



MEMORANDUM

Date: January 2, 2020

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry 
County Administrator

Re: **Solicitation No. IFB-PO-2000040, Biosolids Removal & Disposal Services and
Emergency Procurement of Landfill Disposal Services**

The award of a master agreement to Synagro of California, L.L.C (Synagro) for biosolids removal and disposal services was on the Board of Supervisors December 3, 2019 meeting agenda but was continued due to the receipt of a protest letter. I provided the Board a memorandum (Attachment A) explaining the background for the appeal in preparation for the December 17, 2019 Hearing on this item.

At the December 17 Hearing, Mr. Kai of AvraGro and his attorney alleged that the intended low bid award recipient, Synagro, did not have sufficient agricultural lands available for biosolids disposal and that the Board should not make an award. Following distribution of binders to Board members and a brief discussion, the Board voted not to award the master agreement to Synagro and to restart the procurement process.

Protest and Appeal Process

The protest process, pursuant to Pima County Code 11.20.010 D.4 requires "A statement of the factual grounds of the protest including copies of relevant documents". Pima County Code 11.20.010 H.1 also requires the appellant to "file a written appeal... specifying the reason for the appeal..." No factual grounds or documents were presented by Mr. Kai or his attorney. Instead, a personal opinion about other farmers' land, crops and intentions was expressed.

The appellant, John Kai, disregarded the Pima County Code and did not provide any relevant documents or specific reasons to the Procurement Director with the filing of the protest or even to the Board of Supervisors with the filing of the appeal. The appellant wasted County resources by not providing adequate documents at the time of filing the protest or the appeal. Dumping a binder of irrelevant and repetitive information on the Board during the Hearing did not contribute to an informed decision.

Procurement Process

Proof that the successful contractor has sufficient acreage is a three step process per the Bid Documents and as required by the local agricultural landowners and the Arizona Department of Environmental Quality (ADEQ) process.

Step 1: Demonstrating that the bidder has land potentially available to accept biosolids. This can be met by providing a variety of documents ranging from an ADEQ Land Registration document to minimally providing documentation of conversations with landowners that will potentially accept the biosolids. This documentation was due with the bid package and Synagro satisfied this condition. It should be noted that the landowners that are willing to accept Pima County's biosolids do not care who the contractor is as long as they perform to their requirements. If Pima County's contractor changes, the farmer/landowners are also willing to change and sign a new agreement once the contract is awarded, or minimally noticed to be awarded.

Step 2: Providing final land contracts within 30 days of notification of contract award. The Notice of Recommendation for Award was posted on November 15, 2019, making the 30 day deadline December 15, 2019. On December 9, 2019, Pima County received the proper documentation from Synagro. The package included signed Farmer Agreements. Synagro satisfied this condition.

Step 3: Registering the land with ADEQ following contract award. This step needs to be completed before biosolids can be applied to the land. This step could not be completed as the contract was not awarded.

ADEQ Process

Since the lands to be used by Synagro have already been registered for biosolids application, the ADEQ process simply requires submitting the ADEQ Biosolids Land Application and Supplemental Request Form for Registration (Attachment B) and payment of a \$250 amendment fee. No soils testing is required. This form can only be submitted following contract award as it encumbers the covered lands to the biosolids applicator. The full process is described in Attachment C.

Basis of Kai Appeal

The binder of allegations that was presented to the Board of Supervisors at the December 17, 2019 Meeting was reviewed by Procurement Department and Regional Wastewater Reclamation Department (RWRD) staff. The binder contained duplication of alleged false bid representation by Synagro and Denali. In order to investigate these allegations, the Procurement Department staff conducted telephone interviews with some of the farmer/landowners on December 19, 2019.

The individuals contacted were Arnold Burruel, David Stambaugh, Jon Post and Charles Lawrence. Mr. Burruel, Mr. Stambaugh and Mr. Post were selected for interviews as all three have entered into final land contracts with Synagro taking them to Step 2 in the above described process. To date, Mr. Lawrence has not signed a final land contract. Triple L Farms and CottonPatch were not contacted as their participation is not necessary since Synagro

has sufficient land with the four farmer/landowners that were contacted to meet the contract's requirements. The allegations against Denali were not investigated since the low bidder, Synagro, meets the bid requirements.

1. Burrue & Burrue Farms Interview. Mr. Arnold Burrue was informed that: 1) Synagro's bid included a statement that his land was potentially available with 1,453 acres; 2) on December 2, 2019 he signed a consent with Synagro for 5,000 acres; and 3) Mr. Kai stated the majority of his land is not available because they are hay fields and that conservatively only 1,100 acres are available.

Mr. Arnold Burrue stated that 1,100 acres is extremely conservative. He indicated doing calculations and having 2,700 to 3,000 acres that can accept the biosolids. Mr. Burrue stated that he does not apply biosolids over growing alfalfa, which has a lifespan of 4 years. He does apply biosolids to farm land prior to alfalfaplanting. He farms just shy of 5,000 acres. Mr. Burrue also indicated that whoever he does business with must spread the biosolids and his crew will incorporate.

2. David Stambaugh Farms Interview. Mr. Stambaugh was informed that: 1) Synagro's bid included a statement that his land was potentially available with 500 acres; 2) on December 2, 2019 he signed a consent with Synagro for 175 acres; and 3) Mr. Kai stated that he has only 134 acres available.

Mr. David Stambaugh stated that there is currently 134 acres available.

3. Triple L Farms Interview. This farmer/landowner was not contacted since a final land contract was not signed and his acreage is not currently needed.
4. Charles Lawrence Farms. Mr. Lawrence was informed that: 1) Synagro's bid included a statement that his land was potentially available with 2,208 acres; and 2) Mr. Kai alleged that 1,105 acres were sold and that only 1,103 are available.

Mr. Charles Lawrence stated that yes, acreage was sold. He indicated that the new owners will take his advice and that 1,103 acres or more are available. He has more acreage but does not want to commit to more yet. Mr. Lawrence indicated that Synagro used to do cake and it was a benefit. He is willing to try some more, but stated if it is too much trouble he will stop. He stated he restricted Kai's use of land because he had to reconstruct his roads. He indicated that land application must be disked in and if he's convinced that it works, he will extend to 2,000 to 3,000 acres.

