

## Kirk Lilley PLLC

Attorney at Law

Kirk A. Lilley  
10039 41<sup>st</sup> Ave NE  
Seattle, WA 98125  
206-271-1425  
kirk.lilley@comcast.net

July <sup>22</sup>22, 2010

Alan Newman  
WA Dept of Ecology Air Quality Program  
PO Box 47600  
Olympia, WA 68504-7600

Mark Goodin  
Olympic Region Clean Air Agency  
2940-B Limited Lane NW  
Olympia, WA 98502

Re: Separate Source Determination Request for Proposed Solomon Renewable Energy Company Facility

Dear Mr. Newman and Mr. Goodin:

Solomon Renewable Energy Company, LLC (SREC) is proposing a 31 MW biomass cogeneration boiler adjacent to the Simpson Lumber Company, LLC (SLC) sawmill in Shelton, WA. Before submitting an NOC application to ORCAA, however, SREC and SLC want to ensure that their two facilities are considered separate sources under air quality regulations. In addition, SREC seeks confirmation that it is considered a separate source from the adjacent facility owned by Olympic Panel Products (OPP).

This letter, therefore, asks ORCAA and Ecology to determine whether the SREC facility would be a separate "source" from the SLC and OPP facilities. As discussed in the attached request, the key issue for review is whether SREC would be under "common control" with SLC or OPP. We believe we have provided sufficient information to allow Ecology and ORCAA to determine that there will not be a common control relationship between SREC and the adjacent companies, and as a result, the SREC facility will be a separate source for air quality regulation applicability purposes.

Please contact Kirk Lilley at 206-271-1425 or Dave McEntee at 253-779-6405 with questions or requests for additional information

Sincerely,



Kirk A. Lilley, Kirk Lilley PLLC  
On behalf of Simpson Lumber Company,  
LLC



Douglas Reed, Administrative Manager  
Solomon Renewable Energy Company,  
LLC