

RECEIVED

November 08, 2013

NOV 12 2013

By Express Mail, Return Receipt Required

OH Dept. of Natural Resources

Jim Zehringer, Director
Ohio Department of Natural Resources
2045 Morse Road, Building D
Columbus OH 43229-6693

Rick Simmers, Chief, Ohio & Gas Division
Ohio Department of Natural Resources
2045 Morse Road, Building F-2
Columbus OH 43229-6693

**RE: Patriot Water Treatment-Campbell, Ohio Facility:
Application for R.C. 1509 Review**

Dear Director Zehringer and Chief Simmers:

Patriot Water Treatment LLC ("Patriot") is proposing to operate a roll-off box cleaning service at a property in Campbell, Ohio ("Project"). In anticipation of such operation, Patriot has reviewed Ohio law and ODNR regulations and determined that the Project will not trigger the need for any approval, Chief's Order or permit from ODNR. However, since ODNR has no permitting regulations or process developed under R.C. 1509.22, this letter provides ODNR notice of the Project and requests either: (1) confirmation from ODNR that no approval, Chief's Order or permit is needed or (2) an approval, Chief's Order or permit issued pursuant to R.C. 1509.22.

The Project will consist of receiving roll-off boxes from customers, including customers in the oil and gas ("O&G") industry. The roll-off boxes will not contain any O&G product, but may contain trace/small amounts of dried mud. Patriot will wash the roll-off boxes with soap and water (i.e. no chemicals will be added). Patriot will then return the roll-off boxes to the customer; at no time will Patriot be the owner or operator of any roll-off box. Waters generated from the cleaning process will be collected and sent to a fully permitted facility. Any incidental solids resulting from the cleaning process will be collected and sent to a fully licensed landfill. Both solids and waters will be scanned for radioactive constituents.

R.C. 1509.22(A) states that:

no person shall place or cause to be placed in ground water or in or on the land or discharge or cause to be discharged in surface water brine, crude oil, natural gas, or other fluids associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources that causes or could reasonably be anticipated to cause damage or injury to public health or safety or the environment.

Patriot will not discharge, cause to be discharged, place or cause to be placed any O&G fluids that causes or could reasonably be anticipated to cause damage or injury to public health or safety or the environment. Thus, the Project complies with R.C. 1509.22(A).

R.C. 1509.22(B)(2)(a) states that:

On and after January 1, 2014, no person shall store, recycle, treat, process, or dispose of in this state brine or other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources without an order or a permit issued under this section or section 1509.06 or 1509.21 of the Revised Code or rules adopted under any of those sections.

Patriot will not store, recycle, treat, process or dispose of in this state brine or other waste substances associated with O&G resources. Rather, the Project is limited only to washing roll-off boxes and transferring any incidental solids and cleaning waters to fully permitted/licensed facilities. Thus, the Project complies with R.C. 1509.22(B).

Based on the Project scope and our review of current Ohio law, as well as modified R.C. 1509.22 as effective on January 1, 2014, Patriot does not need any approval from the Division of Oil and Gas Resources since the Project will not engage in the storage, recycling, treatment, processing or disposal of brine or other waste substances associated with the exploration, development, well stimulation, production operations or plugging of oil and gas resources. See, R.C. 1509.22(B)(2)(a), as applicable Jan. 1, 2014. Further, the Project will not cause any brine to be stored or disposed of. See, R.C. 1509.22(A).

To the extent that ODNR disagrees with any of these conclusions, then please process this letter and attachment as Patriot's request for approval, Chief's Order and/or permit pursuant to R.C. 1509.22.

Specifically, R.C. 1509.22(C) states that:

The chief shall adopt rules regarding storage, recycling, treatment, processing, and disposal of brine and other waste substances . The rules shall establish procedures and requirements in accordance with which a person shall apply for a permit or order for the storage, recycling, treatment, processing, or disposal of brine and other waste substances that are not subject to a permit issued under section 1509.06 or 1509.21 of the Revised Code and in accordance with which the chief may issue such a permit or order. An application for such a permit shall be accompanied by a nonrefundable fee of two thousand five hundred dollars.

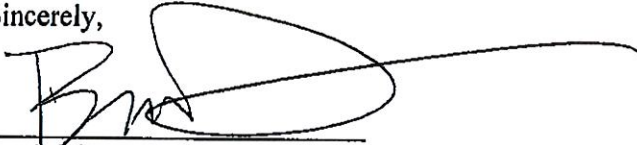
The Chief of ODNR's Division of Oil and Gas Resources has not adopted any rules regarding the storage, recycling, treatment, processing, and disposal of brine and other waste substances. As such, Patriot submits this letter and attachment as its permit/approval application in the event that ODNR disagrees with Patriot's regulatory conclusions. To that end, a check in the amount of two thousand five hundred dollars is enclosed in Chief Simmer's copy of the letter and attachment.

The purpose of this letter is to provide the Division with the Project details in order to confirm Patriot's interpretation that no R.C. 1509.22 approval, order or permit is needed. In the event the Division determines that an approval, order or permit is needed, the information attached to this letter provides the Division with all information required by statute necessary to grant such

approval, order or permit.

Given that ODNR has no regulations addressing an approval, permitting or order process, Patriot requests that ODNR notify Patriot immediately with any follow-up questions or requests for additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Dickey', with a long horizontal flourish extending to the right.