5. Post Farms Interview. Mr. Post was informed that: 1) on December 2, 2019 he signed a consent with Synagro for 850 acres; 2) Mr. Kai's bid had Post Farms listed 400 acres as potentially available; and 3) Mr. Kai's bid indicated it was an exclusive agreement.

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **Solicitation No. IFB-PO-2000040, Biosolids Removal & Disposal Services and Emergency Procurement of Landfill Disposal Services**
January 2, 2020
Page 4

Mr. Post stated that they farm about 5,000 acres, and that he owns and can accept biosolids on 850 acres. He indicated that if Mr. Kai doesn't have biosolids product that he can't have an exclusive agreement.

Farmer/Landowners Comments

Based on the December 18, 2019 interviews, the contacted individuals were surprised that Synagro did not get the award. They stated Synagro is a good company, they are professional and trustworthy and that the statement that they do not have access to adequate land is not accurate. Most are not willing to appear at Board Meeting but indicated willingness to file a statement or discuss the issue outside of a public forum with individual Board members.

Cost of Biosolids Land Disposal

The current AvraGro contract which expires at the end of this year prices land application of cake biosolids at \$18.70 per wet ton. The recent award under reconsideration listed AvraGro cake biosolids at \$31.88 a wet ton compared to the Synagro low-bid of \$19.74. However, in order to extend the AvraGro contract beyond December 31, 2019, Mr. Kai wishes to renegotiate the amount to \$31.88 since AvraGro claims they are trying to acquire land for the contract extension and cannot perform contract obligations for the current \$18.70 contract amount. Since cake constitutes the majority of biosolids production, the difference between the recent Synagro bid and the AvraGro contract extension amount is \$81,241 per month ($(\$31.88 - \$19.74)/6,692$ wet tons) or 61 percent higher than the Synagro low-bid amount.

Cost of Biosolids Landfill Disposal

Pima County currently has contract No. MA-PO-20-012 in place for hauling and landfill disposal of biosolids. The contract was bid based on tipping fees at the Right Away Disposal (RAD) Landfill near Red Rock. However, RAD recently underwent a change of management and tipping fees for biosolids were increased by \$4.50 a wet ton. The contract operator, Harrison Trucking, Inc., has requested a \$4.50 per wet ton increase to the current contract in order to continue service. Procurement has amended the existing Harrison contract, raising the weekday per wet ton rate from \$34.50 to \$ 39.00 and weekend/holiday rate from \$45.50 to \$50.00. This contract was only intended to be used at times when the lower cost land application contract operator did not perform.

Emergency Landfilling of Biosolids

The current AvraGro biosolids land disposal contract expires at the end of this year and will not be renewed due to both lack of performance and price increase of the current operator. This leaves the County with a single contract disposing to the RAD Landfill and no other redundancy. As such and in order to avert a threat to public health by stockpiling biosolids at the Tres Rios Wastewater Reclamation Facility (WRF), I have approved emergency procurement of biosolids disposal in accordance with Pima County Code §11.12.060, directing Procurement to award two separate contracts for a period of ninety days: one for landfill disposal with one of the regional landfills, and one for hauling from the Tres Rios WRF to the selected landfill until longer-term contracts conforming to standard procurement process are secured. A contract was awarded to the Waste Management Marana Regional

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **Solicitation No. IFB-PO-2000040, Biosolids Removal & Disposal Services and Emergency Procurement of Landfill Disposal Services**
January 2, 2020
Page 5

Landfill at an amount not to exceed \$33.32 plus a \$0.25 ADEQ regulatory fee per wet ton, and the Harrison Trucking, Inc. contract was amended to include an option for hauling to the Marana Regional Landfill at a rate of \$10 per wet ton. The Marana Regional Landfill option will provide a Monday-Saturday alternative in the event we experience a problem with the lower cost Harrison to RAD Landfill option.

Long Term Options

Due to the inability for AvraGro to perform in accordance with the terms of the current biosolids removal and disposal contract as previously described to you in my December 17, 2019 Board Memorandum and because of the increase in the AvraGro price from \$18.70 per wet ton to \$31.88 per wet ton, the Board of Supervisors could reconsider the December 17, 2019 decision and award Solicitation No. IFB-PO-2000040, Biosolids Removal and Disposal Services to the low bid firm Synagro. This would maintain a County option for agricultural land application of biosolids.

Furthermore and in addition to our current RAD Landfill contract and the ninety day emergency contracts referenced above, I have directed Procurement to develop two long-term contracts for bidding as soon as possible. One for the landfilling of biosolids as a cost per ton for landfill tipping fees and another contract for hauling biosolids from the Tres Rios WRF to the successful landfill bidder. It is expected that longer-term regular-volume contracts will be bid at significantly lower prices than those currently provided at the emergency rates.

Separate long-term landfilling, and hauling contracts, along with potential reconsideration of the Synagro land application award will provide the County with maximum flexibility for the disposal of biosolids.

CHH/mp

Attachment

c: Jan Leshar, Chief Deputy County Administrator
Carmine DeBonis, Jr., Deputy County Administrator for Public Works
Yves Khawam, Assistant County Administrator for Public Works
Mary Jo Furphy, Director, Procurement Department
Jackson Jenkins, Director, Regional Wastewater Reclamation Department

ATTACHMENT A



Board of Supervisors Memorandum

December 17, 2019

**Regular Agenda Item #25, Hearing – Solicitation No. IFB-PO-2000040,
Biosolids Removal and Disposal Services**

Background

At the December 3, 2019 Board of Supervisors meeting, the award of a master agreement to Synagro of California, L.L.C (Synagro) for biosolids removal and disposal services was continued due to the receipt of a protest letter (Attachment 1). Since the individual leading the protest has reached out to Board members, I am providing background regarding this procurement process.

Mr. Haynes, a representative of AvraGro sent an email to the Clerk of the Board on November 27, 2019 with the subject line of Appeal to Pima County Board of Supervisors for Biosolids Removal and Disposal Services Award Recommendation. Included with this email was the same minimal document that was filed with the Procurement Department as a protest to the award, although the document submitted to the Clerk was not even signed by Mr. Kai or Mr. Haynes. It was however decided to treat this letter as an appeal to the Procurement Director's decision that was rendered on November 21, 2019 (Attachment 2). Notice of the Board of Supervisors appeal hearing was sent by the Clerk on December 2, 2019 (Attachment 3).

