

Jacobs, Michelle V. (DNREC)

From: Jacobs, Michelle V. (DNREC)
Sent: Monday, May 20, 2013 11:39 AM
To: Kristen Hughes Evans
Cc: Phil Badger; Keith E. Cowin; Jane Corson-Lassiter
Subject: RE: Introduction via email
Attachments: Incinerator Ban status decision application final doc (2).docx

Greetings everyone!

I am Michelle Jacobs and I have replaced Kim Chesser as the Small Business Ombudsman here at DNREC.

It is the policy of the DNREC that an application for an Incinerator Ban Applicability Status Decision is necessary if there is question as to whether a proposed project meets the definition of an incinerator as defined by 7 Del C Chapter 60 Section 6002 (10) and if that project is prohibited by 7 Del C Chapter 60 Section 6003 (c) (2). Given the nature (pyrolysis) of the proposed project the first step would be to complete and submit said application (attached). This will give us a decision as to whether or not the proposed project is banned or permissible. Please allow 15 business days for the administrative completeness review and an additional 60 business days for the technical review, assuming all required information is provided.

Once the project is deemed permissible a meeting with our Regulatory Advisory Service (RAS) is suggested. The RAS comprises representatives from each division within the DNREC who can provide you with information regarding environmental permits and other requirements and regulations that may apply to the project.

Please contact me via email or at 302-739-9069 if you have any questions. I look forward to working with you.

Michelle Jacobs

Small Business Ombudsman
DNREC - Office of Community Services
89 Kings Highway, Dover, DE 19901
302-739-9069 Phone * 302-739-6242 Fax

From: Kristen Hughes Evans [<mailto:kristen@sustainablechesapeake.org>]
Sent: Monday, May 13, 2013 9:29 AM
To: Chesser, Kimberly A. (DSHS)
Cc: Phil Badger; Keith E. Cowin; Jane Corson-Lassiter; Jacobs, Michelle V. (DNREC)
Subject: Re: Introduction via email

Thank you for connecting us with Michelle!

Best of luck in your new position - we really appreciate your help getting us set up for our project in Delaware so THANK YOU!

Kristen

On Mon, May 13, 2013 at 9:14 AM, Chesser, Kimberly A. (DSHS) <Kimberly.Chesser@state.de.us> wrote:

Hi Kristen, Thank you for e-mail. I have taken a new position with the state and I am no longer working for DNREC. My replacement is Michelle Jacobs. I have copied her on this e-mail so that she can respond to your request. Thanks and take care, Kim

From: Kristen Hughes Evans [mailto:kristen@sustainablechesapeake.org]
Sent: Friday, May 10, 2013 11:48 AM
To: Chesser, Kimberly A. (DSHS)
Cc: Phil Badger; Keith E. Cowin; Jane Corson-Lassiter
Subject: Introduction via email

Dear Kimberly:

I hope all is well with you and that you are enjoying this beautiful spring!

I'm writing to introduce you to Keith Cowin and Phil Badger with Broadleaf Energy and Renewable Oil International. Keith and Phil are interested in developing a pyrolysis project on the Delmarva Peninsula using poultry litter as the primary fuel source. Their technology converts poultry litter into biochar and bio-oil.

They have some questions about permitting in Delaware, both for their small, bench-scale system at their lab in Seaford, and for a larger system they are interested in developing in Delaware. I explained to them about Delaware's excellent permitting coordination process and am contacting you to see if you can help them get this started.

Our intention is to share as much as we can with them about lessons learned, but obviously we are still in the process of learning those lessons ourselves. But we certainly do know to start the process with you.

Please let Keith and Phil know how you suggest they proceed.

Thank you kindly!

