

EXHIBIT A**APPLICANT INFORMATION**

OAR 345-021-0010(1)(a)

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A.1 NAME AND ADDRESS OF APPLICANT AND CONTACT PERSON

OAR 345-021-0010(1)(a)(A) *The name and address of the applicant including all co-owners of the proposed facility, the name, mailing address and telephone number of the contact person for the application, and if there is a contact person other than the applicant, the name, title, mailing address and telephone number of that person;*

Response:

Applicant's name and address:

Pacific Ethanol Columbia, LLC
516 SE Morrison St Suite 820
Portland, OR 97214
(503) 235-8251

Contact person, address and phone number:

Tom Koehler, Vice President
516 SE Morrison St Suite 820
Portland, OR 97214
(503) 235-8251

A.2 PARTICIPANT INFORMATION

OAR 345-021-0010(1)(a)(B) *The contact name, address and telephone number of all participating persons, other than individuals, including but not limited to any parent corporation of the applicant, persons upon whom the applicant will rely for third-party permits or approvals related to the facility, and, if known, other persons upon whom the applicant will rely in meeting any facility standard adopted by the Council.*

Response:

Parent Companies:

Pacific Ethanol, Inc.
5711 N. West Avenue
Fresno, CA 93711
(559) 435-1771

Contact person, address and phone number:

Tom Koehler, Vice President
516 SE Morrison Street, Suite 820
Portland, OR 97214
(503) 235-8251

Permitting Assistance:

Dana Siegfried
David Evans and Associates, Inc.
2100 SW River Parkway
Portland, OR 97201
(503) 223-6663

Barge Loadout Facility

Ron McClary
Tidewater, Inc.
PO Box 806
Pasco, WA 99301
(509) 727-1144

A.3 CORPORATE INFORMATION

OAR 345-021-0010(1)(a)(C) *If the applicant is a corporation, it shall give: (i) The full name, official designation, mailing address, and telephone number of the officer responsible for submitting the application; (ii) The date and place of its incorporation; (iii) A copy of its articles of incorporation and its authorization for submitting the application; and (iv) In the case of a corporation not incorporated in Oregon, the name and address of the resident attorney-in-fact in this state and proof of registration to do business in Oregon.*

(i) *The full name, official designation, mailing address and telephone number of the officer responsible for submitting the application;*

Response: Information for the officer responsible for submitting the application follows:

Neil Koehler, President
516 SE Morrison Street, Suite 820
Portland, OR 97214
(503) 235-8251

(ii) *The date and place of its incorporation;*

Response: Pacific Ethanol Columbia LLC was incorporated in Delaware on February 22, 2006.

(iii) *A copy of its articles of incorporation and its authorization for submitting the application; and*

Response: The articles of incorporation and authorization for submitting the application are attached in Appendix A-1 and A-2, respectively.

- (iv) *In the case of a corporation not incorporated in Oregon, the name and address of the resident attorney-in-fact in this state and proof of registration to do business in Oregon.*

Response: The resident attorney-in-fact on the State of Oregon is:

Max Miller
Tonkin Torp LLP
1600 Pioneer Tower
888 SW Fifth Avenue
Portland Oregon 97204
(503) 221-1440

A.4 PARENT COMPANY INFORMATION

OAR 345-021-0010(1)(a)(D) *If the applicant is a wholly owned subsidiary of a company, corporation, or other business entity, in addition to the information required by paragraph (C), it shall give the full name and business address of each of the applicant's full or partial owners.*

Response: Pacific Ethanol Columbia, LLC is a wholly owned subsidiary of Pacific Ethanol, Inc.

5711 N. West Avenue
Fresno, CA 93711
(559) 435-1771

A.5 MISCELLANEOUS INFORMATION

OAR 345-021-0010(1)(a)(E) *If the applicant is an association of citizens, a joint venture or a partnership, it shall give: (i) the full name, official designation, mailing address and telephone number of the person responsible for submitting the application; (ii) the name, business address and telephone number of each person participating in the association, joint venture or partnership and the percentage interest held by each; (iii) proof of registration to do business in Oregon; (iv) a copy of its articles of association, joint venture agreement or partnership agreement and a list of its members and their cities of residence; and (v) if there are no articles of association, joint venture agreement or partnership agreement, the applicant shall state that fact over the signature of each member.*

Response: Not applicable.

OAR 345-021-0010(1)(a)(F) *If the applicant is a public or governmental entity, it shall give: (i) the full name, official designation, mailing address and telephone number of the person responsible for submitting the application; and (ii) written authorization from the entity's governing body to submit an application.*

Response: Not applicable.

OAR 345-021-0010(1)(a)(G) *If the applicant is an individual, the individual shall give his or her mailing address and telephone number.*

Response: Not applicable.

APPENDIX A-1
Articles of Organization

APPENDIX A-2

Authorization for Submitting the Application

PACIFIC ETHANOL COLUMBIA, LLC
LIMITED LIABILITY COMPANY AGREEMENT

February 22, 2006

SECTION 1
FORMATION

1.1 **Organization.** The Member has organized the Company as a Delaware limited liability company pursuant to the provisions of the Act.

1.2 **Agreement; Effect of Inconsistencies with Act.** The Member and the Company agree to the terms and conditions of this Agreement, as it may be amended according to its terms. To the extent any provision of this Agreement is prohibited or ineffective under the Act, this Agreement will be considered amended to the smallest degree possible in order to make the provision effective under the Act. The Member and the Board of Directors will be entitled to rely on the provisions of this Agreement, and the Member and the Board of Directors will be not liable to the Company for any action or refusal to act taken in good faith reliance on the terms of this Agreement. The duties and obligations imposed on the Member and the Board of Directors as such will be those set forth in this Agreement, which is intended to govern the relationship between the Company, the Board of Directors, and the Member, notwithstanding any provision of the Act or common law to the contrary.

1.3 **Name.** The Company's name is Pacific Ethanol Columbia, LLC, and all the Company's business will be conducted under that name or under any other name to the extent permitted by applicable law.

1.4 **Effective Date.** This Agreement will become effective immediately after the filing of the Certificate with the Secretary of State.

1.5 **Term.** The Company's term will be perpetual until dissolved and its affairs wound up in accordance with the Act or this Agreement.

1.6 **Registered Agent and Office.** The registered agent for the service of process and the registered office will be that Person and location reflected in the Certificate. The Board of Directors, may, from time to time, change the registered agent or office through appropriate filings with the Delaware Secretary of State.

1.7 **Principal Office.** The Company's initial principal office will be 5711 North West Avenue, Fresno, California 93711. The Board of Directors, may, from time to time, change the principal office and make appropriate filings with the Delaware Secretary of State to reflect the change.

SECTION 2 DEFINITIONS

For purposes of this Agreement, unless the context clearly indicates otherwise, the following terms will have the following meanings:

2.1 **Act** means the Delaware Limited Liability Company Act and all amendments to the Act.

2.2 **Additional Member** means a Member other than the initial Member who has acquired a Membership Interest.

2.3 **Admission (Admit)** means the act of becoming a Member and obtaining the rights appurtenant to a Membership Interest.

2.4 **Agreement** means this Limited Liability Company Agreement, including all amendments adopted in accordance with this Agreement and the Act.

2.5 **Board of Directors** means the board on which the Company's Directors sit as provided in Section 6.

2.6 **Capital Contribution** means any Contribution or contribution of services made by or on behalf of a Member as consideration for a Membership Interest.

2.7 **Certificate** means the Company's Certificate of Formation as properly adopted and amended from time to time by the Member and filed with the Delaware Secretary of State.

2.8 **Company** means Pacific Ethanol Columbia, LLC, a limited liability company formed under the Act, and any successor limited liability company.

2.9 **Company Property** means any Property owned by the Company.

2.10 **Contribution** means any contribution of Property made by or on behalf of a Member as consideration for a Membership Interest or as a contribution of the capital of the Company.

2.11 **Director or Directors** means the Person or Persons then serving on the Board of Directors as provided in Section 6.1 and, where appropriate, each term will be construed to include the singular or the plural. Each Director will be a "manager" as that term is defined in the Act.

2.12 **Distribution** means a transfer of Company Property to a Member on account of a Membership Interest, regardless of whether the transfer occurs on the Company's liquidation, in exchange for the Member's interest or otherwise.

2.13 **Disposition (Dispose)** means any sale, assignment, transfer, exchange, mortgage, pledge, grant, hypothecation or other transfer, absolute or as security or encumbrance (including dispositions by operation of law).

2.14 **Member** means the Member executing this Agreement, any transferee of a Member or any Additional Member. At any time there is more than one Member, the term "Member" will mean all Members, and any action that may be taken under this Agreement by the Member may be taken by any Member, provided that any dispute with respect to any action will be decided by the Members owning a majority of the Membership Interests.

2.15 **Membership Interest** means a Member's entire interest in the Company including that Member's rights in the Company's profits, losses and Distributions pursuant to this Agreement and the Act and all other rights and privileges that the Member may enjoy by being a Member.

2.16 **Officer or Officers** means the Person or Persons then serving as officers of the Company pursuant to Section 7 and, where appropriate, each term will be construed to include the singular or the plural.

2.17 **Person** means an individual, trust, estate or any incorporated or unincorporated organization permitted to be a member of a limited liability company under the Act.

2.18 **Proceeding** means any judicial or administrative trial, hearing or other activity, civil, criminal or investigative, the result of which may be that a court, arbitrator, or government agency may enter a judgment, order, decree or other determination which, if not appealed and reversed, would be binding upon the Company, the Member or other Person subject to the jurisdiction of such court, arbitrator or governmental agency.

2.19 **Property** means any property, real or personal, tangible or intangible (including goodwill), including cash and any legal or equitable interest in such property, but excluding services and promises to perform services in the future.

2.20 **Taxing Jurisdiction** means any state, local or foreign government that collects tax, interest or penalties, however designated, on any Member's share of the income or gain attributable to the Company.

SECTION 3 NATURE OF BUSINESS

The Company's business is to construct and operate an ethanol production plant. The Company will have the authority to do all things necessary or convenient to accomplish its purpose. The Company exists only for the purpose specified in this Section 3, and may not conduct any other business without the Member's consent. The authority granted to the Board of Directors and Officers hereunder to bind the Company will be limited to actions necessary or convenient to this business.

SECTION 4 ACCOUNTING AND RECORDS

The Board of Directors and Officers will maintain at the Company's principal office the records required by the nonwaivable provisions of the Act.

**SECTION 5
NAME AND ADDRESS OF MEMBER**

The name and address of the Member is: Pacific Ethanol California, Inc., 5711 North West Avenue, Fresno, California 93711.

**SECTION 6
BOARD OF DIRECTORS**

6.1 General.

(a) **Management.** The Company will be managed by a Board of Directors. The Board of Directors will consist of not fewer than three nor more than five directors, the exact number to be determined from time to time by the Board of Directors. Until increased or decreased by a resolution of the Board of Directors, the number of Directors will be three.

(b) **Initial Board of Directors.** The following three Persons will serve as the initial Board of Directors: William Jones, Paul Koehler and Tom Koehler.

(c) **Number.** The range of Persons serving on the Board of Directors may be changed only by amendment of this Agreement by the Member, and in no instance will there be fewer than one Director.

(d) **Qualifications.** Directors need not be Members or residents of Delaware.

(e) **Term.** The Directors will serve until the election and qualification of a successor, or until death, resignation or removal.

(f) **Election.** The Member will elect each Director.

(g) **Resignation.** A Director may resign at any time by giving written notice to the Member. The resignation of any Director will take effect upon receipt of notice of the resignation or at any later time specified in the notice. Unless otherwise specified in the resignation notice, the Member's acceptance of the resignation will not be necessary to make it effective.

(h) **Removal.** The Member may remove a Director at any time, with or without cause.

(i) **Vacancies.** Any vacancy on the Board of Directors occurring for any reason may be filled by the appointment of a replacement Director by the Member.

6.2 Action by the Board of Directors. The rights and powers of the Board of Directors will be exercised by the Directors in any manner agreed on by the Board of Directors. Absent an agreement among the Directors, the following will apply:

(a) **Regular Meetings.** The Board of Directors may provide, by resolution, for the time and place for the holding of regular meetings without notice. If the Board of Directors does not provide for the holding of regular meetings, no regular meetings need be held.

(b) **Special Meetings.** Special meetings of the Board of Directors may be called by or at the request of the Chairman of the Board, a majority of the Directors, the President or by the Member. The Person(s) authorized to call special meetings of the Board of Directors may fix any place as the place for holding any special meeting of the Board of Directors called by such Person(s).

(c) **Notice of Meetings.** Except as provided in Sections 6.2(a), 6.2(d) and 6.2(h), written notice stating the place, day and hour of the meeting and the purpose or purposes for which the meeting is called will be delivered to each Director not fewer than two nor more than 50 days before the date of the meeting, by or at the direction of the Person(s) calling the meeting.

(d) **Meeting of all Directors.** If all of the Directors meet at any time and place, either within or outside of Delaware, and consent to holding a meeting of the Board of Directors at that time and place, the meeting will be valid without call or notice, and any lawful action may be taken at the meeting.

(e) **Quorum.** A majority of the Directors, represented in person or by proxy, will constitute a quorum at any meeting of the Board of Directors.

(f) **Manner of Acting.** If a quorum is present, the act of a majority of the Directors who are present in person or by proxy will be the act of the Board of Directors, unless the vote of a greater or lesser proportion or number is otherwise required by the Act, the Certificate or this Agreement.

(g) **Action by the Board of Directors Without a Meeting.** Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if: (i) the action is evidenced by one or more written consents describing the action taken, signed by Directors sufficient to have approved the actions or resolutions at issue had a duly called meeting been held at which all Directors were in attendance; and (ii) the written consent is delivered to the Company for inclusion in the minutes or for filing with the Company records. Action taken under this Section 6.2(g) is effective when the necessary Directors have signed the consent, unless the consent specifies an earlier or later effective date. When an action is approved pursuant to this Section 6.2(g), notice of the action taken will be sent as soon as practicable to all Directors entitled to vote on the matter who did not consent to the action.

(h) **Waiver of Notice.** When any notice is required to be given to any Director, a waiver of the notice in writing signed by the Person entitled to the notice, whether before, at or after the time stated, will be equivalent to giving the notice.

(i) **Telephonic Meetings.** The Board of Directors may permit Directors to participate in a meeting of the Board of Directors by, or may permit the conduct of the meeting through, use of any means of communication by which all Directors participating may

simultaneously hear each other. A Director participating in such a meeting is deemed to be present in person at the meeting.

