



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

June 11, 2025

VIA E-MAIL: ted.niblock@nexuspmg.com

Kingsbury Compost, LLC
Attn: Mr. Edward Niblock, Vice President Development
22 South Main Street, Suite 400
Greenville, South Carolina 29601

Re: Application for Marketing and Distribution Permit
Kingsbury Biocarbon, LaPorte County

Dear Mr. Niblock:

This letter is to confirm the receipt of your application for a Marketing and Distribution Permit. Your application is currently in the initial public notice stage of the process. It will be reviewed for technical criteria soon. If additional information is needed, you will be contacted at a later date.

If you have any questions, please contact Morrighan O'Connell at (317) 232-3362 or moconnel@idem.IN.gov.

Sincerely,

Brenda Stephanoff, Chief
Solid Waste Permits Section
Office of Land Quality

cc: Thomas Baker, Hatchett & Hauck LLP
Gabriela Santa Cruz, Nexus PMG



The Indiana Department of Environmental Management (IDEM) has issued a Land Application Permit to the City of Peru, 35 South Broadway, Peru, IN, Permit No. IN LA 000014. This renewal of a Hybrid Land Application Permit allows the Peru City Utilities Wastewater Treatment Plant to land apply municipal biosolids to agricultural land in Cass, Howard, and Miami Counties. For specific information concerning their land application program, contact Jamin Beisiegel, Superintendent, at (765) 473-6681 ext. 2003 or jbeisiegel@peruutilities.com. If you have any questions regarding the permit process, contact Nick Meulen, the environmental manager assigned to this permit, at (317) 233-2412 or NMeulen@idem.IN.gov. This permit is written in accordance with Indiana Administrative Code 327 IAC 6.1.

The final decision is available online via IDEM's Virtual File Cabinet (VFC). Please go to: <http://vfc.idem.in.gov/>. Documents related to this approval can be found by selecting the "Solid Waste Program ID" in the "Quick Search" field (in the upper right-hand corner of the page) then enter the permit number, 000014. Search results can be narrowed to permit related documents by clicking on the down arrow next to "IDEM Document Type" and selecting "OLQ Permit".

APPEAL PROCEDURES

If you wish to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3 require that you file a Petition for Administrative Review with the Office of Administrative Law Proceeding (OALP). If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay (see 315 IAC 1-3-2). The Petition(s) must be submitted to the OALP at the address below within 15 days of the date of publication of this Notice:

Office of Administrative Law Proceeding
100 North Senate Avenue, Suite N802
Indianapolis, IN 46204

The Petition(s) must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision, or otherwise entitled to review by law. Identifying the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, or date of this notice will expedite review of the petition. Additionally, IC 13-15-6-2 and 315 IAC 1-3-2 require that your Petition include:

1. the name, address, and telephone number of the person making the request;
2. the interest of the person making the request;
3. identification of any persons represented by the person making the request;
4. the reasons, with particularity, for the request;
5. the issues, with particularity, for the request;
6. identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type granted or denied by the Commissioner's action; and
7. a copy of the pertinent portions of the permit, decision, or other order for which you seek review, at a minimum, the portion of the Commissioner's action that

identifies the person to whom the action is directed and the identification number of the action.

Pursuant to IC 4-21.5-3-17, any document serving as a petition for review or review and stay must be filed with the OALP. Filing of such a document is complete on the earliest of the following dates:

1. the date on which the petition is delivered in person to the OALP, by the close-of-business;
2. the date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or
3. the date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier;
4. Submitted using OALP's online petition form, available at <https://www.in.gov/oalp/>.

In order to assist permit staff in tracking any appeals of the decision, please provide a copy of your petition to Nick Meulen, IDEM, Solid Waste Permits, IGCN 1154, 100 North Senate Ave., Indianapolis, IN 46204-2251.

The OALP will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders regarding this decision if you submit a written request to the OALP. If you do not provide a written request to the OALP, you will no longer be notified of any proceedings pertaining to this decision.

For additional information on filing a petition with OALP, visit their website at [IN.gov/oalp](https://www.in.gov/oalp/).

