



# HULL BARRETT

A T T O R N E Y S

AUGUSTA AIKEN EVANS

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**BENJAMIN F. MCELREATH**

- MEMBER OF THE STATE BAR OF GEORGIA

[bmcelreath@hullbarrett.com](mailto:bmcelreath@hullbarrett.com)

April 20, 2023

**VIA EMAIL [hmalik@augustaga.gov](mailto:hmalik@augustaga.gov)**

Dr. Hameed Malik  
Director of Solid Waste Management Augusta-Richmond County, Georgia  
425 Walker Street  
Augusta, Georgia 30901

Dear Dr. Malik:

It was a pleasure to meet you a few weeks ago. As you and I discussed, I am involved with Renovatio Solutions LLC (RSL) that I set up with my business partner, Wesley McLeod. We are working to develop a biorefinery at our property located at 1680 Dixon Airline Road, Augusta, Georgia 30906. This property, coincidentally, is located adjacent to an existing inert landfill.

RSL property has been rezoned from Agricultural to Heavy Industrial (HI) as well as for Special Exception Use, per Ordinance referenced #7825, which was issued to our company, Renovatio Solutions LLC.

Our proposed biorefinery facility will utilize an anaerobic digestion technology to convert organic material from MSW and woody biomass to produce renewable natural gas (RNG) and digestate/soil amendment.

01842485-1

HULL BARRETT, P.C., 801 BROAD STREET, FLOOR 7, AUGUSTA, GEORGIA 30901-1231

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April 20, 2023  
Page 2

We were informed by the Georgia Environmental Protection Division - Recovered Material Unit, that as a part of the support for an application for a Solid Waste Handling permit, RSL would need to first obtain a Consistency Letter from the City of Augusta or Solid Waste Management Division that oversees the Augusta-Richmond County area. This letter (Consistency Letter) should confirm that the proposed project is consistent with authorized use of the property.

RSL has received its zoning letter from the Augusta Planning Department. However, the finalization of RSL's application for a Solid Waste Handling permit is only awaiting a letter from your department confirming that our facility would fall within the Solid Waste Management Plan previously approved by Augusta, Georgia.

Therefore, could you please provide RSL with a Consistency Letter for attachment to finalize its permit application? Also, please let us know if whether there is a cost for the preparation of this letter.

Thank you in advance for your feedback.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. McElreath', with a long horizontal flourish extending to the right.

Benjamin McElreath

cc Wesley McLeod



# HULL BARRETT

A T T O R N E Y S

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**BENJAMIN F. MCELREATH**

-MEMBER OF THE STATE BAR OF GEORGIA

[bmcelreath@hullbarrett.com](mailto:bmcelreath@hullbarrett.com)

June 12, 2023

VIA HAND DELIVERY

Hameed Malik, Ph.D., P.E.  
Director of Engineering, City of Augusta  
452 Walker Street,  
Augusta, Georgia 30901

RE: Renovatio Solutions, LLC

Dear Dr. Malik:

I am hereby submitting on behalf of Renovatio Solutions, LLC it response to questions regarding solid waste handling facilities in Augusta-Richmond County, Georgia under Chapter 6 Land Limitation Element. As you are aware , Renovatio Solutions, LLC planning to develop a renewable fuel project at 1680 Dixon Airline Road Augusta, Georgia.

Please let me know if additional information is needed .

Sincerely,

Benjamin F. McElreath

cc Mr. Wesley McLeod

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HULL BARRETT, P.C., 801 BROAD STREET, FLOOR 7, AUGUSTA, GEORGIA 30901-1231

MAIN 706.722.4481 OR DIRECT 706.828.2042

## **INTRODUCTION:**

Renovatio Solutions LLC (RSL) is a privately formed Georgia firm that is seeking to advance the USA renewable energy targets by utilizing its property at 1680 Dixon Airline Road, Augusta-Richmond County, Georgia, to develop a renewable fuel project whereby organic waste streams from MSW and biomass waste will be processed to produce renewable natural gas (RNG) or compressed natural gas (CNG) and other co-products.

It should be noted that the Georgia legislature passed Bill 274 in 2011, amending the Georgia Code (Part 1, Article 2 of Chapter 8 of Title 12) that banned yard trimmings from MSW landfills and allowing the disposal of trimmings at lined MSW landfills with operating landfill gas collection systems. The bill states that it was designed to encourage beneficial reuse and promote bioenergy and renewable energy goals.<sup>1</sup> The City of Augusta and Richmond County promote technologies that will reduce or eliminate the need to place these materials in landfills.

### **How the proposed facility or facility expansion will meet the specific goals and/or needs identified in the current Solid Waste Management Plan, including a description of:**

#### ***The impact upon the collection capability within the planning area.***

There will be no significant impact upon the collection capability within the planning area. At the time of RSL's application to the Augusta Planning and Development Department for rezoning and Special Exception Use at the property, (approved in May 2022), the proposed residential MSW collector was not depositing its collected trash at the Augusta Landfill facility.

#### ***The impact upon disposal capacity identified in the planning area.***

The operation of the proposed biorefinery by RSL will have minimal impact in the planning area. The residential MSW entity that will supply RSL's biorefinery with waste is reported to be disposing approximately 2,080 TPY of waste to Augusta Landfill.

The diversion of that amount of waste to RSL's biorefinery will be negligible for the landfill as the biorefinery is expected to deliver approximately 4,896 TPY of preprocessed non-organic & non – recyclable waste each year to Augusta Landfill.

This slight increase in deposit to the landfill will represent additional revenue for the City of Augusta.

#### ***The impact to the waste reduction and recycling efforts within Augusta, specifically how the proposed facility or facility expansion will contribute toward waste reduction in the planning area.***

The proposed residential waste collector currently delivers a small portion of its total waste to Augusta Landfill.

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<sup>1</sup> <https://www.google.com/search?client=firefox-b-1-d&q=augusta+solid+waste+management+plan+2022> – p. 29

By implementing its biorefinery in Augusta-Richmond County, RSL facility will serve to satisfy some sections of Augusta Solid Waste Management Plan (SWMP) goal # 2 – Waste Reduction.

**How the proposed facility or facility expansion and its operation will impact the community. Specifically, it will address:**

***The impact to vehicle traffic and public safety around the proposed facility and throughout the planning area;***

RSL petition referenced Z-22-25 was approved and an Ordinance referenced 7825. Ordinance 7825, Section II (2) states that “the developer shall provide a completed Traffic Assessment Form to the Traffic Engineer of the Augusta Engineering Department to assess traffic impact study for the development depending on the information provided in the Traffic Assessment Form.”

The completed Traffic Impact Worksheet study was prepared by Infrastructure Systems Management, LLC and submitted by RSL to the Augusta Engineering Department in September 2022.

***The impact on natural or cultural resources within the planning area.***

A Phase I ESA was performed at the project site and the findings confirmed that there are no contaminants, no historical artifacts nor any endangered species on the property.

***The impact to the financial viability of the existing solid waste management system within the planning area, both public and private;***

The financial viability of Augusta Landfill and other similar facilities in the planning area will not be negatively impacted. In fact, the Augusta Landfill would gain financially due to a slight net increase in waste deposit to that facility.

Other existing facilities will not be affected as RSL’s residential MSW collector does not make delivery to those locations.

***The impact to individual and business solid waste management rates.***

There will be no impact to individual and business solid waste management rates as RSL proposed biorefinery tipping fees will be comparable those of the City of Augusta.

***The impact on the current solid waste management infrastructure within the planning area, both public and private.***

The impact will be negligible on the current solid waste management infrastructure within the planning area because the proposed biorefinery will be sited close to an area already approved

Thus, building the proposed \$37MM new facility will have a positive impact on the City’s tax revenue inflow from a new tax payer.

***Evidence that the proposed facility or facility expansion is sited in a location deemed suitable according to the criteria listed in this plan.***

The proposed facility will be sited in an area that is deemed suitable according to the criteria listed in Augusta Solid Waste Management Plan (SWMP).

In fact, RSL proposed project site is located close to an approved construction & demolition (C & D) landfill – Dixon Airline Recycling LLC which is reported in Section 5.2 of Augusta SWMP – page 53) to be included in the current planning area for such activities.

Further, a topographic survey was commissioned by RSL for the property located at 1680 Dixon Airline Road, Augusta-Richmond County, GA 30906. The findings confirmed that the proposed project location is not located within the 100 year flood plain.

***Evidence that the proposed facility or facility expansion is sited in an area deemed suitable location consistent with local zoning ordinances.***

This project is being proposed for development at a property that was rezoned from Agricultural (A) to Heavy Industrial (HI) by the Augusta Planning and Development Department in May 2022. In addition, the property was approved for Special Exception Use to develop a biorefinery at 1680 Dixon Airline Road, Augusta-Richmond County, Georgia 30906.

An Ordinance, referenced 7825, signed May 17, 2022, confirms the amendment to the Comprehensive Zoning Ordinance adopted by Augusta, Georgia Commission (effective September 16, 1997) regarding the changing of the Comprehensive Zoning Map from Zone A (Agricultural) to HI (Heavy Industrial) for property located at 1680 Dixon Airline Road, GA 30906.

***Evidence that the proper public notification was given, including notification of all adjacent property owners.***

The Augusta Planning and Development Department published in the Augusta Chronicle April 14, 2022 edition as well as erected signage at 1680 Dixon Airline Road, GA 30906 to notify and invite feedback from the public regarding the rezoning of this property from Zone A to HI.

There was no negative feedback from the public regarding this proposed development.