Ben Dickey, Vice President
Patriot Water Treatment LLC

cc: Craig Butler
Representative David Hall

Enclosures: Attachment A
Application Fee: \$2,500

PROJECT DETAILS

Applicant Name: Patriot Water Treatment LLC

Applicant Address: 7716 Depot Road, Unit #1
Lisbon, Ohio 44432


Applicant Contact: Ben Dickey
330-831-2556
dickey.br@gmail.com

Project Location: 2415 Wilson Avenue
Campbell, Ohio 44405
Trumbull County

Project Description:

1. Roll-off boxes ("Boxes") from customers will be received at the Project location. Boxes and manifests will be manually inspected. Boxes will be screened for radioactive materials.
2. Boxes will be placed in an enclosed/contained area for cleaning.
3. Cleaning of Boxes will commence.
4. Waters will be collected and transferred to fully permitted facilities.
5. Any incidental solids will be collected and transferred to fully licensed landfills.
6. Boxes will be returned to customers.

Operational Date: To commence on or before December 15, 2013



Signature

VP Patriot Water Treatment, LLC
Title

11/7/2013
Date

PATRIOT-CAMPBELL
ADDENDUM TO NOVEMBER 2013 RC 1509.22 APPROVAL REQUEST
SUBMITTED: DECEMBER 20, 2013

The purpose of this document is to provide the ODNR/Division of Oil and Gas Management ("DOGM") with the additional information the DOGM requested via electronic mail on December 19, 2013.

Request: Map/Aerial Identifying Facility Boundaries

- See, enclosed, aerial/map.

Request: Basic Engineering of the Facility (See also Description of Facility below)

- See, enclosed, diagram.

Request: Description of the Facility/Steps in Process (See also Facility Diagram)

- The Facility will receive roll-off boxes from customers, including customers in the oil and gas industry.
- Trucks towing the roll-off boxes will enter the Facility and drop off the roll-off boxes in a covered area that is concrete.
- Roll-off boxes and manifests will be manually inspected by a Facility employee.
- Roll-off boxes containing water or mud of more than trace amounts will be rejected.
- Materials will be tracked (See, *Provide Information Regarding Tracking of Materials Section* below).
- Roll-off boxes will be manually screened with a hand-held device for radioactive materials. NOTE: no radioactive material is expected and customers will be placed on notice that no radioactive materials shall be sent. Any roll-off boxes containing radioactive materials will be rejected immediately.
- Roll-off boxes will then be placed in a contained area (concrete floor) for cleaning.
- Cleaning will occur using only high-pressure water, common dish soap and degreaser as needed (i.e. no chemicals will be added).
- Waters will be collected via floor drains and transported for processing to Patriot's Warren Facility and then to the fully-permitted City of Warren publically-owned treatment works ("POTW").
- Any incidental solids will be collected from the containment area and transferred to fully licensed solid waste landfills, expected to be Republic Services facilities.
- All volumes of waters and solids transported off-site will be documented on manifests.
- The cleaned roll-off boxes will be staged prior to return to customers.
- At no time will Patriot own any roll-off box; rather, the roll-off boxes remain the sole property of Patriot's customers.

Request: Description of Secondary Containment

- All Facility operations will occur inside an enclosed, concrete area in a Facility building. As such, no secondary containment is needed since there is no possibility of spills that

could leach into or on the ground. Additionally, the roll-off boxes will not have any ability for contact with storm water.

- All process waters will be collected in a sealed, concrete holding area in the floor.

Request: Description/Identification of Cleaning Agents and Additives

- Water will be supplied from the Campbell POTW.
- Soap will be common dish soap (i.e Dawn) and a common degreaser will be used as needed.
- No chemicals or additives will be used.

Request: Provide Information Regarding Management/Tracking of Materials

- If required by law, roll-off boxes will arrive at the Site with manifests/tracking paperwork.
- Patriot employees will review any required manifests/tracking paperwork and keep a copy.
- Patriot will request, if applicable, that each customer provide a copy of its ODNR registration certificate.
- Patriot will maintain copies of the ODNR registration certificates.
- All industrial waters collected during the washing process will be collected via floor drains and transported to Patriot's Warren facility and then to the City of Warren's fully-permitted POTW. Volumes of the industrial water will be documented and maintained at Patriot.
- Any incidental solids will be collected from the containment area and transferred to fully licensed solid waste landfills, expected to be Republic Services facilities. Volumes of solids will be documented and maintained at Patriot.

