



www.verenium.com

55 Cambridge Parkway, Cambridge, MA 02142

617.674.5300

February 6, 2009

Mr. Alvero A. Linero, P.E.
Administrator, South Permitting Section
Florida Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

RECEIVED

FEB 16 2009

BUREAU OF AIR REGULATION

Re: PSD Permit Application for Proposed Highlands Ethanol Facility

Dear Mr. Linero:

Highlands Ethanol, LLC, an affiliate of Verenium Biofuels Corporation, is pleased to submit the enclosed Prevention of Significant Deterioration (PSD) permit application and accompanying fee payment of \$7,500 for the construction of the Highlands Ethanol facility. As we discussed in our pre-application meeting on October 23, 2008, Highlands Ethanol will be a new cellulosic ethanol production facility located in Highlands County near the intersection of State Route 70 and State Route 721.

We are hereby providing you with the hard copy of the application in quadruplicate, in accordance with 62-4.050(2) F.A.C. In addition, as you requested, we are providing you with a CD-ROM containing an electronic file of the document in portable document format (pdf) for ease of uploading onto the Florida Department of Environmental Protection (FDEP) website.

Because FDEP has not adopted USEPA's PSD rule changes for certain ethanol production facilities, potential emissions from the proposed project will exceed either the major source threshold of 100 tons per year for chemical process plants or the PSD significance threshold for all criteria pollutants. Therefore, PSD review and application of Best Available Control Technology (BACT) is required for all criteria pollutants.

The enclosed permit application contains all of the required information for PSD review under 62-212.400 F.A.C. as follows:

- Description of the proposed facility, processes, and equipment;
- Emissions characterization;

- Regulatory review;
- Control technology review;
- Source impact analysis;
- Air quality analysis;
- Additional impact analyses; and
- Completed permit application form (DEP Form No. 62-210.900(1)).

While Highlands Ethanol has prepared an application that is based on the best available engineering data to date, we ask that FDEP recognize that final engineering design and vendor selection will not occur for a number of months. Therefore, it is possible that some design details and/or supporting information requested on the application form are not yet available or are subject to change. We respectfully request that application review commence and that a condition be included in the permit as is deemed necessary to supply final engineering information.

While the site is not currently supplied with natural gas, Florida Gas Transmission (FGT) is currently in the process of expanding their pipeline system to include the addition of a pipeline along the north side of State Route 70. This pipeline is expected to be completed before the Highlands Ethanol facility completes construction, and consequently we plan to use that resource. Should FGT's plans be postponed for whatever reason, we will need to use either ultra-low sulfur diesel (ULSD) or propane at the facility. Our permit application provides emissions calculations for either scenario.

As we discussed in our pre-application meeting, Highlands Ethanol is requesting that a Class I analysis be waived based on the distance from the proposed site to the Class I areas, modeled impacts at 50 kilometers from the proposed site that are less than the Class I area Significant Impact Levels (SILs), the relatively low emissions from this facility in relation to other permitted sources in the area. We understand that this decision rests with the Federal Land Managers (FLM) and not with FDEP. Highlands Ethanol is concurrently submitting a letter to the FLMs requesting the waiver. We will forward their responses to FDEP upon receipt.

In addition, Highlands Ethanol is seeking the USEPA's exemption from the following New Source Performance Standards (NSPS) for ethanol production facilities because the ethanol is totally produced by biological synthesis:

- 40 CFR 60 Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations; and

Mr. Alvero Linero

February 6, 2009

Page 3

- 40 CFR 60 Subpart RRR - Standards of Performance for Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.

Highlands Ethanol understands that this decision rests with the USEPA and not with FDEP. Highlands Ethanol is concurrently submitting a letter to USEPA Region 4 that formally requests the exemption from these requirements. Prior USEPA applicability determinations are provided in Appendix D for your reference.

This permit application represents a construction permit application only. Highlands Ethanol is not requesting concurrent construction and operating permit review. We understand that a Title V permit application must be submitted 90 days prior to the expiration date of the facility's preconstruction permit but no later than 180 days after commencing operation. We will submit a Title V permit application, including Compliance Assurance Monitoring (CAM) plan, as necessary, at the required time.

We are excited about locating the first ever commercial scale cellulosic ethanol facility within the State of Florida, and we look forward to working with you through the permitting process. Should you have any questions, or require any additional information, please do not hesitate to contact me at (813) 349-4943 or our environmental consultant, Mr. Jeff Harrington of AMEC at (207) 879-4222.

Sincerely,



Tim Eves

Vice President, Business Development

cc: C. Davis – Verenium/Highlands Ethanol
J. Harrington – AMEC
K. Jameson – AMEC

February 22, 2010

Mr. Alvaro Linero
Administrator South Permitting Section
Department of Environmental Protection
2600 Blair Stone Road, MS # 5505
Tallahassee, FL 32399-2400

RECEIVED
FEB 23 2010
BUREAU OF AIR REGULATION

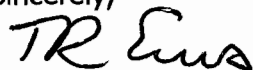
Dear Mr. Linero:

Attached you will find the affidavit certifying the publication of the official **Notice of Intent to Issue**, along with a copy of the published Notice, for the following project:

Owner/Company Name: HIGHLANDS ETHANOL, LLC
Facility Name: HIGHLANDS ETHANOL
Project Number: 0550061-001-AC/ PSD-FL-406
Permit Status: REV DRAFT
Permit Activity: CONSTRUCTION
Facility County: HIGHLANDS
Processor: Al Linero

It is a pleasure working with you and your team on this permit. Please contact me with any questions. Thanks you.