The stated basis against the apparent low bidder, Synagro, is "The majority of the land listed by Synagro for land application is currently planted in long term crops and is not available for the application of biosolids." This claim, however, is Mr. Kai's or Mr. Haynes's opinion and not a factual ground for protest as required by Pima County Procurement Code 11.20.010, where Pima County must rely on the response of the bidders who are required to sign an offer certifying that all information is accurate. The Synagro response packet meets all requirements. Synagro has provided a letter regarding the land that they have under written agreement to service the biosolids removal and disposal contract (Attachment 4).

The current County contract for biosolids removal and disposal is with AvraGro. We have had continued contract compliance issues with AvraGro that have resulted in issuance of multiple default and cure notices. A Notice of Default and Request to Cure dated August 15, 2018, a Notice of Default and Request to Cure dated May 7, 2019 and a follow-up letter dated June 21, 2019 are included in Attachment 5.

It is the AvraGro contract performance issues that led to initiation of this new bid rather than exercising the remaining renewals left on the current AvraGro contract. To date, the Regional Wastewater Reclamation Department continues to have to work closely with AvraGro in order to achieve satisfactory performance of contract terms and to resolve the issues stated in the Notice letters.

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **Regular Agenda Item #25, Hearing – Solicitation No. IFB-PO-2000040, Biosolids
Removal and Disposal Services**

December 17, 2019

Page 2

Recommendation

The appeal of the Procurement Director's Decision and the award of the Synagro master agreement are both on the Board of Supervisors December 17, 2019 meeting agenda for consideration. It is recommended that the appeal be denied and that the master agreement be awarded to Synagro as recommended by the Procurement Director.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/lab – December 10, 2019

- c: Jan Leshar, Chief Deputy County Administrator
Carmine DeBonis Jr., Deputy County Administrator for Public Works
Yves Khawam, Assistant County Administrator for Public Works
Jackson Jenkins, Director, Regional Wastewater Reclamation Department
Mary Jo Furphy, Director, Procurement Department

ATTACHMENT 1

From: Chris Haynes <4chrish@gmail.com>
Sent: Wednesday, November 27, 2019 3:17 PM
To: COB_mail
Subject: Appeal to Pima County Board of Supervisors for Biosolids Removal and Disposal Services Award Recommendation
Attachments: Protest of Solicitation Letter.docx

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

To: Clerk of the Board

Please find attached the Protest and Appeal for the Subject Award Recommendation.

Please conform receipt of this appeal.

Protest of Solicitation No IFB-DO 200040 Biosolids Removal and Disposal Services

Avragro Systems Inc PO Box 91798 Tucson, Az 85742

Exhibit D Registered Land: The majority of the land listed by Synagro for land application is currently planted in long term crops and is not available for the application of biosolids.

Relief Requested: Recommendation for award shall go to a qualified bidder with sufficient land available for land application of biosolids.

NOV 27 15 03:50 POC CLK OF PD

ATTACHMENT 2



PIMA COUNTY PROCUREMENT DEPARTMENT
130 W. CONGRESS ST., 3RD FLOOR, TUCSON, AZ 85701-1207
PHONE: (520) 724-8161 FAX: (520) 222-1484

Mary Jo Furphy
Procurement Director

Via Email: johnkaijr@yahoo.com

November 21, 2019

Mr. John Kai, Jr., Owner
Avra Gro Systems Inc.
PO Box 91708
Tucson, AZ 85752

RE: Protest of Award
Solicitation No. IFB-PO-2000040 Biosolids Removal and Disposal Services

Dear Mr. Kai,

On November 21, 2019, I received an email from Chris Haynes on behalf of AvraGro, protesting the Notice of Recommendation for Award of Solicitation No. IFB-PO-2000040 Biosolids Removal and Disposal Services, issued on November 15, 2019, naming Synagro of California, LLC dba Synagro as the awardee.

You are requesting that the recommendation for award shall go to a qualified bidder with sufficient land available for land application of biosolids. You also assert that "The majority of the land listed by Synagro for land application is currently planted in long term crops and is not available for the application of biosolids." The bid package was reviewed by the Regional Wastewater and Reclamation Department and was deemed to meet the bid's requirements. Pima County must rely on the bid response and certifying statements made by Synagro.

Pursuant to Pima County Procurement Code 11.20.010.F.1, I have determined that the protest does not carry merit and therefore your protest is dismissed.

This decision may be appealed to the Board of Supervisors by filing an appeal with the Clerk of the Board within five business days of the date of this written decision pursuant to Pima County Procurement Code Section 11.20.10.H. If you file an appeal with the Board of Supervisors, the Board will consider the protest at a regularly scheduled meeting within 30 days of this decision. The Board may, with or without a hearing, either accept the decision or determine an appropriate remedy.

Sincerely,


Mary Jo Furphy, CPPO
Procurement Director

Attachment: Protest of Solicitation dated and received on November 21, 2019 (1 page)

C: Jackson Jenkins, Regional Wastewater Reclamation Department Director
Jeff Prevatt, Regional Wastewater Reclamation Department Deputy Director
Ana Wilber, Materials and Services Division Manager
Keith Rogers, Procurement Officer
Stacey Roseberry, Deputy County Attorney
Interested Parties

Protest of Solicitation No IFB-DO 200040 Biosolids Removal and Disposal Services

Avragro Systems Inc PO Box 91798 Tucson, Az 85742

Exhibit D Registered Land: The majority of the land listed by Synagro for land application is currently planted in long term crops and is not available for the application of biosolids.

Relief Requested: Recommendation for award shall go to a qualified bidder with sufficient land available for land application of biosolids.