Request: Radiation Testing Protocols

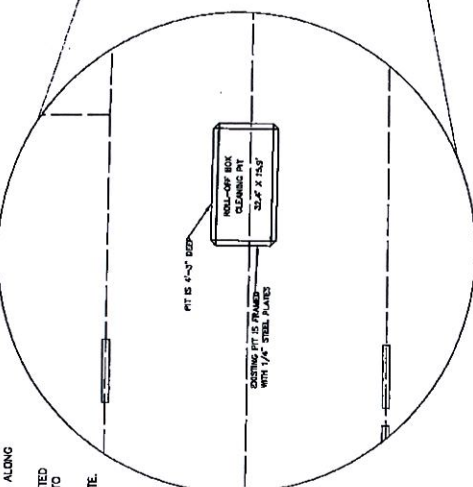
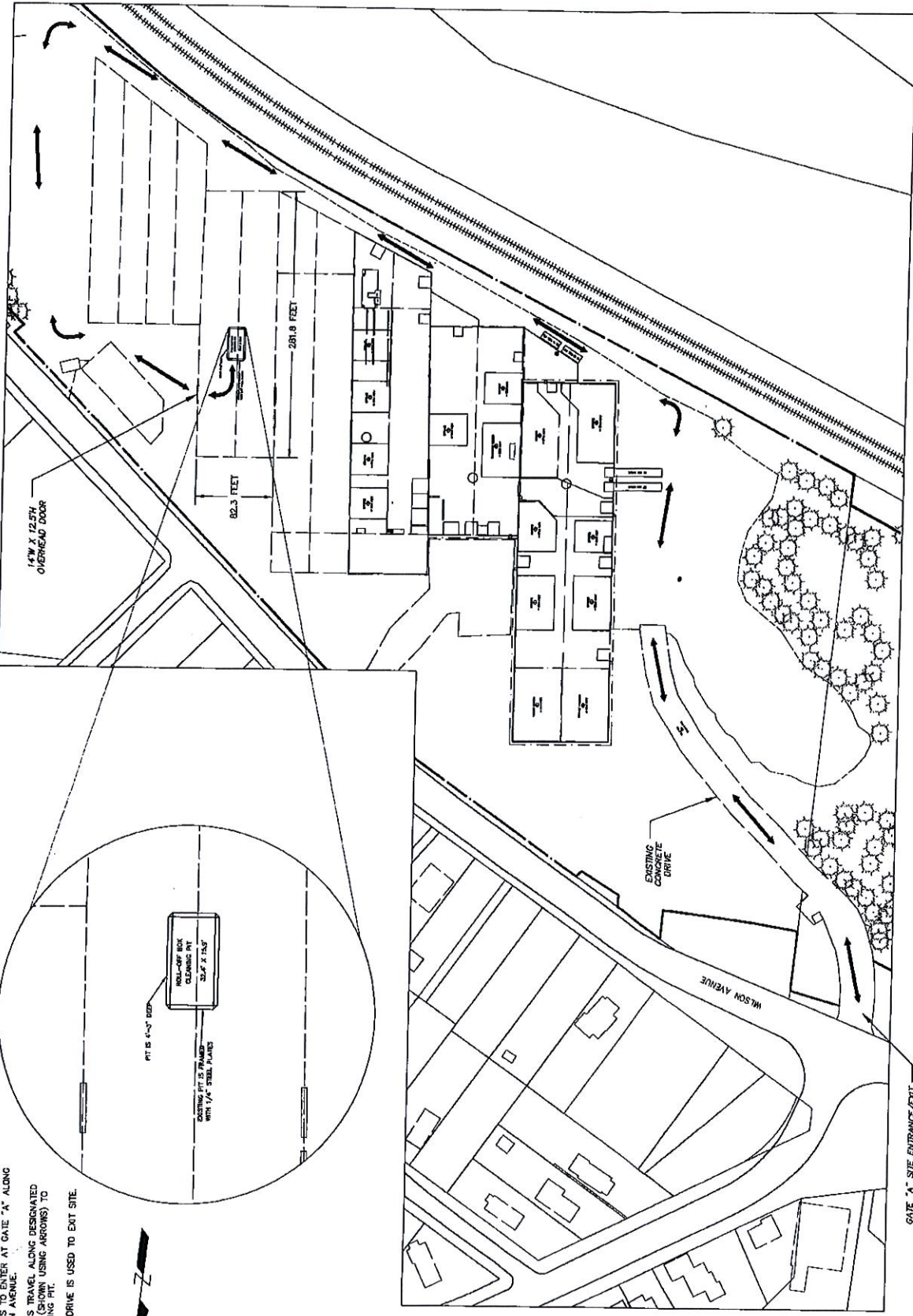
- Roll-off boxes will be manually screened with a hand-held device for radioactive materials. NOTE: no radioactive material is expected and customers will be placed on notice that no radioactive materials shall be sent. Any roll-off boxes containing radioactive materials will be rejected immediately.
- Patriot may also take samples for analysis by Shale Testing Solutions LLC (ODH License for Radioactive Material issued December 12, 2013).

Request: Paperwork Retention

- All documents will be maintained by Patriot for 24 months.



REVISIONS	DATE	BY	CHECKED	DATE

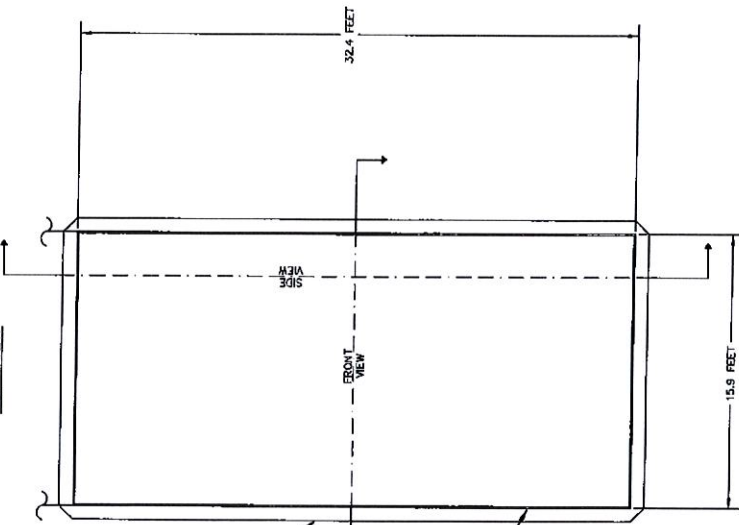


- NOTE**
1. TRUCKS TO ENTER AT GATE "A" ALONG WILSON AVENUE.
 2. TRUCKS TRAVEL ALONG DESIGNATED DRIVEWAY (USING ARROWS) TO CLEANING PIT.
 3. SAME DRIVE IS USED TO EXIT SITE.