6.3 Authority of the Board of Directors. Subject to the limitations and restrictions set forth in the Act, the Certificate and this Agreement, the Board of Directors will have the sole and exclusive right to manage the Company's business and will have all of the rights and powers that may be possessed by a manager under the Act and the Certificate, including the right and power, on behalf and in the name of the Company, to:

(a) Institute, prosecute, participate in and defend proceedings in all courts in the Company's name;

(b) Purchase, take, receive, lease or otherwise acquire, own, hold, improve, use and otherwise deal in or with real or personal property or any interest in real or personal property, wherever situated;

(c) Sell, convey, mortgage, pledge, create a security interest in, lease, exchange, transfer and otherwise dispose of all or any part of the Company Property;

(d) Purchase, take, receive, subscribe for or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, otherwise dispose of and otherwise use or deal in or with other interests in or obligations of any other entity;

(e) Make contracts or guarantees, incur liabilities, borrow money, issue Company notes or secure any of the Company's obligations by mortgage or pledge of any of the Company Property, franchises or income;

(f) Lend money, invest or reinvest Company funds or receive and hold real or personal property as security for repayment of funds so loaned, invested or reinvested, including, without limitation, loans to Directors, Officers, Members, employees and agents;

(g) Be an incorporator, general partner, limited partner, member, associate or manager of any partnership, joint venture, trust or other entity;

(h) Conduct the Company's business, locate its offices and exercise the powers granted by the Act and the Certificate within or without Delaware;

(i) Elect, appoint, employ, oversee and dismiss any and all employees, agents, independent contractors, real estate managers, contractors, engineers, architects, developers, brokers, attorneys and accountants of the Company, define their duties, fix their compensation and lend them money and credit;

(j) Propose to amend or alter this Agreement not inconsistent with the Certificate or the laws of Delaware for managing the Company's business and regulating its affairs;

(k) Pay pensions and establish pension plans, profit sharing plans and other benefit or incentive plans for any and all of the Company's current or former Directors, Officers, Members, employees and agents;

(l) Indemnify a Member, Officer or Director or any other Person as and to the extent not inconsistent with the provisions of the Act, the Certificate and this Agreement;

(m) Cease the Company's activities and propose to dissolve;

(n) Place record title to any portion of Company Property in the name of a nominee, agent or a trustee; and

(o) Have and exercise all powers and do every other act not inconsistent with law, which is necessary or convenient to promote and effect any or all of the purposes for which the Company is organized.

6.4 Restrictions on Authority of the Board of Directors. The Board of Directors will have no authority to take any of the following actions without the Member's consent:

(a) Amend or restate the Certificate or this Agreement;

(b) Dissolve the Company;

(c) Merge the Company with another entity, or convert the Company into a different type of legal entity;

(d) Sell, transfer or otherwise dispose of, or enter into a contract to sell, transfer or otherwise dispose of, all or substantially all of the Company's assets;

(e) Borrow money (other than trade credit received in the ordinary course of the Company's business);

(f) Make any guarantee or mortgage, or pledge or otherwise encumber any Property;

(g) Loan money other than extending trade credit in the ordinary course of the Company's business;

(h) Issue additional Membership Interests;

(i) Knowingly do any act that contravenes this Agreement or without the Member's consent as required by this Agreement; or

(j) Knowingly do any act which would make it impossible to carry on the Company's business.

6.5 Compensation. The Directors will be paid their expenses, if any, of attendance at each meeting of the Board of Directors and will receive such compensation for attendance at each meeting of the Board of Directors as determined by the Member from time to time.

6.6 Committees of the Board.

(a) The Board of Directors may create one or more committees and appoint two or more Directors to serve on each committee. The creation of a committee and appointment of Directors to it must be approved by a majority of the Directors in office when the action is taken. Subject to any limitation imposed by the Board of Directors or by law, each committee may exercise all the Board of Directors' authority in managing the Company.

(b) Subject to applicable law, the Board of Directors will have the power at any time to change the number of committee members, fill committee vacancies, change any committee members and change the functions and terminate the existence of a committee.

(c) Each committee will conduct its meetings in accordance with the applicable provisions of this Agreement relating to meetings and actions without a meeting of the Board of Directors. Each committee will adopt any further rules regarding its conduct, keep minutes and other records and appoint subcommittees and assistants, as it deems appropriate.

6.7 Liability of Directors and Officers. No Director or Officer will be liable as a Director or Officer for the Company's liabilities. The Company's failure to observe any formalities or requirements relating to the exercise of its powers or management of its business or affairs under this Agreement or the Act will not be grounds for imposing personal liability on the Directors or Officers for the Company's liabilities.

6.8 Indemnification. The Company will indemnify the Member, the Directors and the Officers for all costs, losses, liabilities and damages paid or accrued by the Member or Directors or Officers in connection with the Company's business, or because such Person is a Member, Director or Officer, to the fullest extent provided or allowed by Delaware law. In addition, the Board of Directors will cause the Company to advance costs of participation in any Proceeding to the Member, Director or Officer to be indemnified. The Board of Directors may, with the Member's consent, indemnify all other Company employees and agents for all costs, losses, liabilities and damages paid or accrued by the agent or employee in connection with the Company's business or because such Person is an agent or employee, to the fullest extent provided or allowed by the Act.

SECTION 7

OFFICERS

7.1 Enumeration. The Board of Directors may appoint any Officers it deems appropriate.

7.2 Appointment. The Board of Directors may appoint Officers at any meeting or by written consent. Upon appointment of an Officer, the Board of Directors will specify the duties of the Officer if those duties are different from the applicable duties set forth in Section 7.7.

7.3 Qualification. No Officer need be a Director, Member or Delaware resident. Any two or more offices may be held by the same Person.

7.4 **Tenure.** Each Officer will hold office until the election and qualification of a successor, or until the Officer's earlier death, resignation or removal.

7.5 **Resignation and Removal.** An Officer may resign at any time by delivering notice to the Board of Directors, effective upon the Board of Director's receipt of the notice unless the notice specifies a later effective date and the Board of Directors accepts the later effective date. Once delivered, a resignation notice is irrevocable unless the Board of Directors permits revocation. Any Officer may be removed at any time with or without cause by the Board of Directors. Appointment of an Officer will not itself create contractual rights between the Company and the Officer.

7.6 **Vacancies.** The Board of Directors may fill any vacancy occurring in any office and may, in its discretion, leave the office unfilled for any period of time it determines.

7.7 **Duties of the Officers.** If appointed by the Board of Directors, the following Officers will have the following duties, unless otherwise specified by the Board of Directors:

(a) **Chair of the Board.** If appointed, the Chair of the Board, will, when present, preside at all meetings of the Board of Directors and will perform all duties and possess all powers that are usually vested in the office of the Chair of the Board. If the Board of Directors appoints a Vice Chair of the Board, the Vice Chair will, in the absence or disability of the Chair of the Board, perform the duties and exercise the powers of the Chair of the Board and will perform such other duties and possess such other powers as may from time to time be vested in the Vice Chair by the Board of Directors.

(b) **President.** Subject to the direction of the Board of Directors and the Chair of the Board, the President will have general supervision and control of the Company's business. The President also will have the power, either in person or by proxy, to execute, on the Company's behalf, agreements, contracts and instruments that are necessary or appropriate to further the conduct of the Company's normal business activities. The President will perform all other duties and will have all other powers that the Board of Directors prescribes from time to time.

(c) **Chief Financial Officer.** The Chief Financial Officer will perform all duties and will have all powers that are from time to time assigned to the Chief Financial Officer by the Board of Directors or the President. In addition, the Chief Financial Officer will perform all duties and have all powers that are incident to the office, including without limitation the duty and power to keep and be responsible for all funds and securities of the Company, to deposit the Company's funds, to disburse such funds as ordered by the Board of Directors, the Chair of the Board or the President, to make proper accounts of such funds, and to render as required by the Board of Directors statements of all such transactions and of the financial condition of the Company.

(d) **Secretary.** The Secretary will perform all duties and will have all powers that the Board of Directors, the Chair of the Board or the President from time to time prescribe. In addition, the Secretary will perform all duties and have all powers that are incident to the office of the Secretary, including without limitation the duty and power to give notices of all

special meetings of the Board of Directors, to attend all meetings of the Board of Directors and keep a record of the proceedings. In the absence of the Secretary or any assistant Secretary at any meeting of the Board of Directors, the Person presiding at the meeting will designate a temporary secretary to keep a record of the meeting.

7.8 **Initial Officers.** The initial Officers of the Company, to serve in the capacities set forth opposite their respective names until their tenure ends in accordance with Section 7.4, are:

<u>Name</u>	<u>Office(s)</u>
Neil Koehler	President
William Langley	Chief Financial Officer
Ryan Turner	Secretary

7.9 **Salaries.** The salaries, if any, of the Officers will be fixed from time to time by the Board of Directors. No Officer will be prevented from receiving his or her designated salary because the Officer is also a Director.

7.10 **Right to Rely on Officers.** Any Person dealing with the Company may rely (without duty of further inquiry) on a certificate signed by the Chair of the Board, President, or the Secretary of the Company as to:

- (a) The identity of any Officer, Director or the Member;
- (b) The existence or nonexistence of any fact that constitutes a condition precedent to acts by a Director or Officer that are in any other manner germane to the Company's affairs;
- (c) The Persons who are authorized to execute and deliver any Company instrument or document; or
- (d) Any act or failure to act by the Company on any other matter whatsoever involving the Company or the Member.

SECTION 8 CONTRIBUTIONS

The Member will make the Contribution described on Exhibit A. No interest will accrue on any Contribution and the Member will not have the right to withdraw or be repaid any Contribution except as provided in this Agreement.

SECTION 9 DISTRIBUTIONS

Except as provided by nonwaivable provisions of the Act, the Company may make distributions as determined by the Member.

SECTION 10 TAXES

10.1 Elections. The Member may make any tax elections for the Company allowed under the Internal Revenue Code of 1986, as amended, or the tax laws of any state or other jurisdiction having taxing jurisdiction over the Company.

10.2 Taxes of Taxing Jurisdictions. To the extent that the laws of any Taxing Jurisdiction require, the Chief Financial Officer will prepare and the Member will execute and submit an agreement indicating that the Member will make timely income tax payments to the Taxing Jurisdiction and that the Member accepts personal jurisdiction of the Taxing Jurisdiction with regard to the collection of income taxes attributable to the Member's income and interest, and penalties assessed on such income, if such agreement is required by the Taxing Jurisdiction. If the Member fails to provide such agreement, the Company may withhold and pay over to such Taxing Jurisdiction the amount of tax, penalty and interest determined under the laws of the Taxing Jurisdiction with respect to such income. Any such payments with respect to the income of a Member will be treated as a distribution for purposes of Section 10.

10.3 Method of Accounting. The Company's records will be maintained on the same method of accounting as that of the Member.

SECTION 11 DISPOSITION OF MEMBERSHIP INTEREST AND ADMISSION OF ASSIGNEES AND ADDITIONAL MEMBERS

11.1 Disposition. The Member's Membership Interest is transferable either voluntarily or by operation of law. The Member may Dispose of all or a portion of the Member's Membership Interest. Notwithstanding any provision of the Act to the contrary, upon the Disposition of the Member's Membership Interest, the transferee will be admitted upon the completion of the transfer without further action. Upon the transfer of a Member's entire Membership Interest (other than a temporary transfer or transfer as a pledge or security interest) the Member will cease to be a Member and will have no further rights or obligations under this agreement, except that the Member will have the right to such information as may be necessary for the computation of the Member's tax liability.

11.2 Admission of Additional Members. The Member may Admit Additional Members and determine the Capital Contributions of such Additional Members. This Agreement will be restated if at any time there is more than one Member.

SECTION 12 DISSOLUTION AND WINDING UP

12.1 **Dissolution.** The Company will be dissolved and its affairs wound up, upon the vote of the Member. Notwithstanding any provision of the Act to the contrary, the Company will continue and not dissolve as a result of the death, retirement, resignation, expulsion, bankruptcy or dissolution of any Member or any other event that terminates the continued membership of the Member.

12.2 **Effect of Dissolution.** Upon dissolution, the Company will cease carrying on as distinguished from the Company's winding up of business, but the Company is not terminated, but continues until the Company's winding up of affairs is completed and the Certificate of Dissolution has been issued by the Secretary of State.

12.3 **Distribution of Assets on Dissolution.** Upon the Company's winding up, the Board of Directors will liquidate Company Property if necessary or desirable, and will cause Company Property to be distributed:

- (a) to creditors, including the Member if it is a creditor, to the extent permitted by law, in satisfaction of Company Liabilities; and
- (b) the remainder to the Member. Such distributions will be in cash, Property other than cash, or partly in both, as determined by the Member.

12.4 **Winding Up and Certificate of Dissolution.** The winding up of the Company will be complete when all the Company's debts, liabilities and obligations have been paid and discharged or reasonable adequate provision therefor has been made, and all of the remaining Property has been distributed to the Member. Upon the completion of Company's winding up, the Board of Directors or other Person designated by the Board of Directors will deliver a certificate of cancellation to the Secretary of State for filing. The certificate of cancellation will set forth the information required by the Act.

SECTION 13 AMENDMENT

This Agreement may be amended or modified from time to time only by a written instrument executed by the Member and the Company.

SECTION 14 MISCELLANEOUS PROVISIONS

14.1 **Entire Agreement.** This Agreement represents the entire agreement between the Member and the Company.

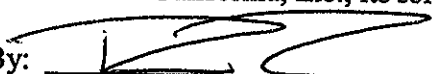
14.2 **Rights of Creditors and Third Parties under Agreement.** This Agreement is entered into between the Company and the Member for the exclusive benefit of the Company, its Member and their successors and assignees. This Agreement is expressly not intended for the benefit of Company's creditors or any other Person. Except and only to the extent provided by

applicable statute, no creditor or third party will have any rights under this Agreement or any agreement between the Company and the Member with respect to any Capital Contribution or otherwise.

COMPANY:


PACIFIC ETHANOL COLUMBIA, LLC

By: Pacific Ethanol California, Inc., its sole Member

By: 
Ryan Turner, Chief Operating Officer
and Secretary

MEMBER:

~~PACIFIC ETHANOL CALIFORNIA, INC.~~

By: 
Ryan Turner, Chief Operating Officer
and Secretary

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EXHIBIT A

<u>Member</u>	<u>Initial Contribution and Value</u>
Pacific Ethanol California, Inc.	\$5,000

EXHIBIT B**GENERAL INFORMATION ABOUT THE PROPOSED FACILITY**

OAR 345-021-0010(1)(b)

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APPENDIX

B-1 MAP OF DISTURBANCE AREAS	
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B.1 DESCRIPTION OF THE PROPOSED FACILITY

OAR 345-021-0010(1)(b) *Information about the proposed facility, construction schedule and temporary disturbances of the site, including:*

OAR 345-021-0010(1)(b)(A) *A description of the proposed energy facility, including as applicable:*

- (i) *Major components, structures and systems, including a description of the size, type and configuration of equipment used to generate electricity and useful thermal energy;*

Response: The applicant proposes to construct an ethanol plant that produces 35 million gallons per year (MMgy) nameplate, (35 MMgy maximum) of ethanol, in Morrow County, Oregon. The proposed project will be on leased land within the Port of Morrow's Boardman Industrial Park. Port facilities at the site include all roads, permitted water supply, a permitted wastewater treatment and disposal facility, and a loop track that can handle unit trains of up to 100 cars at a time.

The project facilities will be located on an approximately 25 acre parcel that is zoned Port Industrial (PI) use. Tables B-1 and B-2 include a list of major project elements that will be located on this site.

The project will also include three related and supporting facilities: a gas pipeline and power supply from Columbia Lane to the plant site, and an ethanol pipeline from the plant to the existing barge loadout. These elements will be discussed under Related and Supporting Facilities.