Johnny KAC

11-21-2019

ATTACHMENT 3



Pima County Clerk of the Board

Julie Castañeda

Melissa Manriquez
Deputy Clerk

Administration Division
130 W. Congress, 5th Floor
Tucson, AZ 85701
Phone: (520)724-8449 • Fax: (520) 222-0448

Management of Information & Records Division
1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

December 2, 2019

Mr. John Kai, Jr., Owner
Avra Gro Systems, Inc.
P.O. Box 91708
Tucson, AZ 85752

RE: Appeal of the Pima County Procurement Director's decision regarding Solicitation
No. IFB-PO-2000040, Biosolids Removal and Disposal Services

Dear Mr. Kai:

In accordance with Pima County Code 11.20.010(J), please be advised that we are in receipt of your request to appeal the decision of the Procurement Director in the aforementioned matter. A hearing has been scheduled before the Pima County Board of Supervisors on Tuesday, December 17, 2019, at 9:00 a.m. or thereafter, at the following location:

Pima County Administration Building
Board of Supervisors Hearing Room
130 West Congress, 1st Floor
Tucson, AZ 85701

If you have any questions concerning this hearing, please contact this office at 724-8449.

Sincerely,

A handwritten signature in black ink, appearing to read "Castañeda".

Julie Castañeda
Clerk of the Board

c: Mary Jo Furphy, Procurement Director
Pima County Board of Supervisors
Mr. Chuck H. Huckelberry, County Administrator
Chris Haynes, 4chrish@gmail.com
Synagro of California, L.L.C., John Pugliaresi, JPugliaresi@SYNAGRO.com
Denali Water Solutions, L.L.C., Jeff Thurber, jeff.thurber@denaliwater.com
Sandhill Technologies, Rob Fehrmann, robfehmann@comcast.net

From: Chris Haynes <4chrish@gmail.com>
Sent: Wednesday, November 27, 2019 3:17 PM
To: COB_mail
Subject: Appeal to Pima County Board of Supervisors for Biosolids Removal and Disposal Services Award Recommendation
Attachments: Protest of Solicitation Letter.docx

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

To: Clerk of the Board

Please find attached the Protest and Appeal for the Subject Award Recommendation.

Please conform receipt of this appeal.

Protest of Solicitation No IFB-DO 200040 Biosolids Removal and Disposal Services

Avragro Systems Inc PO Box 91798 Tucson, Az 85742

Exhibit D Registered Land: The majority of the land listed by Synagro for land application is currently planted in long term crops and is not available for the application of biosolids.

Relief Requested: Recommendation for award shall go to a qualified bidder with sufficient land available for land application of biosolids.

NOV 27 15 03 30 POC CLK OF PD

ATTACHMENT 4

DECEMBER 9, 2019

Keith E. Rogers, CPPB
Procurement Officer
Design & Construction Division
Pima County Procurement Dept.
130 W. Congress, Third Floor
Tucson, AZ 85701

Re: Biosolids Removal and Disposal Services Contract

Dear Mr. Rogers:

Synagro of California, LLC (Synagro) is in receipt of the Avra Gro System's appeal of Pima County's protest denial of the Biosolids Removal and Disposal Services intent to award. The original protest claimed that Synagro did not have adequate land to service the biosolids removal contract.

The project specifications indicated that a qualified responsive proposer would be required to have 4,000 acres secured under farmer agreements prior to contract issuance. Synagro currently has 6,025 acres under written commitment as of December 6, 2019. Synagro continues to add land and will be able to update this list prior to the December 17, 2019 Pima County Board of Supervisors meeting.

The list of acreage currently under commitment is provided below:

| Property | Owner | County | Acreage | Farmer Agreement Executed? |
|----------------------|-----------------|----------------|----------------|-----------------------------------|
| Stambaugh Farms | David Stambaugh | Pinal | 175 | Yes |
| Burrue! Farms | Arnold Burrue! | Pima and Pinal | 5,000 | Yes |
| Post Farms | Jon Post | Pima | 850 | Yes |
| Total Acreage | | | 6,025 | |

Copies of farmer agreements are provided for your records.

Mr. Keith Rogers
December 9, 2019
Page 2

Based on the above, Synagro concurs with County staff's position that Synagro is the lowest responsive bidder and should be awarded the contract to manage Pima County's biosolids.

If you have any questions or require further information, please call me at 650-333-0729 or Craig Geyer at 520-631-4982. Please refer any written correspondence to Kathleen Wright and copy me and Craig Geyer. Thank you.

Very truly yours

John Pugliaresi

John Pugliaresi
Senior Area Sales Manager

JP:kw



LANDOWNER CONSENT FOR BIOSOLIDS APPLICATION

The undersigned hereby agrees to the application of biosolids by Synagro at application rates in accordance with applicable laws and regulations.

OWNER NAME: Stambaugh Farms LLC

ADDRESS: 27830 S 11 mile corner Rd
Eloy AZ 85131

PHONE: 520 631-1688

OPERATOR NAME: David Stambaugh

FARM LOCATION(S): Pinal county Green Reservoir
+ 11 mile corner Rd

TOTAL ACRES: 175 COUNTY: Pinal

1. I understand that Synagro will coordinate biosolids deliveries with my farm operator hereinafter (leasee) unless otherwise advised by me.
2. I agree to allow Synagro and federal, state and local regulatory staff access to my land for the purposes of permitting the site, inspecting the site, applying biosolids, obtaining samples from the site and testing. I reserve the right to ask the above parties for proper identification at any time.
3. I understand that the following conditions apply to my land following biosolids applications and that my leasee has signed an agreement form with Synagro stating that my leasee will be responsible for following these conditions where applicable:
 - a. Animals shall not be grazed on the land for 30 days after the application of biosolids. In addition, animals intended for dairy production shall not be allowed to graze on the land for _____ days after the application of biosolids.
 - b. Food crops (crops consumed by humans including but not limited to fruits, vegetables and tobacco) with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for _____ months after the application of biosolids.
 - c. Food crops with harvested parts below the surface of the land shall not be harvested for _____ months after the application of biosolids when the biosolids remain on the land surface \geq 4 months prior to incorporation into the soil, or 38 months when the biosolids remain on the land surface $<$ 4 months prior to incorporation.
 - d. Food crops, feed crops and fiber crops shall not be harvested for 30 days after application of biosolids.
 - e. Public access to land with a low potential for public exposure (land the public uses infrequently including but not limited to agricultural land and forests) shall be restricted for _____ days. Public access to land with a high potential for public exposure (land the public uses frequently including but not limited to a public contact site such as parks, playgrounds and golf courses) shall be restricted for 1 year.
 - f. 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 the permitting authority.
4. I have also read the "Information About Biosolids" which is on the reverse side and incorporated by reference in this Consent.
5. The term of this Consent shall continue until written notification is given by either party to terminate this agreement.
6. I certify that I am holder of legal title to the above described property or am authorized by the holder to give consent for the land application of biosolids and that there are no restrictions to the granting of consent under this form.