Submitted this 12<sup>th</sup> day of June, 2023

By:   
Benjamin F. McElreath,  
Co-Managing Member  
Renovatio Solutions, LLC



## ENGINEERING & ENVIR. SVCS. DEPARTMENT

Hameed Malik, Ph.D., P.E., Director

August 15, 2023

Email: [bmcelreath@hullbarrett.com](mailto:bmcelreath@hullbarrett.com)

Renovatio Solutions, LLC  
c/o Benjamin F. McElreath  
3540 Wheeler Road, Suite 309  
Augusta, GA 30909

RE: Renovatio Solutions LLC Biofuel Facility Construction  
Facility Consistency with Augusta, Georgia Solid Waste Management Plan  
Consistency Letter Request

Dear Benjamin McElreath,

This letter is in response to your Renovatio Solutions, LCC (RSL) request for "Consistency Letter" with Augusta, Georgia Solid Waste Management Plan (SWMP). Issuing such letter procedure is described under SWMP Section 6.1. Proposed Facility (Facility) is required to satisfy Section 6.1 listed requirements (factors) by providing a written statement addressing each factor in detail. Under section 6.1.1, there are nine factors for a locality to consider prior to Augusta, Georgia issuing a "Consistency Letter". RSL submitted Section 6.1 required information on June 12, 2023. In addition, supplemental information was submitted on August 3, 2023 and a virtual meeting was held on August 7, 2023. During review process Augusta Engineering & Environmental Services (AEES) received concerns from two external entities: Augusta Regional Airport and Historic Spirit Creek Baptist Church (copy attached).

Based on the information provided and review of received concerns, it is AEES determination that provided information is insufficient, hence, AEES recommendation to Augusta Commission Engineering Services Committee will be not to issue "Consistency Letter" until the inconsistencies are fully addressed in satisfactory manner.

Following factors needs to be fully addressed to satisfy SWMP Section 6.1 requirements.

- 1) *Determine if the proposed facility or facility expansion may negatively impact other natural or cultural resources if the County.*
- 2) *Determine if proposed facility of facility expansion may negatively impact the financial viability of the County's solid waste management system.*
- 3) *Hold at least one public hearing on the proposed facility to gather input regarding the consistency of the facility with SWMP.*
- 4) *Determine if the proposed facility or facility expansion is properly insured so that closure and post-closure care is assured.*
- 5) *Determine if the proposed facility or facility expansion has mitigation plan above and beyond financial assurance already required.*
- 6) *Evaluate past performance of other waste handling facilities owned or operated by the applicant.*
- 7) *Determine if the proposed facility or facility expansion is in the best interest of public health and safety.*

If you have any questions concerning this correspondence, please feel free to contact me at [hmalik@augustaga.gov](mailto:hmalik@augustaga.gov) or (706)796-508.

Regards

Hameed Malik, Ph.D., PE  
Director Engineering & Environmental Services  
Augusta, GA

CC: Wesley McLeod, Co-Managing Member, Renovatio Solutions LLC

**Augusta Engineering Administration**  
452 Walker Street, Suite 110 – Augusta, GA 30901  
Office: (706) 796 – 5040 Fax: (706) 796 -5045  
[www.augustaga.gov](http://www.augustaga.gov)

Augusta Regional Airport  
August 7, 2023

Since the facility is within 5 miles of the airport, the FAA must do a study to make sure that the site will not attract wildlife, especially avian wildlife. As this is a biofuel facility as opposed to a C & D Facility, the FAA study is crucial since MSW is known to attract birds. The developer will need to file a 7460-1 with the FAA. Augusta will need to wait until the FAA results come back before anything is approved. As the airport sponsor, part of our responsibility is to protect the airspace surrounding the airports within a five-mile radius. If the sponsor fails to do so, it will put our grants in jeopardy as well as make Augusta potentially liable for any accidents where the cause is linked to the facility.

AGENDA ITEM REQUEST FORM

Commission meetings: First and third Tuesdays of each month – 2:00 p.m.

Committee meetings: Second and last Tuesdays of each month – 1:00 p.m.

Commission/Committee: (Please check one and insert meeting date)

<input type="checkbox"/>	Commission	Date of Meeting _____
<input type="checkbox"/>	Public Safety Committee	Date of Meeting _____
<input type="checkbox"/>	Public Services Committee	Date of Meeting _____
<input type="checkbox"/>	Administrative Services Committee	Date of Meeting _____
<input checked="" type="checkbox"/>	Engineering Services Committee	Date of Meeting <u>8/8/2023</u>
<input type="checkbox"/>	Finance Committee	Date of Meeting _____

Contact Information for Individual/Presenter Making the Request:

Name: Rev. Ellis A. Godbee Jr.  
 Address: 1782 Dixon Airline Rd, Augusta, GA 30906  
 Telephone Number: 706-840-4566  
 Fax Number: \_\_\_\_\_  
 E-Mail Address: ellisgodbee@gmail.com

Caption/Topic of Discussion to be placed on the Agenda:

We want to voice concern and opposition to the rezoning and opposition to the special permit request regarding Renovatio Solutions, LLC. We want to make known ethnic, racial, diversity and cultural disparity that will be impacted by this project. The Historic Spirit Creek Baptist Church is one of the oldest African American churches in the United States established in 1800.

Ms. Lena J. Bonner  
 Clerk of Commission  
 Suite 220 Municipal Building  
 535 Telfair Street  
 Augusta, GA 30901

Telephone Number: 706-821-1820  
 Fax Number: 706-821-1838  
 E-Mail Address: nmorawski@augustaga.gov

Requests may be faxed, e-mailed or delivered in person and must be received in the Clerk's Office no later than 9:00 a.m. on the Thursday preceding the Commission and Committee meetings of the following week. A five-minute time limit will be allowed for presentations.

September 12, 2023

VIA HAND DELIVERY AND VIA EMAIL

Hameed Malik, Ph.D., P.E.  
Director of Engineering, City of Augusta  
452 Walker Street  
Augusta, Georgia 30901

RE: Renovatio Solutions, LLC, Biofuel Facility Construction  
Facility Consistency with Augusta, Georgia, Solid Waste Management Plan  
Consistency Letter Request

Dear Dr. Malik:

In response to the letter from Augusta Engineering & Environmental Services (AEES) Department dated August 15, 2023, and received via e-mail by me on August 16, 2023, I have attached the answers of Renovatio Solutions, LLC to each and every question .

This letter will supplement our earlier letter to you dated August 26, 2023 and will hopefully address any concerns that you or others may have about the proposed biogas project that Renovatio Solutions, LLC (hereafter "RSL") plans for 1680 Dixon Airline Road Augusta, GA ( the "Property").

Please let me know if you have any further questions regarding this matter or any further clarification needed to the attached answers.

Sincerely,



Benjamin F. McElreath

cc Mr. Wesley McLeod

**RESPONSES TO AUGUSTA ENGINEERING & ENVIRONMENTAL SERVICES  
DEPARTMENT**

**(Questions Received August 16, 2023)**

- 1) *Determine if the proposed facility expansion may negatively impact other natural or cultural resources if the County.*

Prior to an arranged meeting on August 29, 2023 at the Diamond Lakes Regional Park Gymnasium, Augusta, GA, with members of the Dixon Airline Road community, RSL had commissioned a Phase 1 Environmental Site Assessment (ESA) study in April 2022 for 1680 Dixon Airline Road, Augusta, Georgia.

The study was conducted on the property and immediate surrounding environment by American Environmental & Construction Services (AECS). AECS prepared report comprised 860 pages in accordance with All Appropriate Inquiry (AAI) investigations as adopted by the U.S. Environmental Protection Agency (EPA) and codified in 40 CFR 312, the standards established by ASTM International in ASTM E 1527-13 and 1527-21.

Section 3.1.8 and 3.2 communicated the findings of AECS regarding impact on natural and cultural resources.

Subsequently, in July 2023, RSL was notified of an objection from the Spirit Creek Baptist Church located approximately 0.7 miles away from RSL's property along Dixon Airline Road.

Please note that RSL's property is immediately bordered by two existing industrial companies, a landfill and Dixon Airline Road.

It should be noted that RSL's property does not have any direct impact on the church property nor any existing historic artifacts that may exist.

It should also be noted that previous references to the ESA have been made in multiple documents submitted to AEESD.

- 2) *Determine if the proposed facility expansion may negatively impact the financial viability of the County's solid waste management system.*

RSL is not privy to the financial position of the County's solid waste management system.

However, the development of the proposed facility will generate rejects of approximately 18,500 TPY, inclusive of oversized organic material, which could be sent to the local landfill. The deposits of rejects could provide an economic value to the landfill operator through tipping fees and approximately 73% of the rejects which are organic material would also prove beneficial for the landfill as these amounts can be used as alternative daily cover (ADC) at the Richmond County Landfill to assist with meeting federal

regulations which requires the covering of daily disposed waste to control odors, vectors, fires, litter and scavenging.

- 3) *Hold at least one public hearing on the proposed facility to gather input regarding the consistency of the facility with SWMP.*

RSL began discussions with AEESD in April 2023 regarding a Consistency Letter to accompany its application to the Georgia EPD Online System (GEOS) for a Solid Waste Handling permit. There were no listed requirements in the SWMP Section 6.1 sent to us for a public hearing with members of the community. Evidence of public notification regarding the project was previously performed by the Augusta Planning & Development Department (APDD) when we applied for a rezoning of the property from agriculture (A) to heavy industrial (HI) and for Special Exception Use to build a biorefinery. These notices were advertised in the Augusta Chronicle dated April 14, 2022 as well as signage placed at 1680 Dixon Airline Road, GA 30906, notifying the public at large regarding the proposed development. Please see Appendices II & III – regarding signage and notice in Augusta Chronicle on April 14, 2022.

Should there have been additional notice and interaction with the immediate community then RSL was not aware of this requirement as both applications submitted to the APDD were approved unopposed and RSL proceeded to acquire the property.

At the request of Augusta Engineering & Environmental Services Department (AEESD), RSL sought and received the assistance of Commissioner Tony Lewis to hold a meeting on August 29, 2023 with members of the community.

The venue was selected by Commissioner Lewis and RSL made its request regarding resources to support the delivery of their presentation at the gymnasium.

