Brevard Energy, LLC 29261 Wall Street, MI 48393

November 3, 2008

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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

BUREAU OF AN REGULATION

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)

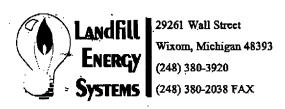
attachment

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

Will Advise

1-110 Gillinghum Lane

SHIP TO



Michigan Cat

PURCHASE ORDER

ORIGINAL	CHANGE
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DATE	ATTN		P.O. No.	TAG No.	DELIVERY REQUIRED	
12/19/2005 Karl Grundemann		CS-2270 YOUR REFERENCE N	o.	July 15, 2006		
Best Way			Quote:	#100 7 0347	Destination	
QUANTITY	MODEL		DESCRIPTION			
18	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. Drawings: Provide (3) three sets of dimensional and electrical drawings O&M and parts manuals per Gen Set to:				n Low BTU Landfill gas. Each onsist as shown on quote is made a part herein.	
		TERMS:	29261 W Wixom, I Attn: Mic NET PRICE: W	S	93	
POC\$2270	·	Please s Landfill I		return attache	ed yellow copy of Purchase Order to like LaFramboise for acceptance of Date:	

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

- nce our order number on all INVOICES, PACKING LISTS AND SHIPPING TAGS.
- ee 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 automatical this order and we will not be responsible for same.

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WHITE - CUSTOMER . YELLOW - ACCOUNTING .