Construction of a 35 MMgy ethanol plant began in the last half of May 2006, under an exemption approved by the Energy Facility Siting Council, on May 19, 2006, based on the fact that over 90% of the ethanol could be shipped to market via barge or existing rail facilities. Completion of this plant is expected in early summer 2007, and commercial operations will commence at that time. However, because contracts for the ethanol purchase have not been signed, it is possible that less than 90% of the ethanol will be shipped by rail or barge. Therefore, this Application for Site Certificate is being submitted for Council approval. If the Site Certificate is not issued, Columbia Ethanol will either operate a sub-jurisdictional plant that produces up to 27 MMgy, or produce only as much ethanol as can be shipped by rail or barge, plus approximately 10%.

For the purposes of this application, the "site boundary" is:

- 150 feet from the linear elements, such as the power supply, gas supply pipeline and the ethanol pipeline, and
- The approximately 25-acre parcel leased from the Port of Morrow, including the staging area.

The analysis areas for evaluating impacts to the various resources will be measured as a distance from the site boundary.

For purposes of this application “site” is defined as:

- 150 feet from the linear elements, such as the power supply, gas supply pipeline and the ethanol pipeline, and
- The approximately 25-acre parcel leased from the Port of Morrow, including the staging area.

The site boundary and site, which are identical, are shown on Figure C-2. “Site” is not currently shown on C-2. It would be if you either shaded in the site boundary or indicated site boundary/site on the legend.

Major Ethanol Plant Components

Major plant components, including buildings and storage, are shown on Figure C-3.

Table B-1 provides details of the buildings that will be constructed as part of the facility.

Table B- 1. Buildings

Name/Use	Footprint	Height	Construction Materials/Type
Processing Building	130' x 220'	43'	Metal
Distillation, Drying, and Evaporation (DD&E) Building	86' x 90'	32'	Pre-engineered steel construction
Distillation Towers		150'	Steel
Administration	24' x 64'	24'	Concrete Block
Wet Cake Building	140' x 120'	30'	Pre-engineered steel construction
Boiler Building	120' x 70'	70'	Metal
Maintenance Building	40' x 60'	25'	Metal
Fermentation Building	32' x 154'	50'	Metal

Processing Building

Within the Processing Building, ground corn will be mixed with water and enzymes to make a mash, and then cooked in a series of retention tanks to break the complex sugars down into simple (fermentable) sugars. The Processing Building will include space for a control room and laboratory as well. The building will also contain storage for some hazardous materials, including a 12,000 gallon tank for aqueous ammonia, two 12,000

gallon tanks for enzymes, one 12,000 gallon tank for sulfuric acid, one 12,000 gallon tank for sodium Hydroxide, and one 12,000 gallon tank for urea. All of the tanks will be constructed of steel.

Boiler Building

Two natural gas fired steam boilers, each with a rating of 76,500 MMbtu/hour, will be installed within the Boiler Building at the project site. The steam production facility will also include water treatment and condensate recovery equipment and will be run by a facility control system. The boilers will be equipped with low NOx burners.

Fermentation Building

When the mash is cooked and cooled, yeast and additional enzymes are added in the Fermentation Building. This produces a liquid that contains 10% to 15% ethanol by weight. At this point, the liquid is piped to the DD&E Building, and the solids (a by-product called distiller's wet grain, suitable for animal feed) are transported to the Wet Cake Building.

Wet Cake Building

The Wet Cake Building will be used to store the distiller's wet grain, which will be trucked to local dairy and/or cattle operations for use as feed.

DD&E Building

Within the DD&E Building, ethanol is separated from the carbon dioxide and water vapor and produces a liquid that is 100% ethanol. The ethanol is combined with 5% gasoline as a denaturant and stored in the ethanol day tank until tests are complete, then transferred to the ethanol storage tank prior to shipment or ethanol off spec tank if it does not meet specification.

Maintenance Building

The onsite maintenance building will be used to store equipment and chemicals used in plant maintenance.

Administration Building

A short driveway will lead to the administration building, which will house offices. Located adjacent to the building will be a parking lot for up to 32 employees and 10 trucks.

Table B-2 provides details of the storage that will be part of the facility.

Table B- 2. Storage

Name/Use	Number	Height	Capacity	Construction Materials
Grain Storage Bins	2	96'	@ 986,000 bushels	Steel
Ethanol Storage Tanks	4	35'	@ 396,000 gallons	Steel
Ethanol Day Tank	1	33'	103,000 gallons	Steel
Ethanol Off Spec Tank	1	33'	103,000 gallons	Steel
Diesel Fuel	1	15'	500 gallons	Steel
Denaturant (gasoline)	1	20'	60,000 gallons	Steel

(ii) *A site plan and general arrangement of buildings, equipment and structures;*

Response: A site plan is included as Figure C-3.

(iii) *Fuel and chemical storage facilities, including structures and systems for spill containment;*

Response: All production, use, storage, transport, and disposal of hazardous materials associated with the proposed project will be in strict accordance with federal, state, and local government regulations and guidelines. These products will be used in moderate quantities so that the possibility for accidental leakage is minimal. Spent lubricants, hydraulic fluids, antifreeze, cleaners, degreasers, and oils will be recycled by a certified waste contractor. No extremely hazardous materials (as defined by 40 Code of Federal Regulations 335) are anticipated to be produced, used, stored, transported, or disposed of as a result of this project. Similarly, all lubricants, oils, greases, antifreeze, cleaners, degreasers, or hydraulic fluids being held for delivery to a certified recycling transporter will be temporarily stored in the maintenance building in approved containers that will be located above ground.

(iv) *Equipment and systems for fire prevention and control;*

Response: All on-site employees will receive annual fire prevention and response training by qualified instructors or members of the local fire department. The plant will include piping, hydrants, and sprinkler systems in accordance with state fire regulations. The design of these systems has been approved by the Chief of the Boardman Fire Protection District. The Port of Morrow will supply adequate water supply to satisfy district fire flow requirements.

(v) *Structures, systems, and equipment for waste management and disposal, including, to the extent known, the amount of wastewater the applicant anticipates and the applicant's plans for disposal of wastewater and storm water. If the*

applicant has submitted any permit applications to the Office, as described in OAR 345-021-0000(4), that contain this information, the applicant may copy relevant sections of those documents into this exhibit or include in this exhibit cross-references to the relevant sections of those documents;

Response: The waste management activities for the construction and operation phases are described in the subsections below:

Construction

Several different non-hazardous construction wastes will be generated during the construction of the facility. Concrete waste from building construction, wood waste from concrete forms, and cardboard packaging materials will be the major solid wastes produced during construction. Some additional construction wastes may include erosion control materials such as straw bales and silt fencing, packaging materials for turbine components, and electrical materials.

During construction wastewater will be generated. The major source of wastewater will be from washing down concrete trucks once they are emptied. Portable toilets will also be placed onsite during construction to provide sewage handling. These toilets will be pumped and cleaned in accordance with state rules. No other sources of wastewater should be created during the construction activities.

Stormwater during construction will be managed in compliance with both the facility's Erosion Control Plan and its Stormwater General Permit 1200-C, issued by the Oregon Department of Environmental Quality (DEQ) (see Appendix I-2). The erosion control methods used during construction will consist of techniques such as hay bales, silt fences, and revegetation.

Wastes generated during construction will be recycled when feasible. Wood will be reused when possible and then recycled. Concrete waste will be used as fill on site or, if no reuse option is available, removed and taken to a local landfill. Packaging wastes (such as paper and cardboard) will be segregated and recycled, as feasible. Any non-recyclable wastes will be collected and transported to a local landfill.

Operations

During normal operation very little solid waste will be produced, because the majority of solids (corn) are a valuable by-product that will be sold locally or regionally. Office waste, the main solid waste generated, will be generated at the Administration building. Other minor and potentially hazardous wastes that may be generated during operations will consist of oily rags or similar wastes related to machine lubrication and other maintenance, as described in Exhibit G. The only other source of waste will be incidental waste from the repair and/or replacement of electrical or mechanical components. Industrial wastewater generated during operations will be disposed of into the Port of Morrow's permitted wastewater treatment facilities.

(vi) *For thermal power plants and electric generating facilities producing energy from wind, solar or geothermal energy:*

(I) *A discussion of the source, quantity, availability, and energy content of all fuels (Btu, higher heating value) or the wind, solar or geothermal resource used to generate electricity or useful thermal energy. For the purpose of this subparagraph, “source” means the coal field, natural gas pipeline, petroleum distribution terminal or other direct source;*

Response: Not applicable.

(II) *Fuel cycle and usage including the maximum hourly fuel use at the net electrical power output at average annual conditions for a base load gas plant and the maximum hourly fuel use at nominal electric generating capacity for a non-base load power plant or a base load gas plant with power augmentation technologies, as applicable;*

Response: Not applicable.

(III) *The gross capacity as estimated at the generator output terminals for each generating unit. For a base load gas plant, gross capacity is based on the average annual ambient conditions for temperature, barometric pressure and relative humidity. For a non-base load plant, gross capacity is based on the average temperature, barometric pressure and relative humidity at the site during the times of year when the facility is intended to operate. For a baseload gas plant with power augmentation, gross capacity in that mode is based on the average temperature, barometric pressure and relative humidity at the site during the times of year when the facility is intended to operate with power augmentation.*

Response: Not applicable.

(IV) *A table showing a reasonable estimate of all on-site electrical loads and losses greater than 50 kilowatts, including losses from on-site transformers, plus a factor for incidental loads, that are required for the normal operation of the plant when the plant is at its designed full power operation.*

Response: Not applicable.

(V) *Process flow, including power cycle and steam cycle diagrams to describe the energy flows within the system;*

Response: Not applicable.

(VI) *Equipment and systems for disposal of waste heat;*

Response: Not applicable.

(VII) *The maximum number of hours per year and energy content (Btu per year, higher heating value) of alternate fuel use;*

Response: Not applicable.

(VIII) *The nominal electric generating capacity;*

Response: Not applicable.

(IX) *The fuel chargeable to power heat rate;*

Response: Not applicable.

(vii) *For transmission lines, the rated voltage, load carrying capacity, and type of current;*

Response: The 1,700-foot-long aboveground line supplying power to the plant will carry up to 13.5 kV with a load carrying capacity of up to 3.5 MW of alternating current.

(viii) *For pipelines, the operating pressure and delivery capacity in thousand cubic feet per day;*

Response: A 1,700-foot pipeline will be installed to carry natural gas from the Cascade Natural Gas pipeline to the plant. The operating pressure of the line will be 58-60 psig delivery pressure. The maximum connected load will be 3,628,800 cubic feet per day; the average for the 35 million gallon-per-year plant will be 3,000,000 cubic feet per day.

The ethanol pipeline will operate at a pressure of 80 psi (and will have a delivery capacity of 500 gpm) to trucks and rail cars, and will operate at a pressure of 80 psi and have a delivery capacity of 2,500 gpm to barges.

(ix) *For surface facilities related to underground gas storage, estimated daily injection and withdrawal rates, horsepower compression required to operate at design injection or withdrawal rates, operating pressure range and fuel type of compressors; and*

Response: Not applicable.

(x) *For facilities to store liquefied natural gas, the volume, maximum pressure, liquefaction and gasification capacity in thousand cubic feet per hour.*

Response: Not applicable.

B.2 DESCRIPTION OF RELATED OR SUPPORTING FACILITIES

OAR 345-021-0010(1)(b)(B) *A description of major components, structures and systems of each related or supporting facility;*

Response: Transportation to and from the site will follow a route that includes access via existing Interstate, State, and County Roads. All staging and laydown for the project will occur within the 25-acre lease boundary for the project.

Gas will be supplied by Cascade Natural Gas via a 1,700-foot long pipeline.

Power to the plant will be supplied by the Umatilla Electric Cooperative via a 1,700-foot long 13.5 kV power line on single wooden poles.

Some of the ethanol produced at the plant will be transported by barge from an existing facility operated by Tidewater, Inc. An approximately 2,500-foot long, 8-inch diameter welded steel pipeline will be constructed from the plant site to the barge dock in order to facilitate barge loading. It will be placed underground in a 42-inch by 60-inch trench.

Pacific Ethanol will be responsible for construction of approximately 2,200 feet of the pipeline, up to the high water line of the Columbia River. The barge facility operator, Tidewater, Inc. will be responsible for obtaining permits and constructing the remaining 300 feet of pipeline to where it attaches to the barge facility dolphins. This portion of the pipeline will be above the Ordinary High Water (OHW) line of the Columbia River. No work will occur in the water.

B.3 DIMENSIONS OF MAJOR STRUCTURES AND FEATURES

OAD 345-021-0010(1)(b)(C) *The approximate dimensions of major facility structures and visible features.*

Response: The approximate dimensions of buildings and storage facilities are provided in Tables B-1 and B-2.

B.4 CORRIDOR EVALUATION AND SELECTION

OAD 345-021-0010(1)(b)(D) *If the proposed energy facility is a pipeline or a transmission line or has, as a related or supporting facility, a transmission line or pipeline, that, by itself, is an energy facility under the definition in ORS 469.300, a corridor selection assessment explaining how the applicant selected the corridor(s) for analysis in the application. In the assessment, the applicant shall evaluate the corridor adjustments the Office has described in the project order, if any. The applicant may select any corridor for analysis in the application and may select more than one corridor. However, if the applicant selects a new corridor, then the applicant must explain why the applicant did not present the new corridor for comment at an informational meeting under OAR 345-015-0130. In the assessment, the applicant shall discuss the reasons for selecting the corridor(s), based upon evaluation of the following factors:*

The proposed facility is not a pipeline or a transmission line, and has no related or supporting transmission line or pipeline that, by itself, would be considered an energy facility under the definition in ORS 469.300.

- (i) *Least disturbance to streams, rivers and wetlands during construction;*

Response: Not applicable.

- (ii) *Least percentage of the total length of the pipeline or transmission line that would be located within areas of Habitat Category 1, as described by the Oregon Department of Fish and Wildlife;*

Response: Not applicable.

- (iii) *Greatest percentage of the total length of the pipeline or transmission line that would be located within or adjacent to public roads, as defined in ORS 368.001, and existing pipeline or transmission line rights-of-way;*

Response: Not applicable.

- (iv) *Least percentage of the total length of the pipeline or transmission line that would be located within lands that require zone changes, variances or exceptions;*

Response: Not applicable.

- (v) *Least percentage of the total length of the pipeline or transmission line that would be located in a protected area as described in OAR 345-022-0040;*

Response: Not applicable.

- (vi) *Least disturbance to areas where historical, cultural or archaeological resources are likely to exist; and*

Response: Not applicable.

- (vii) *Greatest percentage of the total length of the pipeline or transmission line that would be located to avoid seismic, geological and soils hazards;*

Response: Not applicable.

- (viii) *Least percentage of the total length of the pipeline or transmission line that would be located within lands zoned for exclusive farm use;*

Response: Not applicable.

B.5 PIPELINE AND TRANSMISSION LINE

OAR 345-021-0010(1)(b)(E) *For the corridor(s) the applicant selects under paragraph (D) and for any related or supporting facility that is a pipeline or transmission line, regardless of size:*

- (i) *The length of the pipeline or transmission line;*

Response: The power supply line will be approximately 1,700 feet long. The gas pipeline will be approximately 1,700 feet long. The ethanol pipeline will be approximately 2,500 feet long.