OWNER SIGNATURE (If signing as a representative, include title)

12-2-19
DATE

LANDOWNER CONSENT FOR BIOSOLIDS APPLICATION

The undersigned hereby agrees to the application of biosolids by Synagro at application rates in accordance with applicable laws and regulations.

OWNER NAME: Arnold Burrel

ADDRESS: Marana, AZ

PHONE: () _____

OPERATOR NAME: Burrel

FARM LOCATION(S): Pima & Pinal

TOTAL ACRES: 5,000 acres COUNTY: Pima & Pinal

1. I understand that Synagro will coordinate biosolids deliveries with my farm operator hereinafter (leasee) unless otherwise advised by me.
2. I agree to allow Synagro and federal, state and local regulatory staff access to my land for the purposes of permitting the site, inspecting the site, applying biosolids, obtaining samples from the site and testing. I reserve the right to ask the above parties for proper identification at any time.
3. I understand that the following conditions apply to my land following biosolids applications and that my leasee has signed an agreement form with Synagro stating that my leasee will be responsible for following these conditions where applicable:
 - a. Animals shall not be grazed on the land for 30 days after the application of biosolids. In addition, animals intended for dairy production shall not be allowed to graze on the land for _____ days after the application of biosolids.
 - b. Food crops (crops consumed by humans including but not limited to fruits, vegetables and tobacco) with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for _____ months after the application of biosolids.
 - c. Food crops with harvested parts below the surface of the land shall not be harvested for _____ months after the application of biosolids when the biosolids remain on the land surface \geq 4 months prior to incorporation into the soil, or 38 months when the biosolids remain on the land surface $<$ 4 months prior to incorporation.
 - d. Food crops, feed crops and fiber crops shall not be harvested for 30 days after application of biosolids.
 - e. Public access to land with a low potential for public exposure (land the public uses infrequently including but not limited to agricultural land and forests) shall be restricted for _____ days. Public access to land with a high potential for public exposure (land the public uses frequently including but not limited to a public contact site such as parks, playgrounds and golf courses) shall be restricted for 1 year.
 - f. 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 the permitting authority.
4. I have also read the "Information About Biosolids" which is on the reverse side and incorporated by reference in this Consent.
5. The term of this Consent shall continue until written notification is given by either party to terminate this agreement.
6. I certify that I am holder of legal title to the above described property or am authorized by the holder to give consent for the land application of biosolids and that there are no restrictions to the granting of consent under this form.

Arnold Burrel
OWNER SIGNATURE (if signing as a representative, include title)

12/2/19
DATE

ARIZONA REQUEST AND CONSENT FOR BIOSOLIDS

SOURCE: Post Land Co. LLC & Cortano Farms Plus
 FARM OPERATOR: Post Farms
 ADDRESS: 13801 W. Kirby Hughes Rd
 EMAIL: jonpost@aol.com
 PHONE HOME: () _____ MOBILE: (520) 404-2004 OTHER: () _____

FARM LOCATION: _____

TOTAL ACRES (Proposed for biosolids application): 850 COUNTY: Pima Co.
 CROPS GROWN: _____

1. I agree to be responsible for adhering to the following conditions, where applicable:
 - a. The soil pH will be adjusted to \geq 6.5 when biosolids are applied unless lime treated biosolids are applied or the soil/biosolids mixture has a pH \geq 6.5 immediately after land application
 - b. Animals shall not be grazed on the land for 30 days after the application of biosolids.
 - c. 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.
 - d. 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 \geq 4 months prior to incorporation into the soil, or 38 months when the biosolids remain on the land surface < 4 months prior to incorporation.
 - e. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of biosolids.
 - f. Public access to land with a low potential for public exposure shall be restricted for 30 days. Public access to land with a high potential for public exposure shall be restricted for 1 year.
 - g. 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 the permitting authority.
2. I understand that this transaction is not contemplated by the parties to be a sale of goods.
3. I understand that successful crop production depends on many variables, such as weather, soil conditions and specific farming practices and that while Synagro has experience with land application of biosolids, the responsibility for properly accommodating agricultural practices to biosolids utilization are solely mine. I have also read and understand the "Important Information About Using Biosolids as a Fertilizer" which is on the reverse side and incorporated by reference in this Request and Consent.

OPERATOR'S SIGNATURE:  DATE: 12-2-19

ATTACHMENT 5



PIMA COUNTY PROCUREMENT DEPARTMENT
130 W. CONGRESS ST., 3RD FLOOR, TUCSON, AZ 85701-1207
PHONE: (520) 724-8161 FAX: (520) 222-1484

Mary Jo Furphy
Procurement Director

*Via US Mail Certified
Copy via Hand Delivery*

June 21, 2019

Mr. John Kai, Jr., Owner
Avra Gro Systems Inc.
PO Box 91708
Tucson, AZ 85752

RE: Contract No. MA-PO-16-049 – Notice of Default and Request to Cure

Dear Mr. Kai:

On May 7, 2019, Avra Gro Systems was issued a Notice of Default and Notice to Cure for failure to comply with the conditions stipulated in Contract No. MA-PO-16-049. On June 7, 2019, members from Procurement and RWRD met with you and your Avra Gro team to discuss resolution to the Notice. Based on the responses obtained, we find Avra Gro still to be in default.

Effective immediately, Avra Gro Systems must comply with the following conditions.