Kristen

--

Kristen Hughes Evans

Sustainable Chesapeake

3607 E. Marshall St.

Richmond, VA 23223

804-477-7683 (office)

415-730-7503 (mobile)

www.sustainablechesapeake.org

--

Kristen Hughes Evans
Sustainable Chesapeake

3607 E. Marshall St.

Richmond, VA 23223

804-477-7683 (office)

415-730-7503 (mobile)

www.sustainablechesapeake.org



**APPLICATION FOR AN INCINERATOR BAN APPLICABILITY
STATUS DECISION**

**State of Delaware
Department of Natural Resources & Environmental Control
Office of the Secretary**

Date of submission
Project name
Applicant's name

Table of Contents

Part 1. Certification by Applicant.....4

Part 2. Applicant Information and Site Identification5

Part 3. Project Summary.....6

Part 4. Project Information.....7

Part 5. Attachments

Incinerator Ban Applicability Status Decision Application Instructions

1. Complete all parts of the application. For questions which are not applicable to your project, do not leave blank; present a statement that clearly states why the section is not applicable to your project.
2. Because all applicants' projects are different, this word document template will provide you flexibility for needed space to answer the questions. Please insert additional lines for text where needed for your application. If appropriate, attach extra pages referencing each answer by the corresponding question number.
3. Submit a complete digital copy of the application to:

State of Delaware
Department of Natural Resources & Environmental Control
Office of the Secretary
89 Kings Highway
Dover, DE 19901
Or
DNREC_SBO@state.de.us

4. Comply, if required, or as requested by the DNREC Secretary, with 7 Delaware Code, Chapter 79, Section 7902. If requested, but not completed, your application will not be considered administratively complete until this form is received.
5. Be advised that the application for an Incinerator Ban Applicability Status Decision is a public document. If this application requires you to place confidential information or data in the application to make it administratively complete, note the Delaware Freedom of Information Act (29 Delaware Code, Chapter 100) and DNREC's Freedom of Information Act Regulation, Section 6 (Requests for Confidentiality), for the proper procedure in requesting confidentiality.

PART 1

CERTIFICATION BY APPLICANT

I hereby certify that all the information contained in this Delaware Incinerator Ban Applicability Status Decision Application and in any attachments is true and complete to the best of my belief.

I hereby acknowledge that all information in this application will be public information subject to the Delaware Freedom of Information Act, except for clearly identified proprietary information agreed to by the Secretary of the Department of Natural Resources & Environmental Control.

Print Name of Applicant

Signature of Applicant

Title

Date

PART 2

APPLICANT INFORMATION AND SITE IDENTIFICATION

2.1 Identification of the applicant:

Company Name:

Parent Company:

Address:

Telephone:

Fax:

Website:

2.2 Primary contact: Please list the name, phone number and email of a preferred contact within your company in case DNREC needs to contact you regarding this status decision:

2.3 Site of proposed project (if different than above), including a map of the site and surrounding area:

2.4 Authorized agent (if any):

Name:

Address:

Telephone:

Fax:

E-mail:

If you have an authorized agent for this status decision process, provide written authorization from the client for being the authorized agent.

2.5 Is the applicant claiming confidentiality in any section of their application?

YES

NO

If yes, see instructions on page 3, item 5.

PART 3

PROJECT SUMMARY

Provide a one-page summary describing the proposed project or use. Include a brief quantitative description of any anticipated environmental impacts.

PART 4

PROJECT INFORMATION

- 4.1 Explain in detail the technology proposed for this project. Provide the manufacturer's information including a contact for the vendor and if the technology has been used or is in use anywhere else (if so, please provide the location and a contact person). Please provide as much detail as possible.

- 4.2 Provide an inclusive list of all materials and waste to be used as a feedstock in the process. Include information such as where the material and waste are generated, the process by which they are generated, how they will be transported to the site, and how they will be managed while stored at the site, etc.

- 4.3 List any by-products, co-products, and wastes generated as a result of this proposed process and how those by-products, co-products, and wastes will be handled.

- 4.4 Does the proposed project meet any of the following exemptions?
 - 4.4 a Is it a Crematorium?
 - 4.4 b Is there disposal of the bodies of animals?
 - 4.4 c Is there burning of poultry waste or poultry manure at the same site where the waste or manure was generated, which shall include the burning of poultry waste or poultry manure generated upon an adjacent farm?
 - 4.4 d Is there disposal of materials used in the discovery, development, and manufacture of veterinary products, medicines and vaccines?
 - 4.4 e Is there the disposition of mortalities from poultry operations in facilities approved by the Delaware Department of Natural Resources and Environmental Control which comply with United States Department of Agricultural Natural Resources Conservation Service Interim Conservation Practice Standard Incinerator 769 or any successor standard?