Sincerely,



Timothy R. Eves
Vice President Development
tim.eves@vercipia.com

Cc: Jeff Harrington – AMEC

Enclosures

For each PSD-significant pollutant, the Department is required to determine the Best Available Control Technology (BACT) and evaluate the applicant's Air Quality Analysis regarding ambient impacts due to the project. The Department's preliminary BACT determinations for these pollutants from the key emissions units are based on: fabric filters and good combustion design and practices (PM, PM₁₀, and PM_{2.5}); selective catalytic reduction or selective non-catalytic reduction on the biomass boilers (NO_x); good combustion design and practices (CO and VOC); wet scrubbers on the fermentation process, storage tank design, and process equipment leak control (VOC); and limestone low-sulfur fuels in auxiliary equipment (SAM and SO₂).

The details of the Department's BACT determination and the air quality analysis are provided in the Technical Evaluation and Preliminary Determination document available at the following web link:

www.dep.state.fl.us/air/emission/construction/highlands/hightech.pdf

Permitting Authority : Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212, F.A.C. The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone number is 850/488-0114.

Project File : A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available at the following web link:

www.dep.state.fl.us/Air/emission/construction/highlands.htm

Notice of Intent to Issue Air Permit : The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments : The Permitting Authority will accept written comments concerning the proposed Draft Permit and requests for a public meeting for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. In addition, if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received comments result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions : A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation : Mediation is not available in this proceeding.

#8280

2/13/10

Highlands Ethanol LLC 0550061-001-AC PSD 406

OGC # 09-3806

(AI)

	2009							
	2-Nov	Received first request for an extension of time through December 2, 2009						
		AI will grant this request						
	5-Nov	OGC issued the order granting the extension						
		EXPIRES on December 2nd						
	2-Dec	Received 2nd request for an extension of time through December 23 will be granted per Trina and AL						
	3-Dec	OGC issued the order granting the 2nd request for an extension of time today						
	16-Dec	one week notice to AI			AI is trying to reissue a new draft before 12/23			
	22-Dec	Received 3rd request for an extension of time						
		EXPIRES ON DECEMBER 23RD						
	24-Dec	OGC issued the third extension of time						
	29-Dec	Per AI, waiting on a stipulation agreement in order to issue a revised draft						
	2010							
	1-Feb	Stipulation Agreement signed and sent						
		EXPIRES ON JANUARY 29, 2010						
	4-Feb	Revised draft permit issued						
	22-Feb	CASE CLOSED IN OGC						

Gibson, Victoria

From: Moore, Ronni
Sent: Monday, February 22, 2010 10:01 AM
To: Gibson, Victoria
Subject: RE: Updated OGC List for the Week



Highlands-DEP -
Settlement.pdf...

Vickie,

Thanks for the update. Attached above is the Settlement Stipulation for Highlands, which serves in lieu of a closure memo.

Thanks,
Ronni

Ronda L. Moore
Assistant General Counsel



Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Gibson, Victoria
Sent: Tuesday, February 16, 2010 4:10 PM
To: Vielhauer, Trina; Linero, Alvaro; Holtom, Jonathan; Koerner, Jeff; Walker, Elizabeth (AIR); Moore, Ronni
Subject: Updated OGC List for the Week

<< File: OGC List -- February 2010.doc >>

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Division of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

HIGHLANDS ETHANOL, LLC,

Petitioner,

vs.

OGC No. 09-3806

DEP Permit No. 0550061-001-AC

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

SETTLEMENT STIPULATION

Petitioner Highlands Ethanol, LLC (Highlands) and Respondent Department of Environmental Protection (Department), stipulate to the settlement of this case, and in support thereof, state:

1. On October 23, 2009, the Department issued its notice of intent to issue a draft air construction permit, Permit No. 0550061-001-AC, to Highlands for it to construct a cellulosic ethanol production facility, to be known as the Highlands Ethanol Facility and located in Brighton, Highlands County, Florida (draft permit).
2. On November 2, 2009, the Department received Highlands' timely request for an extension of time to file a petition for a formal administrative hearing on the draft permit. The Department granted Highlands' request. During this time extension, Highlands proposed changes to the draft permit for the Department's consideration. Before the parties could reach resolution of the proposed changes, Highlands' extension ran. Highlands timely filed and the Department granted two further extensions of time. Highlands' current extension runs through January 29, 2010.

3. The parties have reached agreement on the changes Highlands proposed to the draft permit. Within seven (7) days of this Settlement Stipulation (Settlement Stipulation) being signed by all parties, the Department will withdraw the draft permit issued on October 23, 2009, and will issue the revised draft permit, attached hereto and incorporated herein as Attachment A (the Revised Permit). The Revised Permit will become the final permit without any further changes, unless written comments are timely received, by a person not party to this Settlement Stipulation, that result in changes to the Revised Permit or a petition is timely filed, by a person not party to this Settlement Stipulation, which results in litigation that causes changes to the Revised Permit.

4. Highlands agrees to waive its right to petition for an administrative hearing under Chapter 120, Florida Statutes, and its right to submit written comments regarding the Department's issuance of the Revised Permit, provided there are no further changes made to the Revised Permit, and the Revised Permit becomes the final permit. Highlands retains its right to petition for an administrative hearing under Chapter 120, Florida Statutes, seek judicial review and/or pursue any other options it may have available by law, regulation or statute, in the event there are changes to the Revised Permit. The parties agree that Highlands would be a necessary party to any litigation resulting from a petition being filed by any other person regarding the issuance of the Revised Permit.