The venue was not fully equipped for RSL to deliver its planned presentation and assistance had to be sought from persons in the audience to secure an important piece of accessory.

However, given the limited resources RSL gave a presentation about its project to the audience. The presentation communicated the basis on which the project site was selected, due diligence steps undertaken, city approvals and actions as well as multiple studies undertaken by RSL in order to satisfy the requirements of the issued Special Exception Use provision. Further, RSL highlighted the project's technology, that is, a biogas plant which will utilize a biological process on feedstock versus a biomass plant that uses fire or an incineration to burn feedstock and thus emits pollutants that may be harmful to the environment.

In addition, RSL identified its feedstock sources – organic fraction of municipal solid waste (from households) and woody waste from a local lumber company.

Unfortunately, it has come to our attention that prior to the meeting of August 29, 2023 the local church had placed a notice on its website which mischaracterized RSL's feedstock as "toxic waste".

RSL highlighted other benefits of the proposed plant which are summarized as follows:

- **Economic** – Jobs, approximately 126, that is temporary and permanent;
- **Environmental** – Odor reduction, reduced pathogen levels, reduced greenhouse gas emissions;
- **Energy** – Multiple uses of the biogas, eg, pipeline quality RNG, transportation fuel, just to name a few;
- **Waste Treatment** – A mature and proven technology will be used, recycling process, etc.

Images of multiple existing biogas plants were presented to the audience, including one that is currently in operation in close proximity to San Luis Obispo (SLO) Regional Airport (California) runway. The proximity of the latter to an airport runway is an example that such facilities when properly managed do not attract wildlife such as birds. The same company that owns and operated the SLO based biogas plant will supply the technology as well as entering into an operation & maintenance arrangement with RSL regarding its proposed development.

A planned video presentation of a similar type biogas facility in operation was not delivered as the venue did not have Wi-Fi capability.

The audience was advised by RSL regarding contacts made with Georgia EPD to ascertain requirements for air, solid waste handling permits as well as discussions with representative of the Department of Agriculture and submission of Form 7460-1 [Notice of Proposed Construction or Alteration] to the FAA. The FAA study is currently reflected on their website as "**work in progress**".

- 4) *Determine if the proposed facility or facility expansion is properly insured so that closure and post closure care is assured.*

It is unclear whether this question is seeking answers on insurance to mitigate risk and/or mitigation strategy to be implemented for possible plant decommissioning.

Should the question be seeking confirmation of insurance, the following is RSL's response.

The proposed facility will be constructed in one phase and multiple types of insurance coverages such as Builder's All Risk (BAR), Contractor's Pollution Liability, Worker's Compensation and Employer's Liability, Commercial Automobile Liability, Commercial General Liability carried.

During plant downtime/maintenance period, there will be a protocol for plant operation. For example, planned maintenance periods will take less than 12 hours to be completed. During maintenance periods the biogas will be flared, but it will continue to be created during short interruptions of feeding. Without feeding, the digester will continue to make biogas up to 30 days and beyond. This is not intended to happen. The goal is not to interrupt feeding for more than 24 hours. Less than 12 hours is typical as this allows for any required maintenance.

However, should the focus be on an end of plant life remediation for the property, then, please note that there will be a plant decommissioning plan that will be pursued for the project site. This decommissioning plan will identify the methodology that RSL will use to mitigate potential impacts resulting from the cessation of operation of the facility at the end of the Project's useful life. The decommissioning plan will identify the specific components that will be removed; the cost associated with removal of these components and associated scrap value. The goal of the plan is to return the site to its original position prior to the development of this project.

- 5) *Determine if the proposed facility or facility expansion has mitigation plan above and beyond financial assurance already required.*

Although the AEESD nor the City of Augusta had not requested it, the proposed facility has developed a set of operational procedure inclusive of an odor control plan.

An odor impact management plan including the maintenance of an Odor Complaint Response Log will be kept by RSL. In addition, RSL proposes a link to be placed on their future website to facilitate the submission of complaints from the community.

Responses will be actioned within 24 hours of receipt and the logged complaints as well as corrective measures recorded for future review by the relevant city department that will monitor plant related activities.

Other mitigating undertakings at the facility will include process control monitoring, that is, scheduled checks of biogas, digester and effluent to prevent risk to employees and equipment.

Any further actions recommended by the City will be undertaken at the expense of the operating facility.

- 6) *Evaluate past performance of other waste handling facilities owned or operated by the applicant.*

RSL intends to enter into an Operating & Maintenance (O &M) agreement with Hitachi Zosen Inova (HZI) to assist with the daily operations of the plant. HZI has been in North

America since 1975 and in 2015 entered the renewable energy gas market with a suite of products.

The digester technology has been successfully replicated in over 110 locations across the globe.

HZI is the owners/operator of a similar type biogas plant in San Luis Obispo, California where the biogas produced is converted into electricity. Please see website link <https://kompoogas-slo.com/what-we-do/> for additional information regarding SLO biogas plant.

7) *Determine if the proposed facility or facility expansion is in the best interest of public health and safety.*

The proposed plant will be operated under a Health, Safety and Environment (HSE) plan that is in line with OSHA regulations and will ensure worker's safety and environmental protection during the life of the project.

The first line of defense is expected to come from the various norms and codes that exist to protect public health. The facility will follow established codes such as CSA, NFPA, OSHA, Building Codes, etc to ensure that the plant is safe for its operators.

These health and safety protocols will be undertaken during construction, commissioning and operation phases.

Biogas systems protect our air, water, and soil by recycling organic waste into renewable energy and soil products, while reducing GHG emissions.

In the U.S., there is an urgent need to manage the millions of tons of food, water and animal waste. The main benefits of biogas systems come from the fact that they are recycling all this material while also producing renewable energy and soil products which displace fossil fuels.

When you put these and other benefits together, we can prevent tons of carbon emissions from entering our air, prevent nutrients from entering our waterways, create healthier soils with natural, non-fossil fuel-based fertilizers, and produce reliable, baseload renewable energy.<sup>1</sup>

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<sup>1</sup> <https://americanbiogascouncil.org/resources/why-biogas/>

## APPENDIX I – Extract from PHASE 1 ESA

1680 Dixon Airline Rd. | Phase I Environmental Site Assessment

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### 3.1.8 Sites of Historic or Cultural Significance

As part of the Phase I ESA, AECS investigated the Property and surrounding area for evidence of local historic sites or sites of particular cultural significance to the area. During the onsite inspection, AECS looked for evidence of local historic sites, such as historic homes, buildings, monuments, or plaques. No obvious sites were found in the immediate area. No historical markers were found in the vicinity of the subject property.

### 3.2 PROPERTY INSPECTION

Richmond County, Georgia records indicate the subject property consists of one tax parcel identified as Parcel No. 146-0-003-02-0 and containing approximately 8.59 acres. Copies of the Richmond County property records are provided in Appendix A. Figure 2 provides a layout of the subject property and Figure 4 provides an aerial view of the subject property in relation to the surrounding properties. Photographs of the subject property are provided in Appendix D.

The approximate coordinates for the subject property are 33° 22' 51.54" north latitude and 81° 59' 17.81" west longitude. The subject property is at a median elevation of approximately 233 feet above mean sea level.

At the time of the site reconnaissance on April 4, 2022, the primary feature of the subject property is an approximately 8.59 acre wooded parcel, sloping moderately to the northeast. Old roads or trails run along the western and southern boundaries, although the southern trail is mostly washed out. Illegal surreptitious dumping of non-hazardous debris and tires has occurred along the southern trail; there were no signs of a release. The illegally dumped debris and tires are not identified as a Recognized Environmental Condition (REC). The illegal dumping will be detailed in section 3.2.7.

The subject property has no current need of water or electric utility service. Water and sewer service are available from the Augusta Utilities Department, natural gas is available from several providers, and electricity is available from Georgia Power. A high voltage power line easement runs along Dixon Airline Road at the eastern edge of the property, see Figure 2.

#### 3.2.1 Site Access and Egress

The subject property is accessible from Dixon Airline Road.

#### 3.2.2 Wells

##### 3.2.2.1 Drinking and/or Irrigation Wells

No evidence of irrigation or drinking water wells was observed on the subject property.

##### 3.2.2.2 Dry Wells

AECS found no visual or physical evidence that a dry well was present at the subject property.

#### 3.2.3 Pits, Ponds, and Lagoons

A visual assessment for pits, ponds, and lagoons, particularly those used in connection with waste disposal or waste treatment, was conducted. None were observed.