- 4.5 Is there combustion or oxidation in any part of your process? If so, please provide a summary of the combustion/oxidation process.
- 4.6 At any point in your process, is oxygen (O₂) a necessary component? If so, please explain.
- 4.7 Is every point on the property boundary line of the property on which the proposed project is to be located at least 3 miles from every point on the property boundary line of any residence, church, school, park, or hospital?
- 4.8 Explain why your process does not involve the combustion (oxidation) of solid waste and is exempt from the “incinerator ban.”

END OF APPLICATION

ATTACHMENTS TO FOLLOW

Jacobs, Michelle V. (DNREC)

From: Phil Badger <pbadger@renewableoil.com>
Sent: Sunday, June 30, 2013 10:44 PM
To: Jacobs, Michelle V. (DNREC)
Subject: Application for an Incinerator Ban Applicability Status Decision

Michelle Jacobs
Small Business Ombudsman
DNREC – Office of Community Services

I sent you two completed "Application for an Incinerator Ban Applicability Status Decision" forms on Wednesday, June 26, 2013 8:31 PM. One for a project near Seaford and one for a project near Millsboro. Please confirm receipt of these two applications. Thank you.

Phillip Badger, Partner and CTO
Renewable Oil International DE LLC

Jacobs, Michelle V. (DNREC)

From: Phil Badger <pbadger@renewableoil.com>
Sent: Monday, July 01, 2013 10:34 AM
To: Jacobs, Michelle V. (DNREC)
Subject: FW: Application for an Incinerator Ban Applicability Status Decision submittals
Attachments: ROI DE Seaford.pdf; Incinerator Ban status decision application final Ellis JV 062613.pdf; Incinerator Ban status decision application final SEAFORD 062613.pdf; ROI DE Millsboro.pdf

Please confirm receipt.

Phil Badger

From: Phil Badger
Sent: Wednesday, June 26, 2013 8:33 PM
To: DNREC_SBO@state.de.us
Cc: kecowin@comcast.net
Subject: Application for an Incinerator Ban Applicability Status Decision submittals

Michelle Jacobs
Small Business Ombudsman
DNREC – Office of Community Services

Attached are two completed “Application for an Incinerator Ban Applicability Status Decision” forms, one for a project near Seaford and one for a project near Millsboro. Also attached are maps showing the location of each project.

Please let us know immediately if you need any additional information regarding these applications.

Please acknowledge receipt.

Thank you for your assistance.

Phillip Badger, Partner and CTO
Renewable Oil International DE LLC

Jacobs, Michelle V. (DNREC)

From: Phil Badger <pbadger@renewableoil.com>
Sent: Tuesday, July 02, 2013 10:00 AM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Air emission thresholds

Thanks.

Phil

From: Jacobs, Michelle V. (DNREC) [<mailto:Michelle.Jacobs@state.de.us>]
Sent: Tuesday, July 02, 2013 8:32 AM
To: Phil Badger
Subject: RE: Air emission thresholds

Hi Phil.

I will check in to it and get back with you.

Michelle

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Monday, July 01, 2013 4:29 PM
To: Jacobs, Michelle V. (DNREC)
Subject: Air emission thresholds

Michelle Jacobs

Small Business Ombudsman
DNREC - Office of Community Services

Assuming that our projects are not classified as incinerators; can you tell us specifically the air emission regulations that would apply to us? We are looking at ways to use the biochar product from our biorefinery to capture emissions from drying poultry litter. Such a method would not only control emissions but also capture the ammonia to produce an enhanced biochar product for fertilizer applications. We are in discussions with Dr. Hong Li with the University of DE on a cooperative research project to explore this concept. But we need to know what the applicable air emission thresholds are so we can use them for a baseline for our research.

Thank you for your assistance.

Phil Badger
Renewable Oil International DE LLC
Cell 256-762-2886

Jacobs, Michelle V. (DNREC)

From: Jacobs, Michelle V. (DNREC)
Sent: Wednesday, July 03, 2013 10:46 AM
To: French, Joanna (DNREC); Foster, Paul (DNREC); JAnthony, Karen (DNREC); Ferree, Melissa A. (DNREC); Marker, Nancy C. (DNREC)
Subject: Incinerator Status Decision - Technical Review Request
Attachments: Incinerator Ban status decision application final SEAFORD 062613.pdf; ROI DE Seaford.pdf; Incinerator Ban status decision application final Ellis JV 062613.pdf; ROI DE Millsboro.pdf

Greetings everyone.

