

**From:** [Matthews, Jordan G. \(DNREC\)](#)  
**To:** [DAQ.DNREctory](#)  
**Subject:** Fw: BioEnergy DevCo Pre-Notification Draft Permits  
**Date:** Tuesday, July 12, 2022 8:07:53 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[BDC Air permit response 07082022.pdf](#)

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Good morning,

Please include the forwarded email and the attached PDF in the files for BioEnergy Development Group, LLC. These are responses to draft permit documents which were sent to the company on June 24, 2022. If you have any questions, please let me know.

-Jordan

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**From:** Christine McKiernan <cmckiernan@bioenergydevco.com>  
**Sent:** Friday, July 8, 2022 4:21 PM  
**To:** Matthews, Jordan G. (DNREC) <Jordan.Matthews@delaware.gov>; Peter Ettinger <pettinger@bioenergydevco.com>  
**Cc:** Tressa Bathke <tbathke@bioenergydevco.com>; Brian Lyncha <blyncha@verdantas.com>; Jeff Deats <jdeats@bioenergyic.com>; Mann, Amy (DNREC) <Amy.Mann@delaware.gov>; Anna Alvino <aalvino@bioenergydevco.com>  
**Subject:** RE: BioEnergy DevCo Pre-Notification Draft Permits

Hello Jordan,

Please find attached our comments to the draft permits for our BIC project.

Looking forward to review.

Have a great weekend!

Thanks  
Christine

**Christine McKiernan**  
**Managing Director**  
(201) 779-1958  
**BTS North America**  
[cmckiernan@bioenergydevco.com](mailto:cmckiernan@bioenergydevco.com)  
[bioenergydevco.com](http://bioenergydevco.com)

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**From:** Matthews, Jordan G. (DNREC) <Jordan.Matthews@delaware.gov>  
**Sent:** Friday, June 24, 2022 9:44 AM

**To:** Peter Ettinger <pettinger@bioenergydevco.com>

**Cc:** Christine McKiernan <cmckiernan@bioenergydevco.com>; Tressa Bathke <tbathke@bioenergydevco.com>; Brian Lyncha <blyncha@verdantas.com>; Jeff Deats <jdeats@bioenergyic.com>; Mann, Amy (DNREC) <Amy.Mann@delaware.gov>

**Subject:** BioEnergy DevCo Pre-Notification Draft Permits

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Good morning Peter,

I am reaching out today because the draft permits for the equipment proposed for construction at the BioEnergy Innovation Center are nearing completion. Before we proceed with the advertisement process, I wanted to provide you with an opportunity to review the "Pre-Notification Draft" construction permits to identify any errors, omissions, unclear or confusing provisions or conditions, or any other conditions which may be considered infeasible. Any questions or comments should be brought to my attention as soon as possible within this two (2) week period.

At some point following this pre-notification period, the Department will advertise the permit applications and draft permits, along with those related to the other relevant Divisions. The Department retains its discretion to decide if changes should be made to the "Pre-Notification Draft" permits prior to advertisement of the "Draft" permits for public notice. Please note that the "Pre-Notification Draft" operating permits are not a substitute for the public notice "Draft" operating permits, and it is your responsibility to provide comment during the public notice comment period, if appropriate.

I have attached the draft permit for the anaerobic digestion system and its associated air pollution control and biogas upgrade equipment as well as the draft permit for the emergency generator. Please take some time to review these documents and provide any comments you may have in writing no later than close of business on July 8, 2022.

Please let me know if you have any questions.

Thanks,

Jordan



**Jordan Matthews, P.E.**

Engineer

302-739-9402

[jordan.matthews@delaware.gov](mailto:jordan.matthews@delaware.gov)

100 W Water St, Suite 6A, Dover, DE 19904

[dnrec.delaware.gov](http://dnrec.delaware.gov)

Pronouns: he/him/his



July 8, 2022

Mr. Jordan Matthews, P.E.

State of Delaware - DNREC

Division of Air Quality

State Street Commons

100 W. Water Street, Suite 6A

Dover, DE 19904

Re: Pre-Notification Draft Permit Comments

APC-2022/0048-CONSTRUCTION

APC-2022/0049-CONSTRUCTION

Dear Mr. Matthews:

This letter is in response to your electronic mail dated June 24, 2022 requesting comments on the referenced "Pre-Notification Draft" construction permits for our Bioenergy Innovation Center (BIC) in Seaford, Delaware. Comments on these permits are as follows:

**APC-2022/0048-CONSTRUCTION (1,451 HP (1,082 kW) Natural Gas-Fired Cummins Emergency Generator**

1. No comments.

**APC-2022/0049-CONSTRUCTION (Anaerobic Digesters with Associated Flare, RTO, Air Pollution Control & Biogas Upgrade Equipment)**

1. Condition 2.1.2.2:

The permit indicates Nitrogen Oxide (NO<sub>x</sub>) Emission limits of 0.005 lbs/hr and 0.022 tons per rolling twelve (12) month period from the flare. The calculated emissions for this source as stated in the submitted permit application are 3.7 lbs/hr and 16 tons/year, respectively.

2. Condition 2.1.5.2:

The permit indicates Carbon Monoxide (CO) Emission limits of 0.004 lbs/hr and 0.018 tons per rolling twelve (12) month period from the flare. The calculated emissions for this source as stated in the submitted permit application are 16.8 lbs/hr and 74 tons/year, respectively.

3. Section 3 Operational Limitations and Appendix A:

The permit includes conditions on operations that are specific to control and process equipment produced by certain manufacturers. It's Bioenergy's intention to construct, if permitted, the proposed facility with the equipment for which specifications were provided to DNREC in the permit application. But we are concerned about the limitations imposed in the draft permit should identified equipment is not available

due to unforeseen circumstances such as supply chain issues or that technology improvements can be made to further reduce emissions beyond what's stated in the current application without alteration of construction standards.

Bioenergy Devco understands, supports and is committed to the purpose of the permit to identify and quantify potential emissions to the atmosphere from the facility. And to assure that said emissions do not exceed standards designed to be protective of human health and the environment. The permit is a mechanism to assure that the facility is operated in accordance with this purpose.

With respect to Section 3 and Appendix A, Bioenergy Devco is seeking flexibility through less specific operational and manufacturer detail in the permit such that should operational or manufacturer changes become necessary, due to supply chain issues or improvements in emissions reductions in given technologies during or after construction, **and said changes provide functional equivalency and do not increase permitted emissions**, that said changes could be made without having to significantly modify the permit.

We respectfully request that the Department consider these comments prior to advertising the draft permits for public notice. Should you need additional information, please contact me by e-mail at [pettinger@bioenergydevco.com](mailto:pettinger@bioenergydevco.com).

Sincerely,



Christine McKiernan

Managing Director, BTS North America

CMCK/bl

Brian Lyncha, P.E. – Verdantas LLC (w/attach)