**APPENDIX III – EVIDENCE OF SPECIAL EXCEPTION USE ADVERTISEMENT**

# The Augusta Chronicle

## Legals

Originally published at [augustachronicle.com](http://augustachronicle.com) on 04/14/2022

The Augusta Georgia Planning Commission will hold a public hearing on MONDAY, MAY 2, 2022, at 3:00 P.M. in the Augusta Commission Chambers, Room 260 on the 2nd floor of the Augusta, Georgia Municipal Building located at 535 Telfair Street Augusta, Georgia, to consider rezoning requests, review subdivision development plans, final plats, and zoning amendments. The requests to be considered will affect the following properties situate, lying and being in the State of Georgia, and in the County of Richmond. AGENDA 1. Z-22-10 A petition by Jeremy Taylor on behalf of Stanly Martin Homes et al. requesting a Rezoning from Zone A (Agricultural) to Zone R-1E (One-family Residential) affecting properties containing approximately 267 acres located at 2540 Nunnery Road, 2565 Patterson Bridge Road and portion of 4506 Windsor Spring Road. Tax Map# 193-0-144-00-0, 193-0-155-00-0 and portion of Tax Map# 194-0-001-08-0. (A full listing of property owners is available at our office) Continued from March meeting at the request of the applicant 2. Z-22-20 A petition by Southeastern Development Associates on behalf of GA Vitrified Brick & Clay Co., LLP requesting a Rezoning from Zone R-3C (Multiple-family Residential) to Zone B-2 (General Business) affecting property containing approximately 1 acre out of 22.70 acres located at 3942 Harper Franklin Avenue. Portion of Tax Map# 066-3-210-00-0. FT GORDON NOTIFIED 3/04/2022 3. Z-22-21 A petition by Amerco Real Estate Company on behalf of Long Carpenter, LLC requesting a Rezoning from Zone R-1A (One-family Residential) and Zone B-2 (General Business) to Zone B-2 (General Business) affecting property containing approximately 10.76 acres located at 1070 Claussen Road. Tax Map# 007-0-208-00-0. 4. Z-22-22 A petition by Marbert Enterprises, LLC-Walter Marbert on behalf of Wayne Brown requesting to amend conditions of zoning case Z-04-75, to remove the condition limiting access on Mayo Road and a land use restriction for only medical professional offices affecting property containing approximately 2 acres located at 821 Stevens Creek Road. Tax Map# 006-4-001-00-0. 5. Z-22-23 A petition by George Tullos on behalf of Good Faith Management, LLC requesting a Rezoning from Zone R-1A (One-family Residential) to Zone R-3B (Multiple-family Residential) affecting property containing approximately 6 acres located at 2201 Harding Road. Tax Map# 110-1-043-00-0. 6. Z-22-24 A petition by JSMG Development, LLC requesting a Rezoning from Zone R-1A (One-family Residential) to Zone R-1E (One-family Residential) affecting property containing approximately 11.11 acres located at 1514 Goshen Circle. Tax Map# 199-0-003-00-0. 7. Z-22-25 A petition by Renovation Solutions, LLC on behalf of James Pond Properties, LLC requesting a Rezoning from Zone A (Agricultural) to Zone HI (Heavy Industrial) affecting property containing approximately 10.23 acres located at 1680 Dixon Airline Road. Tax Map# 146-0-003-02-0.

Properties, LLC requesting a Special Exception to establish a biorefinery facility that uses organic waste to create renewable natural gas and compost per Section 24-2 of the Comprehensive Zoning Ordinance affecting property containing approximately 10.23 acres located at 1680 Dixon Airline Road. Tax Map# 146-0-003-02-0. 9. Z-22-26 A petition by Frank Lyles on behalf of GA Vitrified Brick & Clay Co., LLP requesting a Rezoning from Zone A (Agricultural) and Zone R-MH (Residential Manufactured Home) to Zone B-2 (General Business) affecting property containing approximately 30.15 acres located at 2111 Powell Road. Portion of Tax Map# 064-0-004-01-0. FT GORDON NOTIFIED 3/04/2022 10. Z-22-27 A petition by Robert Cooks on behalf of B. A. Johnson Construction Co, LLC requesting a Rezoning from Zone R-1A (One-family Residential) to Zone R-1E (One-family Residential) affecting property containing approximately 5.52 acres located at 4309 Windsor Spring Road. Tax Map# 166-3-002-00-0. 11. PV-22-02 A petition by Southeastern Development Associates on behalf of GA Vitrified Brick & Clay Co., LLP requesting a parking variance from Section 4-2(d) of the Comprehensive Zoning Ordinance to reduce number of required parking spaces from 4.5 spaces per 1,000 square feet to 3.95 spaces per 1,000 square feet per gross floor area for a proposed shopping center located at 3942 Harper Franklin Avenue. Tax Map# 066-3-210-00-0. 12. Legal Session Real Estate Personnel Litigation 13. Minutes from April 11, 2022 14. List of Development & Site Plans for April 2022 All persons interested in these petitions are requested to be present at the hearing. Please take notice that any opponent to an application for a rezoning action who has made campaign contributions aggregating \$250.00 or more to a local government official within two years of the rezoning application must file a disclosure report with the governing authority at least five (5) calendar days before the hearing date listed above. Contact the City of Augusta Planning & Development Department at (706) 821-1796 for more information about the meeting. Persons who require special accommodations under the America with Disabilities Act or those requiring language translation services may contact the Planning and Development office for assistance. We ask that you contact the office at least 48 hours prior to the meeting date. Carla Delaney, Interim Director DATE: APRIL 14, 2022 AD#0003410468



## ENGINEERING & ENVIR. SVCS. DEPARTMENT

Hameed Malik, Ph.D., P.E., Director

Email: [bmcelreath@hullbarrett.com](mailto:bmcelreath@hullbarrett.com)

Renovatio Solutions, LLC  
c/o Benjamin F. McElreath  
3540 Wheeler Road, Suite 309  
Augusta, GA 30909

RE: Renovatio Solutions LLC Biofuel Facility Construction  
Facility Consistency with Augusta, Georgia Solid Waste Management Plan  
Consistency Letter Request

Dear Benjamin McElreath,

On August 15, 2023 Augusta, Georgia (City) provided a response to Renovatio Solutions, LCC (RSL) request for "Consistency Letter" submittal. The City. Solid Waste Management Plan (SWMP) Section 6.1 is the governing procedure for such review and is issuing a Consistency Letter. Review was conducted by the Engineering & Environmental Services (AEES).. AEES determined that the submitted information was insufficient and issued the August 15, 2023 response letter accordingly.

On August 29, 2023 a stakeholders meeting was held. Over 150 concerned stakeholders attended the meeting. RSL presented over view of proposed facility and its operations followed by a question & answer session. The Primary focus of stakeholders' questions was i) proposed facility potential harmful impact to adjacent historic church members and associated community, and ii) Environmental Justice. Another key concern was lack of receipt of notification regarding RSL rezoning request. There was significant opposition to RSL Biofuel facility at proposed location.

On September 12, 2023, RSL submitted response to deficiencies with respect to SWMP Section 6.1 requirements transmitted by the City on August 15, 2023. AEES reviewed provided response information and offering following comments.

The City August 15, 2023 response stated that following factors needs to be fully addressed to satisfy SWMP Section 6.1 requirements.

- 1) *Determine if the proposed facility or facility expansion may negatively impact other natural or cultural resources of the County.*
- 2) *Determine if proposed facility of facility expansion may negatively impact the financial viability of the County's solid waste management system.*
- 3) *Hold at least one public hearing on the proposed facility to gather input regarding the consistency of the facility with SWMP.*
- 4) *Determine if the proposed facility or facility expansion is properly insured so that closure and post-closure care is assured.*
- 5) *Determine if the proposed facility or facility expansion has mitigation plan above and beyond financial assurance already required.*
- 6) *Evaluate past performance of other waste handling facilities owned or operated by the applicant.*
- 7) *Determine if the proposed facility or facility expansion is in the best interest of public health and safety.*

**Re 1:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments:

Reference is made to ASTM Standard E1527-13 & E1527-21 Sections 3.1.8 and 3.2 indicating no evidence of historic sites or sites of particular cultural significance to the area. Detail information was included as Appendix I. ASTM referred standard is intended primarily as an approach to conducting an inquiry designed to identify *recognized environmental conditions* in connection with a *property*. This practice is site-specific in that it relates to assessment of environmental conditions on a specific parcel of *commercial real estate*. Consequently, this practice does not address many additional issues that may well involve environmental liabilities pertaining to intended future land uses such as in this case is operating a Biofuel facility. In addition, it was evident at August 29, 2023 Public Meeting that intended land use impact on community cultural and historic including Environmental Justice aspects were not investigated and addressed.



**Re 2:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments:

Provided response is subjective and hypothetical. No other detail provided determining proposed financial impact. Based on review of other relevant available information and various discussions with RSL project team, it is AEES professional opinion that proposed operation expansion has great waste diversion potential resulting in negatively impacting the City landfill financial stability.

**Re 3:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments

Holding a public meeting is requisite consistency determination process and to gather input. A stakeholders meeting was held on August 29, 2023. There was significant opposition to RSL Biofuel facility at proposed location. Primary concern was potential harmful impact to adjacent historic church members and associated community.

**Re 4:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments

This item is determination of facility closure and post closure financial assurance. Provided response is insufficient to determine financial health of RSL and financial mechanism that will be in-placed to meet this requirement. Provided response indicates that RSL does not have clear understanding of operation failure risk liability or operation closure/post closure financial liability.

**Re 5:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments

All this information is SWMP Section 6.1 and that information was shared with RSL. A copy attached too. Provided response indicates that RSL does not have clear understanding of operation failure risk liability or operation closure/post closure financial liability.

**Re 6:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments

Provided response is insufficient to determine RSL or RSL Team past performance. Provided information indicates that RSL has no past working experience with Hitachi Zosen Inova (HZI).

**Re 7:** RSL Supplement Response dated 9/12/2023 – AEES Review Comments

Provided response is subjective and not site specific. There was significant opposition to RSL Biofuel facility at proposed location at August 29, 2023 public meeting, primarily health risk to a specific historic community

Based on the information provided and site specific community opposition to placing proposed facility at Dixon Airline Road parcel, AEES recommendation to Augusta Commission Engineering Services Committee will be not to issue “Consistency Letter” until the site specific community concerns are fully addressed in satisfactory manner.

If you have any questions concerning this correspondence, please feel free to contact me at [hmalik@augustaga.gov](mailto:hmalik@augustaga.gov) or (706)796-508.

Regards

Hameed Malik, Ph.D., PE  
Director Engineering & Environmental Services  
Augusta, GA

CC: Wesley McLeod, Co-Managing Member, Renovatio Solutions LLC

## Chapter 6 LAND LIMITATION ELEMENT

Georgia requires that municipalities “identify those sites which are not suitable for solid waste handling facilities based on environmental and land use factors” in their SWMP. Not all geographic locations are suitable or desirable for a waste management infrastructure, which may include disposal, composting, recycling, and material recovery facilities.

