

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

April 14, 2010

Carmen Nieves
G&C Ambientpetrol V, Inc.
4715 Warrington Drive
Orlando, Florida 32826

Re: Biodex

Dear Ms. Nieves:

The Bureau of Petroleum Storage Systems (the Bureau) hereby accepts Biodex, a formulation of non-pathogenic bacteria, algae, enzymes and nutrients for the bioremediation of petroleum contaminated soil, in situ and ex situ. Enclosure 1 is a voucher for the confidential disclosure of a proprietary chemical analysis to the Bureau. Enclosure 2 contains regulatory and supplemental information.

The Bureau of Petroleum Storage Systems does not provide endorsement of specific or brand name remediation products or processes. It does, however, recognize the need to determine their acceptability in the context of environmental regulations, safety and the protection of public health. For that reason, the Bureau issues an "acceptance" letter, not an approval. Such acceptance shall not be construed as a certification of performance, nor shall it be construed as approval for uses that are beyond the Bureau's jurisdiction, which is the cleanup of petroleum pursuant to Chapter 62-770, Florida Administrative Code (F.A.C.). Additionally, vendors, upon receipt of an acceptance, must market their product or process on its own merits regarding performance, cost, and safety in comparison to competing alternatives in the marketplace.

Remedial Action Plans that propose the use of an accepted product or process should include a copy of the acceptance letter in the plan's appendix, and reference it in the text of the document. It is not a requirement that a particular remediation product or process have an official acceptance letter in order for it to be proposed in a site-specific Remedial Action Plan. The plan, however, must contain sufficient information about the product or process to show that it meets all applicable rules and regulations.

The Bureau reserves the right to revoke its acceptance of a product or process if it has been falsely represented. Additionally, Bureau acceptance of any product or process does not imply it has been deemed applicable for all cleanup situations, or that it is preferred over other treatment or cleanup techniques in any particular case. A site-specific evaluation of applicability and

Carmen Nieves
April 14, 2010
Page 2

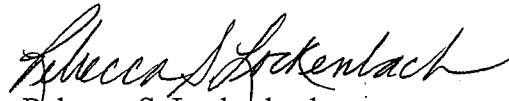
Biodex

cost-effectiveness must be considered for any product or process, whether conventional or innovative, and adequate site-specific design details must be provided in a Remedial Action Plan submitted for Department review and approval. Please contact Rick Ruscito at (850) 877-1133, extension 3722, if there are any questions.

Sincerely,



Rick Ruscito, P.E.
Ecology and Environment, Inc.
Bureau of Petroleum Storage Systems
Petroleum Cleanup Section 6



Rebecca S. Lockenbach
FDEP Section Leader
Bureau of Petroleum Storage Systems
Petroleum Cleanup Section 6

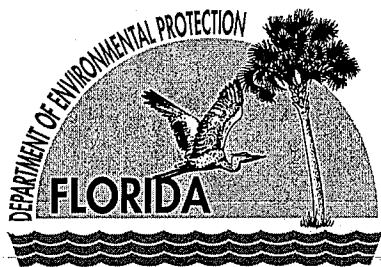
enc: (1) Proprietary Chemical Analysis Voucher
(2) Regulatory and Supplemental Information

c: T. Conrardy - FDEP/Tallahassee

History

INN_171 4/14/10

PROPRIETARY CHEMICAL ANALYSIS VOUCHER



Florida Department of
Environmental Protection

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2600 Blair Stone Road
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Carmen Nieves
G&C Ambientpetrol V, Inc.
4715 Warrington Drive
Orlando, Florida 32826

Re: **Proprietary Chemical Analysis Voucher**

Dear Ms. Nieves:

The Bureau of Petroleum Storage Systems (the Bureau) hereby acknowledges receipt of a confidential disclosure dated March 22, 2010 containing the results of a chemical analysis of Biodex, a proprietary formulation of non-pathogenic bacteria, algae, enzymes and nutrients for the bioremediation of petroleum contaminated soil.