REVISIONS	DATE

DATE: 11/26/2013
DRAWN: []
CHECKED: []
DATE: []

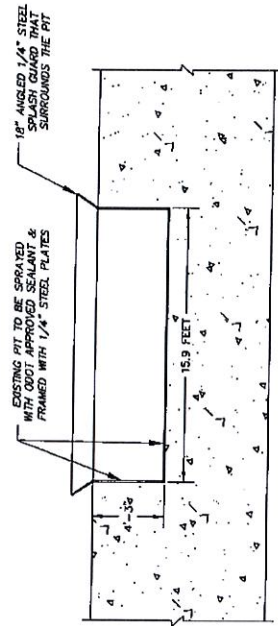
TOP VIEW



18" ANGLED 1/4" STEEL SPLASH GUARD THAT SURROUNDS THE PIT

EXISTING PIT TO BE SPRAYED WITH GOOD APPROVED SEALANT & FRAMED WITH 1/4" STEEL PLATES

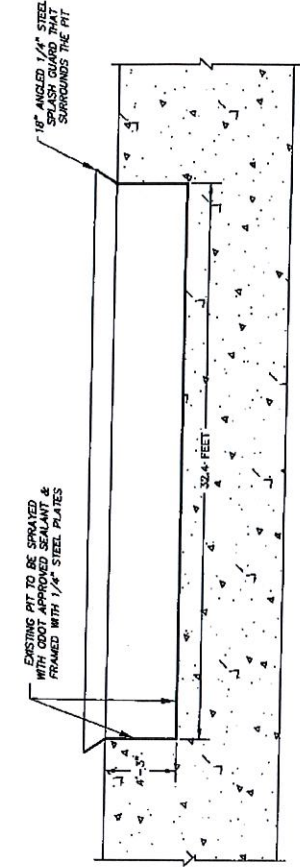
FRONT VIEW



EXISTING PIT TO BE SPRAYED WITH GOOD APPROVED SEALANT & FRAMED WITH 1/4" STEEL PLATES

18" ANGLED 1/4" STEEL SPLASH GUARD THAT SURROUNDS THE PIT

SIDE VIEW



EXISTING PIT TO BE SPRAYED WITH GOOD APPROVED SEALANT & FRAMED WITH 1/4" STEEL PLATES

18" ANGLED 1/4" STEEL SPLASH GUARD THAT SURROUNDS THE PIT

PATRIOT-CAMPBELL
ADDENDUM TO NOVEMBER 2013 RC 1509.22
APPROVAL REQUEST
SUBMITTED: DECEMBER 31, 2013

The purpose of this document is to provide the ODNR/Division of Oil and Gas Management (“DOGM”) with the additional information the DOGM requested via electronic mail on December 24, 2013. DOGM also requested information via electronic mail on December 19, 2013, which was responded to by Patriot-Campbell on December 20, 2013. The additional information has been integrated into the text of the December 20, 2013 submittal as set forth below. As requested, this addendum has been revised by Patriot-Campbell’s engineer, John Evans from Howland Co. LLC.

Patriot-Campbell, by submittal of this additional addendum, is not waiving any of its rights to challenge ODNR’s statutory authority or limits thereto related as applied to the Patriot-Campbell approval process.

Request: Map/Aerial Identifying Facility Boundaries

- See, enclosed, aerial/map.

Request: Basic Engineering of the Facility (See also Description of Facility below)

- See, enclosed, diagrams.

Request: Description of the Facility/Steps in Process (See also Facility Diagram)

- The Facility will receive roll-off boxes from customers, including customers in the oil and gas industry.
- Trucks towing the roll-off boxes will enter the Facility and drop off the roll-off boxes in a covered area that is concrete.
- Roll-off boxes and manifests will be manually inspected by a Facility employee.
- Roll-off boxes containing water or mud of more than trace amounts will be rejected.
- Materials will be tracked (See, *Provide Information Regarding Tracking of Materials Section* below).
- Roll-off boxes will be manually screened with a hand-held device for radioactive materials prior to entering the facility at the main gate. NOTE: no radioactive material is expected and customers will be placed on notice that no radioactive materials shall be sent. Any roll-off boxes containing radioactive materials, as identified by the on-site screening, will be rejected immediately, and not allowed to enter the facility.
- Roll-off boxes will then be moved into the contained Bay 1 (concrete floor and perimeter berm) and then rinsed out in a second contained (“roll-off box rinse area”) area immediately to the south of Basin 1.
- Cleaning will occur using a controlled high-pressure hot water rinse. The use of a low gallon per minute (LGPM) hot water pressure washer will replace the need to use a surfactant and/or degreaser with the wash water (i.e. no chemicals will be added).

- The roll-off boxes and rear tires of the transport vehicle will be rinsed off in the “Roll-off box rinse area” to the immediate south of Basin 1.
- Rinse waters will then be retained within Basin 1, by direct collection, via trench drains and a dead sump within Basin 1.
- A trench drain will be located in the central portion of Bay 1 and the “roll-off box rinse area” directing all rinse waters into Basin 1.
- Rinse waters will then be transferred to the Basin 2 by a sump pump, through overhead polyvinyl chloride (PVC) piping, feeding into the first of two (2) sealed, open top 80-cubic yard (yd) steel storage boxes.
- The sump pump will transfer rinse waters and solids from the sump within Basin 1 into the influent weir of Basin 2. Basin 2 will function as a solids settling basin. Rinse waters will flow from west to east in Basin 2, utilizing internal baffles to assist in the settling of solids. A skimmer baffle will be used to trap any floating materials on the surface of the rinse waters within Basin 2.
- In the event floating residual oils and grease become an issue, an oil skimmer will be installed to recover the residual oils and grease from within Basin 2 and collected in a 55-gallon drum for proper off-site disposal.
- An effluent trough on the east end of Basin 2 will collect effluent waters from Basin 2, and by gravity, flow into the influent weir on the west end of Basin 3. Basin 3 will function as a secondary solids settling basin, similar to Basin 2.