5. Highlands agrees to publish notice of the Revised Permit in accordance with Rule 62-210.350, Florida Administrative Code, within fourteen (14) days of receipt of the Department's notice of intent to issue the Revised Permit. Highlands will submit proof of publication to the Department within fourteen (14) days of publication.

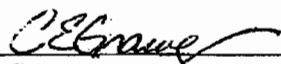
6. Highlands hereby withdraws its December 22, 2009, third request for extension of time to file a petition for formal administrative hearing. Highlands' withdrawal is based upon the representations in this Settlement Stipulation and issuance of the Revised Permit.

7. Each party shall be responsible for its own costs and attorney's fees and waives any right that it may have against any other party for costs and attorney's fees associated with this action.

8. All parties acknowledge that they have the right to seek judicial review under Section 120.68, Florida Statutes, by filing a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure. By executing this Settlement Stipulation, each party waives its right to such appeal and to any further notice of that right, except in the event that the Revised Permit does not become the final permit, in which event Highlands shall have the right to seek review and/or any other remedies available to it by law, statute or regulation as discussed herein.

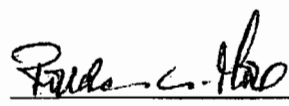
DATED this 1st day of February, 2010.

HIGHLANDS ETHANOL, LLC



CHARLES E. GRAWEY
President of Highlands Ethanol, LLC
55 Cambridge Parkway
Cambridge, MA 02142

DEPARTMENT OF ENVIRONMENTAL
PROTECTION



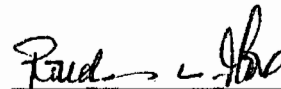
RONDA L. MOORE
Florida Bar No. 0676411
Assistant General Counsel
3900 Commonwealth Blvd., MS 35
Tallahassee, Florida 32399-3000
Telephone: (850) 245-2193
Facsimile: (850) 245-2302

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Settlement Stipulation was furnished by electronic mail on this 1st day of ~~January~~ ^{February}, 2010, to:

Charles F. Davis, III
Executive Vice President, Development
Highlands Ethanol, LLC
55 Cambridge Parkway
Cambridge, MA 02142
charles.davis@vercipia.com

Facsimile: (617) 674-5324



RONDA L. MOORE
Assistant General Counsel

Gibson, Victoria

From: Moore, Ronni
Sent: Monday, February 01, 2010 10:19 AM
To: Vielhauer, Trina; Gibson, Victoria
Cc: Phipps, Jessica R.
Subject: FW: Highland's - Settlement
Attachments: Highlands-DEP - Settlement.pdf

Morning,

I should have copied you all on this to keep you up to date on Highlands. If you have any questions, please let me know.

Thanks,
Ronni

Ronda L. Moore
Assistant General Counsel



Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Moore, Ronni
Sent: Monday, February 01, 2010 9:51 AM
To: Linero, Alvaro; Read, David
Subject: RE: Highland's - Settlement

Morning,

Thanks for your patience in getting this settlement around. With Highlands being an LLC with corporations as managing members we had to go through some hoops to find who had authority to bind Highlands. To that end, attached please find the fully executed Settlement Stipulation. Per the stipulation (paragraph 3) we have 7 days, until Mon., Feb. 8th, to withdraw our prior intent and issue the revised draft. Would you please copy me on the issuance of the Revised Draft? If you have any questions, please let me know.

Thanks,
Ronni

Ronda L. Moore
Assistant General Counsel



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Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Linero, Alvaro
Sent: Friday, January 22, 2010 11:23 AM
To: Moore, Ronni
Subject: RE: Highland's Revised draft permit


Thank you.

Al Linero.

From: Moore, Ronni
Sent: Friday, January 22, 2010 11:23 AM
To: Read, David
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

Happy Friday! Just wanted to update you all on Highlands. Highlands and the Department have agreed on the language in the attached Settlement Stipulation, but are still determining who will sign on behalf of Highlands. I think we'll get this issue cleared up either today or by early next week.

Ronda L. Moore
Assistant General Counsel


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From: Moore, Ronni
Sent: Wednesday, January 13, 2010 1:12 PM
To: Read, David
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

Great. I'll get this on over to Highlands then.

Ronda L. Moore
Assistant General Counsel

 Please consider the environment before printing this email.

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From: Read, David
Sent: Wednesday, January 13, 2010 1:06 PM
To: Moore, Ronni
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

No. That goes for Trina as well.

Have a nice day

David Lyle Read
Engineering Specialist II


**Special Projects Section
Bureau of Air Regulation
850-414-7268**

David.Read@dep.mail.state.fl.us

From: Moore, Ronni
Sent: Wednesday, January 13, 2010 12:59 PM
To: Read, David
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

Thanks. Did you guys have any comments on the settlement stipulation here?

Ronda L. Moore
Assistant General Counsel

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From: Read, David
Sent: Wednesday, January 13, 2010 12:57 PM
To: Moore, Ronni
Cc: Linero, Alvaro
Subject: Highland's Revised draft permit

Ronni attached is the revised draft permit and appendices to be sent to Highlands with the stipulation.