On May 8, 2025, the Indiana Department of Environmental Management (IDEM) Solid Waste Permits Section received an application for a Marketing and Distribution Permit from Kingsbury Compost, LLC, 7147 S 4th Line Rd, LaPorte, Indiana 46350. The application is a request to allow the marketing and/or distribution of Industrial Waste Products (biocarbon), generated in LaPorte County. The application is available online via IDEM's Virtual File Cabinet (VFC). Please go to: <http://vfc.idem.in.gov/>. Documents related to this application can be found by selecting the "Solid Waste Program ID" in the "Quick Search" field (in the upper right-hand corner of the page) then enter the permit number, 000922. Search results can be narrowed to permit related documents by clicking on the down arrow next to "IDEM Document Type" and selecting "OLQ Permit".

You may comment during the public comment period. Comments may be submitted until (enter date 30 days following publication date). Comments and supporting documentation should be sent in writing to IDEM at the address below. Email is preferred. If you do not want to comment at this time but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number IN LA 000922 in all correspondence. Comments should be sent to:

Land Application Program, IDEM, Office of Land Quality
100 North Senate Ave., IGCN 1154, Indianapolis, IN 46204-2251
(800) 451-6027 or dial directly: (317) 232-3362 Fax: (317) 232-3403
attn: Morrighan O'Connell, E-mail: moconnel@idem.IN.gov

For additional information please see the application or contact: Gabriela Santa Cruz at (202) 718-9599 or gabriela.santacruz@nexuspmg.com or Ms. O'Connell as indicated above.

Following the end of the public comment period, IDEM will issue a Notice of Decision (NOD) stating whether the approval has been issued or denied. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM's response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive the NOD. The notice will provide details on how you may appeal IDEM's decision if you disagree with that decision. The final decision will also be available online via the Virtual File Cabinet, at the address indicated above.

From: OAKES, GLYNDA
Sent: Wednesday, June 11, 2025 10:19 AM
To: ted.niblock@nexuspmg.com
Cc: tom.baker@h2lawyers.com; gabriela.santacruz@nexuspmg.com;
jhaney@laporteco.in.gov; cgramarossa@laportecounty.org;
rmrozinski@laportecounty.org; kingsburytown@yahoo.com
Subject: Re: Kingsbury Compost, LLC - Application for Marketing & Distribution Permit
Attachments: Commissioners 6-11-2025.pdf; Acknowledgement 6-11-2025.pdf

Attached is correspondence regarding application receipt for the above site, a hard copy will not be mailed.



Glynda Oakes
IDEM, OLQ, Hazardous Waste Permit
100 N. Senate Ave, Rm 1101, Indianapolis, IN 46204
(317) 233-1052 goakes@idem.in.gov



www.idem.IN.gov

Scan the QR code to leave your feedback

We appreciate your input!

From: Ted Niblock <ted.niblock@nexuspmg.com>
Sent: Thursday, June 12, 2025 1:13 PM
To: OAKES, GLYNDA
Cc: Tom Baker; Gabriela Santa Cruz; jhaney@laporteco.in.gov; cgramarossa@laportecounty.org; rmrozinski@laportecounty.org; kingsburytown@yahoo.com
Subject: RE: Kingsbury Compost, LLC - Application for Marketing & Distribution Permit

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Thanks very much, I acknowledge receipt.

Best,
Ted
(215) 932-8017

From: OAKES, GLYNDA <GOAKES@idem.IN.gov>
Sent: Wednesday, June 11, 2025 10:19 AM
To: Ted Niblock <ted.niblock@nexuspmg.com>
Cc: Tom Baker <tom.baker@h2lawyers.com>; Gabriela Santa Cruz <gabriela.santacruz@nexuspmg.com>; jhaney@laporteco.in.gov; cgramarossa@laportecounty.org; rmrozinski@laportecounty.org; kingsburytown@yahoo.com
Subject: Re: Kingsbury Compost, LLC - Application for Marketing & Distribution Permit

Attached is correspondence regarding application receipt for the above site, a hard copy will not be mailed.



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Scan the QR code to leave your feedback.

We appreciate your input!



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To: tom.baker@h2lawyers.com
Sent: Wednesday, June 11, 2025 10:19 AM
Subject: Relayed: Re: Kingsbury Compost, LLC - Application for Marketing & Distribution Permit

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[tom.baker@h2lawyers.com \(tom.baker@h2lawyers.com\)](mailto:tom.baker@h2lawyers.com)

Subject: Re: Kingsbury Compost, LLC - Application for Marketing & Distribution Permit