- Effluent rinse water from Basin 3 will flow into an effluent trough, then to a holding chamber on the east end of Basin 3. An on-demand transfer pump will then feed rinse water through a 5-micron canister filter (2 in parallel for switching out filters), then through a 55-gallon drum containing activated carbon, and then onto the LGPM hot water pressure washer used for rinsing the roll-off boxes.
- In the event water levels within Basin 3 falls below the effluent weir level, make up potable water will be added to the system.
- In the event excess waters exceeding 60-percent of Basin 1's storage volume, water will be collected from the holding chamber on Basin 3 into a tanker truck for transport and processing at Patriot's Warren Facility and then to the fully-permitted City of Warren publically-owned treatment works ("POTW").
- Any incidental solids will be collected from Basin 1 and Basin 2 will be transferred to a staged 40-yd dewatering roll-off box. Once excess fluids have been drained from the dewatering box and sent to Patriot's Warren Facility, saw dust will be added to achieve proper consistency of the solids prior to transfer to a fully licensed solid waste landfill, expected to be Republic Services facilities.
- All volumes of waters and solids transported off-site will be documented on manifests.
- The cleaned roll-off boxes will be staged prior to return to customers.
- At no time will Patriot own any roll-off boxes; rather, the roll-off boxes remain the sole property of Patriot's customers.

Request: Description of Secondary Containment

- All Facility operations will occur under roof, and on a contained concrete floor slab with perimeter curbing and containment ramps at the ingress and egress to the facility;
- With the exception of the trench drain the traverses north and south through the center of the facility, all interior floor penetrations (i.e. - catch basins, floor drains, trench drains, etc.) will be plugged with a non-shrink grout, providing secondary containment for all related operations occurring within the facility. A valve will be installed on the outlet to the trench drain where it flows into Basin 1. In the event a spill occurs within the confines of the facility, the spill can be properly managed and contained by the confines of the concrete flooring, trench drain and valve.
- Additionally, staged roll-off boxes yet to be cleaned will remain within the confines of the covered portion of the facility.
- All process waters will be collected in Basin 1, a steel lined, existing concrete basin, prior to transfer to the sediment settling basins. A portion of the existing basin will be filled with concrete. Any cracks and/or openings in the concrete basin will be sealed and the entire basin sealed with an appropriate sealant prior to installation of the steel liner.

Request: Description/Identification of Cleaning Agents and Additives

- Potable water will be supplied from the city of Campbell Water Department.

- A hot water LGM pressure washer will be used to clean the roll-off boxes, eliminating the need to utilize a degreaser;
- In the event a surfactant is required, a common dish detergent/surfactant will be utilized (i.e. Dawn – MSDS attached).
- Currently, no additional cleaning agents, additives and/or degreasers are to be added in the rinsing process.

Request: Provide Information Regarding Management/Tracking of Materials

- If required by law, roll-off boxes will arrive at the Site with manifests/tracking paperwork. But at this time, Patriot will request a copy of the bill of lading associated with the individual roll-off boxes in order to identify the origin and nature of the materials previously transported in the roll-off box.
- Patriot employees will review any required manifests/tracking paperwork and keep a copy.
- Patriot will request, if applicable, that each customer provide a copy of its ODNR registration certificate.
- Patriot will maintain copies of the ODNR registration certificates.
- All industrial waters collected during the rinsing process will be collected on-site and recycled for reuse at the site. Any excess rinse waters will be transported to Patriot's fully approved and permitted Warren facility and then to the City of Warren's fully-permitted POTW. Volumes of the industrial water will be documented and maintained at Patriot.

