



# 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

June 1, 2010

*Electronic Mail – Received Receipt Requested*

Mr. David King  
President  
INEOS New Planet BioEnergy  
2600 South Shore Blvd – Suite 500  
League City, Texas 77573  
[david.king@ineos.com](mailto:david.king@ineos.com)

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

Dear Mr. King:

On February 12, 2010, we received your request for an air construction permit for the INEOS New Planet BioEnergy facility to be located at 925 74th Avenue in Vero Beach, Indian River County. The application was deemed incomplete and we requested additional information needed to process your application on March 10, 2010. We received two partial responses on March 24 and 29, but we have not yet received all of the requested additional information. Subsection 62-4.055(1) of the Florida Administrative Code requires the following:

*“The applicant shall have **ninety days** after the Department mails a timely request for additional information to submit that information to the Department. If an applicant requires more than ninety days in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in active status for one additional period of up to ninety days. Additional extensions shall be granted for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested additional information shall constitute good cause. Failure of an applicant to provide the timely requested information by the applicable deadline shall result in denial of the application.”*

It has been more than 80 days since our request for additional information (copy attached). You are reminded that the permit processing time clock has stopped for this project and that we will not continue our review until we receive the additional information. If you require a period of time in addition to the 90 days allowed by rule, please submit a written request indicating the amount of time necessary. If you fail to provide the additional information or request additional time to submit the additional information, we will deny your application for air permit. If you have any questions regarding this matter, please forward them to 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

**REQUEST FOR ADDITIONAL INFORMATION - REMINDER**

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This letter was sent to the following people by electronic mail with received receipt requested.

Tony St. Clair, CDM [stclairtr@cdm.com](mailto:stclairtr@cdm.com)

Cynthia Hibbard, CDM [hibbardcs@cdm.com](mailto:hibbardcs@cdm.com)

Gretchen Janssen, CDM [janssenge@cdm.com](mailto:janssenge@cdm.com)

Victoria Gibson, Copy for DEP Reading File [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us)

## Livingston, Sylvia

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**From:** david.king@ineos.com  
**Sent:** Tuesday, June 01, 2010 6:09 PM  
**To:** Livingston, Sylvia  
**Cc:** DeAngelo, Gregory; Jill Grimaldi; Hibbard, Cynthia  
**Subject:** Re: RAI Reminder: INEOS New Planet BioEnergy (0610096-001-AC)

Dear Sylvia,,

I am confirming receipt of the attached email of June 1, 2010 as well as my ability to view the documents. Note that I have also responded to the same effect to a latter email today and trust that these responses are adequate for your needs.

Best regards,

David King  
President  
INEOS New Planet BioEnergy

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipients. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

**From:** "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>  
**To:** David King/US/OP-US/INEOS@INEOS  
**Cc:** "DeAngelo, Gregory" <Gregory.DeAngelo@dep.state.fl.us>  
**Date:** 06/01/2010 01:01 PM  
**Subject:** RAI Reminder: INEOS New Planet BioEnergy (0610096-001-AC)

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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

## Livingston, Sylvia

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**From:** david.king@ineos.com  
**Sent:** Tuesday, June 01, 2010 6:01 PM  
**To:** Livingston, Sylvia  
**Cc:** Walker, Elizabeth (AIR); DeAngelo, Gregory; hibbardcs@cdm.com; janssenge@cdm.com; stclairtr@cdm.com; Gibson, Victoria  
**Subject:** Re: RAI Reminder with Attachment: INEOS New Planet BioEnergy (0610096-001-AC)

To whom it may concern,

I am confirming receipt of the attached email of June 1, 2010.

Best regards,

David King  
President  
INEOS New Planet BioEnergy

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From: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>  
To: David King/US/OP-US/INEOS@INEOS  
Cc: "stclairtr@cdm.com" <stclairtr@cdm.com>, "hibbardcs@cdm.com" <hibbardcs@cdm.com>, "janssenge@cdm.com" <janssenge@cdm.com>, "Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>, "DeAngelo, Gregory" <Gregory.DeAngelo@dep.state.fl.us>, "Walker, Elizabeth (AIR)" <Elizabeth.Walker@dep.state.fl.us>  
Date: 06/01/2010 01:27 PM  
Subject: RAI Reminder with Attachment: INEOS New Planet BioEnergy (0610096-001-AC)

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## Livingston, Sylvia

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**From:** Livingston, Sylvia  
**Sent:** Tuesday, June 01, 2010 2:29 PM  
**To:** 'david.king@ineos.com'  
**Cc:** 'stclairtr@cdm.com'; 'hibbardcs@cdm.com'; 'janssenge@cdm.com'; Gibson, Victoria; DeAngelo, Gregory; Walker, Elizabeth (AIR)  
**Subject:** RAI Reminder with Attachment: INEOS New Planet BioEnergy (0610096-001-AC)  
**Attachments:** RAI Reminder 0610096-001-AC.PDF; RAI 0610096-001-AC.PDF

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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](mailto:sylvia.livingston@dep.state.fl.us)


## Livingston, Sylvania

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**From:** Janssen, Gretchen E. [janssenge@cdm.com]  
**Sent:** Tuesday, June 01, 2010 3:10 PM  
**To:** Livingston, Sylvania  
**Subject:** RE: RAI Reminder with Attachment: INEOS New Planet BioEnergy (0610096-001-AC)

Received

Thanks,  
Gretchen E. Janssen

CDM | 1701 State Road A-1-A, Suite 301 | Vero Beach, FL 32963 | Tel: (772) 231-4301 | Cell: (772) 643-1337 | [www.cdm.com](http://www.cdm.com) |   
Please consider the environment before printing this email

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**From:** Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Tuesday, June 01, 2010 2:29 PM  
**To:** david.king@ineos.com  
**Cc:** St Clair, Tony; Hibbard, Cynthia; Janssen, Gretchen E.; Gibson, Victoria; DeAngelo, Gregory; Walker, Elizabeth (AIR)  
**Subject:** RAI Reminder with Attachment: INEOS New Planet BioEnergy (0610096-001-AC)

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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](mailto:sylvia.livingston@dep.state.fl.us)

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