Thanks

**David Lyle Read
Engineering Specialist II
Special Projects Section
Bureau of Air Regulation
850-414-7268
David.Read@dep.mail.state.fl.us**

Gibson, Victoria


From: Linero, Alvaro
Sent: Thursday, January 28, 2010 7:05 PM
To: Vielhauer, Trina; Gibson, Victoria
Subject: FW: Certificate
Attachments: Certificate.PDF

We'll be reissuing Highlands draft permit soon.

From: Moore, Ronni
Sent: Thursday, January 28, 2010 7:01 PM
To: Linero, Alvaro; Read, David
Subject: FW: Certificate

FYI. We should have the Settlement Stipulation signed by Highlands very soon.

Ronda L. Moore
Assistant General Counsel

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Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Janet Gallagher [mailto:Janet.Gallagher@verenium.com]
Sent: Thursday, January 28, 2010 11:40 AM
To: Moore, Ronni
Cc: Tim Eves-Vercipia
Subject: Certificate

Hi Ronni, further to our discussion last week, attached please find the certificate regarding signature authority. Please let me know if you have any questions.

Janet A. Gallagher
Corporate Counsel
Verenium Corporation
55 Cambridge Parkway, 8th Floor | Cambridge | MA 02142

P: 617.674.5351 | F: 617.674.5353 | C: 617.710.9408
janet.gallagher@verenium.com

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Gibson, Victoria

From: Linero, Alvaro
Sent: Friday, January 22, 2010 4:18 PM
To: Gibson, Victoria; Vielhauer, Trina
Subject: FW: Highland's Revised draft permit
Attachments: Highlands - draft settlement stip - 1 19 10.doc

Getting close Vickie.


We'll be able to withdraw/reissue soon and the process will start again except that Highlands will not be able to file such extensions.

Al.

From: Moore, Ronni
Sent: Friday, January 22, 2010 11:23 AM
To: Read, David
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

Happy Friday! Just wanted to update you all on Highlands. Highlands and the Department have agreed on the language in the attached Settlement Stipulation, but are still determining who will sign on behalf of Highlands. I think we'll get this issue cleared up either today or by early next week.

Ronda L. Moore
Assistant General Counsel


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Sent: Wednesday, January 13, 2010 1:12 PM
To: Read, David
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

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Assistant General Counsel

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From: Read, David
Sent: Wednesday, January 13, 2010 1:06 PM
To: Moore, Ronni

Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

No. That goes for Trina as well.


Have a nice day

David Lyle Read
Engineering Specialist II
Special Projects Section
Bureau of Air Regulation
850-414-7268
David.Read@dep.mail.state.fl.us

From: Moore, Ronni
Sent: Wednesday, January 13, 2010 12:59 PM
To: Read, David
Cc: Linero, Alvaro
Subject: RE: Highland's Revised draft permit

Thanks. Did you guys have any comments on the settlement stipulation here?

Ronda L. Moore
Assistant General Counsel

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Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Read, David
Sent: Wednesday, January 13, 2010 12:57 PM
To: Moore, Ronni
Cc: Linero, Alvaro
Subject: Highland's Revised draft permit

Ronni attached is the revised draft permit and appendices to be sent to Highlands with the stipulation.

Thanks

David Lyle Read
Engineering Specialist II
Special Projects Section
Bureau of Air Regulation
850-414-7268
David.Read@dep.mail.state.fl.us

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

HIGHLANDS ETHANOL, LLC,

Petitioner,

vs.

OGC No. 09-3806
DEP Permit No. 0550061-001-AC

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

**ORDER GRANTING THIRD REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING**

This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a third request made by Highlands Ethanol, LLC, (Petitioner) to grant a third extension of time to file a petition for an administrative hearing regarding the Department's intended draft permit, permit number 0550061-001-AC, issued to the Petitioner for its facility that will be located in Highlands County, Florida.

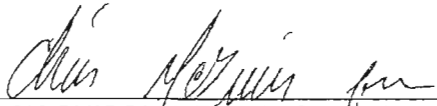
Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until **January 29, 2010**, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 24th day of December, 2009, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
850-245-2242 Fax: 850-245-2302

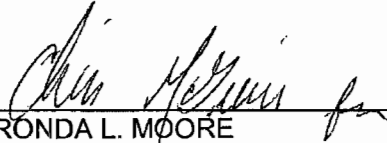
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order Granting Third Request for Extension of Time to File Petition for Hearing was furnished by facsimile and electronic mail on this 24th day of December, 2009, to:

Highlands Ethanol, LLC
c/o Charles F. Davis, III, Executive Vice President, Development
55 Cambridge Parkway
Cambridge, MA 02142
charles.davis@vercipia.com

Facsimile: (617) 674-5324

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE
Assistant General Counsel
3900 Commonwealth Blvd., MS 35
Tallahassee, FL 32399-3000
Ph: (850)245-2193 Fax: (850)245-2302
Florida Bar No. 0676411

cc: Trina Vielhauer, FDEP
Al Linero, FDEP
David Read, FDEP

Gibson, Victoria

From: Phipps, Jessica R.
Sent: Thursday, December 24, 2009 11:19 AM
To: charles.davis@vercipia.com
Cc: Vielhauer, Trina; Linero, Alvaro; Read, David; Gibson, Victoria; Moore, Ronni
Subject: Highlands Ethanol, LLC OGC #: 09-3806
Attachments: ORDER GRANTING THIRD REQUEST FOR EXT. OF TIME 12-24-09.pdf

Please find attached the Order Granting Third Request for Extension of Time to File Petition for Hearing regarding Highlands Ethanol, LLC.