I've received two applications for incinerator status decisions from Renewable Oil International DE LLC . One is for a site in Seaford, the other for a farm in Millsboro. Both applications are for using "fast pyrolysis biorefinery technology" to convert poultry litter and other feedstocks into value-added products. Maps of both sites are also attached.

I believe both applications to be administratively complete and request a technical review. If something is missing or if you need more information from Mr. Shah please let me know.

Thank you.

Michelle Jacobs

Small Business Ombudsman
DNREC - Office of Community Services
89 Kings Highway, Dover, DE 19901
302-739-9069 Phone * 302-739-6242 Fax

Jacobs, Michelle V. (DNREC)

From: Jacobs, Michelle V. (DNREC)
Sent: Wednesday, July 03, 2013 11:39 AM
To: French, Joanna (DNREC); Foster, Paul (DNREC)
Subject: FW: Air emission thresholds

Importance: High

Joanna or Paul -

As a follow up to Renewable Oil International's incinerator status decision applications he has asked about the specific air emission regs that would apply to their projects. Would one of you let me know which ones so I can provide him with the links to them?

Thank you.

Michelle

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Monday, July 01, 2013 4:29 PM
To: Jacobs, Michelle V. (DNREC)
Subject: Air emission thresholds

Michelle Jacobs

Small Business Ombudsman
DNREC - Office of Community Services

Assuming that our projects are not classified as incinerators; can you tell us specifically the air emission regulations that would apply to us? We are looking at ways to use the biochar product from our biorefinery to capture emissions from drying poultry litter. Such a method would not only control emissions but also capture the ammonia to produce an enhanced biochar product for fertilizer applications. We are in discussions with Dr. Hong Li with the University of DE on a cooperative research project to explore this concept. But we need to know what the applicable air emission thresholds are so we can use them for a baseline for our research.

Thank you for your assistance.

Phil Badger
Renewable Oil International DE LLC
Cell 256-762-2886

Jacobs, Michelle V. (DNREC)

From: Phil Badger <pbadger@renewableoil.com>
Sent: Thursday, July 11, 2013 2:37 PM
To: Jacobs, Michelle V. (DNREC)
Subject: Re: Air emission regulation information

Great, thanks

Sent from my iPhone

On Jul 11, 2013, at 1:46 PM, "Jacobs, Michelle V. (DNREC)" <Michelle.Jacobs@state.de.us> wrote:

<[image002.gif](#)>

Good news.....I should have the air emissions information for you by close of business tomorrow.

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Wednesday, July 10, 2013 9:04 AM
To: Jacobs, Michelle V. (DNREC)
Subject: Air emission regulation information

Michelle Jacobs

Small Business Ombudsman
DNREC – Office of Community Services

I sent you the email below early last week. We are rapidly approaching our deadline to submit our proposal and need this information to complete our planning and budget. Can you give us some idea when you might be able to provide us the air emissions information we need?

Thanks.

Phil Badger
Renewable Oil International DE LLC

From: Phil Badger
Sent: Monday, July 01, 2013 3:29 PM
To: 'Michelle.Jacobs@state.de.us'
Subject: Air emission thresholds

Michelle Jacobs

Small Business Ombudsman
DNREC – Office of Community Services

Assuming that our projects are not classified as incinerators; can you tell us specifically the air emission regulations that would apply to us? We are looking at ways to use the biochar product from our biorefinery to capture emissions from drying poultry litter. Such a method

would not only control emissions but also capture the ammonia to produce an enhanced biochar product for fertilizer applications. We are in discussions with Dr. Hong Li with the University of DE on a cooperative research project to explore this concept. But we need to know what the applicable air emission thresholds are so we can use them for a baseline for our research.

Thank you for your assistance.

Phil Badger
Renewable Oil International DE LLC
Cell 256-762-2886

Jacobs, Michelle V. (DNREC)

From: French, Joanna (DNREC)
Sent: Friday, July 12, 2013 3:21 PM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Air emission regulation information

I'm working on it now. I think I can. It may be around 4:30. I can send directly to him if you like.

