

**MONTENAY INTERNATIONAL CORP.**

3225 Aviation Avenue, 4th Floor
Miami, FL 33133 USA
(305) 854-2229

TO:	<u>AL LINDER</u>	Fax Number:	<u>850 782 6179</u>
CC:			
FROM:	<u>AUGUSTA LUE</u>		
DATE:			
TIME:	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.		

Total number of pages (including cover page):

3

RE:

Message:

CONFIDENTIALITY NOTE:

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If you are not the intended recipient you are hereby notified that you should not further disseminate, distribute or copy this information.

Sent by

Fax #: (305) 854-9330 Finance

(305) 854-2272 Operations (205)



March 5, 1999

Mr. Al Linero
Department of Air Resources Management
Florida Department of Environmental Protection
Twin Towers Office Building
2800 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Dade County Resource Recovery Facility
PSD #FL-006A & COC #PA 77-08 - Memorandum of Understanding

Dear Mr. Linero:

Montenay International Corp. on behalf of its subsidiary, Montenay Power Corp which operates the Dade County Resources Recovery Facility, and the facility owner Dade County Department of Solid Waste Management, requests a Memorandum of Understanding to finalize and clarify certain permit issues. A formal request to modify the permits for the facility -PSD # FL-006A and COC # PA 77-08 - is being made by Dade County, in order to incorporate Subpart Cb, however, there remains a few interpretive issues which cannot be fully addressed by permit modifications.

The issues in question are as follows:

- We are awaiting your response to the letter dated December 15, 1998, regarding emission test methods. Please note that the application to formally change the methods is being submitted, however, as the permit modification process is somewhat lengthy a memorandum agreeing to the changes would be appreciated in the interim.
- Based on discussions during our meeting in Tallahassee on December 7, 1998, FDEP agreed to a phased approach for performance and demonstration testing, whereby, testing for all emissions other than carbon monoxide and nitrogen oxides will be completed by June 1999 or after start-up of the units, whichever is later. Testing for the two remaining parameters will be conducted prior to November 13, 2000.

The June 1999 test will include - 1) emissions measurements to demonstrate compliance with permit limits, and 2) performance testing of the new continuous emissions monitoring system for all emissions measured by that system.

Although the CEM performance test will, by virtue of the procedures used to perform such tests, measure nitrogen oxides and carbon monoxide. These results will be used to verify that the accuracy of the CEM system and will not be used to demonstrate compliance with nitrogen oxides and carbon monoxide Subpart Cb limits. Nox and CO will be made to comply with Subpart Cb limits by November 13, 2000, and tests results will be submitted to FDEP for these two pollutants prior to that date.

montenay international corp.

3225 aviation avenue, 4th floor, miami, florida 33133 (305) 854-2229 fax (305) 854-2272

Page 2

03/05/99

A test protocol for emissions measurement which reflects this phased procedure has already been submitted to FDEP Palm Beach, however, a memorandum from your office may assist us as we proceed.

- The final issue, which we hoped to clarify, was the method by which gas usage is monitored. The permit does not address the method by which the gas to each unit should be measured. The current PSD permit states in:

Specific Condition 3.B. : "Auxiliary burners for each unit shall be fired only by propane gas. They shall not exceed a heat input of 80 MMBTU/hr", and in Specific Condition 4.B.3: "The DCRRF shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to the various specific conditions of this permit. This file shall include but not be limited to :.....3) The amount of propane gas burned per unit."

MPC proposes to use a meter that will be common to all four units to measure gas flow and to apportion/calculate gas flows to each unit based on unit operating hours. FDEP indicated that they may wish to discuss this issue with EPA, thus, we will continue with current plans until hearing otherwise

As stated earlier, while we are continuing with the current construction schedule and plans, we await a response to these clarifications. At present we are still planning to meet the June 1999 schedule for testing the first unit.

Thank you and other FDEP staff from the offices of Siting, Emissions Measurement, and Permitting, for taking the time to meet with us in Tallahassee.

Please contact me by telephone or by e-mail at anethal@aol.com with any questions regarding this request.

Sincerely,



D. Anetha Lue, P.E.
Environmental Coordinator, MIC

cc: H.Oven - FDEP Power Plant Siting Office
E. Anderson -DERM
E. Delosantos - FDEP, Palm Beach
Casey -DSWM
V Castro -DSWM

08-11-97 10:55AM

TO 9226979

POC1

LANDERS & PARSONS, P.A.