SWMPs play a key role in planning and managing the potential locations of waste management facilities. The Association of County Commissioners of Georgia has stated:

*Outside of zoning and land-use (ordinances), a SWMP is the only planning document that has specific legal authorization to govern the siting and operation of a solid waste handling facility within a community. The state may not issue any permits, grants, or loans for any MSW disposal facility or any solid waste handling equipment or recycling equipment that is not consistent with a local SWMP. Counties wishing to manage solid waste facilities that are not permitted by the EPD may want to use their plan and local licensing or ordinances to enforce these provisions of their SWMPs.*

The Georgia DNR has multiple rules which address siting limitations and criteria for siting, design, and operating requirements for solid waste handling facilities. In addition, DNR Rule 391-3-4-.05(1)(a) requires that the siting of solid waste handling facilities “must conform to all local zoning/land use ordinances.”

### 6.1 LOCAL PROCEDURES FOR DEMONSTRATING FACILITY CONSISTENCY WITH SOLID WASTE MANAGEMENT PLAN

No solid waste handling facility or expansion to an existing facility can be sited in Augusta without a determination that the proposed facility or expansion is consistent with the current SWMP. The procedure that Augusta and each of the local governments follow to determine whether to issue such a letter is described below.

1. At least 90 days prior to filing for a solid waste handling permit, or notifying EPD in the case of a solid waste handling facility that is permitted by rule, the owner/operator will submit to the County a written statement documenting the following:
  - How the proposed facility or facility expansion will meet the specific goals and/or needs identified in the current Solid Waste Management Plan, including a description of:
    - The impact upon the collection capability within the planning area.
    - The impact upon disposal capacity identified in the planning area.
    - The impact to the waste reduction and recycling efforts within Augusta, specifically how the proposed facility or facility expansion will contribute toward waste reduction in the planning area.

- How the proposed facility or facility expansion and its operation will impact the community. Specifically, it will address:
    - The impact to vehicle traffic and public safety around the proposed facility and throughout the planning area;
    - The impact on natural or cultural resources within the planning area.
    - The impact to the financial viability of the existing solid waste management system within the planning area, both public and private;
    - The impact to individual and business solid waste management rates.
    - The impact on the current solid waste management infrastructure within the planning area, both public and private.
  - Evidence that the proposed facility or facility expansion is sited in a location deemed suitable according to the criteria listed in this plan.
  - Evidence that the proposed facility or facility expansion is sited in an area deemed suitable location consistent with local zoning ordinances.
  - Evidence that the proper public notification was given, including notification of all adjacent property owners.
2. Within 45 days after the written statement from the owner/operator is received, Augusta Engineering Committee will make a recommendation as to whether the proposed facility or facility expansion is consistent with the SWMP. This recommendation will be documented in a letter to the governing body of the jurisdiction in which the proposed facility or facility expansion is sited. To make a determination, the Engineering Committee will conduct a process that at a minimum includes the following:
- Determine if the operation of the proposed facility or facility expansion would be consistent with regulations established by the County for privately operated waste handling and disposal facilities as provided for in County Ordinance
  - Determine the need for the proposed facility or facility expansion, based on projected remaining useful life of existing disposal facilities, will be the initial screen for any finding of consistency with this solid waste management plan. Need will be defined as less than 10 years of disposal capacity remaining, at the time that the request is submitted, in existing disposal facilities recognized in this solid waste management plan. Remaining disposal capacity will be calculated based on an engineering calculation of remaining capacity divided by the annual rate of disposal of in-County and contracted out-of-county waste at the time that the request is submitted given waste reduction programs and performance in place at that time;
  - Determine if the proposed facility or facility expansion is sited in an area deemed unsuitable according to development criteria;
  - Determine if the proposed facility or facility expansion is sited in a location that is consistent with all local zoning ordinances;

- Determine if the proposed facility or facility expansion may negatively impact other natural or cultural resources of the County;
  - Determine if the proposed facility or facility expansion would negatively impact the County's ability to contribute to the state-wide solid waste reduction;
  - Determine if proposed facility or facility expansion may negatively impact the financial viability of the County's solid waste management system
  - Hold at least one public hearing on the proposed facility to gather input regarding the consistency of the facility with the SWMP. This public hearing will be advertised according to local requirements regarding public notification of public hearings;
  - Determine if the proposed facility or facility expansion is properly insured so that closure and post-closure care is assured;
  - Determine if the proposed facility or facility expansion has a mitigation plan above and beyond financial assurance already required;
  - Evaluate the past performance of other waste handling facilities owned or operated by the applicant as a determining factor the feasibility of the new facility or facility expansion. The Committee may recommend withholding approval based on owner or operators past performance;
  - Determine if the proposed facility or facility expansion is in the best interest of public health and safety;
3. The governing body of the jurisdiction in which the proposed facility or facility expansion is sited shall review the written documentation of consistency from the owner/operator, the recommendation of the Engineering Committee, and comments received at the public hearing to determine whether the proposed facility or facility expansion is consistent with the SWMP. Within 30 days of making their determination, the governing body shall notify the facility owner/operator whether the proposed facility or facility expansion is consistent with the Plan. If the governing body of the jurisdiction determines that the proposed facility or facility expansion is consistent with the SWMP, the governing body will issue a letter of consistency.
4. If the governing body of the jurisdiction determines that proposed facility or facility expansion is not consistent with the SWMP, the owner/operator may address the inconsistencies and resubmit their request for another review. This review will follow the process described above in Items 1 through 3.

## 6.2 INVENTORY AND NATURAL ENVIRONMENTAL LIMITATIONS

### 6.2.1 INVENTORY LAND AREAS

Augusta occupies a land area of 207,386 acres, or 324.04 square miles (sq. mi), with an additional 2,823 acres (4.41 sq. mi.) of water area. Augusta straddles the Fall Line, a geological boundary following the Appalachian mountain range from Alabama to New York. In Georgia and South Carolina, the Fall Line



# HULL BARRETT

A T T O R N E Y S

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**BENJAMIN F. MCELREATH**

-MEMBER OF THE STATE BAR OF GEORGIA

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November 2, 2023

VIA HAND DELIVERY AND VIA EMAIL

Hameed Malik, Ph.D., P.E.  
Director of Engineering, City of Augusta  
452 Walker Street  
Augusta, Georgia 30901

RE: Renovatio Solutions, LLC, Biofuel Facility Construction  
Facility Consistency with Augusta, Georgia, Solid Waste Management Plan  
Consistency Letter Request

Dear Dr. Malik:

With regards to the letter from Augusta Engineering & Environmental Services (AEES) Department dated October 12, 2023, I would like to respond on behalf of Renovatio Solutions, LLC (hereafter "RSL"), to the concerns and issues raised in your letter which does not recommend that the Augusta Commission Engineering Committee issue a "Consistency Letter" at this time.

This letter will supplement our earlier letters to you dated August 26, 2023, and September 12, 2023, with regards to the proposed biogas project that RSL plans for 1680 Dixon Airline Road Augusta, GA (the "Property").

Your letter commences with reference to the August 29, 2023, meeting that was held with the public regarding the proposed biogas facility. To begin, you should recall that the meeting venue and supply of equipment were provided by the city and not us. As you may also recall there was an absence of requested equipment by RSL, and this hampered the delivery of their material. For example, the screen for the projector was inadequate (too small) and the organizer of the meeting with others suggested that the presentation be done against a wall to provide viewing for the sparsely seated audience.

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MAIN 706.722.4481 OR DIRECT 706.828.2042

You have also state towards the end of your letter that the Consistency Letter will not be issued until the site-specific community concerns are fully addressed in a satisfactory manner. It is unclear on our part how you expect these concerns can be addressed when the main protagonist has misinformation on their website and is not willing to meet with us to obtain clarification.

For example, we have requested such a meeting with the Spirit Creek Baptist Church leaders several times through their attorney Jack Long. Our last request for such a meeting was made by letter from me to Jack Long dated September 18, 2023, and hand delivered to Mr. Long's office on the same day. I am yet to hear back from Mr. Long in response to our request for a meeting.

It is unfair and egregious for a group to display erroneous and misinformed comments on their website about a company while the other party is not allowed to speak directly to them and clarify their misunderstandings.

Your letter expresses a concern that there was a lack of notification regarding the RSL rezoning request, but RSL prepared, paid for and filed its Rezoning Application in March of 2022 before RSL purchased the Property. The proper procedure required by law was followed, as an open hearing was held before the Augusta Planning & Development Department, (APDD), after due notices were made by publication of the zoning request in the *Augusta Chronicle* and after a sign notifying the public of the rezoning request was posted on the Property. Thus, APDD took the legal steps that are required to be followed to notify the public of the rezoning request. Specifically, notices were placed in April 2022, opened meeting held for feedback in May 2022, the rezoning for the Property was approved in June 2022 and RSL then purchased the Property (July 2022) following the rezoning approval.

**Under RE 1**, your letter references the ASTM Standard E 1527-13 & E1527-21, Sections 3.1.8 and 3.2. With regards to the need to identify recognized environmental conditions in connection with the Property, RSL hired American Environmental & Construction Services (AECS) that conducted and prepared such a study. The study made by AECS, concluded that there were no historical sites or monuments located on the proposed site.

Under Georgia Rule 391-3-4-.16(6)(b) - Criteria for Siting Composting Facility and Anaerobic Digestion Facility (see APPENDIX C), one requirement is a description of surrounding land uses within ½ mile radius shall be provided.

Checks made via MapQuest has revealed that the historical church is located approximately 0.8 miles away from the project site.

Based on the ½ mile radius requirement, the church falls outside of the criteria radius.

**Regarding R2**, in your letter it is stated that "... *it is AEES professional opinion that the proposed operation expansion has great waste diversion potential resulting in negatively impacting the City landfill financial stability*" is noted.

RSL believes that the implementation of this project will provide economic benefit to the Augusta landfill on an annual basis. Please recall RSL's response to Section 6.1 SWMP question entitled: ***The impact upon disposal capacity identified in the planning area.*** As communicated then, the residential MSW collector that will supply RSL's biorefinery with residential waste reported that in year 2022 it had disposed of approximately 16,270 tons at the Augusta-

Richmond County Landfill. In other words, the estimated waste diversion is expected to be 16,270 TPY.