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N
Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

From: Jacobs, Michelle V. (DNREC)
Sent: Friday, July 12, 2013 3:21 PM
To: French, Joanna (DNREC)
Subject: RE: Air emission regulation information

Hey Joanna.

Just following up.....will you be able to provide some info today?

Michelle

From: French, Joanna (DNREC)
Sent: Thursday, July 11, 2013 3:52 PM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Air emission regulation information

Thank you! I'll get something together by COB tomorrow. ☺

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N
Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

From: Jacobs, Michelle V. (DNREC)
Sent: Thursday, July 11, 2013 3:51 PM
To: French, Joanna (DNREC)
Subject: RE: Air emission regulation information

I just forwarded Mr. Badger's original email with his project info. ☺

From: French, Joanna (DNREC)
Sent: Thursday, July 11, 2013 1:55 PM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Air emission regulation information

Thanks, I'm just confused with so many projects going on. I just need to know who Mr. Badger represents. I see it's Renewable Oil International DE LLC. To make it easier for me so I don't look at the wrong project would you be able to send me the latest information we have on them?
Thanks again!

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N
Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

From: Jacobs, Michelle V. (DNREC)
Sent: Thursday, July 11, 2013 1:44 PM
To: French, Joanna (DNREC)
Subject: RE: Air emission regulation information

No worries Joanna. I felt bad asking....but I have to. ☺

Mr. Badger had left me a voice mail message first and then followed up with the email. ! I am sure he will be very happy with COB tomorrow.

I'm not sure about the RenewOil. I believe Melissa was planning to look at it sometime this week. When you say look at it for equipment specs.....you may want to check with her as I am not sure who does what as far as the actual reviews go.

Thank you very much for the reply. Mr. Badger should be happy!

From: French, Joanna (DNREC)
Sent: Thursday, July 11, 2013 1:37 PM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Air emission regulation information

Hi. Sorry, I've been busy with a lot of things. Tell him COB tomorrow? Will that be OK. Should I look at the Renewoil latest application for equipment specs?

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N

Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

From: Jacobs, Michelle V. (DNREC)
Sent: Thursday, July 11, 2013 1:35 PM
To: French, Joanna (DNREC)
Subject: FW: Air emission regulation information

Hi Joanna.

I was out of the office yesterday and this is one of the emails I came back to. Mr. Badger has inquired about when we might be able to tell him which air emissions regs might apply to him. As you can see from the email below he would like to have an idea of when we might be able to give him some info. Can you give me an estimated timeframe for a response?

Thank you.

Michelle

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Wednesday, July 10, 2013 9:04 AM
To: Jacobs, Michelle V. (DNREC)
Subject: Air emission regulation information

Michelle Jacobs

Small Business Ombudsman
DNREC – Office of Community Services

I sent you the email below early last week. We are rapidly approaching our deadline to submit our proposal and need this information to complete our planning and budget. Can you give us some idea when you might be able to provide us the air emissions information we need?

Thanks.

Phil Badger
Renewable Oil International DE LLC

From: Phil Badger
Sent: Monday, July 01, 2013 3:29 PM
To: 'Michelle.Jacobs@state.de.us'
Subject: Air emission thresholds

Michelle Jacobs

Small Business Ombudsman
DNREC – Office of Community Services

Assuming that our projects are not classified as incinerators; can you tell us specifically the air emission regulations that would apply to us? We are looking at ways to use the biochar product from our biorefinery to capture emissions from drying poultry litter. Such a method would not only control emissions but also capture the ammonia to produce an enhanced biochar product for fertilizer applications. We are in discussions with Dr. Hong Li with the University of DE on a cooperative research project to explore this concept. But we need to know what the applicable air emission thresholds are so we can use them for a baseline for our research.

Thank you for your assistance.

Phil Badger
Renewable Oil International DE LLC
Cell 256-762-2886

Jacobs, Michelle V. (DNREC)

From: French, Joanna (DNREC)
Sent: Friday, July 12, 2013 4:06 PM
To: 'pbadger@renewableoil.com'
Cc: Foster, Paul (DNREC); Jacobs, Michelle V. (DNREC)
Subject: Air Regulations

Mr. Badger:

I have reviewed the APPLICATION FOR AN INCINERATOR BAN APPLICABILITY STATUS DECISION that you submitted to DNREC for review. Unfortunately, since the information provided was more general than specific in nature, I will need to respond back to you with general permitting information.

