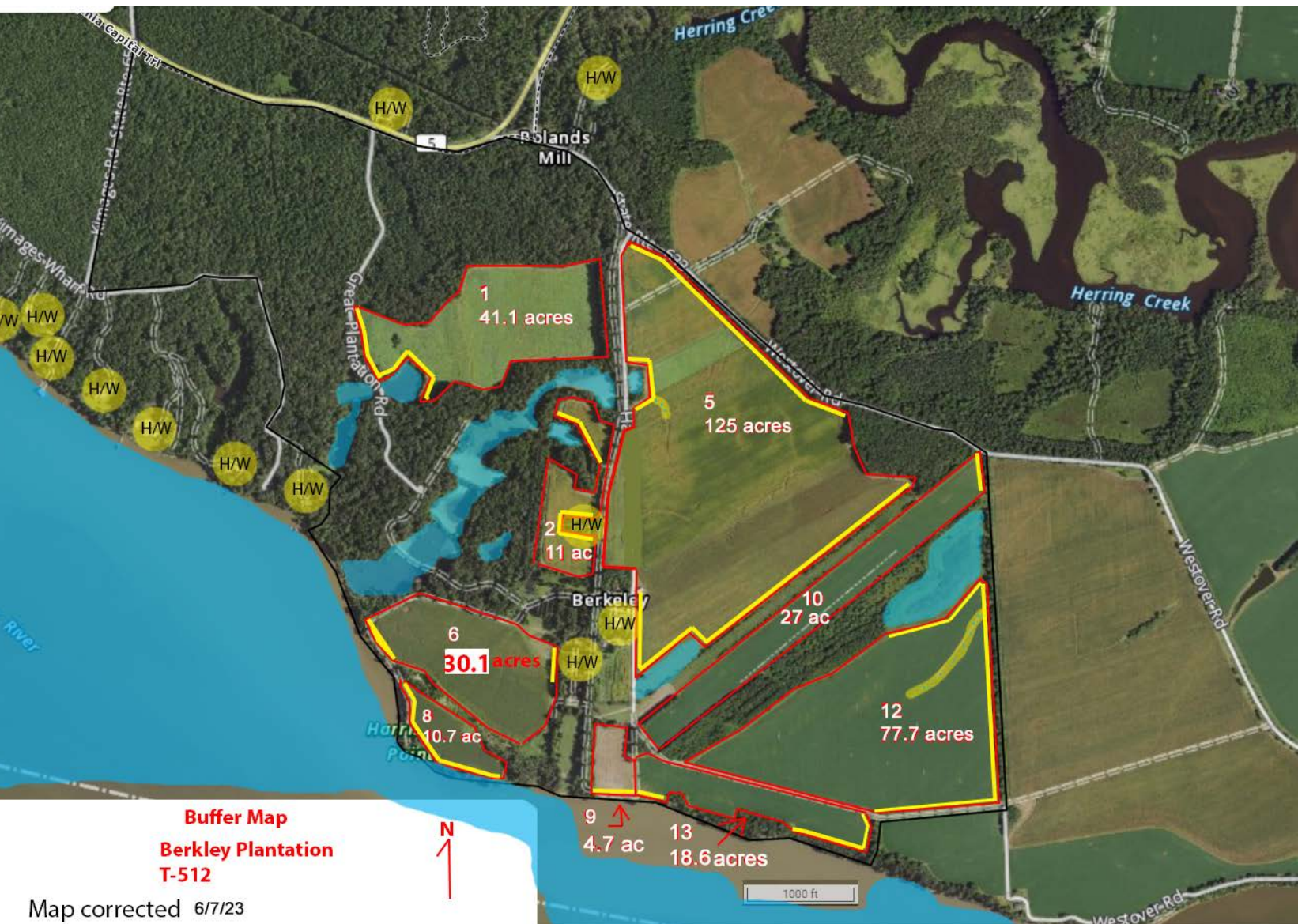


Road Map

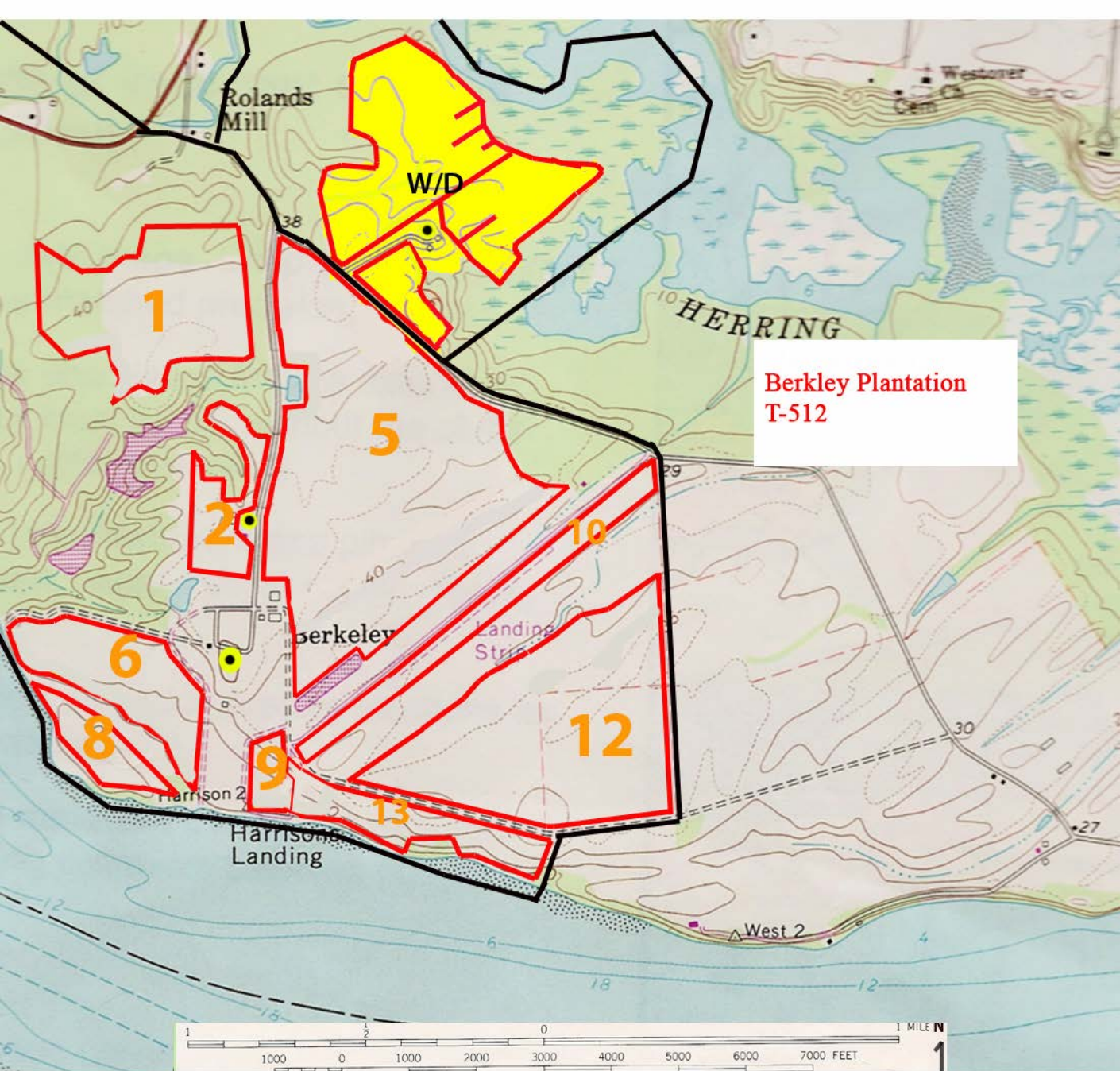
N

Haul Route









Topo Map



# Soil Map—Charles City County, Virginia



Map Scale: 1:14,900 if printed on A landscape (11" x 8.5") sheet.