(ii) *The proposed right-of-way width of the pipeline or transmission line, including to what extent new right-of-way will be required or existing right-of-way will be widened;*

Response: The gas and ethanol pipelines, and the power supply line will be on Port owned property. No new right-of-way will be required.

(iii) *If the proposed corridor follows or includes public right-of-way, a description of where the facility would be located within the public right-of-way, to the extent known. If the applicant might choose to locate all or part of the facility adjacent to but not within the public right-of-way, describe the reasons the applicant would use to justify locating the facility outside the public right-of-way. The application must include a set of clear and objective criteria and a description of the type of evidence that would support locating the facility outside the public right-of-way, based on those criteria;*

Response: The proposed corridor for the gas pipeline and the power supply line would be located along Columbia Lane. The applicant intends to use the right-of-way granted in its leases and Port property, rather than utilize public road right-of-way, to avoid the possibility that the County may, at a later date, wish to expand public roads within existing public right-of-way.

(iv) *The diameter and location, above or below ground, of each pipeline; and*

Response: A 4-inch diameter carbon steel pipeline, approximately 1,700-feet long, will be constructed from the Cascade Natural Gas pipeline to provide the plant with natural gas.

(v) *A description of the transmission line structures and their dimensions;*

Response: The proposed power supply line will be on wood poles approximately 40 feet tall, sunk 10 feet deep into the ground. The base of each pole will have an approximate diameter of one foot. The spacing of poles will be approximately 300 feet apart.

B.6 CONSTRUCTION SCHEDULE

OAR 345-021-0010(1)(b)(F) *A construction schedule including the date by which the applicant proposes to begin construction and the date by which the applicant proposes to complete construction. Construction is identified in OAR 345-001-0010. The applicant shall describe in this exhibit all work on the site that the applicant intends to begin before the Council issues a site certificate. The applicant shall include an estimate of the cost of that work. For the purposes of this exhibit, “work on the site” means any work within a site or corridor, other than surveying, exploration or other activities to define or*

characterize the site or corridor, that the applicant anticipates or has performed as of the time of submitting the application;

Response: The applicant began construction in May 2006, of a sub-jurisdictional 27-million gallon per year plant, and plans to complete the project in early summer 2007. The cost of the plant is expected to be approximately \$70 million. The foot print, employees, hours of operation, and supporting facilities required for a sub-jurisdictional and proposed 35 MMgy (42 MMgy maximum) plant are identical. Only the quantities of raw materials and product will differ if the Site Certificate is granted.

B.7 MAP OF DISTURBANCE AREAS

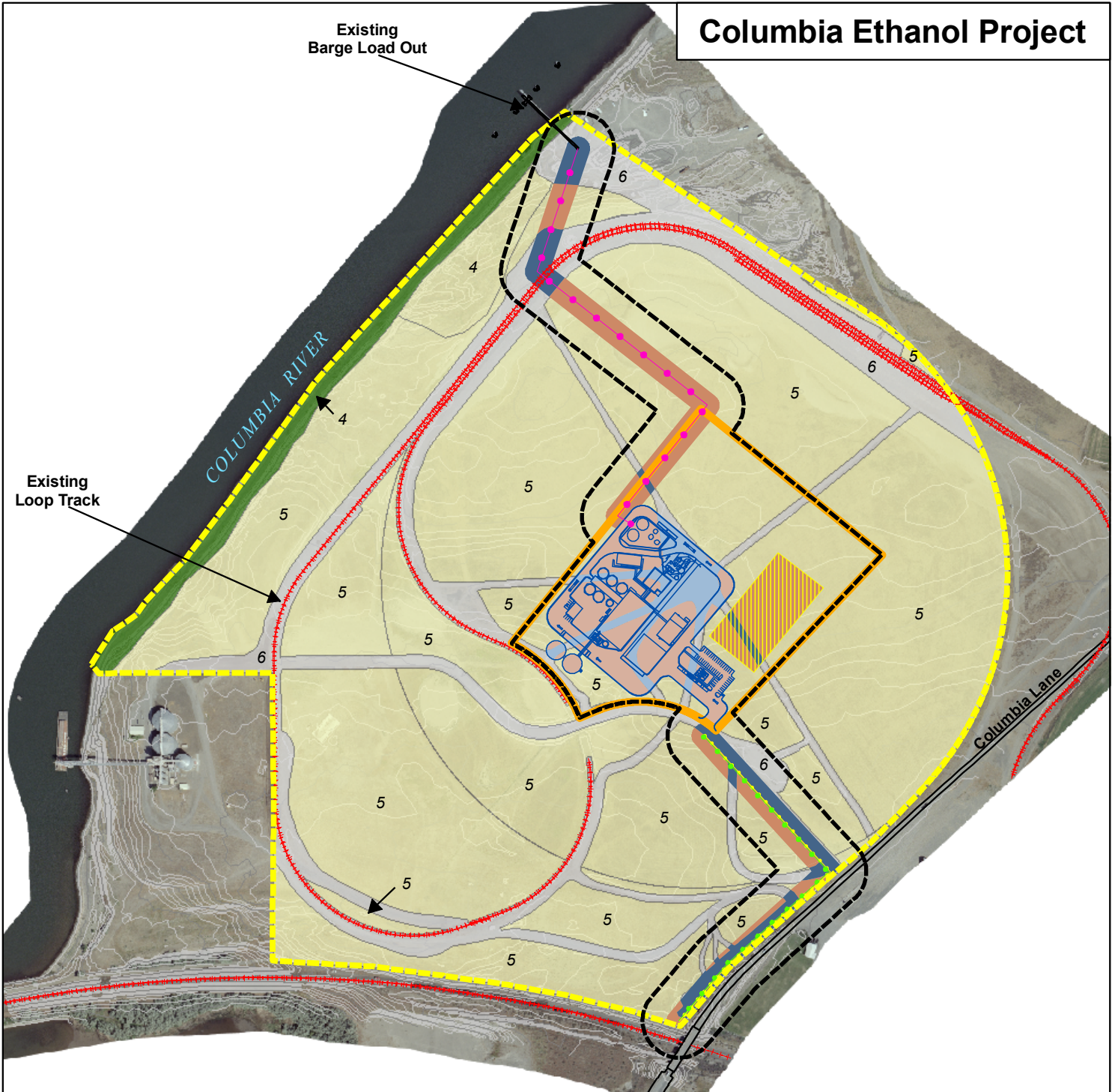
OAR 345-021-0010(1)(b)(G) *A map showing all areas that may be temporarily disturbed by any activity related to the design, construction and operation of the proposed facility.*

Response: See Appendix B-1. The project will permanently impact approximately 9.5 acres. Temporary disturbance, such as for laydown areas, pipelines, and power supply will impact an additional 10.7 acres.

APPENDIX B-1

Map of Disturbance Areas

Columbia Ethanol Project



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Existing Features

- Paved Road
- ++++ Railroad
- Major Contour
- Minor Contour

Proposed Features

- Lease Boundary
- Site Boundary
- Ethanol Plant Footprint
- Power (Umatilla Electric Coop)
- Gas (Cascade Natural Gas)
- Barge Loadout
- ▨ Staging Area

Vegetation Classifications

- ▨ Vegetation Mapping Area
- ▨ Developed
- ▨ Grassland
- ▨ Riparian

Vegetation Impacts (20.10 Acres)

- ▨ Category 4, Grassland (0.00 Impacts)
- ▨ Category 5, Grassland, Permanent (6.66 Acres)
- ▨ Category 5, Grassland, Temporary (7.25 Acres)
- ▨ Category 6, Developed, Permanent (2.76 Acres)
- ▨ Category 6, Developed, Temporary (3.43 Acres)

FIGURE B-1
Fish and Wildlife
Habitat Analysis Area

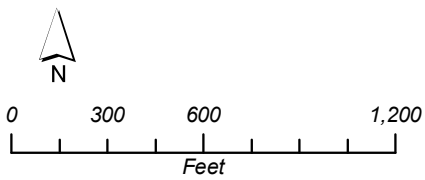


EXHIBIT C**PROJECT LOCATION**

OAR 345-021-0010(1)(c)

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APPENDIX

C-1 MAPS – FIGURES C-1 THROUGH C-3

C.1 INTRODUCTION

OAR 345-021-0010(1)(c) *Information about the location of the proposed facility, including:*

C.2 MAPS

OAR 345-021-0010(1)(c)(A) *A map or maps, including a 7.5-minute quadrangle map, showing the proposed locations of the energy facility site, and all related or supporting facility sites, in relation to major roads, water bodies, cities and towns, important landmarks and topographic features.*

Response: A vicinity map showing the project location on a 7.5 minute quadrangle map is included as Figure C-1.

C.3 LOCATION OF PROJECT COMPONENTS

OAR 345-021-0010(1)(c)(B) *A description of the location of the proposed energy facility site and the proposed site of each related or supporting facility, including the approximate land area of each. If a proposed pipeline or transmission line is to follow an existing road, pipeline, or transmission line, the applicant shall state to which side of the existing road, pipeline, or transmission line the proposed facility will run, to the extent it is known.*

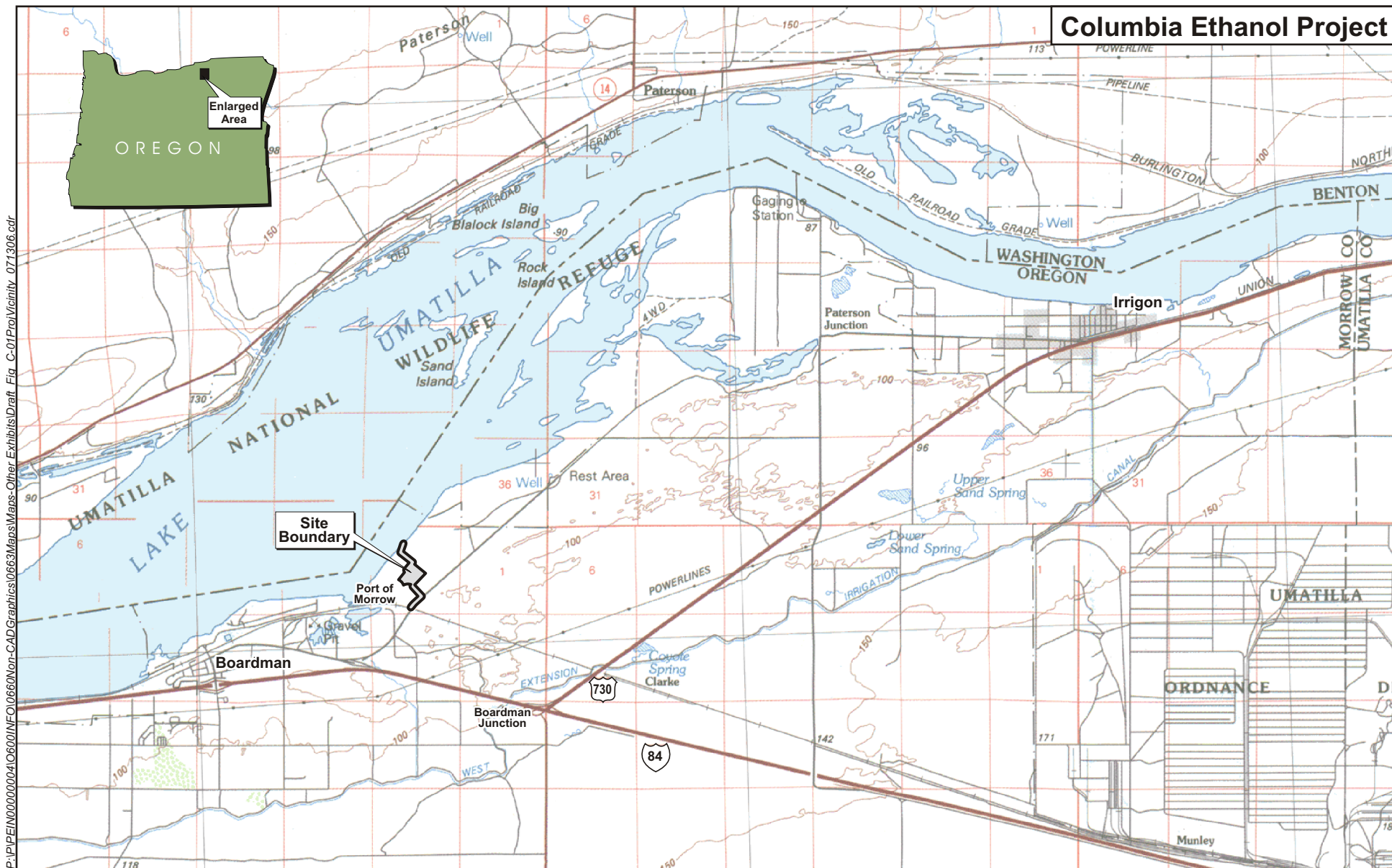
Response: The proposed facility is located at the Port of Morrow, Township 4N, Range 25E, Section 2, on a leased parcel of 24.853 acres. The proposed power supply and gas supply pipeline will be located to the west of Columbia Lane and south of the Port's access road. The gas pipeline and power supply line will be located within Township 4N, R 25E, and Sections 2 and 11. A map showing the location of project components, including related and supporting facilities, is attached as Figure C-2.

Figure C-3 shows the layout of plant buildings and storage.