ATTORNEYS AT LAW

CINDY L. BARTIN
DAVID S. DEE
JOSEPH W. LANDERS, JR.
JOHN T. LAVIA, III
FRED A. MCCORMACK
PHILIP S. PARSONS
ROBERT SCHEFFEL WRIGHT

HOWELL L. FERGUSON
OF COUNSEL

VICTORIA J. TSCHINKEL
SENIOR CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

310 WEST COLLEGE AVENUE
POST OFFICE BOX 271
TALLAHASSEE, FLORIDA 32302
TELEPHONE (904) 681-0311
TELECOPY (904) 224-5505

FACSIMILE COVER SHEET

NUMBER OF PAGES (INCLUDING COVER SHEET):

4

DATE: Aug 11, 1997

TO:

Al Limer

FAX NO:

922-6979

FROM:

David Dee, Landers & Parsons

Telephone: (904) 681-0311 FAX: (904) 224-5595

ATTACHMENT:

MESSAGE:

IF ANY PROBLEMS, PLEASE CALL VICKIE AT: (904) 681-0311

CONFIDENTIALITY NOTE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS TELECOPY IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

LANDERS & PARSONS, P.A.
ATTORNEYS AT LAW

CINDY L. BARTIN
DAVID S. DEE
JOSEPH W. LANDERS JR.
JOHN T. LAVIA, III
FRED A. MCCORMACK
PHILIP S. PARSONS
ROBERT SCHEFFEL WRIGHT

HOWELL L. FERGUSON
OF COUNSEL

VICTORIA J. TSCHINKEL
SENIOR CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

310 WEST COLLEGE AVENUE
POST OFFICE BOX 271
TALLAHASSEE, FLORIDA 32302
TELEPHONE (904) 681-0311
TELECOPY (904) 224-5595

August 11, 1997

Hamilton S. Oven, Jr.
Power Plant Siting Coordinator
Department of Environmental
Protection
2600 Blair Stone Road
Twin Towers Office Building
Tallahassee, Florida 32399

Re: Dade County Resources Recovery Facility

Dear Mr. Oven:

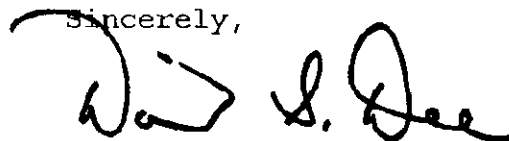
As you know, this law firm assists Montenay Power Corporation ("Montenay") with various environmental law issues affecting the operation of the Dade County Resources Recovery Facility.

By letter dated August 7, 1997, Dade County informed the Department that Montenay would like to increase the height of a portion of the roof at the facility from 90 to 96 feet. Since the Department has raised questions about the potential impact of this proposal, Montenay asked its consultant, Golder Associates, to evaluate this issue for DEP. Enclosed for your review is a letter from Golder, which has determined that the change in the roof height would not affect ambient air quality.

Please review the analysis by Golder and then advise me whether the Department needs any additional information before Montenay commences construction on the roof.

Thank you for your prompt assistance with this matter.

Sincerely,



David S. Dee

cc: Lee Casey
Anetha Lue
Juan Portuondo

Golder Associates Inc.

6241 NW 23rd Street, Suite 600
Gainesville, FL 32653-1500
Telephone (352) 336-5600
Fax (352) 336-6603



August 8, 1997

Ms. Anetha Lue
Montenay International Corporation
3225 Aviation Avenue, 4th floor
Miami, FL 33133

Dear Anetha,

Golder Associates, Inc (Golder) has reviewed Montenay's plans to rebuild the roof for the H-conveyors that was destroyed by a fire. The new roof will be 96 feet, which is 6 feet higher than the original roof height. In particular, Golder has evaluated whether this new roof height would result in potentially higher air quality impacts due to greater building wake effects on the Montenay unit stacks.

We have concluded that the new roof height will not increase building wake effects at the plant. Air modeling analyses previously performed for the facility have indicated that the existing boiler building height of 118 feet is the critical building structure for the existing units. The proposed roof height of 96 feet is well below that and will, therefore, not affect the air quality modeling results.

It is noted further that the proposed roof height increase will also not affect the future air quality relative to the facility's proposed expansion plans under PSD Permit No. PA 77-08. The proposed new boiler boiling height of 150 ft, in addition to the existing 118 ft building(s) will be the critical building structures for this facility in the future.

If you have any further questions, please feel free to call me at (352) 336-5600. Thank you.

Sincerely yours,

Steven R. Marks, CCM
Senior Scientist

cc: David Buff

770482

Proposed project - Rebuild roof above H-conveyors & raise roof height from 90' to 96'.