In addition, RSL is expected to receive up to 10,000 TPY of woody waste from a lumber company that does not supply its waste to the Augusta-Richmond County Landfill.

Arising from the anaerobic digestion (AD) processing of the collected feedstock, RSL is expected to deliver approximately 18,409 TPY of organic material and other non-organic or non-recyclable materials to the Augusta Landfill. This amount includes approximately 13,513 TPY of pathogen-free organic solid digestate from the AD process this is beneficial to the landfill as it can be used as alternative daily cover (ADC). In so doing, this will assist the Augusta-Richmond County Landfill in meeting federal regulations which require the covering of daily disposed waste to control odors, vectors, fires, litter, and scavenging. Moreover, the landfilled solid digestate will yield over time a larger amount of landfill gas to be captured, because it is free of inorganic contaminants and has been highly reduced in size as a result of the anaerobic process it has undergone.

The difference between expected waste diversion from the landfill and waste to be delivered to the landfill represent a net gain of 2,139 TPY to Augusta-Richmond County Landfill. The net financial benefit of that at \$36.30 per ton is \$77,645.70 each year to the Augusta-Richmond County Landfill.

Reference is hereby made to AEES's draft recommendation dated August 8, 2023 (found on your website) where your committee was prepared to approve the issuance of a Consistency Letter when the estimated delivered volume of non-organic and non-recyclable materials to the landfill was approximately 4,896 TPY. With the addition of 13,513 TPY of pathogen-free organic solid digestate to be landfilled by RSL, the total landfilled volume by RSL will be approximately 18,409 TPY.

Please note that the implementation of this \$40MM project will provide substantial increased tax revenue for the City of Augusta and for Richmond County. For example, please recall that as communicated to AEES in June 2023, the implementation of this project will generate approximately \$500,000 in local taxes in the first year of operation. The tipping fee revenue that RSL's facility will provide the County landfill for 18,409 TPY at the existing rate of \$36.30 per ton is estimated to be \$668,247 in the first year of operations.

**Regarding RE 3** your letter, RSL submits that there will be no negative or harmful impact to the adjacent Spirit Creek Baptist Church and the associated community. The community was led to believe that our project was a "biomass facility" and reference was made to such a facility in Madison, Georgia. The facility planned by RSL is nothing close to being the same as the biomass facility in Madison, Georgia that burned railroad ties.

The RSL facility does not burn anything nor produce pollutants harmful to the environment.

The RSL project is a biogas project that will produce environmentally friendly renewable natural gas (RNG) as a transportation fuel to replace fossil diesel fuel.

The opposition to the project is based on misinformation that is posted on one group's website where the feedstock is described as "toxic waste" and the technology as biomass plant.

As you may recall from the meeting of August 29, 2023, RSL communicated to the audience that the feedstock will comprise the organic fraction of MSW (OFMSW) and pictures of the sample sent to laboratory for testing was shown despite the poor quality of a makeshift screen at the meeting facility.

Please recall that August 3, 2023, RSL provided AEES with the actual ERIC laboratory test results regarding metal content/trace found in the solid digestate. These test results clearly indicate that the solid digestate content of metals, as it would be expected, is much lower than that of the typically landfilled MSW.

Once again, RSL wishes to communicate that its proposed plant is not a biomass plant. The latter typically employs thermochemical processes, invariably combustion, to extract the energy from wood and other organic wastes in the form of heat and from there generate steam and electricity.

The RSL's Bio-refinery employs anaerobic digestion (AD), i.e., a low temperature biological process, to extract the energy of organic wastes in the form of biomethane or RNG.

There will be no burning nor emissions of smoke or any other nuisance air and water pollutant released from RSL's plant.

Therefore, there will be no emissions let alone harmful output to impact members of the church community.

As mentioned before, RSL has requested on multiple occasions for a meeting to be held with the community leaders to explain the differences, however, we have not received any response.

Although the church community is reluctant to meet with RSL, other technical groups that have to evaluate the project on an objective basis continues to endorse the project as not having any negative impact on the surrounding environment.

Indeed, please note that The Federal Aviation Administration (FAA) has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning Processing Building for RSL's proposed biorefinery and has issued its Determination (Letter) of No Hazard to Air Navigation.

Simply stated, this aeronautical study has concluded that the structure does not exceed obstruction standards and would not be a hazard to air navigation.

RSL has been proactive in the development of its bio-refinery and preventative measures have been sought and established to mitigate risk of plant's operation, for example, the facility will be substantially insured against environmental liabilities. The Environmental Liabilities insurance will provide coverage for the risk of loss during construction and operations, and is so designed to cover liability from pollution conditions causing bodily injury, property damage and cleanup costs. Please see APPENDIX B for additional explanations regarding the proposed coverage.

At this time, excluding a Letter of Consistency from the AEES Committee, RSL has satisfied all requirements for a Solid Waste Handling (SWH) permit from the state of Georgia. All the other documents including a Site Suitability report have been sent to the GEOS portal, awaiting your letter.

A meeting is needed with the local church community so that this environmentally, economically, and socially beneficial project can be pursued. We would like to solicit, if possible, your assistance to facilitate such a meeting.

**Regarding Re 4:**

RSL is working with an insurance company that occupies a global footprint in providing liability insurance to a wide cross section of clients in various industries including the biofuels market.

RSL earlier response listed several types of insurance that will be purchased in order to mitigate risks during construction or operations or at the end of the plant's useful life.

For example, the proposed Efficacy & Systems Performance Insurance (APPENDIX A) covers the technology risks that the plant can successfully startup and operated during project term of the project finance. This is a coverage that can be viewed as de-risking new technology for project stakeholders and therefore pays the project company and lenders for cost of repairs and shortfall in outputs. This helps the project mitigate against the risk of bankruptcy.

The tailor-made set of insurance coverages including an environmental liability policy has been developed by AON for RSL. Please see Appendix A: - Extract from AON's Insurance Proposed Coverage and Appendix B: - Environmental Insurance Explained.

The proposed insurance coverage addresses AEES comments/questions as per RE 4 and RE 7.

The pollution portion of the Environmental Liability policy will provide compensation to third parties for injury and property damage, clean-up costs, including third-party claims and statutory clean-up notices, civil fines and penalties, legal defense costs, natural resource damages and emergency response costs. These clean-up costs are to be maintained throughout the operational life of the facility of at least 20 years and most likely 30 years. Regarding the decommissioning, of the facility at the end of its life or for any other reason, RSL intends to provide a standby letter of credit (SBLC) upon commissioning and start-up of the facility in an amount equal to the estimated cost of decommissioning of the facility at that time. The SBLC amount will be updated annually and be augmented based on the applicable consumer price index (CPI). This guarantees that whether the facility operates for one year or for thirty, there would be sufficient funds at the end of the respective period to decommission the facility and restore the site.

**Regarding R5 in your letter:**

RSL has communicated its non-financial mitigation plans, applicable to operations of the plant. This response was provided by industry biogas operation experts with decades of experience.

They will also assist in the O & M activities should the plant be allowed to proceed to development.

**Regarding R6** in your letter, RSL operations team will include HZI as Operations & Maintenance team lead and trainers for the new technical staff members that will be hired by the biofuel facility.

HZI team members have significant experience in waste handling facility operations, including more than 10 years successful operations in the USA.

Besides assisting RSL with the technical development and O &M regarding daily plant activities for this project, HZI will have a vested interest in the plant's outcome as it will be bound by warranted performance of the digesters and gas upgrading equipment to be installed by them to produce renewable natural gas from the production process.

**Regarding R7** in your letter, the material that RSL has provided shows that there will be no harmful impact to the community. As stated herein and above, the RSL facility is not the biomass facility that the participants at the community gathering were led to believe.

There is significant misunderstanding by the church community between biomass plant and the technology that RSL is proposing to utilize, that is an anaerobic digestion process to produce biogas and renewable natural gas (RNG).

Through unknown source, the gathering was of the opinion that the facility will be a biomass plant, which it is not.

There were two main opposition groups, the Savannah Riverkeepers and a local church with historical origins.

Questions were submitted to RSL by Savannah Riverkeeper's Executive Director and a written response was provided by RSL to Ms. Tonya Bonitatibus with Savannah Riverkeepers. RSL has not received any further questions or any response from Ms. Bonitatibus since RSL's answers were provided to her.

As stated herein, RSL has not heard back from Spirit Creek Baptist Church or its attorney since RSL's letter of September 18, 2023, was delivered.

With respect to concerns relating to potential negative impact on the immediate surroundings, RSL is not expecting such occurrence because of type of technology to be used. However, RSL will implement risk mitigating steps through the purchase of environmental liabilities insurance policy to meet cost that could arise in the event of an unforeseen event occurring.

It is unfortunate that a \$40MM investment that will provide more than 100 temporary jobs as well as generate 22 direct positions and support a slightly larger number of indirect ones for a total of about 50 permanent jobs as well as several other economic benefits is being delayed due to a misunderstanding of the technology and an absence of dialogue.

Maybe, Commissioner Lewis could use his office to facilitate another meeting between both groups as the City of Augusta stands to lose both financially and environmentally due to the absence of this green energy project that will be a beacon project in Augusta, in Richmond County and in the State of Georgia.

Please let me know if you have any further questions regarding this matter or any further clarification needed. Again, RSL is available to attend a meeting with the leadership of the Spirit Creek Baptist Church as has been previously requested.

Lenders that RSL approached are very keen on providing the financial resources necessary to develop this project and the technical expertise is also awaiting your letter of Consistency so that the final SWH permit can be obtained and notice to proceed commences.

