

Brevard Energy, LLC

29261 Wall Street, MJ 48393

November 3, 2008

RECEIVED

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BUREAU OF AIR REGULATION

Mr. Syed Arif, P.E.
Bureau of Air Regulation
Division of Air Resource Management
Department of Environmental Protection
STATE OF FLORIDA
2600 Blair Stone Road, MS 5505
Tallahassee, FL 32399-2400

Subject: Brevard Energy, LLC
Air Construction Permit 090069-004-AC (PSD-FL-378)
40 CFR Part 63 Subpart ZZZZ Applicability

Dear Mr. Arif:

Brevard Energy, LLC is submitting this document to the Florida Department of Environmental Protection (FDEP) Division of Air Resource Management (DARM) to provide the regulatory agency with information on the:

1. Date that construction commence for its landfill gas electricity generation facility that is operated at the Brevard County Solid Waste Management Central Disposal Facility; and
2. Applicability of 40 CFR Part 63 Subpart ZZZZ (Subpart ZZZZ).

40 CFR Part 60.4230 specifies that ... *the date that construction commences is the date the engine is ordered by the owner or operator.*

40 CFR Part 63.6590 specifies that *An affected source is any existing ... stationary RICE located at a ... area source.*

40 CFR Part 63.6590 specifies that *For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction ... before June 12, 2006.*

40 CFR Part 63.6590 specifies that ... *an existing stationary RICE that combusts landfill gas ... equivalent to 10 percent or more of the gross heat input on an annual basis, does not have to meet the requirements of this subpart and of subpart A of this part. No initial notification is necessary.*

Phone: (248) 380-3920 Fax: (248) 380-2038

Brevard Energy, LLC placed an order on December 19, 2005 for the six (6) landfill gas fueled CAT G3520C IC engines that have been installed at the Brevard County Solid Waste Management Central Disposal Facility. Attached is a copy of the original purchase order submitted to the equipment dealer for these engines.

Based on the cited Subpart ZZZZ provisions and the December 19, 2005 commencement of construction date, the stationary RICE installed at Brevard Energy, LLC are existing and not subject to these rules.

Brevard Energy, LLC appreciates the consideration of the FDEP-DARM of the information that is presented in this document.

Please contact us if you have any questions or require clarifications.

Sincerely,

BREVARD ENERGY, LLC.



Scott Salisbury
Managing Member (Secondary Responsible Official)

attachment

c: Mike Laframboise, Brevard Energy
Bill Owen, Brevard Energy
David Derenzo, Derenzo and Associates, Inc.



29261 Wall Street
Wixom, Michigan 48393
(248) 380-3920
(248) 380-2038 FAX

PURCHASE ORDER
CS-2270

ORIGINAL CHANGE

Michigan Cat
~~25000 Novi Rd.~~ *HIC Gillingham Lane*
~~Novi, Michigan 48375~~ *Quarland TX 77478*
PH#: 248-349-7050
FAX#: 248-349-7508

SHIP TO
Will Advise

DATE 12/19/2005	ATTN Karl Grundemann	R.O. No. CS-2270	TAG No.	DELIVERY REQUIRED July 15, 2006
SHIP VIA: Best Way		YOUR REFERENCE No. Quote #10070347		FOB Destination

QUANTITY	MODEL	DESCRIPTION
18	G3520TA	<p>Caterpillar G3520TA Generator Sets rated 1600 KW @ 0.8PF, 4160VAC, 3 Phase, 60 Hz, for use on Low BTU Landfill gas. Each genset to include the engine build consist as shown on quote #10070347, which by this reference is made a part herein.</p> <p><u>Drawings:</u> Provide (3) three sets of dimensional and electrical drawings, O&M and parts manuals per Gen Set to:</p> <p style="text-align: center;">Landfill Energy Systems 29261 Wall Street Wixom, Michigan 48393 Attn: Michael LaFramboise</p> <p>TOTAL NET PRICE: Will Advise TERMS: NET 30 DAYS FREIGHT: Included in Price</p> <p>Please sign, date and return attached yellow copy of Purchase Order to Landfill Energy Systems attention Mike LaFramboise for acceptance of this purchase order.</p> <p>Name: _____ Date: _____</p> <p>Title: _____</p>
POCS2270		

IMPORTANT: Please note instructions below, which are part of this order.

1. Place our order number on all INVOICES, PACKING LISTS AND SHIPPING TAGS.
2. See Terms and Conditions on reverse side.
3. If you cannot deliver entire order as specified please advise us at once. Substitutions not authorized by us in writing automatically cancel this order and we will not be responsible for same.

Taxable Tax Exempt B38-2712011

BY

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