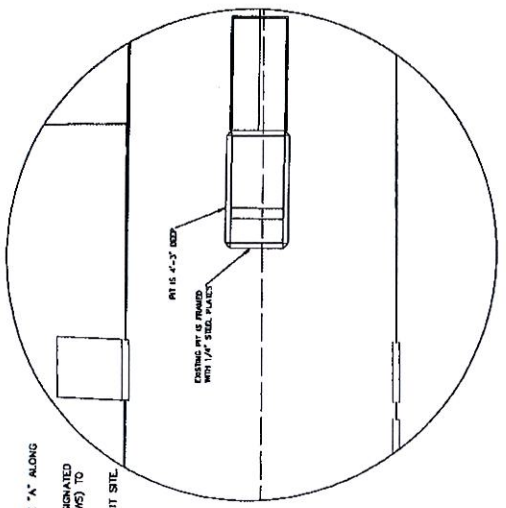
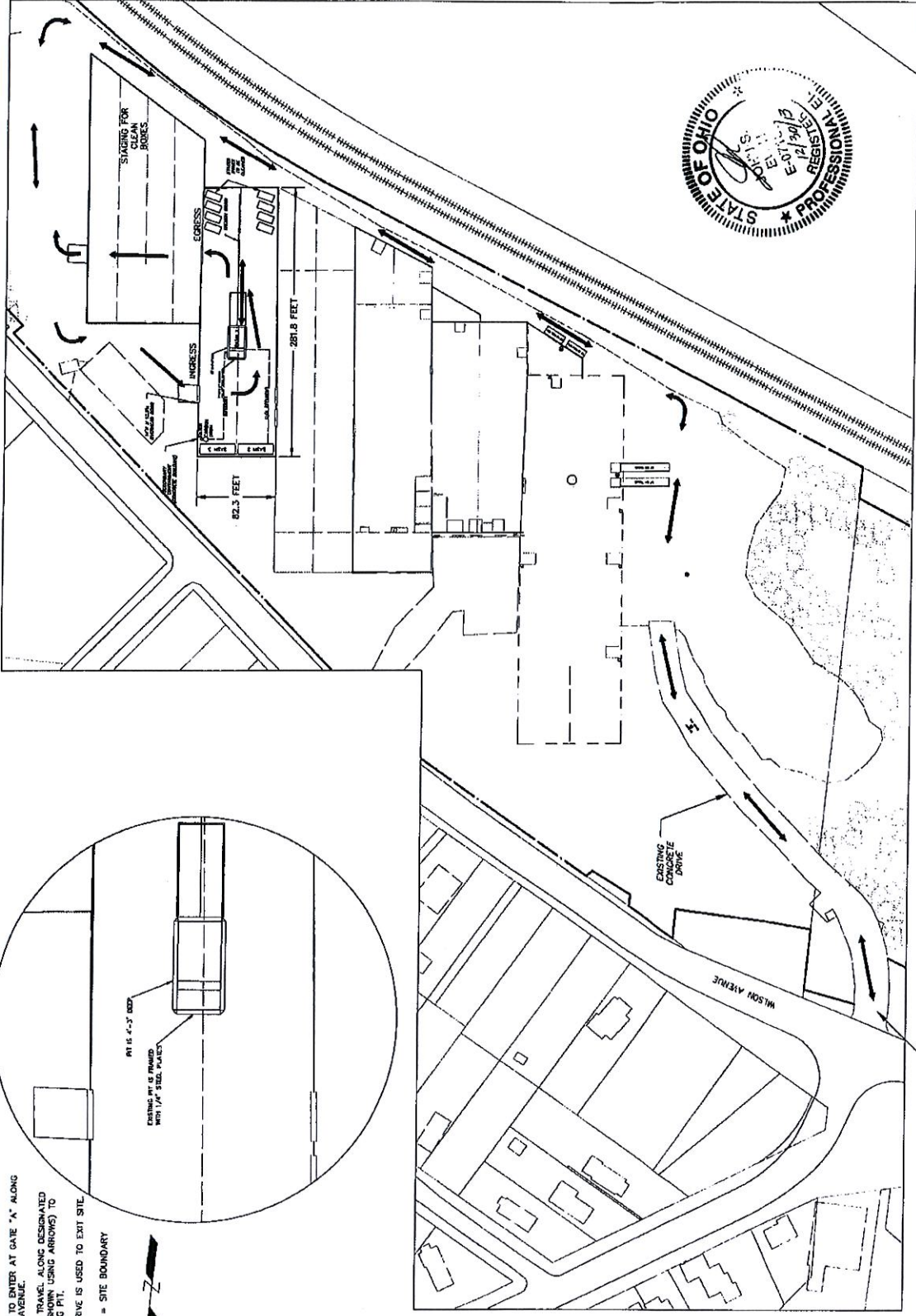
- Any incidental solids will be collected from the containment area and transferred to fully license solid waste landfills, expected to be Republic Services facilities. Volumes of solids will be documented and maintained at Patriot.

Request: Radiation Testing Protocols

- Roll-off boxes will be manually screened with a hand-held device for radioactive materials at the main gate. NOTE: no radioactive material is expected and customers will be placed on notice that no radioactive materials shall be sent. Any roll-off boxes containing radioactive materials will be rejected immediately (i.e. no solids exceeding limits detected in preliminary screening will be accepted).
- Patriot may also take samples for analysis by Shale Testing Solutions LLC (ODH License for Radioactive Material issued December 12, 2013).

Request: Paperwork Retention

- All documents will be maintained by Patriot for 24 months.