APPENDIX C-1

Figures C-1 through C-3

Columbia Ethanol Project

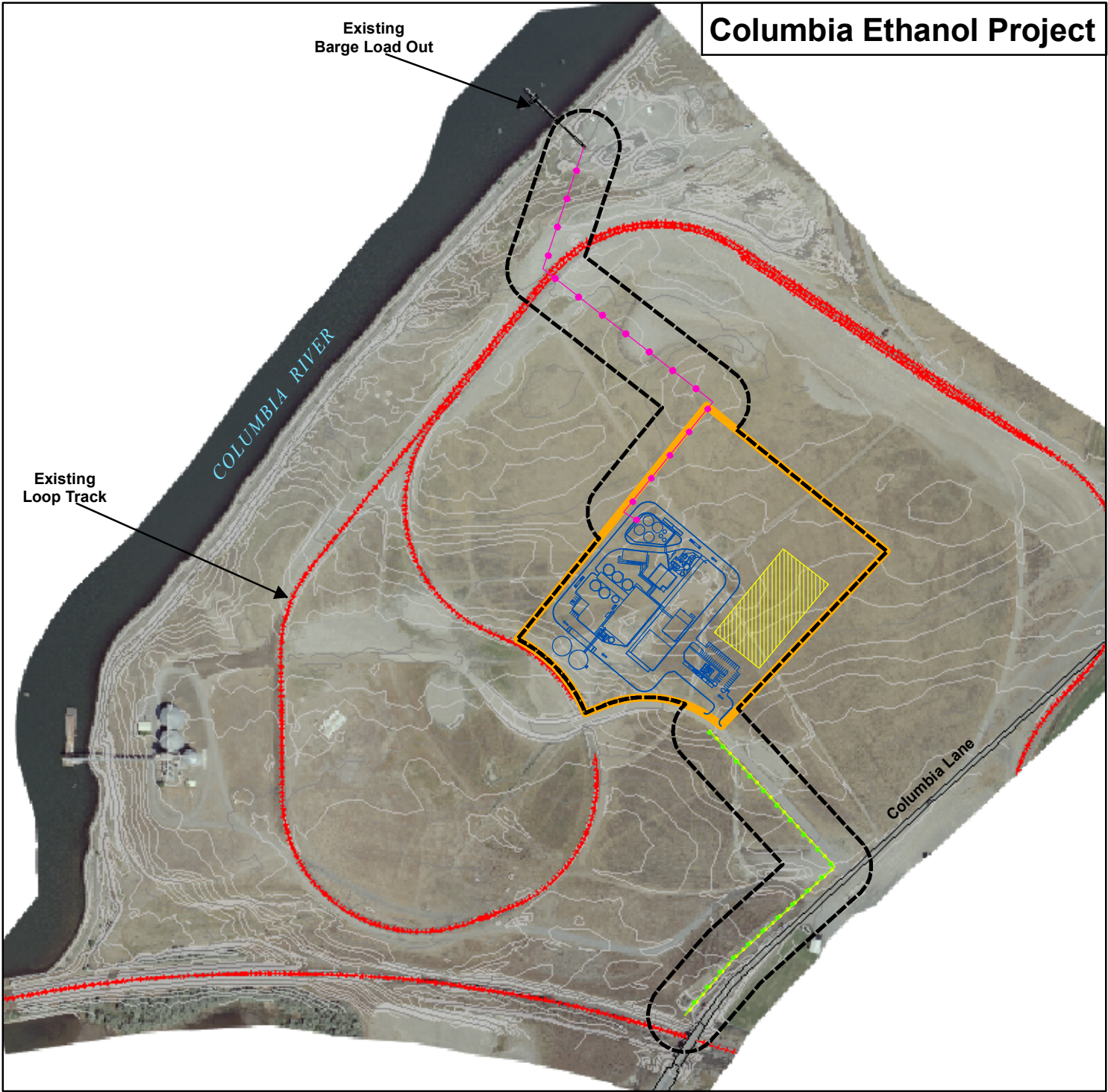


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USGS 30x60 Series Quadrangle: Hermiston, Oregon-Washington 1984

Figure C-1
Project Vicinity

Columbia Ethanol Project



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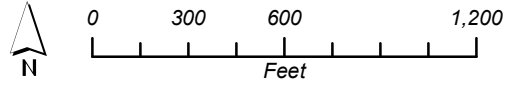
Existing Features

- Paved Road
- ++++ Railroad
- Major Contour
- Minor Contour

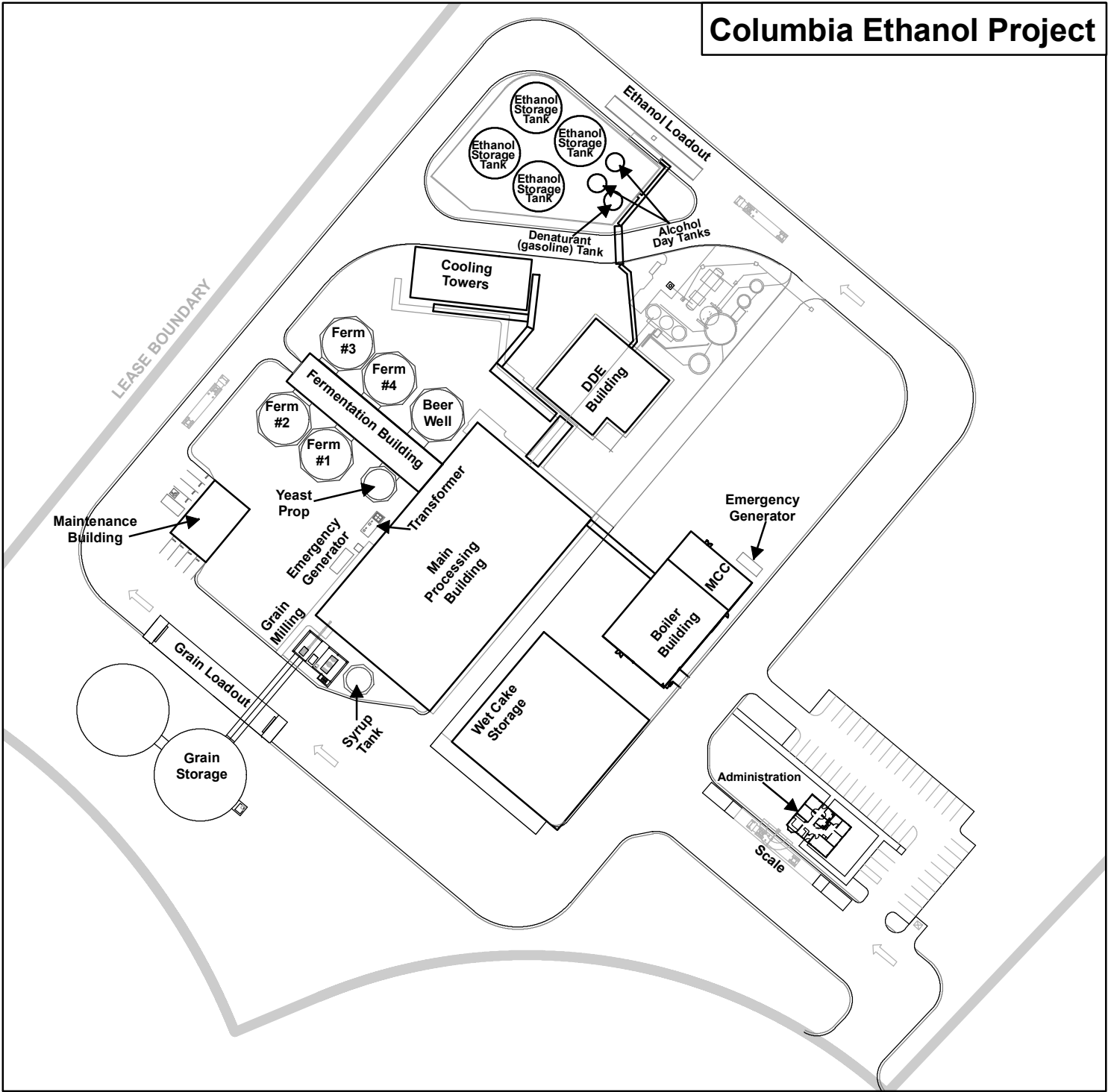
Proposed Features

- Lease Boundary
- - - Site Boundary
- Ethanol Plant Footprint
- Power (Umatilla Electric Coop)
- Gas (Cascade Natural Gas)
- Barge Loadout
- ▨ Staging Area

FIGURE C-2
Project Component Map



Columbia Ethanol Project



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- Legend**
- Lease Boundary
 - Permanent Impacts

FIGURE C-3
Plant Layout

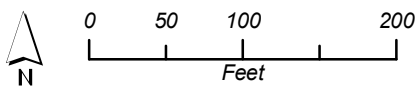


EXHIBIT D

APPLICANT'S ORGANIZATIONAL, MANAGERIAL, AND TECHNICAL EXPERTISE

OAR 345-021-0010(1)(d)

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APPENDIX

D-1 RESUMES

D.1 INTRODUCTION

OAR 345-021-0010(1)(d) *Information about the organizational expertise of the applicant to construct and operate the proposed facility, providing evidence to support a finding by the Council as required by OAR 345-022-0010, including:*

Response: Company and individual qualifications are discussed below.

D.2 APPLICANT'S PREVIOUS EXPERIENCE

OAR 345-021-0010(1)(d)(A) *The applicant's previous experience, if any, in constructing and operating similar facilities;*

Response: Pacific Ethanol, as a parent company of the applicant, Pacific Ethanol Columbia LLC, will provide the organizational experience and expertise to construct and operate the facility. Pacific Ethanol has fully permitted and is constructing a 35 MMgy ethanol plant in Madera, California. Construction is expected to be complete and operations to begin in November 2006. Pacific Ethanol has also permitted, constructed, and is now operating the Front Range Energy ethanol project in Windsor, Colorado. This plant will produce up to 40 MMgy.

D.3 QUALIFICATION OF APPLICANT'S PERSONNEL

OAR 345-021-0010(1)(d)(B) *The qualifications of the applicant's personnel who will be responsible for constructing and operating the facility, to the extent that the identities of such personnel are known when the application is submitted;*

Response: Pacific Ethanol, Inc. employees Joe Winkler and Terry Kelusa each have over 10 years experience in construction, operations, and marketing, most of which is related to ethanol plants. Resumes of both are attached as Appendix D-1

D.4 QUALIFICATIONS OF KNOWN CONTRACTORS

OAR 345-021-0010(1)(d)(C) *The qualifications of any architect, engineer, major component vendor, or prime contractor upon whom the applicant will rely in constructing and operating the facility, to the extent that the identities of such persons are known when the application is submitted;*

Response: Delta-T is the project engineer. The prime contractor has not yet been selected. Delta-T was established in 1984, and is located in Williamsburg Virginia. It is the largest, and one of the first, turnkey ethanol companies in the world. Since 1991, Delta-T has been engineering ethanol (and other alcohol) distillers and dehydrators. Delta-T technologies are operating at 50 installations worldwide, more than all of their competitors put together. They have developed technologies for drying and purifying industrial-grade alcohol.

Delta-T Contact Information:

323 Alexander Lee Parkway
Williamsburg, VA 23185
(757) 220-2955

D.5 APPLICANT’S PAST PERFORMANCE

OAR 345-021-0010(1)(d)(D) *The past performance of the applicant, including but not limited to the number and severity of any regulatory citations in constructing or operating a facility, type of equipment, or process similar to the proposed facility;*

Response: Pacific Ethanol has received no citations or stop work orders during construction of either of their ethanol plants under construction, and no citation at the operating Front Range Energy Project.

D.6 APPLICANT WITH NO PREVIOUS EXPERIENCE

OAR 345-021-0010(1)(d)(E) *If the applicant has no previous experience in constructing or operating similar facilities and has not identified a prime contractor for construction or operation of the proposed facility, other evidence that the applicant can successfully construct and operate the proposed facility. The applicant may include, as evidence, a warranty that it will, through contracts, secure the necessary expertise; and*

Response: Not applicable.

D.7 ISO CERTIFIED PROGRAM

OAR 345-021-0010(1)(d)(F) *If the applicant has an ISO 9000 or ISO 14000 certified program and proposes to design, construct and operate the facility according to that program, a description of the program;*

Response: The applicant does not have any ISO 9000 or ISO 14000 certified programs.

D.8 MITIGATION

OAR 345-021-0010(1)(d)(G) *If the applicant relies on mitigation to demonstrate compliance with any standards of Division 22 or 24 of this chapter, evidence that the applicant can successfully complete such proposed mitigation, including past experience with other projects and the qualifications and experience of personnel upon whom the applicant will rely, to the extent that the identities of such persons are known at the date of submittal.*

Response: Mitigation has not been required by permitting agencies at the Madera, California, or Windsor, Colorado, for any project-related impacts.

APPENDIX D-1

Resumes

Terrance Kulesa**Vice President, Ethanol Operations**

Terry Kulesa has 20 years of progressive management experience in the areas of operations, marketing, finance, sales, risk management and supply chain. Terry has spent the last 7 years as a General Manager, taking ethanol plants from construction through start up and continuing operations and major expansions of existing operations. He has also held plant management positions with Kraft and Borden. He has served on the board of the Renewable Fuels Association and has been active in the promotion of ethanol. Terry has a B.S. degree in Agriculture and Biosciences from South Dakota State University and has an M.B.A from the University of Minnesota.

Joseph W. Winckler**General Manager, Ethanol Operations**

Joe Winckler has over 11 years of management experience in ethanol operations. Experience includes design, layout, construction, startup and managing continuing operations. Joe has been involved in the construction and startup of multiple plants and numerous major expansions. Joe served for 8 years in the US Army and is a graduate of the US Army Non Commissioned Officers Academy. He received the Bronze Star for his duty in Desert Storm.

EXHIBIT E**PERMITS NEEDED FOR CONSTRUCTION AND OPERATION**

OAR 345-021-0010(1)(e)

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**APPENDIX E-1 THIRD PARTY APPLICATION FOR WATER QUALITY
CERTIFICATION OF THE BARGE LOADOUT ETHANOL PIPELINE**

E.1 INTRODUCTION

OAR 345-021-0010(1)(e) *Information about permits needed for construction and operation of the facility, including:*

Response: See sections below for information.

E.2 IDENTIFICATION OF NECESSARY PERMITS

OAR 345-021-0010(1)(e)(A) *Identification of all federal, state and local government permits needed before construction and operation of the proposed facility, legal citation of the statute, rule or ordinance governing each permit, and the name, address and telephone number of the agency or office responsible for each permit.*

Response: Responses are provided in sections E.2.1 through E.2.3, below.

E.2.1 Federal Permits

Department of Alcohol, Tobacco and Firearms

Permit: Alcohol Fuel Plant
Agency: Alcohol and Tobacco Tax Bureau
Tax and Trade Bureau National Revenue Center
550 Main Street
Cincinnati, Ohio
1 (800) 398-2282

U.S. Army Corps of Engineers

33 U.S.C. 403; 33 CFR parts 320, 323, 325-28, and 330.
Permit: Rivers and Harbors Act, Section 10
Agency: Mary Hoffman, Permit Evaluator
U.S. Army Corps of Engineers, Portland District
333 SW First Avenue
Portland, OR 97204
(541) 962-0401

U.S. Fish and Wildlife Service

16 USCA 1536, 1539; 50 CFR 402

Permit: Potential Incidental Take Statement.

Agency: Nancy Gilbert, Field Supervisor
U.S. Fish and Wildlife Service – Pacific Region
Bend Field Office
20310 Empire Avenue, Suite A-100
Bend, OR 97701
(541) 383-7146

E.2.2 State Permits

ORS 469.300 *et seq.*; OAR Chapter 345, Divisions 1, 21-24.

Permit: Energy Facility Site Certificate

Agency: Adam Bless, Energy Facility Analyst
Oregon Office of Energy
625 Marion St., NE
Salem, OR 97301
(503) 378-4040

Oregon Department of Environmental Quality

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Construction Storm Water Permit 1200-C

Agency: Oregon Department of Environmental Quality, Eastern Region
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Industrial Storm Water Permit 1200-Z

Agency: Oregon Department of Environmental Quality, Eastern Region
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: NPDES permit not required. The plant will discharge to the Port of Morrow wastewater treatment plant.

Agency: Oregon Department of Environmental Quality, Eastern Region
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063

Water Quality Certification

33 USCA 1341, Section 401; OAR Chapter 340, Division 48

Permit: Water Quality Certification

Agency: Christine Svetkovich
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204
(503) 229-5046

Noise

ORS 467; OAR Chapter 340, Division 35

Permit: None required, but facility must meet state noise standards.

Air Quality

33 USCA 1341, Section 401; OAR Chapter 340, Division 48

Permit: Air Contaminant Discharge Permit

Agency: Patty Jacobs
Oregon Department of Environmental Quality
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063

Oregon Department of State Lands

ORS 196; OAR Chapter 141, Division 85

Permit: Removal-Fill if removal or filling occurs in waters of the state

Agency: Kevin Herkamp, Resource Coordinator
Oregon Department of State Lands
1645 NE Forbes Rd., Suite 112
Bend, OR 97701
(541) 388-6345

Oregon Department of Fish and Wildlife – Habitat Conservation Division

ORS 496, 506, and 509; OAR Chapter 635, Divisions 100, 415, and 425

Permit: None required, but state habitat mitigation standards must be met.