Please let me know if you have any difficulties opening the attachment.

Thank you,

Jessica Phipps

Department of Environmental Protection

Administrative Assistant

850-245-2243

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Gibson, Victoria

From: Linero, Alvaro
Sent: Monday, December 28, 2009 6:17 PM
To: Gibson, Victoria
Subject: FW: Third Request for Extension of Time - Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC)

From: Linero, Alvaro
Sent: Wednesday, December 23, 2009 12:24 PM
To: Moore, Ronni
Subject: RE: Third Request for Extension of Time - Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC)

We are indeed close.

Would give them the time they request.

Their preference seems to be to sign a stipulation with the Department like ADAGE did.

Al.

From: Moore, Ronni
Sent: Wednesday, December 23, 2009 12:23 PM
To: Linero, Alvaro; Read, David
Cc: Vielhauer, Trina; Gibson, Victoria
Subject: FW: Third Request for Extension of Time - Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC)

Afternoon guys,

We have received this timely third request for extension from Highlands. Please let me know what your preference is on the attached. Are we close to finalizing their concerns?

Thanks,
Ronni

From: Crandall, Lea
Sent: Tuesday, December 22, 2009 4:04 PM
To: Moore, Ronni; Gibson, Victoria; Linero, Alvaro
Subject: Third Request for Extension of Time - Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC)

Attached is a Third Request for Extension of Time re: Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC).

Thanks,
Lea

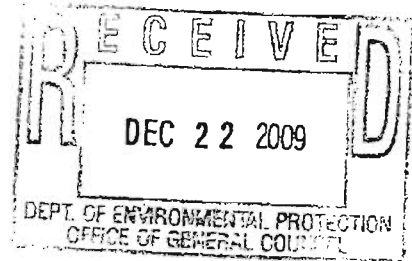
Lea Crandall
Agency Clerk
Office of General Counsel

3900 Commonwealth Blvd., MS 35
Tallahassee, FL 32399-3000
Phone (850) 245-2212
Fax: (850) 245-2303

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at
<http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

Highlands Ethanol LLC

55 Cambridge Parkway
Cambridge MA 02142
Ph: 617-674-5300 Fax: 617-674-5324



December 22, 2009

Ms. Lea Crandall
Agency Clerk
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Mail Station #35
Tallahassee, Florida 32399-3000

**Re: Draft Air Permit No. 0550061-001-AC / PSD-FL-406
Highlands Ethanol, LLC**

Dear Ms. Crandall:

Highlands Ethanol, LLC (Highlands Ethanol) hereby requests an extension in the time allowed to file a Petition for Administrative Proceedings in the matter identified above pursuant to Florida Administrative Code Rule 62-110.106(4). We request that this extension be granted through January 15, 2010. We reached resolution of most of our concerns with the Draft Permit as of December 21, 2009. Nevertheless, additional time is necessary for the Bureau of Air Resources Management (BARM) to complete the revisions of the Draft Permit and to accommodate holiday vacation schedules. We are requesting this extension and this date as a formality to avoid waiver of our rights to challenge certain conditions and assertions in these draft documents. We will continue to work with the BARM resolve the remaining issues. We believe that granting this request is in the best interest of both Highlands Ethanol and the BARM, and will likely avoid the need to file a petition and subsequently proceed to a formal administrative hearing.

Should you have any questions regarding this request for extension of time please do not hesitate to contact Mr. Tim Eves of Highlands Ethanol at (813) 349-4943 or Mr. Jeff Harrington of AMEC at (207) 879-4222. Thank you for your consideration.

Sincerely,
Highlands Ethanol, LLC

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

Charles F. Davis, III
Executive Vice President

cc: A. Linero – FDEP
D. Read – FDEP
R. Moore – FDEP
T. Eves – Highlands Ethanol
J. Harrington – AMEC Earth & Environmental

Gibson, Victoria

From: Crandall, Lea
Sent: Tuesday, December 22, 2009 4:04 PM
To: Moore, Ronni; Gibson, Victoria; Linero, Alvaro
Subject: Third Request for Extension of Time - Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC)
Attachments: Highlands Ethanol, LLC vs. DEP - 3rd Request for Ext. of Time - OGC 09-3806.pdf

Attached is a Third Request for Extension of Time re: Highland Ethanol, LLC - OGC 09-3806 (0550061-001-AC).

Thanks,
Lea

Lea Crandall
Agency Clerk
Office of General Counsel
3900 Commonwealth Blvd., MS 35
Tallahassee, FL 32399-3000
Phone (850) 245-2212
Fax: (850) 245-2303

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

Gibson, Victoria

From: Linero, Alvaro
Sent: Wednesday, December 16, 2009 3:55 PM
To: Gibson, Victoria
Subject: RE: From Vickie -- Highlands Ethanol 0550061-001-AC

Thanks Vickie:

We are going to try to issue revised draft by that date.

From: Gibson, Victoria
Sent: Wednesday, December 16, 2009 3:39 PM
To: Linero, Alvaro
Subject: From Vickie -- Highlands Ethanol 0550061-001-AC

Al,

The facility's second request for an extension of time will expire in one week on December 23rd.

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Division of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

HIGHLANDS ETHANOL, LLC,

Petitioner,

vs.

