



STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE & MARKETS
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Andrew M. Cuomo
Governor

Richard A. Ball
Commissioner

May 7, 2014

Mr. Stanley Travis
2095 Eastwood Road
East Aurora, NY 14052

Dear Mr. Travis:

The Department received a letter from Bruce Bailey, Vice President of Technical Affairs, Quasar Energy Group, requesting an AML §308(4) opinion on behalf of Trav-Co Farms as to whether the storage of a nutrient and organic matter rich material, trademarked *equate*, within a one million gallon storage vessel on your property for land application is agricultural in nature.

The evaluation of land uses pursuant to AML §308(4) is conducted on a case-by-case basis, based upon information that you provide, and in consultation with the Advisory Council on Agriculture.

Mr. Bailey's letter to the Department states that permits for the storage of *equate* and for the land application of that material were submitted to New York State Department of Environmental Conservation (DEC). DEC issued a permit on March 7, 2014 for the storage of *equate* within a storage vessel on your farm and the land application permit is pending. Mr. Bailey indicated that *equate* is the byproduct of an anaerobic digestion process containing food wastes (FOG - fat, oils, and grease) and biosolids (sewage sludge) from the Quasar digester located in West Seneca, New York. He further stated that if the land application permit is approved by DEC, *equate* will be land applied to farmland that is managed by Trav-Co Farms. Quasar's agronomist will take soil samples prior to the application of *equate* on the farmland and the agronomist will calculate the amount of *equate* to be land applied to meet the nutrient needs of the crop being produced.

Anaerobic digestion is a process that uses anaerobic bacteria to convert carbon and hydrogen in the food waste and sludge to methane and carbon dioxide. The methane is used as a fuel for the generation of electricity and as a source of heat. The primary benefits of anaerobic digestion include nutrient recycling, waste treatment and odor control. The stabilized effluent produced by this process is rich in ammonia, phosphorus, potassium and trace elements; is an excellent soil conditioner and may be spread more readily during the growing season when maximum nutrient uptake by crops is achieved. Quasar states that laboratory tests of representative samples of *equate* indicate nutrient values of 10% nitrogen, 6% phosphorous and 1% potassium. Quasar Energy Group filed an application with the

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Department for a license to sell/distribute a commercial fertilizer pursuant to AML §145. On a percentage basis, Quasar Energy Group has guaranteed a liquid fertilizer value of 0.37% Nitrogen, 0.28% Phosphorous and 0% potassium. The Department has consistently held that the digestion of animal waste, recognizable and non-recognizable food waste, sludge, and septage materials is a beneficial biological process that produces valuable soil amendments for crop production.

Based upon the information you and Quasar Energy Group have provided, and upon consultation with the Advisory Council on Agriculture, it is my opinion that the use of the land for the storage and application of *equate* on land owned or rented by the Trav-Co Farm for the production of crops as described above, and consistent with any applicable State or federal requirements, is agricultural in nature.

Sincerely,



Richard A. Ball
Commissioner

CC. James Vincent, Advisory Council on Agriculture
Brett Kreher, Chair, Erie County AFPB
Bruce Bailey, Quasar Energy Group