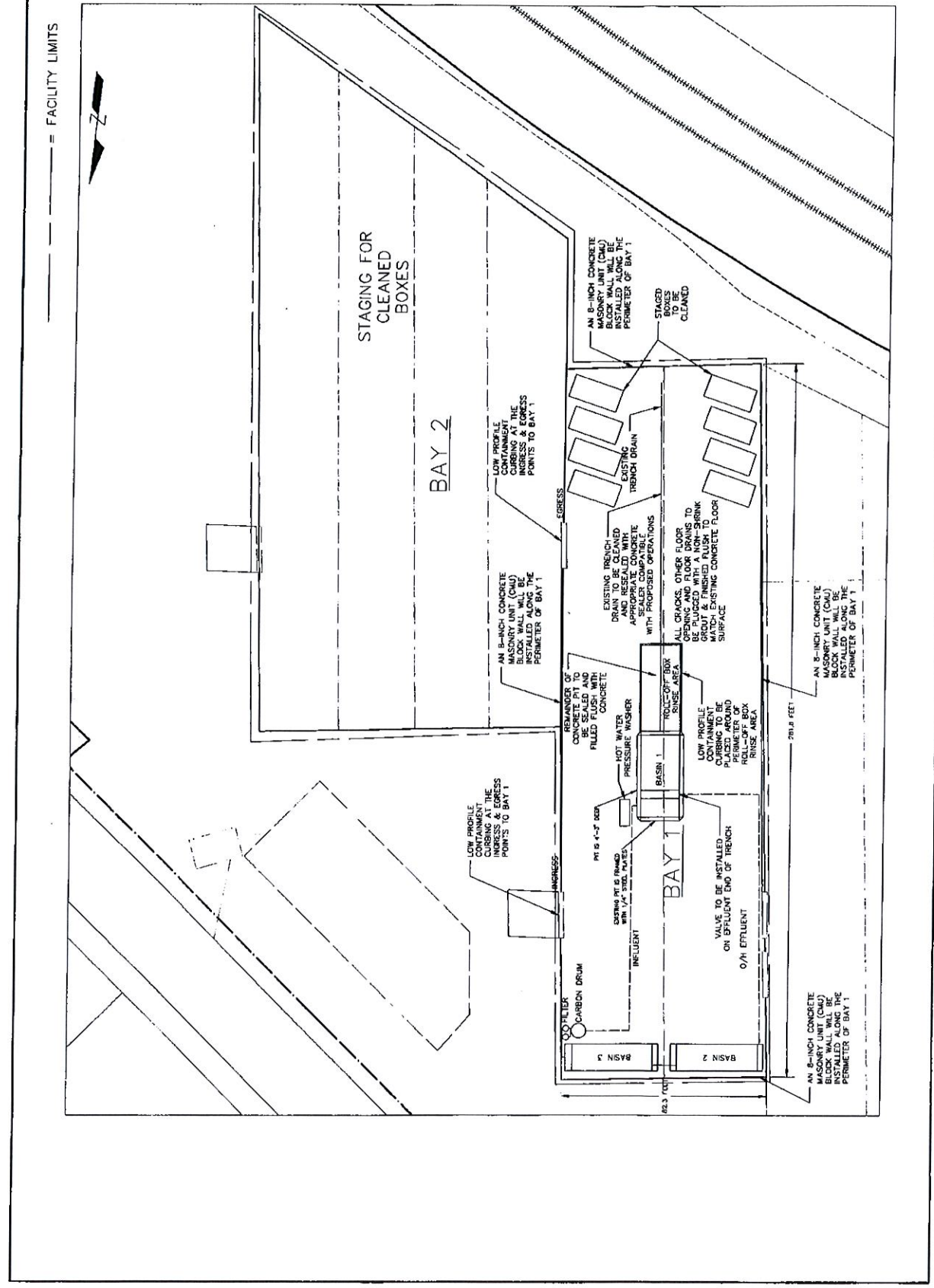
- NOTE:
1. TRUCKS TO ENTER AT GATE "A" ALONG WILSON AVENUE.
 2. TRUCKS TRAVEL ALONG DESIGNATED DRIVE (SHOWN USING ARROWS) TO CLEANING PIT.
 3. SAME DRIVE IS USED TO EXIT SITE.



— = SITE BOUNDARY

DATE	REVISED

--- = FACILITY LIMITS



STAGING FOR
 CLEANED
 BOXES

BAY 2

BAY 1

BAY 1

BAY 1

BAY 1

BAY 1

AN 8-INCH CONCRETE MASONRY UNIT (CMU) BLOCK WALL WILL BE INSTALLED ALONG THE PERIMETER OF BAY 1

LOW PROFILE CONTAINMENT CURBING AT THE INTERSECTIONS OF THE EGRESS POINTS TO BAY 1

AN 8-INCH CONCRETE MASONRY UNIT (CMU) BLOCK WALL WILL BE INSTALLED ALONG THE PERIMETER OF BAY 1

EXISTING TRENCH DRAIN TO BE CLEANED AND RESEALED WITH AN ADHESIVE SEALER COMPATIBLE WITH PROPOSED OPERATIONS

ALL CRACKS, OTHER FLOOR OPENING AND FLOOR DRAINS TO BE REPAIRED WITH A NON-SHRINK GROUT AND TO MATCH EXISTING CONCRETE FLOOR SURFACE