OGC No. 09-3806

DEP Permit No. 0550061-001-AC

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

**ORDER GRANTING SECOND REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING**

This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a second request made by Highlands Ethanol, LLC, (Petitioner) to grant a second extension of time to file a petition for an administrative hearing regarding the Department's intended draft permit, permit number 0550061-001-AC, issued to the Petitioner for its facility that will be located in Highlands County, Florida.

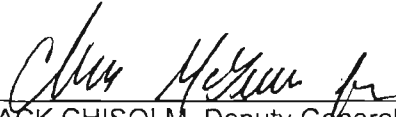
Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until **December 23, 2009**, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 3rd day of December, 2009, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
850-245-2242 Fax: 850-245-2302

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order Granting Second Request for Extension of Time to File Petition for Hearing was furnished by facsimile and electronic mail on this 2nd day of December, 2009, to:

Highlands Ethanol, LLC
c/o Charles F. Davis, III, Executive Vice President, Development
55 Cambridge Parkway
Cambridge, MA 02142
charles.davis@vercipia.com

Facsimile: (617) 674-5324

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE
Assistant General Counsel
3900 Commonwealth Blvd., MS 35
Tallahassee, FL 32399-3000
Ph: (850)245-2193 Fax: (850)245-2302
Florida Bar No. 0676411

cc: Trina Vielhauer, FDEP
Al Linero, FDEP
David Read, FDEP

Gibson, Victoria

From: Phipps, Jessica R.
Sent: Thursday, December 03, 2009 2:08 PM
To: charles.davis@vercipia.com
Cc: Vielhauer, Trina; Linero, Alvaro; Read, David; Gibson, Victoria; Moore, Ronni
Subject: Highlands Ethanol, LLC OGC#: 09-3806
Attachments: ORDER GRANTING SECOND REQUEST FOR EXT. OF TIME 12-03-09.pdf

Please find attached the Order Granting Second Request for Extension of Time to File Petition for Hearing regarding the Highlands Ethanol, LLC.

Please let me know if you have any difficulties opening this attachment.

Thank you,

Jessica Phipps

Department of Environmental Protection

Administrative Assistant

850-245-2243


Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

Gibson, Victoria

From: Moore, Ronni
Sent: Wednesday, December 02, 2009 12:40 PM
To: Vielhauer, Trina
Cc: Read, David; Linero, Alvaro; Phipps, Jessica R.; Gibson, Victoria
Subject: RE: Request for Extension in Time Allowed to File a Petition - Highlands
Attachments: Highlands Ethanol Draft Air Permit extension request 01Dec2009 CD.pdf

Great. We'll write up an order granting through Dec. 23rd then. Thanks!

Ronda L. Moore
Assistant General Counsel

 Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.


From: Vielhauer, Trina
Sent: Wednesday, December 02, 2009 12:36 PM
To: Moore, Ronni
Cc: Read, David; Linero, Alvaro; Phipps, Jessica R.; Gibson, Victoria
Subject: RE: Request for Extension in Time Allowed to File a Petition

Aha! Got it. Thanks. It the request is fine.

From: Moore, Ronni
Sent: Wednesday, December 02, 2009 12:10 PM
To: Vielhauer, Trina
Cc: Read, David; Linero, Alvaro; Phipps, Jessica R.; Gibson, Victoria
Subject: RE: Request for Extension in Time Allowed to File a Petition

We did, but they requested a timely extension. The first attached is the order granting, which expires today. This is their second request, second attachment. Are you all inclined to grant them the time requested, through Dec. 23rd?

Ronda L. Moore
Assistant General Counsel

 Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Vielhauer, Trina
Sent: Wednesday, December 02, 2009 8:33 AM
To: Crandall, Lea
Cc: Read, David; Linero, Alvaro; Moore, Ronni
Subject: RE: Request for Extension in Time Allowed to File a Petition

I don't think this is timely- didn't we issue late October?

From: Harrington, Jeff [mailto:jeff.harrington@amec.com]
Sent: Tuesday, December 01, 2009 7:32 PM
To: Crandall, Lea
Cc: Read, David; Linero, Alvaro; Vielhauer, Trina; Moore, Ronni; Chuck Davis; Tim Eves
Subject: Request for Extension in Time Allowed to File a Petition

RE: Highlands Ethanol, LLC, Draft Air Permit No. 0550061-001-AC / PSD-FL-406

Dear Ms. Crandall:

On behalf of Highlands Ethanol, LLC, please find attached an advance copy of a request for extension in the time allowed to file a Petition for Administrative Proceedings in the matter identified above pursuant to Florida Administrative Code Rule 62-110.106(4). You will be receiving an original hardcopy of the letter tomorrow via FedEx. We appreciate your time and consideration of this request. Should you have any questions, please contact me at the information provided below.