LEGEND

EXISTING FACILITIES

- 1 BOLLER
- 2 TRASH RECEIVING BLDG
- 3 TRASH PIT
- 4 TRASH PROCESSING BLDG
- 5 GARBAGE RECEIVING ALCO
- 6 GARBAGE PIT
- 7 GARBAGE PROCESSING BLDG
- 8 BIF-3 FUEL FEED
- 9 BIF-3 FUEL STORAGE
- 10 PROCESS GASES BLDG
- 11 BOLLER #1 EN
- 12 STEAM ROOM
- 13 TURBINE HALL
- 14 SWITCHGEAR
- 15 COOLING TOWER
- 16 ALFTE BOLLER
- 17 TURBINE PROCESSING BLDG
- 18 TURBINE
- 19 FUEL OIL BOLLER
- 20 HEAVY FUEL BOLLER BLDG
- 21 CYCLONE/ASH BLDG

PROPOSED FACILITIES

- 22 STACKS TO EN
- 23 ASH BOLLER
- 24 WATER TREATMENT PLANT
- 25 PROFAVE STORAGE
- 26 EMPLOYEE PARKING
- 27 BIF-3 FUEL FEED
- 28 NEW BOLLER #1 EN
- 29 BIF-3 FUEL
- 30 NEW TURBINE
- 31 BIF-3 STORAGE
- 32 NEW COOLING TOWER
- 33 WATER TREATMENT PLANT
- 34 GARBAGE PIT EXTENSION
- 35 GARBAGE RECEIVING/TRANSFER EXTENSION
- 36 NEW BOLLER
- 37 NEW BOLLER
- 38 NEW BOLLER
- 39 TARD TRASH PROCESSING SYSTEM



LEGAL DESCRIPTION OF FACILITY
 THE LANDSHED BY THE PROJECT HAS
 BEHOLDEN BY THE COUNTY OF DADE, FLORIDA
 CHARTERED 1900, 1901 & 1902

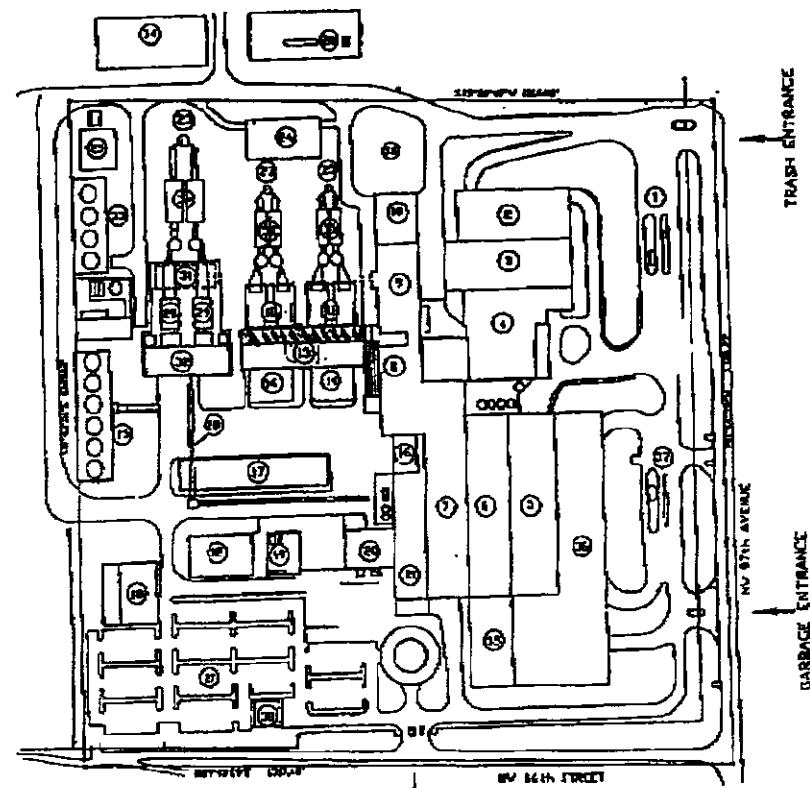


Figure 2-11 LAYOUT OF PROPOSED EXPANDED DCRRF PROCESSING/POWER BLOCK AREA

**DADE COUNTY RESOURCES RECOVERY FACILITY
 CAPITAL EXPANSION PROJECT**

Owner: Dade County
 Operator: Montanay Power Corp.

2-42



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

August 8, 1997

Mr. Lee S. Casey, Chief
Environmental Compliance Division
Metropolitan Dade County
Department of Solid Waste Management
8675 N.W. 53rd Street
Miami, Florida 33166

Re: Dade County Resources Recovery Facility, PA 77-08

Dear Mr. Casey:

Based on the July 3, and August 7, 1997, letters from you and the Department's recent inspection of the fire damage at the Dade County Resources Recovery Facility, the Department of Environmental Protection has no objection to the reconstruction of the facility to repair the damage and to bring the structure into compliance with the current South Florida Building Code or the return of the facility to operation upon installation of the replacement, covered conveyors as long as the facility is operated in accordance with the Conditions of Certification.

Sincerely,

Hamilton S. Oven

Hamilton S. Oven, P.E.
Administrator, Siting
Coordination Office

cc: Joe Lurix
Terri Hilliard
Al Linero
Bill Hinkley
Jack Chisom
Chris McGuire