



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

DEC 11 2019

Mr. Michael Barth
Tangent Generation Resources
204 Gale Lane
Kennett Square, PA 19348

Re: Coastal Zone Act Request for Status Decision – Project # CZA-438SD

Dear Mr. Barth:

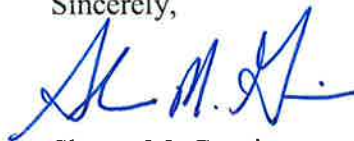
Please be advised that the Request for a Coastal Zone Act (CZA) Status Decision submitted by Tangent Generation Resources (edgeGEN) on November 5, 2019 for the construction and operation of three 2-megawatt reciprocating internal combustion engines to provide peak shavings electricity onsite for Kuehne Chemical has been reviewed and analyzed by the Delaware Department of Natural Resources and Environmental Control and Department of Justice.

Based on the analysis of the information provided and according to Subsection 6.1.3 of the *Regulations Governing Delaware's Coastal Zone* (Regulations), the proposed activity does require a CZA permit. The proposed activity would be a new manufacturing use at an existing heavy industry use site, and, therefore, is considered a use requiring a permit. The CZA Program consulted with a subject matter and legal experts in making this decision. From these consultations, it was concluded that the proposed activity did not fall under any exceptions or exemptions within the Regulations.

If it is the intention to continue with this proposed project, please fill out an application for a CZA permit and coordinate with the CZA Program to ensure the proper information is acquired for review.

Notice of this decision as it will appear on December 29, 2019 is attached for your records. There is a fourteen (14) day appeal period following the date of publication of the enclosed legal notice. You will be informed if an appeal is received. If you have any questions or concerns about this decision, please contact Laura Mensch with the Division of Climate, Coastal, & Energy at (302) 739-9283.

Sincerely,



Shawn M. Garvin
Secretary

Enclosure

DNREC – DIVISION OF CLIMATE, COASTAL, & ENERGY



December 29, 2019

LEGAL NOTICE

The Secretary of the Department of Natural Resources and Environmental Control has made a decision regarding the Request for Status Decision (Project CZA-438SD) from Tangent Generation Resources (edgeGEN). EdgeGEN sought a decision as to whether they must apply for a Coastal Zone Act permit on November 15, 2019 to construct and operate three 2-megawatt natural gas-fired reciprocating internal combustion engines at the Kuehne Chemical facility at 1645 River Road, Delaware City, DE 19706 to provide peak shaving electricity to Kuehne Chemical during times of high grid demand.

In consideration of the applicant's proposed activity, the Secretary has determined that the activity would require a permit under the Coastal Zone Act, according to Subsection 6.1.3 of the Regulations Governing Delaware's Coastal Zone.

Anyone wishing to appeal this decision to the State Coastal Zone Industrial Control Board must do so by January 12, 2020. An appeal form may be acquired by calling Sascha Mohammed at (302) 739-9000. There is a \$100 application fee. If no appeal is received within the appeal period, this decision becomes final.