1. Avra Gro Systems may no longer stage cake biosolids on County owned land. Previous right of entry allowing access to Pima County property has expired and is therefore void.
2. Avra Gro Systems must provide a written plan for mitigating odors and flies for staged cake biosolids locations. This should be submitted as a proposed amendment to the 2019 Annual Plan of Operation and implemented as necessary once approved.
3. Avra Gro Systems must provide a contingency plan for mitigating potential fire hazards resulting from the staging locations. These mitigation measures must be submitted as an amendment to the 2019 Annual Plan of Operation and implemented as necessary once approved.
4. Avra Gro Systems has requested additional time to remove the current inventory of staged biosolids. County grants Avra Gro additional time provided Avra Gro demonstrates a monthly reduction of 20% of the current volume each month for the remainder of 2019 and that complete removal takes no longer than five months.
5. Avra Gro Systems must, on a monthly basis, demonstrate, where biosolids will be land applied for the following two month period. Each report must identify the proposed receiving parcels, application rates, and the designated crop types.
6. Avra Gro Systems must provide to County daily inventory summaries accounting for management of all biosolids removed from the Tres Rios WRF. The reports must identify both staging areas as well as final deposition for land application. Location identification in the summaries must include GPS coordinates and date stake positions. RWRD will resume field inspections for compliance purposes.

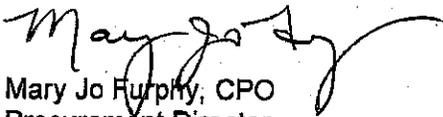
AvraGro Systems was issued a previous Notice to Cure on September 28, 2018, originating from multiple nuisance complaints from nearby residents and neighbors. Avra Gro Systems instituted a pest

management protocol for mitigating flies and Pima County granted an extension to allow for the complete removal of staged biosolids near parcel JK-9. It is now apparent that Avra Gro Systems has again begun staging practices creating a large inventory of excess biosolids material.

Contract No. MA-PO-16-049 requires for both the daily removal of biosolids from the Tres Rios WRF and subsequent land application of biosolids in accordance with EPA 503 and state regulations. Avra Gro Systems has indicated wet weather conditions as a cause for the resumption of staging operations, however, it is obvious that Avra Gro Systems is not currently utilizing the 4,000 acres of registered lands demonstrated at the time of contract award. Registration of available parcels for land application is the sole responsibility of Avra Gro Systems and sufficient available land must be maintained to prevent further default and possible contract termination. Please provide an update of the registered land available for application.

Each of these contract compliance issues were previously brought to your attention through multiple meetings and written communications.

Sincerely,



Mary Jo Murphy, CPO
Procurement Director

cc: Charles Wesselhoft, Deputy County Attorney
Carmine DeBonis, Deputy County Administrator – Public Works
Jackson Jenkins, Director, PCRWRD
Jeff Prevatt, Deputy Director, PCRWRD
Ana Wilber, Procurement Division Manager
Jennifer Moore, Procurement Officer



PIMA COUNTY PROCUREMENT DEPARTMENT
130 W. CONGRESS ST., 3RD FLOOR, TUCSON, AZ 85701-1207
PHONE: (520) 724-8161 FAX: (520) 222-1484

Mary Jo Furphy
Procurement Director

Via US Mail Certified
Copy via Email: JOHNKAJR@YAHOO.COM

May 7, 2019

Mr. John Kai Jr., Owner
Avra Gro Systems Inc.
PO Box 91708
Tucson, AZ 85752

RE: Contract No. MA-PO-16-049 – Notice of Default and Request to Cure

Dear Mr. Kai:

This letter provides formal notice that AvraGro Systems Inc. is once again in default for failure to comply with conditions stipulated by the contract Offer Agreement. A previous Notice to Cure was issued in August of 2018 requiring improved performance in the following areas.

1. Clearing of stockpiled material.
2. Maintain removal of production thickened biosolids.
3. Maintain removal of production cake biosolids
4. Provide a detailed Plan of Operation
5. Available sites for uninterrupted operations and land application.

Following the August 2018 Notice, County Staff worked closely with Avra Gro to address the issues raised and, for a time, there was improvement. However, those gains are no longer evident and AvraGro is no longer compliant with the terms of the contract. As a result, the County is issuing this Notice of Default to address the following contractual compliance requirements:

The following terms and conditions are excerpted from Exhibit A:

B. Contractor Responsibilities

2. Permitting and Plan of Operation

Contractor will obtain all approvals, permits, and licenses required to perform every aspect of Contractor's operation. At a minimum, annual updates to the Plan of Operation must be submitted to the County for approval by February 28 of each year.

Avra Gro has yet to submit its 2019 annual Plan of Operation. The Plan was to have been submitted February 28, 2019.

P. Temporary Storage

Any storage facilities of bulk Biosolids or further prepared Biosolids storage located away from the Regional Management Facility will not be more than ten (10) days unless the Contractor can justify to PCRWRD the need for additional storage time. PCRWRD, at its sole discretion, may allow additional storage time of Biosolids.

Mr. John Kai Jr., Owner

Re: Contract No. MA-PO-16-049 – Notice of Default and Request to Cure

May 7, 2019

Page 2 of 2

Monthly inspections by County personnel show t that biosolids continue to be stockpiled in the field for more than the ten-day limit. Avra Gro has made no effort to justify and has not sought County's permission to store biosolids for longer periods and, in fact, has failed to remove stockpiled biosolids despite repeated County requests.

Q. Beneficial Use of Biosolids

General Requirements, 6. – Contractor will provide a land application forecast, which describes the land application activities planned for the next month. The forecast will identify the land application sites to be utilized for inclusion in the monthly report.

As stated previously, the Plan of Operation for 2019 has not been submitted and must include storage locations, storage duration, land application sites, and land application schedules forecast for each month.

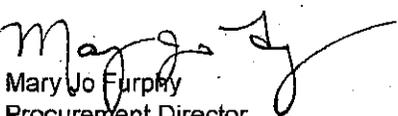
Exhibit C of the Offer Agreement also requires the demonstration of a Performance Bond capability in the amount of \$756,000 obtained from a surety company guaranteeing the bond.

AvraGro has not provided the required documentation.

These contract compliance issues were previously brought to your attention in multiple meetings in 2018 and written communications. Satisfactory resolution of the issues has not occurred and you are not in compliance with the contract. You must correct the above referenced deficiencies by June 7, 2019.

In addition to the above contractual issues, AvraGro recently verbally agreed to have three tankers available and haul 30 loads per day of thickened biosolids from the bladder. In the two weeks since that agreement was reached, Avra Gro has failed to provide the tanker availability requirement and has been unable to haul more than 12 loads per day. Please advise on how you intend to meet this agreed performance goal.