Agency: Rose Owens, Habitat Special Projects Coordinator
Oregon Department of Fish and Wildlife – Wildlife Division
3406 Cherry Avenue, NE
Salem, OR 97303
(503) 947-6085

Oregon Department of Geology and Mineral Industries

OAR 345-021-0010(1)(h).

Permit: None required

Agency: Yumei Wang
Oregon Department of Geology and Mineral Industries
800 NE Oregon St., Suite 965
Portland, OR 97232
(503) 731-4100

Oregon Department of Land Conservation and Development

ORS 197, 215, and 283; OAR Chapter 660

Permit: None required. Agency provides technical review and recommendations on compliance with Council rule OAR 345-022-0030.

Agency: Oregon Department of Land Conservation and Development
635 Capitol St., NE, Suite 150
Salem, OR 97301-2540
(503) 373-0050

Oregon Parks and Recreation Department - Historic Preservation Section

ORS 97, 358, and 390; OAR Chapter 736, Division 51

Permit: Archaeological permit

Agency: Dr. Dennis Griffin, Lead Archaeologist
Oregon Department of Parks and Recreation, SHPO
725 Summer St., NE, Suite C
Salem, OR 97301
(503) 986-0674

Oregon Department of Agriculture – Plant Conservation Biology Program

ORS 564; OAR Chapter 603, Division 73

Permit: None required. There are no sensitive plant species located on the site.

Agency: Bob Meinke, Program Leader
Oregon Department of Agriculture – Plant Division
635 Capitol St., NE
Salem, OR 97301
(541) 737-2317

Oregon Water Resources Department – Water Rights Division

ORS 537 and 540; OAR Chapter 690

Permit: None required. Water for the facility will be supplied by the Port of Morrow, which has an existing water right.

Agency: Oregon Water Resources Department – Water Rights Division
725 Summer St., NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

E.2.3 Local Permits

Morrow County Zoning Code

Port Industrial Zoning District § 3.073

Permit: Project is a permitted use

Agency: Morrow County Planning Department
Carla McLane, Planner
100 Court Street
Heppner, OR 97836
(541) 481 -2112

MCZC Article 4 - § 4.165 —Design & Improvement Standards and Requirements

Permit: Site plan review

Agency: Morrow County Planning Department
Carla McLane, Planner
100 Court Street
Heppner, OR 97836
(541) 481 -2112

E.3 DESCRIPTION OF NECESSARY PERMITS

OAR 345-021-0010(1)(e)(B) *A description of each permit and the reasons the permit is needed for construction or operation of the facility.*

Response: Responses are provided in Sections E.3.1 through E.3.3, below

E.3.1 Federal Permits

U.S. Army Corps of Engineers

33 U.S.C. 403; 33 CFR parts 320, 323, 325-28, and 330.

Permit: Rivers and Harbors Act, Section 10 permit is required for construction in, beneath or over navigable waters; therefore this permit will be required prior to construction of the ethanol pipeline connection to the barge facility in the Columbia River.

Alcohol and Tobacco Tax and Trade Bureau

26 USCS Section 5181; 27 CFR 19.910

Permit: Alcohol Fuel Plant Permit is required for producing, processing and storing distilled spirits. 27 CFR contains the regulations for implementing Section 5181 of 26 USCS.

E.3.2 State Permits

ORS 469.300 *et seq.*; OAR Chapter 345, Divisions 1, 21-24.

Permit: Energy Facility Site Certificate is required before construction or operation of a jurisdictional, non-exempt facility.

Oregon Department of Environmental Quality

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Construction Storm Water Permit 1200-C permit is required prior to disturbing an acre or more of ground. This permit has been obtained for the project, which is currently under construction.

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Industrial Storm Water Permit 1200-Z is required for industries in certain SIC classification, or an exemption is required based on a demonstration that all significant materials are stored and managed so that they do not come into contact with storm water.

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: NPDES permit not required. The plant will discharge to the Port of Morrow wastewater treatment plant.

33 USCA 1341, Section 401; OAR Chapter 340, Division 48

Permit: Water Quality Certification is required for any project that needs a federal license or permit, such as a Rivers and Harbors Act Section 10 permit.

Noise

ORS 467; OAR Chapter 340, Division 35

Permit: None required, but facility must meet state noise standards.

Air Quality

33 USCA 1341, Section 401; OAR Chapter 340, Division 48

Permit: Air Contaminant Discharge Permit is required for facilities that discharge certain air pollutants. This permit has been obtained for the project, which is currently under construction.

Oregon Department of State Lands

ORS 196; OAR Chapter 141, Division 85

Permit: Removal-Fill permit will not be required because no removal or filling will occur in waterways or wetlands.

Oregon Department of Fish and Wildlife – Habitat Conservation Division

ORS 496, 506, and 509; OAR Chapter 635, Divisions 100, 415, and 425

Permit: None required; agency provides technical review and recommendations on compliance with Council rules OAR 345-022-0040, 0060, and 0070.

Oregon Department of Geology and Mineral Industries

OAR 345-021-0010(1)(h).

Permit: None required; agency provides technical review and recommendations on compliance with Council rule OAR 345-022-0020.

Oregon Department of Land Conservation and Development

ORS 197, 215, and 283; OAR Chapter 660

Permit: None required. Demonstration of compliance with local comprehensive plan and zoning regulations has been provided by Morrow County.

Oregon Parks and Recreation Department - Historic Preservation Section

ORS 97, 358, and 390; OAR Chapter 736, Division 51

Permit: Archaeological permit will be required to conduct subsurface testing for archaeological artifacts in the vicinity of the ethanol pipeline.

OAR 234-022-0040.

Permit: None required; agency provides technical review and recommendations on the compliance with Council rules OAR 345-022-0040, 0080, and 0100 concerning impacts to state park lands.

Oregon Department of Agriculture – Plant Conservation Biology Program

ORS 564; OAR Chapter 603, Division 73

Permit: None required; agency provides technical review and recommendations on compliance with Council rule OAR 345-022-0070(1).

Oregon Water Resources Department – Water Rights Division

ORS 537 and 540; OAR Chapter 690

Permit: None required. Water for the facility will be supplied by the Port of Morrow, which has an existing water right.

E.3.3 Local Permits

Morrow County Site Plan Review

Morrow County Zoning Code Sections 3.073(D), 4.040, 4.050, and 4.060.

Permit: A site plan review is required to demonstrate that requirements for setbacks, parking and loading facilities meet the code.

E.4 NON-FEDERALLY-DELEGATED PERMIT APPLICATION

OAR 345-021-0010(1)(e)(C) *For state or local government permits or approvals for which the Council must determine compliance with applicable standards, evidence to support findings by the Council that construction and operation of the proposed facility will comply with all statutes, rules and standards applicable to the permit. The applicant may show this evidence:*

(i) *In Exhibit J for permits related to wetlands;*

Response: No removal or fill in waterways or wetlands will occur as a result of the project; no Removal-Fill Permit is required.

(ii) *In Exhibit O for permits related to water rights.*

Response: No new water right or transfer of water rights will be needed for the project.

E.5 FEDERALLY-DELEGATED PERMIT APPLICATION

OAR 345-021-0010(1)(e)(D) *For federally-delegated permit applications, evidence that the responsible agency has received a permit application and the estimated date when the responsible agency will complete its review and issue a permit decision.*

Response: An amendment to the 1200-C permit application has been prepared and is incorporated as an appendix to Exhibit I (Soils), to allow construction of the ethanol pipeline from the ethanol plant to the point of connection with the barge loadout facility.

E.6 THIRD-PARTY PERMITS

OAR 345-021-0010(1)(e)(E) *If the applicant will not itself obtain a state or local government permit or approval for which the Council would ordinarily determine compliance but instead relies on a permit issued to a third party, identification of any such third-party permit and for each:*

The applicant will rely on Tidewater, Inc. to obtain all required authorizations for construction of the ethanol pipeline from the Ordinary High Water (OHW) line of the Columbia River to the point of its attachment to the barge facility, including Rivers and Harbors Act Section 10 permit from the Corps of Engineers. These are not authorizations for which the Council would ordinarily determine compliance, and are therefore not addressed here.

- (i) *Evidence that the applicant has, or has a reasonable likelihood of entering into, a contract or other agreement with the third party for access to the resource or service to be secured by that permit;*

Response: Not applicable.

- (ii) *Evidence that the third party has, or has a reasonable likelihood of obtaining, the necessary permit; and*

Response: Not applicable.

- (iii) *An assessment of the impact of the proposed facility on any permits that a third party has obtained and on which the applicant relies to comply with any applicable Council standard.*

Response: Not applicable.

E.7 FEDERALLY DELEGATED PERMIT ISSUED TO A THIRD PARTY

OAR 345-021-0010(1)(e)(F) *If the applicant relies on a federally-delegated permit issued to a third party, identification of any such third-party permit for each:*

- (i) *Evidence that the applicant has, or has a reasonable likelihood of entering into, a contract or other agreement with the third party for access to the resource or service to be secured by that permit;*

Response: Projects that need a federal license or permit, such as a Rivers and Harbors Act Section 10 Permit, require water quality certification under the Clean Water Act, Section 401. This federal program has been delegated to ODEQ. An application for water quality certification for construction of the ethanol pipeline above and waterward of the Ordinary High Water line of the Columbia River is attached as appendix E-1. Because there will be no removal or fill of material in a water of the state as a result of this portion of the project, and because all required measures to prevent accidental spills will be implemented, no water quality impacts are expected as a result of the project.

- (ii) *Evidence that the responsible agency has received a permit application; and*

Response: The Department of Environmental Quality will receive this application when DOE distributes this ASC for agency completeness review.

- (iii) *The estimated date when the responsible agency will complete its review and issue a permit decision.*

Response: The Department of Environmental Quality generally takes three to four months to complete its review of requests for water quality certification; therefore DEQ should complete its review by January 2007.

E.8 MONITORING PROGRAM

OAR 345-021-0010(1)(e)(G) *The applicant's proposed monitoring program, if any, for compliance with permit conditions.*

Response: Monitoring requirements, if any, will be determined by the Council and other agencies responsible for issuing permits and approvals for the project. The applicant's proposed monitoring for compliance with permit conditions are described within this application, e.g. 1200-C permit requirements for erosion control monitoring and reporting.



**US Army Corps
Of Engineers (Portland District)**

**Joint Permit
Application Form**



DATE STAMP

AGENCIES WILL ASSIGN NUMBERS

Corps Action ID Number

Oregon Department of State Lands No

SEND ONE SIGNED COPY OF YOUR APPLICATION TO EACH AGENCY

District Engineer
ATTN: CENWP-OP-GP
PO Box 2946
Portland, OR 97208-2946
503-808-4373

AND

West of the Cascades:
State of Oregon
Department of State Lands
775 Summer Street NE Suite 100
Salem, OR 97301-1279
503-378-3805

OR

East of the Cascades:
State of Oregon
Department of State Lands
1645 NE Forbes Road, Suite 112
Bend, Oregon 97701
541-388-6112

(1) Applicant Name and Address	Tidewater, Inc. PO Box 806 Pasco, WA 99301	Business Phone # 509.727.1144 Home Phone# FAX # E-mail:
Authorized Agent Name and Address (Signature required in Block 9) <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Contractor	David Evans and Associates, Inc. Attn: Dana Siegfried 2100 SW River Parkway Portland, OR 97201	Business Phone # 503.223.6663 Home Phone# FAX # E-mail: dns@deainc.com
Property Owner Name and Address (If different than applicant) ¹	Rincker, Inc. Attn: Dennis Baker PO Box 1030 Boardman, OR 97818	Business Phone # 541.481.9246 Home Phone# FAX # E-mail:

PROJECT LOCATION

Street, Road or other descriptive location		Legal Description (<i>attach tax lot map</i>)			
Columbia Lane Boardman Industrial Park		Quarter/Quarter SW/NW	Section 2	Township 4N	Range 25E
In or Near (City or Town) Boardman	County Morrow	Tax Map # Partition Plan 2000-9		Tax Lot # ² Portion of Parcels 1 and 2	
Waterway Name Columbia River	River Mile (if known) 270.7	Latitude 45 degrees 51' 00" N		Longitude 119 degrees 39' 15" W	

Do you consent to allow Corps or Dept. of State Lands staff to enter into the above-described property? Yes No

(3) PROPOSED PROJECT INFORMATION

Type: Fill Excavation (removal) In-Water Structure Maintain/Repair an Existing Structure

Brief Description: Construct Pipeline over water to attach to existing structures

Fill

<input type="checkbox"/> Riprap <input type="checkbox"/> Rock <input type="checkbox"/> Gravel <input type="checkbox"/> Sand <input type="checkbox"/> Silt <input type="checkbox"/> Clay <input type="checkbox"/> Organics <input type="checkbox"/> Other:									
Wetlands (cy)	Permanent	0	Temporary	0	Total Fill		0		
	Impact Area in Acres		0	L'	0	W'	0	H'	0
Waters (cy)	Permanent	0	Temporary	0	Total Fill		0		
	Impact Area in Acres or dimensions (feet)		0	L'		W'		H'	

Removal

<input type="checkbox"/> Riprap <input type="checkbox"/> Rock <input type="checkbox"/> Gravel <input type="checkbox"/> Sand <input type="checkbox"/> Silt <input type="checkbox"/> Clay <input type="checkbox"/> Organics <input type="checkbox"/> Other:									
Wetlands (cy)	Permanent	0	Temporary	0	Annually	0	Total Removal		0
	Impact Area in Acres		0	L'	0	W'	0	H'	0
Waters (cy)	Permanent	0	Temporary	0	Annually	0	Total Removal		0
	Impact Area in Acres or dimensions (feet)		0	L'		W'		H'	

NOTE: *Italicized areas are not required by the Corps for a complete application, but are requested by DSL.*

¹ If applicant is not the property owner, permission to conduct the work must be attached.

² Attach a copy of all tax maps with the project area highlighted.

Is the disposal area upland? Yes No N/A | Impervious surface created? <1 acre? >1 acre? N/A

Are you aware of any state or federal Endangered Species on the project site? Yes No If yes, please explain in the
 Are you aware of any Cultural/Historic Resources on the project site? Yes No project description (in block
 Is the project site within a national Wild & Scenic River? Yes No 4)
 Is the project site within a state Scenic Waterway? Yes No

(4) PROPOSED PROJECT PURPOSE & DESCRIPTION

Project Purpose and Need:

Provide a description of the public, social or economic benefits of the project along with any supporting formal actions of a public body (e.g. city council, special district board), as appropriate.

The Project is needed to load ethanol produced at a local facility for transport to markets in Portland and the west coast.

Project Description: Include the following information:

- Volumes and acreages of all fill and removal activities in waterway or wetland separately
- Permanent and temporary impacts
- Types of materials (e.g., gravel, silt, clay, etc.)
- How the project will be accomplished (i.e., describe construction methods)

Construct an approximately 200-foot-long, 10-inch diameter ethanol pipeline, above and waterward of the OHW line of the Columbia River. The pipeline will be secured to existing piling at this barge facility. The project also includes construction of an 8-inch vapor line and a 12-foot by 12-foot metal mesh safety platform, also above the OHW level of the river.