The State of Delaware has 3 types of air permits depending on the "size" of the source to be installed. The "size" of the source is dependent on emissions.

Natural Minor Source – state enforceable permit with emissions greater than 10 lbs/day in the aggregate but with a potential to emit below the major source thresholds

Synthetic Minor Source – a federally enforceable permit issued by Delaware that restricts emissions below major source thresholds

Title V Source – a federally enforceable permit that emits above the major source threshold(s)

Major Source Thresholds – PM10, SO2, CO = 100 tpy
NOx, VOCs (Kent and New Castle) = 25 tpy
NOx (Sussex) = 100 tpy
VOCs (Sussex) = 50 tpy
HAPs = 10 tpy (single HAP) and 25 tpy (combined HAPs)

If at any time you would like to discuss the specifics of your equipment and air regulatory permitting, please do not hesitate to give me a call.

Thanks,
Joanna

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N
Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

equipment meets B ACT (best available control technology). The company may also limit emissions to below 5 tpy with a state enforceable permit to avoid the BACT requirement.

I hope I didn't confuse you more. Just let me know if you have more questions.

Thanks,
Joanna

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N
Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Thursday, July 18, 2013 10:10 AM
To: French, Joanna (DNREC)
Cc: Jacobs, Michelle V. (DNREC)
Subject: RE: Air emission questions

Joanna

Thank you for your response. However, we are still unclear as to the thresholds applicable to Synthetic Minor Sources. What are we missing?

Phil Badger
Renewable Oil International DE LLC

From: French, Joanna (DNREC) [<mailto:Joanna.French@state.de.us>]
Sent: Thursday, July 18, 2013 6:58 AM
To: Phil Badger
Cc: Jacobs, Michelle V. (DNREC)
Subject: FW: Air emission questions

Good morning. Below are the answers to your questions on air permitting. If you need anything further, please let me know.

Thanks,
Joanna

You are correct that a "Title V Source" and "Major Source Thresholds" are one and the same.

For Natural Minor Sources, pollutants included in the aggregate of 10 lb/day are any pollutant excluding nitrogen, oxygen, carbon dioxide, and water vapor. From our regulations an "Air contaminant means particulate matter, dust, fumes, gas, mist, smoke, or vapor of any combination thereof, exclusive of uncombined water." Specific emission thresholds are based on screen modeling using the maximum downwind concentration of the pollutant and the threshold limit value from ACGIH. The air screening we perform insures the emissions do not adversely affect public health and welfare.

For the Synthetic Minor Source we are concerned about the NAAQS – the same pollutants that make a Title V source. A synthetic minor source has the potential to be a Title V source, but takes federally enforceable permit restrictions to limit emissions of the NAAQS below major source thresholds.

Joanna L. French, P.E.
Managing Engineer
DNREC - Division of Air Quality
655 S. Bay Road, Suite 5 N
Dover, DE 19901
(302) 739-9402 (main number)
(302) 739-3106 (fax)

Blue Skies Delaware; Clean Air for Life

From: Jacobs, Michelle V. (DNREC)
Sent: Thursday, July 18, 2013 7:05 AM
To: French, Joanna (DNREC)
Subject: FW: Air emission questions

Hi Joanna.

I received this email yesterday afternoon. Can you please provide answers for Mr. Badger?

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Wednesday, July 17, 2013 3:38 PM
To: Jacobs, Michelle V. (DNREC)
Subject: Air emission questions

Michelle Jacobs
Small Business Ombudsman
DNREC – Office of Community Services

As points of clarification to Joanna French's July 12 email, we assume that "Title V Source" and "Major Source Thresholds" are one and the same. Is this correct?

For Natural Minor Sources, what specific emissions are included in the aggregate of 10 lb/day? Do the individual regulated emissions have thresholds?

For the Synthetic Minor Source, what specific emissions are regulated and what are the associated thresholds?

Thank you for your assistance.