Sincerely,


Mary Jo Murphy
Procurement Director

CC: Charles Wesselhoff, Deputy Director
Carmine DeBonis, Deputy County Administrator –Public Works
Jackson Jenkins, PCRWRD Director
Ana Wilber, Procurement Division Manager
Jennifer Moore, Procurement Officer



PIMA COUNTY PROCUREMENT DEPARTMENT
130 W. CONGRESS ST., 3RD FLOOR, TUCSON, AZ 85701-1207
PHONE: (520) 724-8161 FAX: (520) 222-1484

Mary Jo Furphy
Procurement Director

*Via US Mail Certified
Copy via Hand Delivery*

August 15, 2018

Mr. John Kai, Jr., Owner
Avra Gro Systems Inc.
PO Box 91708
Tucson, AZ 85752

RE: Contract No. MA-PO-16-049 – Notice of Default and Request to Cure

Dear Mr. Kai:

This letter provides formal notice that Avra Gro Systems Inc. is in default of the above referenced contract for failure to comply with proper disposal of biosolids as mandated by the contract in the Offer Agreement, Exhibit A Scope of Services, Project Information, Paragraph P. Temporary Storage; Paragraph R. Direct Bulk Application Requirements and Restrictions; and Paragraph S. Special Requirements. Paragraph P stipulates "Any storage facilities of bulk Biosolids or further prepared Biosolids storage located away from the Regional Management Facility will not be more than ten (10) days unless the Contractor can justify to PCRWRD the need for additional storage time. PCRWRD, at its sole discretion, may allow additional storage time of Biosolids." Paragraph R.5.b. Vector Attraction stipulates "Contractor will manage the biosolids provided by the County in a manner that will not cause nor create a vector attraction in accordance with R18-9-1009 (B)." Paragraph S.10. stipulates "The contractor will take all steps to: Prevent or minimize any Biosolids use or disposal which has a likelihood of adversely affecting human health or the environment;"

Biosolids staging and nuisance complaints have been reported and verified by inspection that stockpiling is occurring and this is also potentially creating vector or fly problems. This contract compliance issue was previously brought to your attention in May and again by written communication dated July 12, 2018. The July 12, 2018 letter gave you direction to remedy the non-compliance by July 30, 2018. Another meeting to discuss and determine compliance was held on August 10, 2018. Satisfactory resolution of the issue has not occurred and you are not in compliance with the contract. Storage time in existing piles has exceeded the contractual limit without PCRWRD approval.

If Avra Gro does not fully cure this default within thirty (30) days after the date of this letter, the County may exercise its right to terminate the contract for cause, in accordance with paragraph 32 of the Pima County Standard Terms and Conditions (effective 6/26/2014).

Sincerely,



Mary Jo Furphy
Procurement Director

cc: Charles Wesselhoft, Deputy County Attorney
Carmine DeBonis, Deputy County Administrator – Public Works
Jackson Jenkins, PCRWRD Director
Ana Wilber, Procurement Division Manager
Jennifer Moore, Procurement Officer

ATTACHMENT B



ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
Water Quality Compliance Section
1110 W. Washington Street, MO5415B-1
Phoenix, Arizona 85007
602-771-4612 (voicemail) 602-771-4505 (fax)

**BIOSOLIDS LAND APPLICATION AND SUPPLEMENTAL REQUEST FORM
 FOR REGISTRATION ****

APPLICATOR INFORMATION

| | | |
|--|--------------------------|------|
| Name of Company or Individuals: | Telephone: | |
| | Fax: | |
| Address: | | |
| City: | State: | Zip: |
| Contact Person: | ****Email: | |
| NPDES Permit # (if applicable) | Other Permits: Specify # | |
| Are you an: <input checked="" type="radio"/> Individual or <input checked="" type="radio"/> Corporation/Association/Labor Union/Other Legal Entity | | |

GENERATOR/PREPARER OF BIOSOLIDS

| | | | | |
|--|---------------------------------------|--|---|---|
| FACILITY TYPE: | <input checked="" type="radio"/> WWTP | <input checked="" type="radio"/> COMPOSTER | <input checked="" type="radio"/> BIOSOLIDS PROCESSING | <input checked="" type="radio"/> PUBLIC/PRIVATE |
| Name of Company/Individuals: | | Telephone: | | |
| Address: | | | | |
| City: | State: | Zip: | | |
| Contact Person: | Telephone: | | | |
| NPDES #: (if applicable) | State Equivalent Specify #: | | | |
| Pathogen Treatment Alternative: <input checked="" type="radio"/> Class A - Alternative # _____ <input checked="" type="radio"/> Class B - Alternative # _____ | | | | |
| Vector Treatment Method: Option _____ | | | Check here if you produce EQB. <input checked="" type="radio"/> EQB | |

BIOSOLIDS METAL CONTENT IN SEWAGE SLUDGE in Mg/Kg ON DRY WEIGHT BASIS (attach analytical report)

| | | | | |
|-----|-----|-----|-----|-----|
| As= | Cd= | Cr= | Cu= | Pb= |
| Hg= | Mo= | Ni= | Se= | Zn= |

NAME OF LABORATORY UTILIZED:
 DATE AND NUMBER OF MOST RECENT SAMPLES:

**ADEQ review of your application is subject to Licensing time frames (LTF) statute under A.R.S. 41-1072 through 41-1079 and the licensing time frames rules under A.A.C. R18-1-501 through R18-1-525. The review time is 15 days.