Having reviewed the confidential disclosure, the Bureau hereby vouches for its content, and provides advice in Enclosure 2 on how to comply with applicable rules in the Florida Administrative Code (F.A.C.) when Biodex is used for the cleanup of petroleum contaminated soil. The Bureau, in offering its advice, with permission from G&C Ambientpetrol V Incorporated, provides only the information that users absolutely have to know in order to meet their obligation to comply. Users must know that the concentration of ammonia in Biodex is greater than the 2.8 milligram per liter (mg/L) groundwater standard set forth for ammonia by Chapter 62-777, F.A.C. The reason: If Biodex, during the course of a soil cleanup in the unsaturated zone is introduced close to the water table, or soil conditions are such that it could percolate or leach over a greater distance to reach the underlying groundwater, then as a prudent measure the underlying groundwater should be monitored for ammonia.

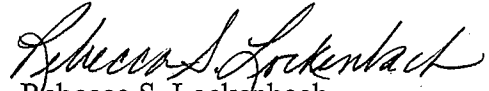
As for the submittal of site-specific Remedial Action Plans pursuant to Chapter 62-770, F.A.C., proposing the use of Biodex, whose constituents and their proportions are proprietary, it will suffice to indicate just the volume of Biodex fluid that will be applied to the soil in the unsaturated zone, and then indicate that a confidential disclosure of the proprietary details has already been submitted to the Department and accepted. Reference should be made to this voucher, and a copy of it should be included as an appendix to the plan.

Reviewers of Remedial Action Plan's proposing the use of Biodex for the cleanup of petroleum-contaminated sites may contact Rick Ruscito at (850) 877-1133, extension 3722.

Sincerely,



Rick Ruscito, P.E.
Ecology and Environment, Inc.
Bureau of Petroleum Storage Systems
Petroleum Cleanup Section 6



Rebecca S. Lockenbach
FDEP Section Leader
Bureau of Petroleum Storage Systems
Petroleum Cleanup Section 6

ENCLOSURE 2

REGULATORY AND SUPPLEMENTAL INFORMATION

- a. Applicable rules: Chapters of the Florida Administrative Code (F.A.C.) that apply to cleanup of petroleum contaminated soil with Biodex include but are not necessarily limited to the petroleum contamination site cleanup criteria of Chapter 62-770, F.A.C., and the cleanup target levels of Chapter 62-777, F.A.C.
- b. Application rate: G&C Ambientpetrol V Incorporated has indicated that the application rate for Biodex, a liquid of specific gravity 1.09, is 1 liter per cubic meter of contaminated soil.
- c. Ammonia considerations for the soil: Per the confidential chemical analysis provided by G&C Ambientpetrol V Incorporated, the concentration of ammonia in Biodex is low enough to not exceed the 35,000 milligram per kilogram (mg/Kg) direct residential exposure criterion of Chapter 62-777, F.A.C., when applied at the rate of 1 liter per cubic meter of soil. Therefore, soil sampling for the purpose of compliance with ammonia exposure criteria is not necessary when Biodex is used as directed. The concentration, however, does appear high enough to warrant a sample for soil leachability based on groundwater criteria. For ammonia, per Chapter 62-777, F.A.C., Table II, Soil Cleanup Target Levels, a leachability value may be derived using the Synthetic Precipitation Leaching Procedure (SPLP) to calculate a site-specific soil cleanup target level, or the Toxicity Characteristic Leaching Procedure (TCLP) in the event that oily wastes are present.
- d. Ammonia considerations for the groundwater: If Biodex, during the course of a soil cleanup in the unsaturated zone is introduced to soil that is close to the water table, or soil conditions are such that it might percolate or leach over a greater distance to reach the underlying groundwater, then as a prudent measure the underlying groundwater should be monitored for ammonia. It is suggested that the groundwater in these cases be sampled for ammonia prior to the use of Biodex, and then quarterly during the course of treatment. Per the current issue of Chapter 62-777, F.A.C., the groundwater cleanup target level for ammonia is 2.8 milligrams per liter (mg/L).