

# DELAWARE COASTAL ZONE ACT PERMIT



NUMBER: CZA-439P

ISSUED TO: AgroRefiner LLC

TO PERMIT: Operation of a hemp processing facility to extract cannabidiol (CBD) and cannabitol (CBN)

SITE LOCATION: 51 Steel Drive, New Castle, DE 19720

EXISTING PERMIT(S): None

Pursuant to 7 Del C. §7005, the Department of Natural Resources & Environmental Control has the authority to administer regulations governing Delaware's Coastal Zone. The applicant must comply with all conditions as attached to this permit.

Signature: Shawn M. Garvin Date: 4/5/20  
Shawn M. Garvin, Secretary  
Department of Natural Resources & Environmental Control



STATE OF DELAWARE  
**DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

RICHARDSON & ROBBINS BUILDING  
89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

OFFICE OF THE  
SECRETARY

PHONE  
(302) 739-9000

CONDITIONS INCORPORATED AND MADE PART OF THIS PERMIT

AgroRefiner LLC  
Permit CZA-439P

The following conditions are considered part of permit CZA-439P issued to AgroRefiner LLC. Failure to comply with these conditions may be grounds for permit suspension or revocation.

1. GENERAL PROVISIONS

- 1.1 This permit is conditional upon the permittee's compliance with all other applicable permit requirements, regulations, and laws of the State of Delaware.
- 1.2 Issuance of this permit does not relieve the permittee of the legal obligation of complying with all building permit, subdivision, and other applicable code requirements of the county and municipality wherein the permitted project is located.
- 1.3 If there are deviations from the plan and operations approved by the Secretary, the permittee shall notify the Secretary as soon as possible. This permit may be revoked and a new permit application required if the Secretary deems the deviation to change the nature or scale of the project and to be of actual or probable harm to the intent of the Coastal Zone Act.
- 1.4 A request for a permit modification to change ownership, control, or any substantive term of a permit shall be submitted in writing. A modification of the ownership or operating entity in a permit shall be granted only in the event that the prospective permittee satisfies all the applicable requirements of the regulations under the *Regulations Governing Delaware's Coastal Zone*.
- 1.5 This permit may not be transferred to another location or process.

## 2. ADMINISTRATIVE CONDITIONS

- 2.1 The permittee shall have available at the facility at all times a copy of this permit and shall provide a copy of this permit to the Department upon request.
- 2.2 The permittee shall authorize officials of the Department to:
  - 2.2.1 Enter upon the facility premises where a source is located or an emissions-related activity is conducted, or where records that must be kept under the terms and conditions of this permit are located;
  - 2.2.2 Have access to and copy, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit;
  - 2.2.3 Inspect, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit;
  - 2.2.4 Sample or monitor, at reasonable times, any substance or parameter for the purposes of assuring compliance with this permit or any applicable requirement.

## 3. OPERATIONAL LIMITATIONS

- 3.1 The permittee shall maintain registration and compliance as a hemp processor with Delaware Department of Agriculture.
- 3.2 The permittee shall conduct a hazardous waste determination for each waste product prior to disposal.
- 3.3 The hemp dryers shall not run for more than 600 hours per year.
- 3.4 All structural and mechanical components of the equipment covered by this permit shall be maintained in proper operating condition and in a manner which minimizes emissions.

## 4. OFFSET REQUIREMENTS

- 4.1 The permittee purchased three tons of emission reduction credits (ERCs) from the Delaware Department of State, Division of Small Business in the following categories:
  - 4.1.1 Ozone season: 1 ton volatile organic compounds (VOCs);
  - 4.1.2 Non-ozone season: 1 ton VOCs, 1 ton nitrogen oxides (NO<sub>x</sub>).

- 4.2 The permittee shall not sell or transfer these credits without the express written consent of the Division of Small Business.

## 5. RECORDKEEPING AND REPORTING REQUIREMENTS

- 5.1 The permittee shall retain any and all records relevant to the permit and compliance therewith:
  - 5.1.1 Records of all monitoring and test data shall be maintained, including:
    - 5.1.1.1 The date, place, and time of sampling measurements;
    - 5.1.1.2 The date(s) analyses were performed;
    - 5.1.1.3 The name of any third-party that performed the analyses;
    - 5.1.1.4 The analytical techniques or methods used;
    - 5.1.1.5 The results of such analyses; and
    - 5.1.1.6 The operating conditions existing at the time of sampling or measurement.
  - 5.1.2 The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the facility.
- 5.2 The permittee shall notify the Department immediately of any event or condition that affects their ability to comply with the terms of the permit or of any violation of any term or condition of the permit.
  - 5.2.1 The permittee shall notify the Department upon discovery and after activating the appropriate site emergency plan to the Department's 24-hour complaint line (1-800-662-8802), any deviation that poses an imminent and substantial danger to public health, safety, or the environment.
  - 5.2.2 The permittee shall within 30 days of becoming aware of an event or condition that affects their ability to comply with the terms of the permit, supply the Department in writing with the following information:
    - 5.2.2.1 The subject source(s) that caused the event, condition, or violation;
    - 5.2.2.2 The time and date of first observation of the event, condition or violation;

- 5.2.2.3 The cause and expected duration of the event, condition, or violation;
- 5.2.2.4 The estimated rate of release and the operating data and calculations used in determining the magnitude of the event, condition, or violation; and
- 5.2.2.5 The proposed corrective actions and schedule to correct the conditions causing the event, condition, or violation.