Sincerely,



Benjamin F. McElreath

cc Mr. Wesley McLeod  
Commissioner Tony Lewis  
Commissioner Catherine Smith McKnight  
Mayor Garnett Johnson

## APPENDIX A – EXTRACT FROM INSURANCE COMPANY PROPOSED COVERAGE



Daren Gretz  
Senior Vice President  
Aon Risk Solution  
200 East Randolph Street  
Chicago, Illinois 60601

+1 312-259-0885  
Daren.Gretz@aon.com

October 25, 2023

Mr. Wesley McLeod  
Renovatio Solutions LLC  
3540 Wheeler Road  
Suite 309  
Augusta, GA 30909

Re: Letter of Intent – Commercial Insurance for Development, Construction and Operation

To whom it may concern:

As the insurance and risk management consultant for Renovatio Solutions LLC, Aon Risk Solutions (Aon) is pleased to provide this letter of intent to issue the Efficacy, Systems Performance, Construction and Operational insurance with respects to the business cooperation and company formations herein.

Whereas Aon understands that the following business objective and process description:

**Objective:**

To insure the process by which organic waste collected from MSW and other organic waste streams are converted to produce renewable fuels, high grade compost, or chemicals and separating the valuable recyclable materials for sale into existing commercial markets.

**Process Description:**

Renovatio Solutions LLC will use commercially proven and patented Biomethanisation technology from one of the many license holders to utilize a process whereby microorganism break down organic matter in the absence of oxygen (also called anaerobic digestion). At the core of this system is the Kompogas technology and its unique digester. This is the vessel where organic waste is converted into renewable biogas and an all-natural fertilizer. This high-tech industrial process has been developed over several years in Europe, making it the most innovative ecological waste recovery solution. It is currently being employed in anaerobic digester projects in the USA.



**Underwriting and Risk Assessment:**

Aon has partnered with several insurers to provide efficacy and systems performance insurance including Lloyds of London. Lloyds of London is a global provider of specialty property and casualty insurance, reinsurance and managed risk solutions, rated A+ / A XV (A.M. Best/S&P). Specialty insurers have completed a risk assessment and concluded the insurability of the Hitachi Zosen Inova (HZI) technology.

The risk assessment included review of the project overview, project agreements, financial models, technical specification and other files provided by Renovatio Solutions LLC, Underwriters and Aon completed telephone risk control interviews, site inspection and observational site visit of feedstock testing. Risk control calls and site visits addressed Heat Material Balance results with Renovatio Solutions LLC feedstock with goal of understanding the efficiency and reliability of the Kompogas digester and Hitachi Zosen Inova (HZI) gas upgrader technology.

**Specific data samples reviewed:**

1. Historical and sample data of organics from collected residential waste in Richmond County, GA.
2. Historical data relating to the performance of biogas production technology including yields, for the Kompogas organics to biogas and digestate production system that is currently in place at
3. Historical run data, including yields, for the production and systems at 1680 Dixon Airline Road, Richmond County, GA.
4. Mass/Energy Balance for the core Kompogas processes in a digester biogas system: Anaerobic Digestion, Fuel Conversion, Distillation.

**Risk Transfer and Insurance:**

Aon is a leading insurance broker in the waste to energy industry with technical knowledge of the Kompogas digesters and experience working with many of the developers commercializing Kompogas's technology. Based on our pre-underwriting of the foregoing planned developments, Aon is pleased to provide confirmation and support of the following Insurance to be procured on behalf of Renovatio Solutions LLC.

• **Efficacy Insurance**

To provide coverage for a performance event during start-up should a major component or the project does not meet the technical level of performance required by the technology provider or contractor. The policy provides the funds required to remediate and repair the project to meet the expected output.

• **Systems Performance Insurance**

To provide coverage for a performance event during operations should a major component or the project does not meet the technical level of performance output and cash flow is insufficient to service project debt. The policy provides the funds required to service capital payments and can include operating expenses and expenses necessary to remediate and repair the project to meet the expected output.

• **Construction All Risk (CAR)**

To provide coverage for the risk of loss arising out of the construction and installation of machinery, plant and steel structures, including physical damage to the contract works and equipment and machinery. Coverage for delay in start-up (DSU) costs is a coverage for Debt Service and other Soft Cost. Covered parties include the general contractor, subcontractors, and in some cases suppliers and manufacturers of equipment.



- **Operational All Risk (OAR)**  
To provide coverage for the risk of loss arising out of the ongoing operations and maintenance of machinery, plant and steel structures, including physical damage to the equipment and machinery. Coverage for business interruption is a coverage for loss of income and other extra expense. Covered parties include the project owner and additional insured interests as may be required under contract.
- **Third Party Liability**  
To provide coverage for the risk of loss during construction and operations, which is typically designed to cover liability claims for bodily injury (BI) and property damage (PD) arising out of premises, operations, products, and completed operations; and advertising and personal injury (PI) liability (subject to the usual exclusions and coverage options).
- **Environmental Liability**  
To provide coverage for the risk of loss during construction, operations and decommissioning, which is typically designed to address the various financial losses that can occur from a pollution or contamination incident pollution conditions causing bodily injury, property damage and cleanup costs. The policy(jes) cover compensation to third parties for injury and property damage, clean-up costs, including third-party claims and statutory clean-up notices, civil fines and penalties, legal defense costs, natural resource damages and emergency response costs.
- **Directors and Officer Liability**  
To provide coverage for directors and officers for claims made against them while serving on a board of directors and/or as an officer. In effect, the policies function as "management errors and omissions liability insurance," covering claims resulting from managerial decisions that have adverse financial consequences.

Aon is prepared to provide the Renovatio Solutions LLC and its project/facility partners and/or purchasers, with a standard technology "wrap" insurance. Subject to the project specific requirements, terms, conditions, limits, and exclusions of the policies, Aon has confirmed the commercial availability of coverage and pre-qualified Augusta Biorefinery and Renovatio Solutions LLC with insurers with a minimum rating AM Best A Superior and S&P investment grade, conditional on complete underwriting review of the project.

We are available to discuss any questions your potential partners or customers may have.

Sincerely,

A handwritten signature in blue ink that reads "Daren Gretz".

Daren Gretz  
Senior Vice President

## **APPENDIX B: ENVIRONMENTAL INSURANCE EXPLAINED**

### **What is Environmental Insurance?**

Environmental insurance policies are designed to address the various financial losses that can occur from a pollution or contamination incident. These can include:

- Compensation to third parties for injury and property damage
- Clean-up costs, including third-party claims and statutory clean-up notices
- Civil fines and penalties
- Legal defense costs
- Natural resource damages
- Emergency response costs

### **Why is Environmental Insurance Important?**

Environmental insurance is becoming a basic coverage requirement for manufacturers, utilities, property owners, developers, contractors and environmental consultants. As the variety and number of pollution risks increase — and, in many cases, coverage for environmental loss is excluded from, or is restricted by, standard property and casualty policies in regions including the U.S. and Europe — the need for environmental insurance is becoming more important.

More recently, we (Aon) have seen organizations looking at environmental insurance with a fresh perspective as they consider how insurance products may complement their objectives related to [environmental, social and governance \(ESG\)](#) issues and in response to climate-related risks and losses.

### **Environmental Site Liability**

Environmental Site Liability (ESL) — or Pollution Legal Liability (PLL) — covers first- and third-party environmental risk stemming from owned real estate or property and operating facilities.

### **Contractors Pollution Liability**

Contractors Pollution Liability (CPL) covers all contraction operations on a project or practice basis. Wrap-up programs are also available for construction projects covering all contractors at all tiers. Options to add E&O coverage to the policy are available in the marketplace.

### **Combined General Liability**

Combined General Liability with CPL, ESL/PLL and Professional coverage are available for a wide range of manufacturing and construction clients, bridging the gap in general liability coverage caused by pollution exclusions.

### **Financial Responsibility Policies**

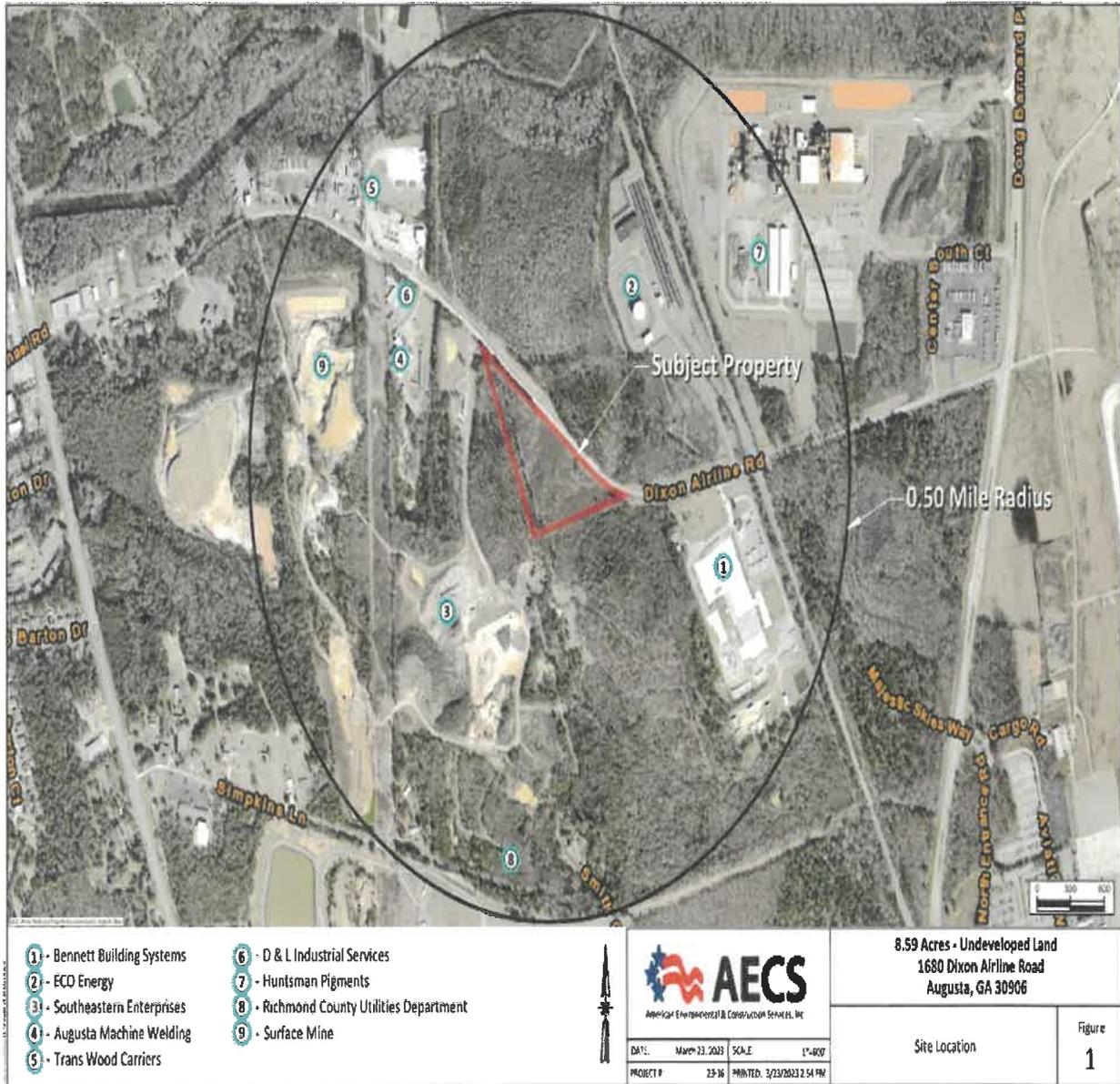
Financial Responsibility Policies, including above-ground and underground storage tank policies.