REMAINDER OF CONCRETE PIT TO BE FULLED WITH CONCRETE

ROLL-OFF BOX RINSE AREA

LOW PROFILE CONTAINMENT CURBING TO BE PLACED AROUND PERIMETER OF RINSE BOX

AN 8-INCH CONCRETE MASONRY UNIT (CMU) BLOCK WALL WILL BE INSTALLED ALONG THE PERIMETER OF BAY 1

AN 8-INCH CONCRETE MASONRY UNIT (CMU) BLOCK WALL WILL BE INSTALLED ALONG THE PERIMETER OF BAY 1

LOW PROFILE CONTAINMENT CURBING TO BE PLACED AROUND PERIMETER OF RINSE BOX

VALVES TO BE INSTALLED ON EFFLUENT END OF TRENCH

AN 8-INCH CONCRETE MASONRY UNIT (CMU) BLOCK WALL WILL BE INSTALLED ALONG THE PERIMETER OF BAY 1

REVISIONS	DATE

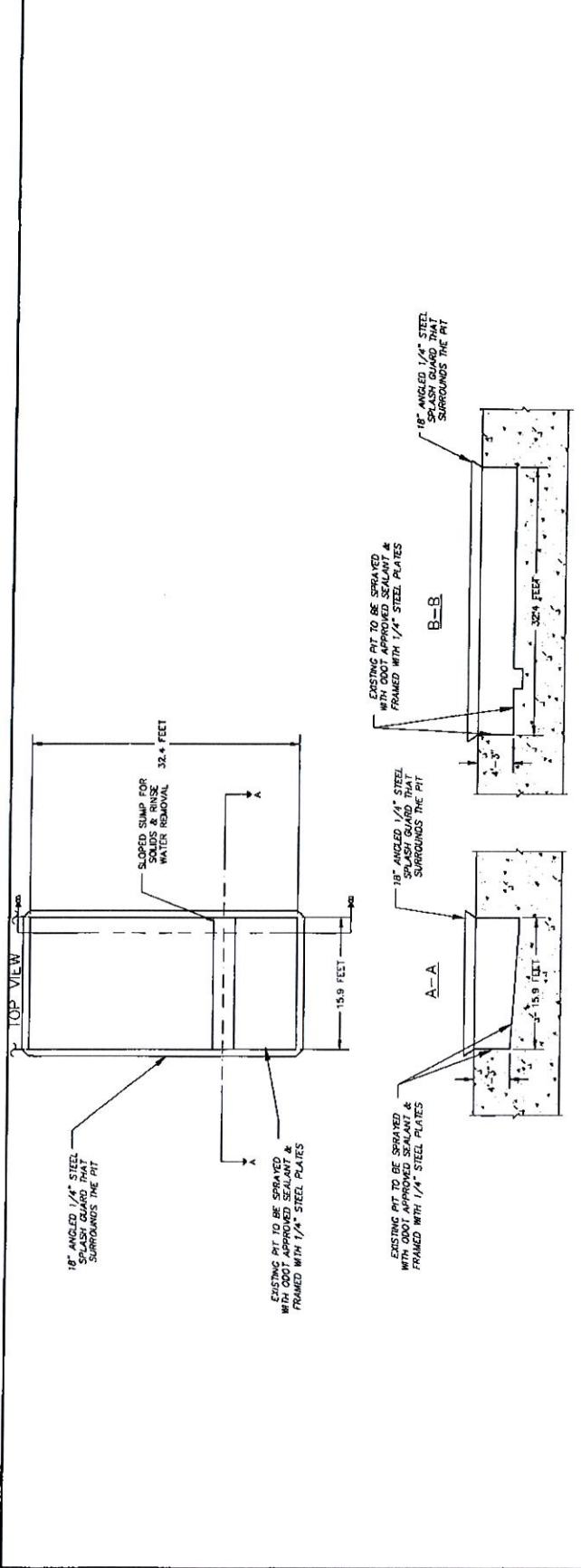
ROLL OFF WASH BAY
PROFILE VIEW

MAVERICK
CONTRACTING

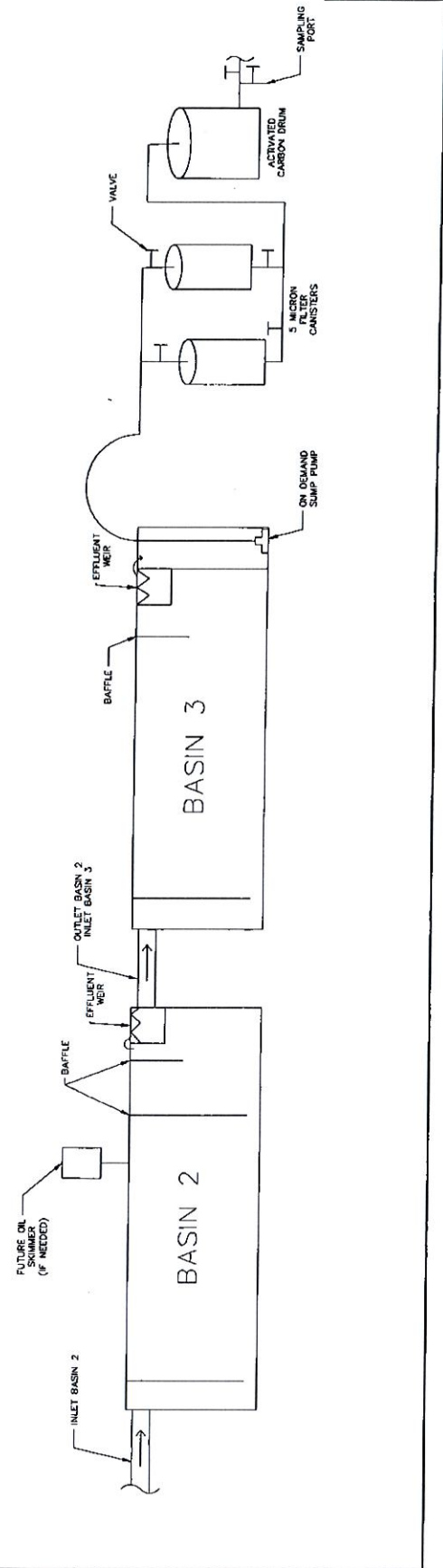
Howland Company, LLC
REGISTERED PROFESSIONAL ENGINEERS AND ENVIRONMENTAL PROFESSIONALS



H121064_01



SCHEMATIC DIAGRAM - SETTLING BASINS & FILTRATION UNITS



Corey, Molly

From: Simmers, Rick
Sent: Tuesday, December 31, 2013 4:41 PM
To: 'abott@bottlawgroup.com'
Subject: FW: Patriot

Importance: High

Dear Ms. Bott:

ODNR approves the Patriot Water Treatment (Patriot) facility outlined originally in correspondence dated November 12, 2013. This approval is conditioned on compliance with all written representations from Patriot.

Based on this approval, Patriot is deemed to be operational for purposes of satisfying the criteria set forth in R.C. Section 1509.227. As such, Patriot will not need to obtain a further order or permit under 1509.06, 1509.21 and 1509.22. ODNR maintains the authority to enforce compliance with Patriot's commitments that lead to this approval. Further, Patriot remains subject to future operations inspections, as well as the enforcement authority of all other state regulatory agencies.

Richard J. Simmers, Chief
Division of Oil and Gas Resources Management