Phil Badger, Partner and CTO
Renewable Oil International DE LLC
Cell 256-762-2886

Jacobs, Michelle V. (DNREC)

From: Phil Badger <pbadger@renewableoil.com>
Sent: Friday, July 26, 2013 11:45 AM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

Thank you. I missed the business days part. Business days makes sense.

Phil

From: Jacobs, Michelle V. (DNREC) [<mailto:Michelle.Jacobs@state.de.us>]
Sent: Friday, July 26, 2013 10:31 AM
To: Phil Badger
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

It's 15 business days (weekends excluded) and comments have to be in the office by 4:30 p.m. on the 21st.

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Friday, July 26, 2013 11:11 AM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

15 days from 7/31/13 would be 8/15/13. Is the 8/21/13 date to allow for mail delivery?

Phil

From: Jacobs, Michelle V. (DNREC) [<mailto:Michelle.Jacobs@state.de.us>]
Sent: Friday, July 26, 2013 10:08 AM
To: Phil Badger
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

The response period for these applications is 15 business days. Written comments will be due COB (4:30 p.m.) on August 21.

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Friday, July 26, 2013 10:59 AM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

I assume that there is a 30-day response period?

Phil Badger

From: Jacobs, Michelle V. (DNREC) [<mailto:Michelle.Jacobs@state.de.us>]
Sent: Friday, July 26, 2013 9:51 AM
To: Phil Badger
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

The legal notice will appear in both the News Journal and the Delaware State News next Wednesday, July 31.

From: Phil Badger [mailto:pbadger@renewableoil.com]
Sent: Friday, July 26, 2013 10:36 AM
To: Jacobs, Michelle V. (DNREC)
Subject: FW: Application for an Incinerator Ban Applicability Status Decision submittals

Michelle

Can you let us know when the applications are advertised and in what papers? Thanks

Phil Badger

From: Jacobs, Michelle V. (DNREC) [mailto:Michelle.Jacobs@state.de.us]
Sent: Wednesday, July 17, 2013 2:11 PM
To: Phil Badger
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

Mr. Badger –

Just a short email to let you know our process and timeline. Your status decision applications for both the Seaford and Millsboro sites were deemed administratively complete and forwarded to the technical review committee on July 3. They have 60 business days to complete their review. In the meantime, the applications will be advertised for public comment in two local papers. If any questions arise along the way I will be contacting you for further information. After the technical review is complete, the committee will provide a recommendation for the secretary to make a decision.

Feel free to contact me with any questions.

Michelle

From: Phil Badger [mailto:pbadger@renewableoil.com]
Sent: Monday, July 01, 2013 11:47 AM
To: Jacobs, Michelle V. (DNREC)
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

Thank you for your acknowledgement.

Phil

From: Jacobs, Michelle V. (DNREC) [mailto:Michelle.Jacobs@state.de.us]
Sent: Monday, July 01, 2013 10:42 AM
To: Phil Badger
Subject: RE: Application for an Incinerator Ban Applicability Status Decision submittals

Hello Mr. Badger.

I am in receipt of your email containing four attachments for incinerator ban applicability status decisions for a Seaford site and a Millsboro site. I will follow up with you as far as the process for the review of these applications.

Apparently, there was a problem with the mailbox you originally sent the applications to. Thank you for following up; otherwise I would have never known you sent them.

Thank you.

Michelle

From: Phil Badger [<mailto:pbadger@renewableoil.com>]
Sent: Monday, July 01, 2013 10:34 AM
To: Jacobs, Michelle V. (DNREC)
Subject: FW: Application for an Incinerator Ban Applicability Status Decision submittals

Please confirm receipt.

Phil Badger

From: Phil Badger
Sent: Wednesday, June 26, 2013 8:33 PM
To: DNREC_SBO@state.de.us
Cc: kecowin@comcast.net
Subject: Application for an Incinerator Ban Applicability Status Decision submittals

Michelle Jacobs
Small Business Ombudsman
DNREC – Office of Community Services

Attached are two completed "Application for an Incinerator Ban Applicability Status Decision" forms, one for a project near Seaford and one for a project near Millsboro. Also attached are maps showing the location of each project.

Please let us know immediately if you need any additional information regarding these applications.

Please acknowledge receipt.

Thank you for your assistance.

Phillip Badger, Partner and CTO
Renewable Oil International DE LLC