## **APPENDIX C: SITE SUITABILITY CRITERIA**

*The proposed RSL anaerobic digester will be regulated under Rule 391-3-4-.16(5)(f) and the criteria for site suitability are included under Rule 391-3-4-.16(6)(b). The following items are required to address the site suitability:*

1. *The facility shall submit a letter from the local government authority that the proposed facility complies with local zoning and land use ordinances.*
2. *The facility shall submit written verification by the applicant that the facility is consistent with local or regional solid waste management plan, as required in Rule 391-3-4-.02(4)(c)05.*
3. *The facility not located within 100-year flood plain.*
4. *The facility shall submit a map of topographic setting depicting features, include all upstream and downstream drainage areas affecting or affected by the proposed site, floodplain, gullies, karst conditions, wetlands, unstable soils, and percent slope.*
5. 100-ft undisturbed buffer between composting operations and property line.
6. 500-foot buffer between composting operation and any adjacent residences and/or drinking water wells.
7. 50-foot buffer between composting operations and any stream.
8. A description of surrounding land uses up to ½ mile radius.
9. Airport safety restrictions as required by Rule 391-3-4-.05(1)(c) for MSWLF units, shall be met.
10. The facility will submit a site assessment report, prepared by a professional geologist or engineer addressing the above criteria.

**APPENDIX D: - PROPERTIES WITH ONE-HALF MILE OF 1680 DIXON AIRLINE ROAD**



## APPENDIX E: - DISTANCE BETWEEN PROJECT SITE AND CHURCH PROPERTY

**1680 Dixon Airline Rd**  
to Spirit Creek Baptist Church

**2 min**      IRS reimbursement: **\$0.53**  
0.8 miles

↑ Head northwest on Dixon Airline Rd. Go for 0.7 mi.

Then 0.7 miles

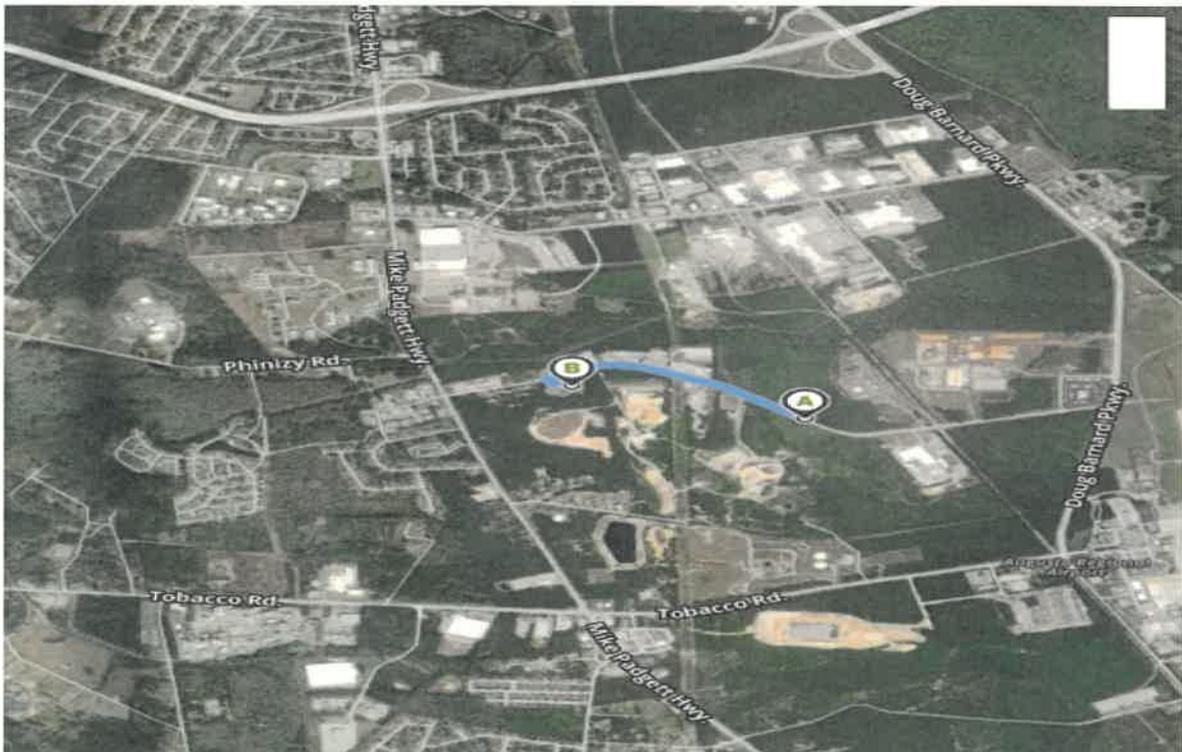
↶ Turn left. Go for 167 ft.

Then 0.03 miles

↶ Turn left. Go for 302 ft.

Then 0.06 miles

📍 **Spirit Creek Baptist Church**  
1782 Dixon Airline Rd, Augusta, GA 30906-8812



Source: <https://www.mapquest.com/directions/list/1/from/us/ga/augusta/30906-9609/1680-dixon-airline-rd-33.38098,-81.98828/to/us/georgia/spirit-creek-baptist-church-404298102>



Office of the Administrator

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Takiyah A. Douse  
Interim Administrator

August 15, 2023

Hameed Malik, Director  
Engineering and Environmental Services  
452 Walker Street  
Augusta, GA 30901

Dear Dr. Malik:

At their meeting held on Tuesday, August 15, 2023, the Augusta, Georgia Commission, acted on the following items:

25. Approved motion to authorize condemnation to acquire title of a portion of property for right of way (Parcel 097-3-266-00-0) 2436 Lumpkin Road.
26. Approved motion to authorize condemnation to acquire title of a portion of property for right of way (Parcel 097-3-253-03-0) 2504 Lumpkin Road.
27. Approved motion to authorize condemnation to acquire title of a portion of property for right of way (Parcel 097-3-251-01-0) 2502 Lumpkin Road.
28. Approved motion to authorize condemnation to acquire title of a portion of property for right of way (Parcel 097-3-265-00-0) 2438 Lumpkin Road.
29. Approved motion to authorize condemnation to acquire title of a portion of property for right of way (Parcel 097-3-253-000) 2506 Lumpkin Road.
31. Approved Award of "Augusta's Grounds and Landscaped Improvements Maintenance" Contract Part2 to Pond Maintenance of Augusta for Attached EXHIBIT A Contract Services, subject to receipt of signed contract and proper insurance documents. The Contract is effective 10/1/2023 for four years with an option to renew for one additional one-year terms. Also, approve \$400,000/year to fund these contracted services. Requested by Engineering. RFP 22-301.
33. Approved motion to table this item until a future date and have a town meeting at a date and time to be determined with the company and any interested citizens to discuss Renovatio Solution. LLC (RLS) "Consistency Letter" request for Construction & Operation of Renewable Energy (Biofuel) Facility at 1680 Dixon Airline Road, Augusta, Georgia. Also, authorize Augusta Engineering & Environmental Services Director providing requested "Consistency Letter" (draft Letter attached) to RLS. Requested by Engineering.

If you have any questions, please contact me.

In Service,

A handwritten signature in black ink, appearing to read "CM" followed by a horizontal line.

Charles M. Jackson, Deputy Administrator

CJ/nd



# NEWS RELEASE

**FOR IMMEDIATE RELEASE:**

**August 24, 2023**

## DISTRICT 6 TOWN HALL MEETING

**Facilitator: Commissioner Tony Lewis, District 6**

**WHAT: Town Hall Community Information Meeting**

**WHERE: Diamond Lakes Regional Park Gymnasium**

**WHEN: August 29, 2023**

**TIME: 6:00 P.M.**

**WHY:** Discussion regarding a request from **Renovation Solution, LLC** (RLS) for a “**Consistency Letter**” regarding the proposed **Construction & Operation of Renewable Energy (Biofuel) Facility at 1680 Dixon Airline Road**, Augusta, Georgia.

It is very important that we come together and have an open and honest dialogue regarding the potential impact the proposed facility will have on the community and to properly address them in an organized manner.

**Together we can make a difference!!!**

**For more information, please contact:  
Commissioner Tony Lewis, District 6  
(706) 762-328-8491**