0 200 400 800 1200 Meters

0 500 1000 2000 3000 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84




**Natural Resources  
Conservation Service**

Web Soil Survey  
National Cooperative Soil Survey




8/3/2021  
Page 1 of 3

## MAP LEGEND




















### Area of Interest (AOI)


-  Area of Interest (AOI)

### Soils


-  Soil Map Unit Polygons
-  Soil Map Unit Lines
-  Soil Map Unit Points

### Special Point Features






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


### Water Features

-  Streams and Canals

### Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

### Background

-  Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Charles City County, Virginia  
Survey Area Data: Version 15, Jun 3, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 11, 2015—Oct 27, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2A	Augusta sandy loam, 0 to 2 percent slopes	0.0	0.0%
17C	Craven-Uchee complex, 6 to 10 percent slopes	5.0	0.9%
18B	Dogue silt loam, 2 to 6 percent slopes	124.8	23.2%
35D	Nevarc-Remlik complex, 10 to 15 percent slopes	23.8	4.4%
35E	Nevarc-Remlik complex, 15 to 25 percent slopes	21.8	4.0%
36A	Newflat silt loam, 0 to 2 percent slopes	35.6	6.6%
38A	Pamunkey loam, 0 to 2 percent slopes	1.2	0.2%
38B	Pamunkey loam, 2 to 6 percent slopes	59.7	11.1%
39A	Peawick silt loam, 0 to 2 percent slopes	106.7	19.8%
39B	Peawick silt loam, 2 to 6 percent slopes	13.6	2.5%
40A	Roanoke silt loam, 0 to 2 percent slopes	57.4	10.7%
47B	Udorthents, loamy, gently sloping	19.6	3.7%
51B	Yeopim silt loam, 2 to 6 percent slopes	67.2	12.5%
W	Water	1.3	0.2%
<b>Totals for Area of Interest</b>		<b>537.7</b>	<b>100.0%</b>



## 77° 11' 43" W




Web Soil Survey  
National Cooperative Soil Survey

77° 9' 31" W







## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils


#### Soil Rating Polygons


 0 - 25  
 25 - 50  
 50 - 100  
 100 - 150  
 150 - 200  
 > 200  
 Not rated or not available

#### Soil Rating Lines


 0 - 25  
 25 - 50  
 50 - 100  
 100 - 150  
 150 - 200  
 > 200  
 Not rated or not available

#### Soil Rating Points

 0 - 25  
 25 - 50  
 50 - 100  
 100 - 150  
 150 - 200  
 > 200

 Not rated or not available

### Water Features

 Streams and Canals

### Transportation

 Rails  
 Interstate Highways  
 US Routes  
 Major Roads  
 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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Soil Survey Area: Charles City County, Virginia  
 Survey Area Data: Version 15, Jun 3, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 11, 2015—Oct 27, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Depth to Water Table

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
2A	Augusta sandy loam, 0 to 2 percent slopes	46	0.0	0.0%
17C	Craven-Uchee complex, 6 to 10 percent slopes	76	5.0	0.9%
18B	Dogue silt loam, 2 to 6 percent slopes	61	124.8	23.2%
35D	Nevarc-Remlik complex, 10 to 15 percent slopes	61	23.8	4.4%
35E	Nevarc-Remlik complex, 15 to 25 percent slopes	61	21.8	4.0%
36A	Newflat silt loam, 0 to 2 percent slopes	31	35.6	6.6%
38A	Pamunkey loam, 0 to 2 percent slopes	>200	1.2	0.2%
38B	Pamunkey loam, 2 to 6 percent slopes	>200	59.7	11.1%
39A	Peawick silt loam, 0 to 2 percent slopes	61	106.7	19.8%
39B	Peawick silt loam, 2 to 6 percent slopes	61	13.6	2.5%
40A	Roanoke silt loam, 0 to 2 percent slopes	15	57.4	10.7%
47B	Udorthents, loamy, gently sloping	>200	19.6	3.7%
51B	Yeopim silt loam, 2 to 6 percent slopes	69	67.2	12.5%
W	Water	>200	1.3	0.2%
<b>Totals for Area of Interest</b>			<b>537.7</b>	<b>100.0%</b>

## Description

"Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table at selected sites and on evidence of a saturated zone, namely grayish colors (redoximorphic features) in the soil. A saturated zone that lasts for less than a month is not considered a water table.

This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.