

STATE OF COLORADO

Bill Owens, Governor
Douglas H. Benevento, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

December 10, 2003

Wade Jager
Bio-Cap Sales Manager
BEI Ag Environmental Solutions
2510 W. Lincoln Ave., Suite #4
Olivia, MN 56277-1711

Dear Wade,

On July 10, 2003, the Air Pollution Control Division (“the Division”) received your request for the Division to approve BEI Ag Environmental Solutions’ Bio-Cap ML as an “alternative cover” in the State of Colorado. [Regulation No. 2, Part B, Section IV.A.3.b.(3)] The Division has reviewed BEI Ag’s proposal and the Utah Effectiveness Study, and has considered the odor control effectiveness of the original Bio-Cap model installed on a Colorado anaerobic lagoon.

The Division hereby approves the Bio-Cap ML as an approved alternative cover for the State of Colorado. Please note that any change to the approved Bio-Cap ML technology may require review and approval by the Division for the technology to maintain its approved status.

Please feel free to contact me at (303) 692-3147 or melanie.loyzim@state.co.us if you wish to discuss this matter further.

Sincerely,

Melanie Loyzim
Regulatory Compliance and Support
Air Pollution Control Division

cc: Kirsten King, APCD
 Jon Akins, APCD