No vegetation will be removed. No removal or filling will occur in the river. Limited ground disturbance (up to 2000 square feet) will occur in upland areas for placement of the natural gas tank and vapor condenser unit.

A cultural resource site has been identified in the vicinity of the barge facility. Additional information is provided in the AINW Cultural Resources report for the related ethanol plant project. Listed threatened and endangered Columbia River salmon and steelhead stocks are listed in the vicinity of the barge facility. Additional information is provided in Exhibit Q of the Application for Site Certificate for the ethanol project.

Project Drawings:

State the number of project drawing sheets included with this application: 3

A complete application must include a location map, site plan, cross-section drawings and recent aerial photo as follows and as applicable to the project:

- Location map** (must be legible with street names)
- Site plan** including
 - Entire project site and activity areas
 - Existing and proposed contours
 - Location of ordinary high water, wetland boundaries or other jurisdictional boundaries
 - Identification of temporary and permanent impact areas within waterways or wetlands
 - Location of staging areas
 - Location of construction access
 - Location of cross section(s), as applicable
 - Location of mitigation area, if applicable
- Cross section drawing(s)** including
 - Existing and proposed elevations
 - Ordinary high water and/or wetland boundary or other jurisdictional boundaries
- Recent Aerial photo** (1:200, or if not available for your site, the highest resolution available)

Will any construction debris, runoff, etc., enter a wetland or waterway? Yes No

If yes, describe the type of discharge and show the discharge location on the site plan.

Estimated Project Start Date: January 2007

Estimated Project Completion Date: March 2007

Describe alternative sites and project designs that were considered to avoid impacts to the waterway or wetland. *(Include alternative design(s) with less impact and reasons why the alternative(s) were not chosen.)* Describe what measures you will use (before and after construction) to minimize impacts to the waterway or wetland.

The project will have no wetland or water impacts. Soil disturbance will be limited to 2000 square feet; areas of disturbance will be surrounded by silt fencing to prevent erosion, and disturbed areas will be re-seeded after construction to provide permanent erosion control. BMPs for operation of the facility include the following spill prevention measures:

- Barge loading operations will be attended at all times by trained personnel.
- An overflow alarm will be set to sound prior to the potential for overflow of ethanol.

Impact area is: Ocean Estuary River Lake Stream Freshwater Wetland

Not Applicable.

Describe the existing **physical and biological characteristics** of the wetland/waterway site by area and type of resource (Use separate sheets and photos, if necessary).

For wetlands, include NOT APPLICABLE

- Cowardin and Hydrogeomorphic (HGM) wetland class(s)
- Dominant plant species by layer (herb, shrub, tree)
- Whether the wetland is freshwater or tidal
- Assessment of the functional attributes of the wetland
- Identify any vernal pools, bogs, fens, mature forested wetland, seasonal mudflats, or native wet prairies in or near the project area. Do any of these wetlands qualify as Special Areas of Concern (SAC)? (Refer to ORNHIC protocol dated May 4, 2005, http://www.oregon.gov/DCBS/RSI/docs/streamlining_water/SPGP_docs/ORNHIC_protocol_5_05.pdf)

For waterways, include a description of, as appropriate:

- Condition of bank slopes (eroded, slope, etc.)
- Type and condition of riparian vegetation
- Channel morphology (i.e., structure and shape)
- Stream substrate
- History of prior disturbance
- Cause of erosion
- Fish and wildlife (type, abundance, period of use, significance of site)
- General hydrological conditions (e.g. stream flow, seasonal fluctuations)

The shoreline of the Columbia River at the project site consists of eroded, sandy banks, with few, scattered willow and elm trees. The history of disturbance is unknown, but likely includes removal of vegetation, and this is likely part of the cause of the eroded banks. Columbia River salmonids use the shallow water along the shoreline for migration. The Columbia River is dammed, and managed for irrigation and flood control.

Because the project will not be in the water, but above it; it will have no impact on hydrological characteristics of the Columbia River.

Describe the existing navigation, fishing and recreational use of the waterway or wetland.

The Columbia River in the vicinity of the project is used for navigation, fishing, and recreation. However, these uses are already limited in the immediate project area by the existing industrial uses and barge facility.

Resource Plan Requirements

- Describe the water quality conditions of the site and the expected effect of the project on these conditions.
Describe the reasonably expected adverse effects of the development of this project and how the effects will be mitigated.
- For temporary disturbance of soils and/or vegetation in waterways, wetlands or riparian areas, complete and attach a Site Restoration Plan to restore the site after construction. See section E of the Resource Plan Guidance Document for plan requirements.
- For permanent impact to wetlands, complete and attach a Compensatory Wetland Mitigation (CWM) Plan. (See Section F

in the Resource Plan Guidance Document for CWM plan requirements)

- For permanent impact to waterways or riparian areas, complete and attach a Compensatory Mitigation (CM) plan. (See Section G in the Resource Plan Guidance Document for CM plan requirements)
- For permanent impact to estuarine wetlands, you must submit an Estuarine Resource Replacement Plan. (See OAR 141-085-240 to OAR 141-085-257 for plan requirements)

In addition to any construction measures, complete and attach:

- A Sediment and Erosion Control Plan (See DEQ's Oregon Sediment and Erosion Control Manual at <http://www.deq.state.or.us/wq/wqpermit/ESCMannual.htm> (Section C of the Resource Plan Guidance Document)
- For a project with impervious surface (new or associated), complete and attach a post-construction stormwater management plan. (See Section D of the Resource Plan Guidance Document)

Water quality at the project site is generally good. No construction will occur in the water. There will be no removal of woody vegetation. Appropriate erosion control measures will be implemented. No impact to water quality is expected as a result of the project.

(6) ADDITIONAL INFORMATION

Adjoining Property Owners and Their Address and Phone Numbers (if more than 5, attach printed labels)

Port of Morrow, PO Box 200, Boardman, OR 97818 [503.481.7678]

Has the proposed activity or any related activity received the attention of the Corps of Engineers or the Department of State Lands in the past, e.g., wetland delineation, violation, permit, lease request, etc.? Yes No

If yes, what identification number(s) were assigned by the respective agencies:

Corps # _____ State of Oregon # _____

Has a wetland delineation been completed for this site? Yes No

If yes, by whom: _____

Has the wetland delineation been approved by DSL or the COE? Yes No

(If yes, attach concurrence letter.)

(7) CITY/COUNTY PLANNING DEPARTMENT AFFIDAVIT (to be completed by local planning official)

I have reviewed the project outlined in this application and have determined that:

- This project is not regulated by the comprehensive plan and land use regulations.
- This project is consistent with the comprehensive plan and land use regulations.
- This project will be consistent with the comprehensive plan and land use regulations when the following local approval(s) are obtained.
 - Conditional Use Approval Development Permit Other _____

- This project is **not** consistent with the comprehensive plan. Consistency requires a
 - Plan Amendment Zone Change Other _____

An application has has not been filed for local approvals checked above.

 Local planning official name (print) Signature Title City / County Date
 Comments:

(8) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the Oregon coastal zone, the following certification is required before your application can be processed. A public notice will be issued with the certification statement, which will be forwarded to the Oregon Department of Land Conservation and Development for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program, contact the department at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050.

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Not Applicable _____
 Print /Type Name Title

 Applicant Signature Date

SIGNATURE FOR JOINT APPLICATION

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. *I understand that payment of the required state processing fee does not guarantee permit issuance. The fee for the state application must accompany the application for completeness.* Amount enclosed \$0_____.

Ron McClary _____
 Print /Type Name Title

 Applicant Signature Date

I certify that I may act as the duly authorized agent of the applicant.

Dana Siegfried _____
 Print /Type Name Regulatory Specialist

 Authorized Agent Signature Title

 Date

I certify that the applicant has my permission to conduct the project on my property.

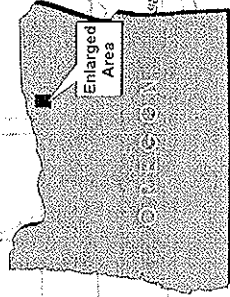
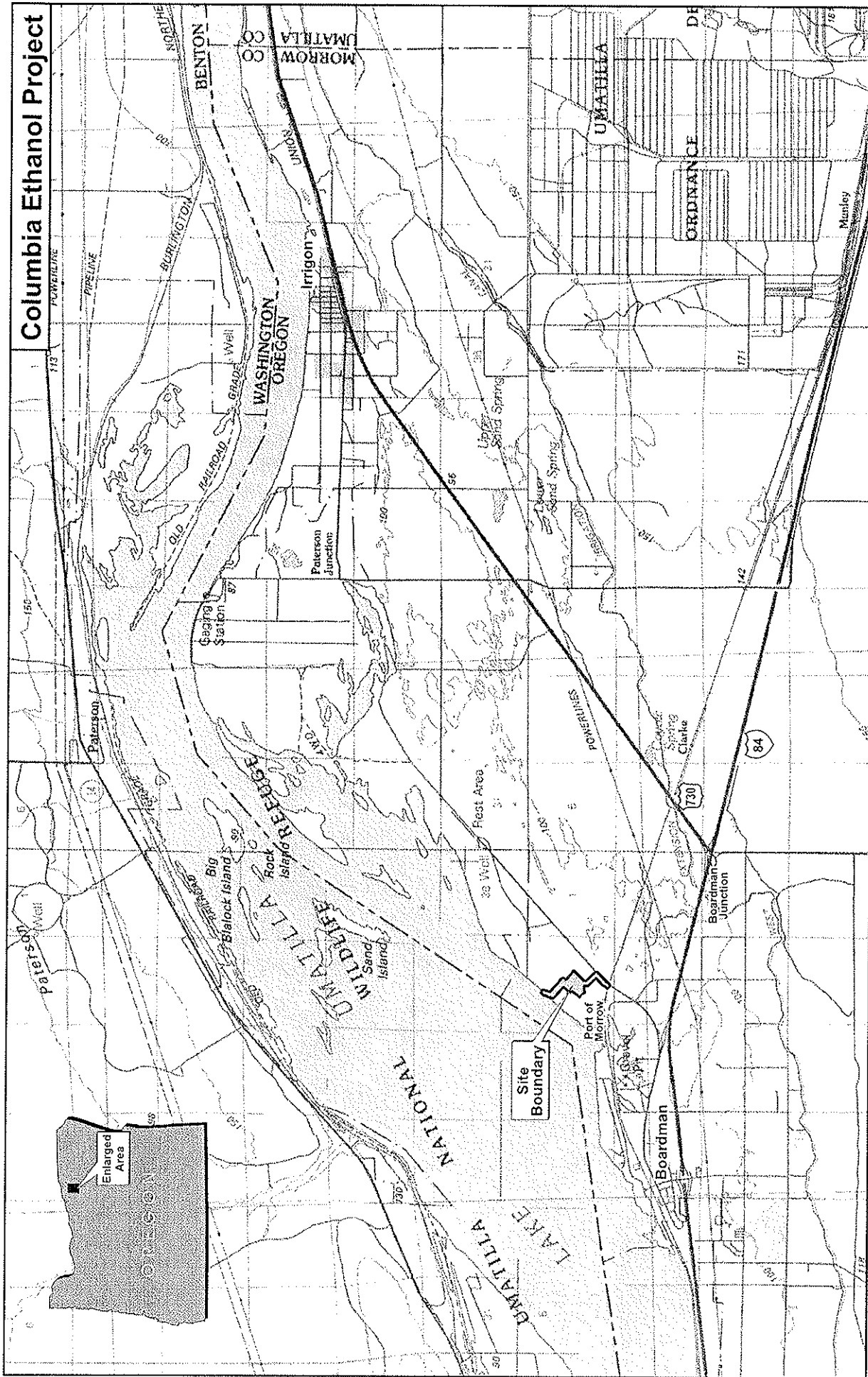
 Print /Type Name Title

 Property Owner Signature³ Date

³ If the project is on a state-owned waterway, you must contact the Land Management Division of the Department of State Lands for approval to proceed with this application. See www.oregonstatelands.us for a list of state-owned waterways.

Columbia Ethanol Project

Figure 1
Project Vicinity



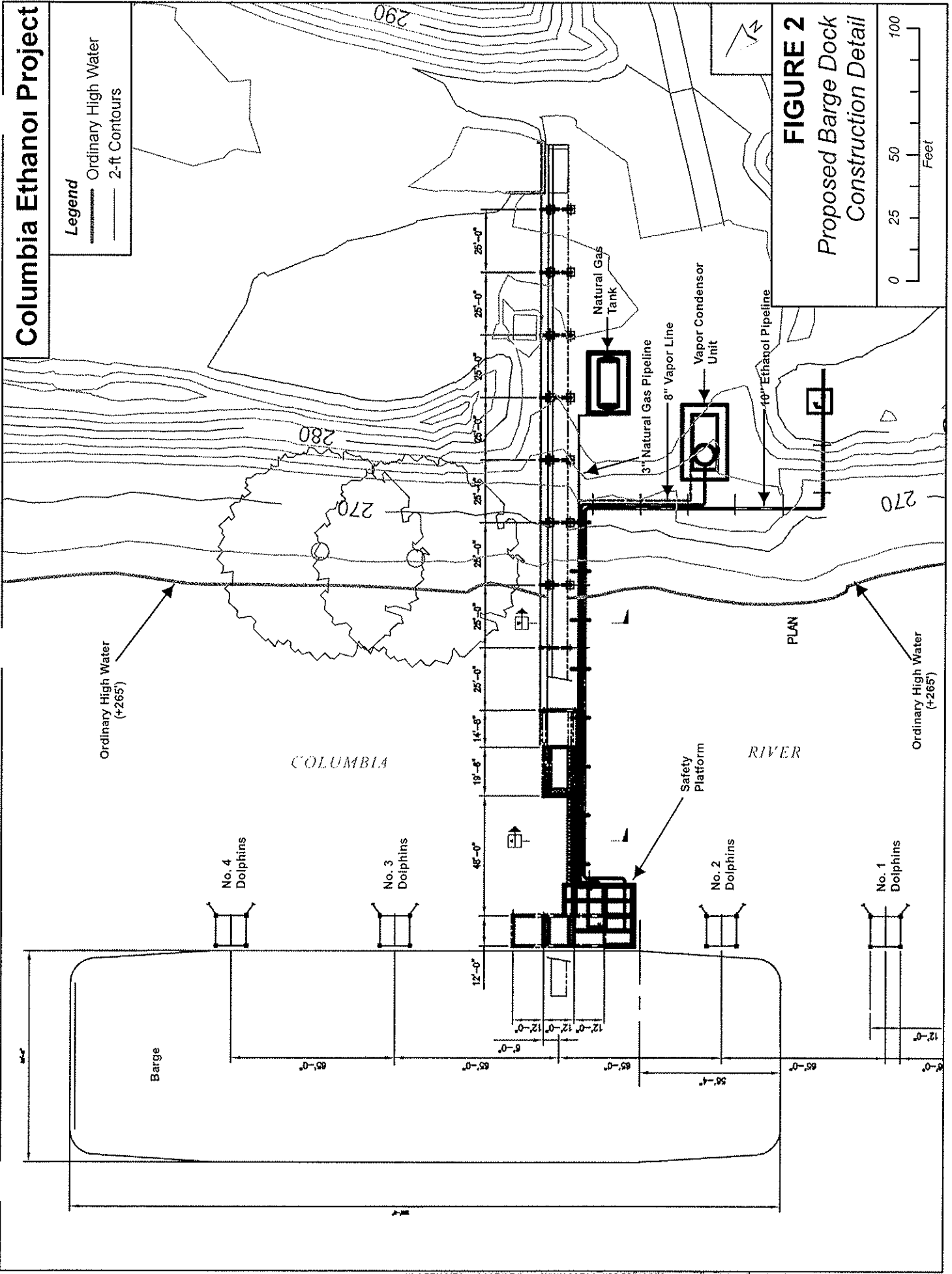
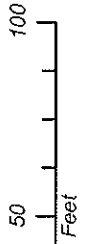
USGS 30x60 Series Quadrangle: Hermiston, Oregon-Washington 1984