NOTE TO APPLICATORS:

- A person shall not apply bulk biosolids to the land if the biosolids are likely to adversely affect a threatened or endangered species as listed under section 4 of the Endangered Species Act (16 U.S.C. 1533), or its designated critical habitat defined in 16 U.S.C. 1532. ADEQ encourages applicators to inquire with the U.S. Fish and Wildlife Service to determine if the proposed application may have an adverse affect.
- Applicators should contact the Arizona State Parks Board to confirm that biosolids land application activities at a specific site do not adversely effect "historic properties."

| SITE SPECIFIC INFORMATION FOR APPLICATION SITE (complete for each site) | | | |
|--|---|--------------------------------|---------------|
| Name of Company or Individuals: | | Telephone: | |
| Address: | | | |
| City: | State: | Zip: | |
| Contact Person: | | Telephone: | |
| Site Location Cross streets/landmarks: | | | |
| Directions to Site: | | | |
| Nearest City or Town: | | County: | |
| Description of Site: <input type="checkbox"/> Reclamation Site <input type="checkbox"/> Farm <input type="checkbox"/> Other: _____ includes composting site or biosolids processing site | | | |
| Township | Range | Section | |
| Total Acres: | | Depth to Groundwater: _____ ft | |
| Field ID: | Latitude: | Longitude: | No. of Acres: |
| Field ID: | Latitude: | Longitude: | No. of Acres: |
| Field ID: | Latitude: | Longitude: | No. of Acres: |
| Field ID: | Latitude: | Longitude: | No. of Acres: |
| Field ID: | Latitude: | Longitude: | No. of Acres: |
| SOIL METAL CONTENT IN Mg/Kg ON DRY WEIGHT BASIS | | | |
| *Soil analysis is only required if site had previously received biosolids and sludge application records are not available. | | | |
| *Attach soil analysis, if required above | As = | | Cd = |
| | Cu = | | Pb = |
| SLOPE: Check the applicable condition: | <input type="checkbox"/> None of the fields have a slope greater than 6%. | | |
| | <input type="checkbox"/> The slope is greater than 6% on part of the site, biosolids will not be applied to that portion. | | |
| <input type="checkbox"/> The slope is greater than 6% and NPDES Permit No. _____ applies to the site. | | | |
| PUBLIC NOTICE: 2 weeks required <input type="checkbox"/> Proof of Public Notice with the Request for Registration is attached. | | | |
| I CERTIFY THAT THE ABOVE INFORMATION IS COMPLETE AND TRUE TO THE BEST OF MY KNOWLEDGE. | | | |
| SIGNATURE | | TITLE | |
| | | DATE | |

ATTACHMENT C

Biosolids Land Application – Registration

| | |
|------------------------|---|
| Purpose | ADEQ registers sites using the information submitted by persons who wish to apply biosolids to land to prevent a public or environmental nuisance or an imminent and substantial endangerment to public health or the environment. ADEQ also reviews annual reports submitted by the applicators to ensure compliance with state rules and responds to public inquiries about the use and land application of biosolids. |
| Applicability | Any person intending to apply bulk biosolids to the land must register with ADEQ. (This includes land application sites, reclamation sites, composting sites and biosolids processing facilities.) Biosolids are nutrient rich organic by products resulting from wastewater treatment that can be beneficially recycled. They are not raw human waste sites upon which biosolids are land applied are not considered solid waste facilities if the biosolids are applied in accordance with land application requirements. Only biosolids that meet pathogen reduction methods, vector attraction reduction methods and pollutant levels as established in rule, may be land applied. |
| Legal Citations | 18 Arizona Administrative Code (AAC) 9, Article 10. (Primarily A.A.C. R18-9-1004) |
| Requirements | A person wishing to apply biosolids to land (the applicator) must submit a request to register to land apply biosolids to ADEQ (A request for registration form for biosolids land application is available from the ADEQ biosolids coordinator in the Compliance Section of the Water Quality Division or at http://www.azdeq.gov/enviro/water/permits/download/registration.pdf) |
| Registration | Once a site is approved, if the site is not used for at least 3 consecutive years the approved registration is no longer valid. The registration is not transferable from one location to another or from one applicator to another. An applicator shall not engage in land application of biosolids, unless the applicator has obtained prior written acknowledgment of the Request for Registration or a Supplemental request from the Department. Any applicator wishing to use a site (field) that has not been indentified in a previous Request for Registration shall file a Supplemental request with the Department before using the new site. Public notice requirements apply. |
| Fees | <p>Any new land application site registration: \$500.00 fee to be submitted with the registration.</p> <p>Any amendment to an existing registration: \$250.00 fee to be submitted with the registration.</p> <p>The annual report fee is due at the time submitted which is on or before February 19 of each year, if you are required to submit an annual report under A.A.C. R18-9-1014. The flat rate fees for the biosolids land applicators are in the following table, copied from A.A.C.R18-14-109, Table 6:</p> |

| Category | Factors for Establishing Fees | Initial Fee | Annual Fee |
|----------------------------------|---|-------------------|-------------------------------|
| Biosolids Land Applicators | Initial registration | \$500.00 | N/A |
| | Registration amendment | \$250.00 | N/A |
| | Annual report based on amount of dry metric tons applied | | |
| | <ul style="list-style-type: none"> • Less than or equal to 7,500 dry metric tons • Greater than 7,500 dry metric tons but less than or equal to 15,000 dry metric tons • Greater than 15,000 dry metric tons | N/A N/A N/A | \$2,500 \$3,000 \$4,500 |

Fees can be paid by check or money order made payable to the Arizona Department of Environmental Quality or ADEQ.

**Licensing
Time Frame**

The licensing time frame requirement associated with this program is up to 15 business days for administrative completeness review and no substantive review is conducted.

Contacts

For further information, call ADEQ’s biosolids coordinator in the Water Quality Division’s compliance Section at (602) 771-4612 or toll free in Arizona (800) 234-5677.

| Procedure for Land Application of Biosolids Registration | |
|---|--|
| Step | Description |
| 1. | Obtain a registration form from the ADEQ biosolids coordinator in the Compliance Section of the Water Quality Division. |
| 2. | Submit the completed registration form to ADEQ. The submittal package must include: <ul style="list-style-type: none"> • The registration form filled out completely and accurately with laboratory data and maps showing the site location. • Proof of public notice of the potential use of the site for land application of biosolids. • The registration fee of either \$500.00 or \$250.00 |
| 3. | ADEQ performs an administrative review for completeness and accuracy. |
| 4. | If the information supplied is adequate, ADEQ sends out a registration notification. If the information is inadequate, the registration request is returned with a notice of deficiency letter explaining why the registration request was rejected. |
| 5. | Once ADEQ has received a complete registration form, a registration notification is sent. |
| 6. | An applier must complete and submit the registration form to ADEQ and receive registration notification from ADEQ before applying biosolids on any land application sites. Biosolids Annual Reports will be completed for each land applicator before February 19 th of each year. |