



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

March 10, 2010

ELECTRONIC MAIL READ RECEIPT REQUESTED

Mr. David King
President
INEOS New Planet BioEnergy
2600 South Shore Blvd - Suite 500
League City, Texas 77573
david.king@ineos.com

Re: Request for Additional Information
File No. 0610096-001-AC
INEOS New Planet BioEnergy, Indian River County Facility

Dear Mr. King:

On February 12, 2010, the Florida Department of Environmental Protection ("Department") received your application for an air construction permit for the INEOS New Planet BioEnergy (INPB) facility to be located in Indian River County. The application is incomplete. Pursuant to Rule 62-4.055(1), Florida Administrative Code (F.A.C.), the Department reviewed the application and requests submittal of the following additional information. Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. **Air Dispersion Modeling:** The Department understands that the second phase of this project may not occur, depending on an evaluation of the success of the first phase. To provide assurances that the project's environmental consequences are minimized, the Department requests a dispersion modeling demonstration to indicate whether, at full build-out, the combined Phase I/Phase II project would exceed any national ambient air quality standards or prevention of significant deterioration increments. Given the uncertain nature of the second phase, any dispersion modeling can be based on the best available data for Phase I along with reasonable extrapolations to account for Phase II. Note that while this air dispersion modeling will be informative, the Department is not making any determination at this time regarding new source review applicability for a combined Phase I/Phase II facility.
2. **Feedstock Handling:** The calculations provided for the feedstock handling area assume 425 tons/day of material will be fed to the grinder, at a uniform moisture content of 27 percent. Does the 425 ton/day represent a worst-case vegetative debris at 27 percent moisture, or does this feedrate and moisture content reflect the 80/20 split for vegetative vs. construction and demolition debris? The calculations assume onsite shredding, but the discussion indicates that material will be delivered pre-shredded, with an option to move the shredding operation to the facility in the future. Is it the applicant's intent to have shredding equipment included in the air construction and air operation permits? The application calculates only particulate matter emissions from the feedstock handling area. Will there be any fuel used by the grinding, screening, or conveying equipment, and if so, what will the emissions be? Will the construction and

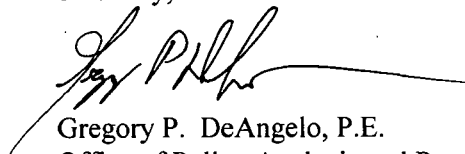
demolition debris include any wood treated with chromated copper arsenate (CCA) be included in the feedstocks for the facility? If not, how will this material be identified and removed from the waste stream?

3. Desulfurization Unit: Do the New Source Performance Standards for air oxidation units (40 CFR 60, subpart III) apply to the oxidation tank in the desulfurization unit or to any other piece of equipment in the proposed project?
4. Emergency Flares: Why do the emission calculations assume 100 hours/year as a maximum use of the emergency gasifier flare but 300 hours/year as the maximum for the emergency syngas flare?
5. Vent Gas Boiler: The application requests an alternative to the monitoring scheme specified in 40 CFR 60, subpart AAAA, for dioxin/furan emissions from the gasification/vent gas boiler system. To evaluate this request, please provide the best engineering estimate of the following information: temperature profile of the gas flow across the system; approximate residence times at the different temperatures; and other possible locations for a temperature monitor. Is there any other parametric monitoring that could be performed to show that operation is being maintained in a manner similar to operation during the last compliant dioxin/furan compliance test?
6. Equipment Leaks: As noted in the application, the New Source Performance Standards for equipment leaks at synthetic organic chemical manufacturing industries (40 CFR 60, subpart VVa) apply to several areas of the facility. One requirement of subpart VVa is the development of a leak detection and repair (LDAR) program. To provide reasonable assurance that the facility will comply with subpart VVa, please submit a preliminary procedure that can be used to implement and manage a LDAR program. (The air construction permit will require that the preliminary procedure be followed until a final LDAR program can be submitted to and approved by the Compliance Authority.)

The Department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C., requires that all applications for a construction permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. For any material changes to the application, please include a new certification statement by the authorized representative or responsible official. Rule 62-4.055(1), F.A.C., also requires applicants to respond to requests for information within 90 days or provide a written request for an additional period of time to submit the information.

If you have any questions, please contact Tiffany Miesel (project contact) at 850/921-8306 or me at 850/921-9548.

Sincerely,



Gregory P. DeAngelo, P.E.
Office of Policy Analysis and Program Management

GPD/tm

Copy to: Tom Younge, P.E., CDM yongetc@cdm.com
Gretchen Janssen, CDM janssenge@cdm.com
Victoria Gibson, Copy for DEP Reading File victoria.gibson@dep.state.fl.us

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Wednesday, March 10, 2010 3:51 PM
To: 'david.king@ineos.com'
Cc: 'yongetc@cdm.com'; 'janssenge@cdm.com'; Gibson, Victoria; Read, David; Miesel, Tiffany; DeAngelo, Gregory; Walker, Elizabeth (AIR)
Subject: Request for Additional Information: INEOS New Planet Bioenergy (0610096-001-AC)
Attachments: RAI 0610096-001-AC.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software, *noting that you can view the documents*, and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <<http://www.adobe.com/products/acrobat/readstep.html>> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
Department of Environmental Protection
850/921-9506
sylvia.livingston@dep.state.fl.us

Livingston, Sylvia

From: david.king@ineos.com
Sent: Wednesday, March 10, 2010 11:13 PM
To: Livingston, Sylvia
Cc: Read, David; Walker, Elizabeth (AIR); DeAngelo, Gregory; 'janssenge@cdm.com'; Miesel, Tiffany; Gibson, Victoria; 'yongetc@cdm.com'
Subject: Re: Request for Additional Information: INEOS New Planet Bioenergy (0610096-001-AC)

Dear Ms. Livingston,
thank you for your note regarding our Permit application.

I am confirming receipt of your e-mail as well as the ability to view the document per your request below.

Best regards,

David King

David W. T. King
President
INEOS New Planet BioEnergy
T 281 - 535 - 4305 / M 281-723-5495 / E david.king@ineos.com

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From: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
To: David King/US/OP-US/INEOS@INEOS
Cc: "yongetc@cdm.com" <yongetc@cdm.com>, "janssenge@cdm.com" <janssenge@cdm.com>, "Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>, "Read, David" <David.Read@dep.state.fl.us>, "Miesel, Tiffany" <Tiffany.Miesel@dep.state.fl.us>, "DeAngelo, Gregory" <Gregory.DeAngelo@dep.state.fl.us>, "Walker, Elizabeth (AIR)" <Elizabeth.Walker@dep.state.fl.us>
Date: 03/10/2010 02:51 PM
Subject: Request for Additional Information: INEOS New Planet Bioenergy (0610096-001-AC)

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Livingston, Sylvia

From: Yonge, Thomas [YongeTC@cdm.com]
Sent: Wednesday, March 10, 2010 4:07 PM
Subject: Read: Request for Additional Information: INEOS New Planet Bioenergy (0610096-001-AC)

Your message was read on Wednesday, March 10, 2010 4:06:52 PM (GMT-05:00) Eastern Time (US & Canada).