Sincerely,
Jeff Harrington

Jeff Harrington, P.E.
AMEC Earth & Environmental
15 Franklin Street
Portland, ME 04101
USA
www.amec.com/earthandenvironmental

Email: jeff.harrington@amec.com OR
jharrington@stanfordalumni.org
Telephone: (207) 879-4222 ext. 37
Fax: (207) 879-4223
Cell: (207) 841-9909

The information contained in this e-mail is intended only for the individual or entity to whom it is addressed. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

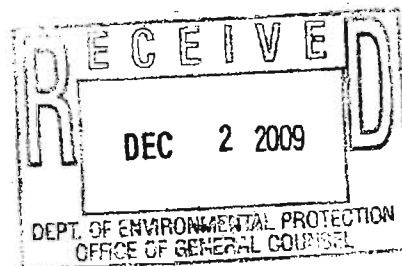


55 Cambridge Parkway, Cambridge, MA 02142
617.674.5375

www.vercipia.com

December 1, 2009

Ms. Lea Crandall
Agency Clerk / Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Mail Station #35
Tallahassee, Florida 32399-3000



**Re: Draft Air Permit No. 0550061-001-AC / PSD-FL-406
Highlands Ethanol, LLC**

Dear Ms. Crandall:

Highlands Ethanol, LLC (Highlands Ethanol) hereby requests an extension in the time allowed to file a Petition for Administrative Proceedings in the matter identified above pursuant to Florida Administrative Code Rule 62-110.106(4). We request that this extension be granted through December 23, 2009. The Draft Permit and the Technical Evaluation & Preliminary Determination require clarification, correction, or revision. While we are working expeditiously with our consultants, AMEC Earth & Environmental (AMEC), to provide comments to the Bureau of Air Resources Management (BARM), we are simply requesting this extension and this date as a formality to avoid waiver of our rights to challenge certain conditions and assertions in these draft documents. We have been communicating with the BARM through their review of our application and their issuance of the Draft Permit, and will continue to communicate with the BARM to quickly resolve all issues. We believe that granting this request is in the best interest of both Highlands Ethanol and the BARM, and will likely avoid the need to file a petition and subsequently proceed to a formal administrative hearing.

Should you have any questions regarding this request for extension of time please do not hesitate to contact Mr. Tim Eves of Highlands Ethanol at (813) 349-4943 or Mr. Jeff Harrington of AMEC at (207) 879-4222. Thank you for your consideration.

Sincerely,

Highlands Ethanol, LLC
Charles F. Davis, III
Executive Vice President, Development

cc: A. Linero – FDEP
D. Read – FDEP
R. Moore – FDEP
T. Eves – Highlands Ethanol
J. Harrington – AMEC Earth & Environmental

Gibson, Victoria

From: Crandall, Lea
Sent: Wednesday, December 02, 2009 11:58 AM
To: Moore, Ronni; Linero, Alvaro; Gibson, Victoria
Subject: Second Request for Extension of Time - Highland Ethanol, LLC - OGC 09-3806
Attachments: Highlands Ethanol, LLC vs. DEP - 2nd Request for Ext. of Time - OGC 09-3806.pdf

Attached is a Second Request for Extension of Time re: Highland Ethanol, LLC - OGC 09-3806.

Thanks,
Lea

Lea Crandall
Agency Clerk
Office of General Counsel
3900 Commonwealth Blvd., MS 35
Tallahassee, FL 32399-3000
Phone (850) 245-2212
Fax: (850) 245-2303

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

HIGHLANDS ETHANOL, LLC,

Petitioner,

vs.

OGC No. 09-3806
DEP Permit No. 0550061-001-AC

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

**ORDER GRANTING REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING**

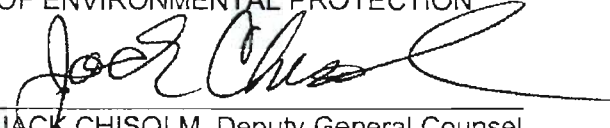
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner Highlands Ethanol, LLC (Petitioner) to grant an extension of time to file a petition for an administrative hearing regarding the Department's intended draft permit, permit number 0550061-001-AC, issued to the Petitioner for its facility that will be located in Highlands County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until **December 2, 2009**, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 5th day of November, 2009, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard, MS 35
Tallahassee, Florida 32399-3000
Ph: (850) 245-2242 Fax: (850) 245-2302


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Request for Extension of Time to File Petition for Hearing, was furnished via Facsimile U.S. Mail Hand Delivery ONLY, on this 5th of November, 2009, to:

Highlands Ethanol, LLC
c/o Charles F. Davis, III, Executive Vice President
55 Cambridge Parkway
Cambridge, MA 02142

Facsimile: (617) 674-5324

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE, Assistant General Counsel
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Ph: (850) 245-2193 Fax: (850) 245-2302
Florida Bar No. 0676411

cc via electronic mail: Trina Vielhauer, FDEP
Al Linero, FDEP

Gibson, Victoria

From: Phipps, Jessica R.
Sent: Thursday, November 05, 2009 1:14 PM
To: Vielhauer, Trina; Linero, Alvaro
Cc: Moore, Ronni; Gibson, Victoria
Subject: Highlands Ethanol, LLC OGC#: 09-3806
Attachments: ORDER GRANTING REQUEST FOR EXT. OF TIME 11-05-09.pdf

Good afternoon,

Please find attached the Order Granting Request for Extension of Time regarding Highlands Ethanol, LLC case.

Please let me know if you have difficulties opening the attachment.