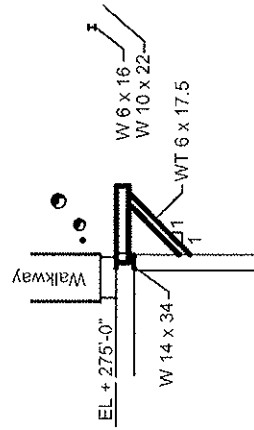
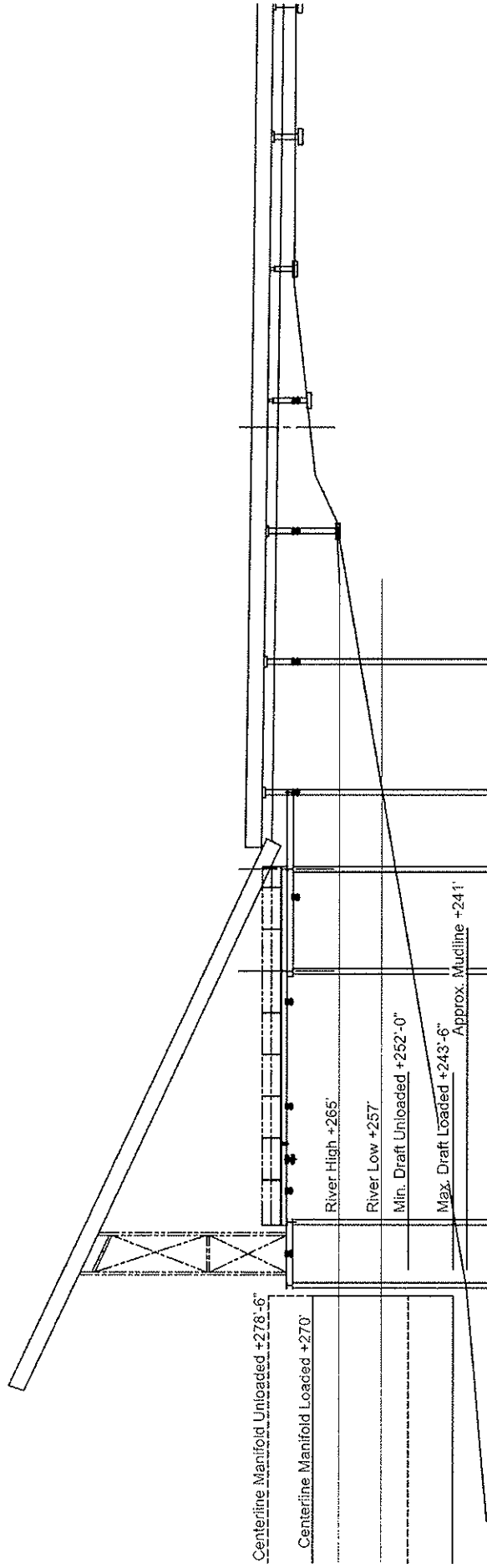
P:\P\PEIN00000004\0600\N\010600\N\CAD\Graphics\065\Map\Maps-Other\Exhibit\Draft_Fig_01_Proximity_082506.ctb

Columbia Ethanol Project

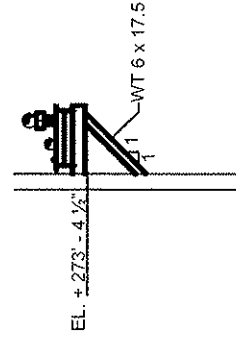
Legend
 — Ordinary High Water
 --- 2-ft Contours

FIGURE 2
 Proposed Barge Dock
 Construction Detail





SECTION A



SECTION B

FIGURE 3
Proposed Barge Dock
Cross Section

EXHIBIT F

PROPERTY OWNERSHIP

OAR 345-021-0010(1)(f)

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F.1 PROPERTY OWNERSHIP

OAR 345-021-0010(1)(f) *A list of the names and mailing addresses of all owners of record, as shown on the most recent property tax assessment roll, of property located within or adjacent to the corridor(s) the applicant has selected for analysis as described in subsection (b) and property located within or adjacent to the site of the proposed facility. The applicant shall submit an updated list of property owners as requested by the Office of Energy before the Office issues notice of any public hearing on the application for a site certificate as described in OAR 345-015-0220. In addition to incorporating the list in the application for a site certificate, the applicant shall submit the list to the Office in electronic format suitable to the Office for the production of mailing labels. Property adjacent to the proposed site of the facility or corridor means property that is:*

OAR 345-021-0010(1)(f)(A) *Within 100 feet of the site or corridor, where the site or corridor is within an urban growth boundary;*

OAR 345-021-0010(1)(f)(B) *Within 250 feet of the site or corridor, where the site or corridor is outside an urban growth boundary and not within a farm or forest zone;*

OAR 345-021-0010(1)(f)(C) *Within 500 feet of the site or corridor, where the site or corridor is within a farm or forest zone.*

Response: The site, including the power supply line, gas supply line, and ethanol pipeline, is within Port Industrial (PI) land.

The project, including related and supporting facilities, lies partly within and partly outside of the Urban Growth Boundary of Boardman, Oregon. Below are the property owners within 250 feet of the site and linear feature corridors:

Port of Morrow
PO Box 200
2 Marine Drive
Boardman, Oregon 97818

Morrow County
PO Box 788
Courthouse, 100 S Court Street
Heppner 97836

Cargill
PO Box 5626
Minneapolis, MN 55440

Oregon Hay, Inc.
PO Box 109
Boardman, OR 97818

EXHIBIT G**MATERIALS ANALYSIS**

OAR 345-021-0010(1)(g)

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G.1 INTRODUCTION

OAR 345-021-0010(1)(g) *A materials analysis, including:*

Response: The information below provides an inventory of industrial materials used during construction, operation, and maintenance of the Columbia Ethanol Energy Facility. The responses below include a description of the applicant's plans to manage hazardous substances and non-hazardous waste materials during the facility's construction and operation.

This exhibit is organized in accordance with the application requirements contained in OAR 345-021-0010(1)(g).

G.2 INVENTORY OF INDUSTRIAL MATERIALS

OAR 345-021-0010(1)(g)(A) *An inventory of substantial quantities of industrial materials flowing into and out of the proposed facility during construction and operation;*

Response: Responses are provided in Sections G.2.1 and G.2.2, below.

G.2.1 Construction

Response: A number of industrial materials will be utilized during the construction and operation of the Facility in substantial quantities. Table G-1 provides the anticipated inventory of these materials as well as their anticipated volumes and storage methods. Actual quantities and types of waste generated at the facility during construction may vary from these projections depending upon the types of materials that flow into and out of the facility.

A variety of non-hazardous solid wastes and inert construction wastes will be generated during construction. The major types of construction materials include rock, gravel, water, concrete, steel, and electrical components. Disposal of construction materials vary with some materials remaining on-site, some being incorporated into the buildings, and with the absorption/evaporation of water. Some additional wastes from the construction phase could include erosion control materials, such as straw bales and silt fencing. (See Exhibit V).

G.2.2 Operations

Response: Both non-hazardous and hazardous materials will be used during the operation of the ethanol facility. Table G-1 shows the storage location for all materials.

Plant emissions would consist mostly of "criteria" air pollutants for which there are primary National Ambient Air Quality Standards (NAAQS). These would include nitrogen oxide (NO_x), sulfur dioxide (SO₂), carbon monoxide (CO), volatile organic compounds (VOC), and particulates, including suspended particulates and PM₁₀. The

plant is equipped with the best available technology for removal of pollutants from the air emission. An air contaminant discharge permit (DEQ permit number 25-0005) has been issued by DEQ for this facility.

G.3 MANAGEMENT OF HAZARDOUS SUBSTANCES

OAR 345-021-0010(1)(g)(B) *The applicant's plans to manage hazardous substances during construction and operation, including measures to prevent and contain spills; and*

Response: Construction of the facility is not anticipated to require significant quantities of hazardous materials or to generate more than small amounts of hazardous wastes. All production, use, storage, transport, and disposal of hazardous materials associated with the proposed project will be in strict accordance with federal, state, and local government regulations and guidelines. No extremely hazardous materials (as defined by 40 Code of Federal Regulations 335) are anticipated to be produced, used, stored, transported, or disposed of as a result of this project. All hazardous materials to be stored outside will be in tanks with 125% secondary containment. All lubricants, oils, greases, antifreeze, cleaners, degreasers, or hydraulic fluids being held for delivery to a certified recycling transporter will be stored inside in the maintenance building in approved containers that will be located above ground.

The facility will have spill prevention, containment, and control measures in place. Environmental management plans to be developed and implemented by the applicant include a Spill Prevention Control and Countermeasure Plan (SPCC), Emergency Action Plan, Hazardous Waste Emergency Response/Contingency Plan, and Hazardous Materials Management Plan. These plans, as well as the identification of a preferred transportation route, will be developed in coordination with the Morrow County Fire District and all applicable local, state, and/or federal regulatory agencies subsequent to approval of this application and prior to the facility commencing operations.

Spills, releases, and/or significant events will follow the Nation's Incident Command System (ICS). The ICS (including the specific communication, response procedures, and mitigation) will be incorporated into the facility's Integrated Contingency Plan (ICP). These plans have employee training, equipment and facility inspections, and agency scrutiny sections. Emergency response drills, conducted with the local agencies, will be conducted to ensure the plan effectiveness.

G.4 MANAGEMENT OF NON-HAZARDOUS WASTE MATERIALS

OAR 345-021-0010(1)(g)(C) *The applicant's plans to manage non-hazardous waste materials during construction and operation.*

Response: Several different non-hazardous construction wastes will be generated during the construction of the facility. These wastes primarily include concrete and asphalt waste from facility construction, wood waste from wood forms used for concrete pad construction, and scrap metal steel from tank and component construction, as described in Exhibit V. Some additional wastes could include erosion control materials, such as

straw bales, silt fencing, and packaging materials from plant parts. Electrical equipment, such as wiring, will be the major solid wastes produced during construction.

During construction, wastewater will be generated. The major source of wastewater will be from washing down construction equipment and concrete trucks once they are emptied. Portable toilets will also be placed onsite during construction to provide sewage handling. These toilets will be pumped and cleaned weekly by the construction contractor providing them. No other sources of wastewater should be created during the construction activities.

Stormwater during construction will be managed in compliance with both the facility's Erosion Control Plan and its Stormwater General Permit 1200-C, issued by the Oregon Department of Environmental Quality (DEQ) (see Appendix I-2). The erosion control methods used during construction will consist of techniques such as hay bales, silt fences, and revegetation.

Wastes generated during construction will be recycled when feasible. Wood will be reused when possible and then recycled. Concrete waste will be used as fill on site or, if no reuse option is available, removed and taken to a local landfill. Packaging wastes (such as paper and cardboard) will be segregated and recycled as feasible. Any non-recyclable wastes will be collected and transported to a local landfill.

Table G-1. Inventory of Materials to be Used During Construction and Operation

Material	Quantity/Units	Storage Location or Ultimate Disposition
CONSTRUCTION		
Rock/gravel for road construction	50,000 cubic yards	Will remain onsite roadbed
Water for dust control and road compaction	55,000 gpd	Absorption/evaporation
Water for concrete mixing	70 gallons per cubic yard	Incorporated into concrete
Concrete for buildings	7,950 cubic yards	Incorporated into buildings
Steel for buildings	650 tons	Incorporated into buildings
Electrical transformers (does not include small dry-type transformers)	6 oil filled – 25.00kVA and below (12,470V to 480/277V)	Onsite – located exterior of buildings
Electrical switchboard/MCC (does not include power panels, etc)	4 – 4,000A switchboards, ~8-1,200A motor control centers	Onsite – located inside electric rooms
Electrical cable (low voltage only)	THHN 500 kcmil & lower = 140,000 ft THHN tray cable 500 kcmil & lower = 70,000 ft.	Underground ductbank or cable tray located throughout the facility as feeders, grounding, motor power
OPERATIONS and MAINTENANCE		
Mineral oils (turbine lubricant and transformer coolant)	3 gallons	Stored in maintenance building
Synthetic oils (lubricant, gear oil)	250 gallons	Maintenance building/ gear boxes throughout plant
Simple Green (general cleaner)	20 gallons	Janitors room/ general cleaning through out plant
WD-40; grease (general lubricant)	40 Lbs	Stored in fire cabinet inside maintenance building. Used to grease bearing throughout the plant.
Ethylene Glycol (anti-freeze)	5 gallons	Stored in fire cabinet inside maintenance building. Used for rolling stock.
Misc. other petroleum based products; pipe thread sealant, locktite, glues, cutting oils, silicone, etc	Various small quantities i.e. tubes, cans, bottles, etc.	Stored inside fire cabinet inside maintenance building. Used for misc. plant maintenance needs.
INSIDE STORAGE (additive to process)		
Urea	12, 000 gallons	Stored inside in tank
Ammonia	12, 000 gallons	Stored inside in tank
Magnesium Sulfate	2,000 pounds	Stored inside in processing building
Zinc Sulfate	2,000 pounds	Stored inside in processing building
Anti-Foam	55 gallons	Stored inside in processing building
V-50 Antibiotic	50 pounds	Stored inside in lab/control area
V-100 Antibiotic	50 pounds	Stored inside in lab/control area
Corn	986,000 bushels	Stored in grain bins
Liquizyme or Liquizyme DS	8,000 gallons	Stored inside in tank

Material	Quantity/Units	Storage Location or Ultimate Disposition
GC 480, Spirazyme Tech, Novozyme 500006, or Spirazyme Fuel	8,000 gallons	Stored inside in tank
GC 106	300 gallons	Stored inside in processing building
Bio Ferm Yeast	514 pound boxes (200 boxes)	Stored inside in processing building
INSIDE STORAGE (cleaning additive)		
Sodium Hydroxide	8, 000 gallons	Stored inside in tank
Sodium Bisulfate	8,000 pounds	Stored inside in processing building
Sulfuric Acid	12, 000 gallons	Stored inside in tank
Versene	220 gallons	Stored in drums in processing building
Anthium Dioxide	220 gallons	Stored in drums in processing building
OUTSIDE STORAGE (final product additive)		
Corrosion inhibitor	12,000 gallons	Stored outside in tank
Gasoline, unleaded/ Denaturant	60,000 gallons	Stored outside in tank

Source: *Pacific Ethanol, Inc. 2006*