Thank you,

Jessica Phipps

Department of Environmental Protection

Administrative Assistant

850-245-2243

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

Highlands Ethanol LLC

55 Cambridge Parkway

Cambridge MA 02142

Ph: 617-674-5375 Fax: 617-674-5324

November 2, 2009

Ms. Lea Crandall
Agency Clerk
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Mail Station #35
Tallahassee, Florida 32399-3000

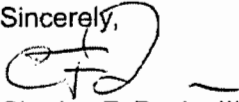
**Re: Draft Air Permit No. 0550061-001-AC / PSD-FL-406
Highlands Ethanol, LLC.**

Dear Ms. Crandall:

Highlands Ethanol, LLC (Highlands Ethanol) hereby requests an extension in the time allowed to file a Petition for Administrative Proceedings in the matter identified above pursuant to Florida Administrative Code Rule 62-110.106(4). We request that this extension be granted through December 2, 2009. The Draft Permit and the Technical Evaluation & Preliminary Determination require clarification, correction, or revision. While we are working expeditiously with our consultants, AMEC Earth & Environmental (AMEC), to provide comments to the Bureau of Air Resources Management (BARM), we are simply requesting this extension and this date as a formality to avoid waiver of our rights to challenge certain conditions and assertions in these draft documents. We have been communicating with the BARM through their review of our application and their issuance of the Draft Permit, and will continue to communicate with the BARM to quickly resolve all issues. We believe that granting this request is in the best interest of both Highlands Ethanol and the BARM, and will likely avoid the need to file a petition and subsequently proceed to a formal administrative hearing.

Should you have any questions regarding this request for extension of time please do not hesitate to contact Mr. Tim Eves of Highlands Ethanol at (813) 349-4943 or Mr. Jeff Harrington of AMEC at (207) 879-4222. Thank you for your consideration.

Sincerely,



Charles F. Davis, III
Executive Vice President
Highlands Ethanol, LLC


cc: A. Linero – FDEP
D. Read – FDEP
R. Moore – FDEP
T. Eves – Highlands Ethanol
J. Harrington – AMEC Earth & Environmental

Gibson, Victoria

From: Moore, Ronni
Sent: Monday, November 02, 2009 12:45 PM
To: Linero, Alvaro
Cc: Vielhauer, Trina; Gibson, Victoria
Subject: RE: Request for Extension in Time Allowed to File a Petition

Thanks, Al.

Ronda L. Moore
Assistant General Counsel

 Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Linero, Alvaro
Sent: Monday, November 02, 2009 12:41 PM
To: Moore, Ronni
Cc: Vielhauer, Trina; Gibson, Victoria
Subject: RE: Request for Extension in Time Allowed to File a Petition

Yes.

They have not published notice yet.

I'm expecting comments from them soon.

We *might* thereafter withdraw present draft package and issue revised draft package.


Thanks.

Al.

From: Moore, Ronni
Sent: Monday, November 02, 2009 12:31 PM
To: Linero, Alvaro
Cc: Vielhauer, Trina; Gibson, Victoria
Subject: FW: Request for Extension in Time Allowed to File a Petition

Al, are you okay with granting this extension request?

Ronda L. Moore
Assistant General Counsel

 Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Harrington, Jeff [mailto:jeff.harrington@amec.com]
Sent: Monday, November 02, 2009 12:25 PM
To: Crandall, Lea
Cc: Read, David; Linero, Alvaro; Vielhauer, Trina; Moore, Ronni; Chuck Davis; Tim Eves
Subject: Request for Extension in Time Allowed to File a Petition

RE: Highlands Ethanol, LLC, Draft Air Permit No. 0550061-001-AC / PSD-FL-406

Dear Ms. Crandall:

On behalf of Highlands Ethanol, LLC, please find attached an advance copy of a request for extension in the time allowed to file a Petition for Administrative Proceedings in the matter identified above pursuant to Florida Administrative Code Rule 62-110.106(4). You will be receiving an original hardcopy of the letter tomorrow via FedEx. We appreciate your time and consideration of this request. Should you have any questions, please contact me at the information provided below.

Sincerely,
Jeff Harrington

Jeff Harrington, P.E.
AMEC Earth & Environmental
15 Franklin Street
Portland, ME 04101
USA
www.amec.com/earthandenvironmental

Email: jeff.harrington@amec.com OR
jharrington@stanfordalumni.org
Telephone: (207) 879-4222 ext. 37
Fax: (207) 879-4223
Cell: (207) 841-9909

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Legal Case Tracking System - Case Search Screen

Search By Results: Query retrieved 1 record Case Details Chronology

OGC Number 09-3806 District 5-SOUTH District Contact LINERO_A County 28-HIGHLANDS
 Mode P-PERMITTING Final Order Number Status C-CLOSED
 Name HIGHLANDS ETHANOL, LLC VS. DEP

Activity Date	Code	Description
11/02/2009	AR	RE-ASSIGNED TO LEAD ATTORNEY RONNI L MOORE
11/05/2009		ORDER GRANTING REQUEST FOR EXTENSION OF TIME (UNTIL 12/02/09)
12/02/2009	EXP1	FIRST EXTENSION EXPIRES TODAY
12/02/2009	REX2	RECEIVED SECOND REQUEST FOR EXTENSION OF TIME
12/03/2009		ORDER GRANTING 2ND REQUEST FOR EXTENSION (UNTIL 12/23/09)
12/22/2009	REX3	RECEIVED THIRD REQUEST FOR EXTENSION OF TIME
12/23/2009	EXP2	SECOND EXTENSION EXPIRES TODAY
12/24/2009		ORDER GRANTING 3RD REQUEST FOR EXTENSION OF TIME (01/29/10)
01/29/2010	EXP3	THIRD EXTENSION EXPIRES TODAY
02/01/2010		SETTLEMENT STIPULATION
02/04/2010		REVISED DRAFT WAS SENT
02/22/2010	CC	CASE CLOSED IN OGC
02/22/2010		REFERENCE OCLUS FOR THESE DOCUMENTS (FILE HAS BEEN RECYCLED)

View Case History Report