

AIR QUALITY APPLICATION ROUTING SHEET
(This Routing Sheet Shall Accompany Every Application)

FACILITY NAME: Covanta Hennepin Energy Resource Co LP

FACILITY AQ File #: 2125

TYPE OF APPLICATION: MAJOR/MODERATE/MINOR/ADMINISTRATIVE AMENDMENT

STEP	DATE DONE	STAFF INITIALS
APPLICATION RECEIVED AND DATE STAMPED	11/3/09	BO
ADMINISTRATIVE REVIEW COMPLETED		
HUB DATA ENTERED INTO DATABASE		
ACKNOWLEDGMENT POSTCARD SENT TO APPLICANT	11/4/09	BO
APPLICATION INFORMATION ENTERED INTO DATA BASE		
SUPPLEMENTAL APPLICATION PACKAGE SENT TO APPLICANT		
ADMINISTRATIVE COMPLETENESS LETTER SENT TO APPLICANT		
SUPPLEMENTAL INFORMATION RECEIVED		
COMPLETENESS LETTER SENT TO APPLICANT		
COPIES RECEIVED		
PUBLIC	/	CONFIDENTIAL

ACKNOWLEDGMENT POSTCARD ATTACHED



Covanta Hennepin
A Covanta Energy Company
505 Sixth Avenue North
Minneapolis, MN 55405
Tel 612 333 7303
Fax 612 333 7347

November 3, 2009

NOV 3 '09 AM 11:21

HAND DELIVERY

Permit Document Coordinator
Minnesota Pollution Control Agency
Metro District Office / Major Facilities Section
520 Lafayette Road
St. Paul, Minnesota 55155-4194

RE: Administrative Permit Amendment Request
Air Emission Permit No. 05300400-003
AQ File No. 2125

Dear Permit Document Coordinator:

Enclosed please find an application for an administrative permit amendment request for Covanta Hennepin Energy Resource Company, L.P. (HERC) located in Minneapolis Minnesota; Air Emission Permit No. 05300400-003. HERC is requesting a change in the permit to remove a condition limiting fuel usage to 365,000 tons per year of municipal solid waste and allow fuel usage at the facility design capacity of 442,380 tons per year of municipal solid waste.

The administrative permit amendment application, including the required forms, is enclosed. Following MPCA review, HERC would like the opportunity to meet and discuss the permit amendment details with MPCA staff. Please contact me at your convenience at (612) 332-9428 to set up a meeting time to discuss this application.

Sincerely,

COVANTA HENNEPIN ENERGY RESOURCE COMPANY

Daniel Fish
Environmental Engineer

cc: Durwin Fitch, Covanta Hennepin ERC
Jake Smith, Hennepin County Environmental Services
Paul Kantola, Covanta Energy



Prepared for:
Covanta Hennepin Energy Resource Company, L.P.
Minneapolis, Minnesota



Covanta Hennepin Energy Resource
Company, L.P.
Administrative Amendment Application
Facility ID Number: 05300400

AECOM Environment
November 2009
Document No.: 05161-039

Prepared for:
Covanta Hennepin Energy Resource Company, L.P.
Minneapolis, Minnesota

Covanta Hennepin Energy Resource
Company, L.P.
Administrative Amendment Application
Facility ID Number: 05300400



Prepared By Joseph Muggli



Reviewed By Chris White

AECOM Environment
November 2009
Document No.: 05161-039

Contents

1.0 Introduction	1
1.1 Regulatory Review	2
1.2 Permit Application Contents.....	3
2.0 Permit Application Forms.....	4

1.0 Introduction

Covanta Hennepin Energy Resource Company, L.P. (Covanta) is applying for an administrative amendment to operating permit 05300400-003 to remove a condition from the permit which was based on an applicable requirement that has been repealed. At the time of original permit issuance, Minnesota Statutes 383B.235 limited the fuel use of a resource recovery facility built in the City of Minneapolis to an annual average rate of 1,000 tons per day (TPD). In January 2000, Minnesota Statutes 383B.235 was revised to eliminate the 1,000 TPD limit (Minnesota Session Laws 2000, Ch. 488, Art. 3, Sec. 30):

"Existing facility may use its capacity. Notwithstanding subdivisions 1 and 2, an existing resource recovery facility may reclaim, burn, use, process, or dispose of mixed municipal solid waste to the full extent of its maximum yearly capacity as of January 1, 2000. The facility must comply with all federal and state environmental laws and regulations and must obtain a conditional use permit from the municipality where the facility is located."

By original design, the Hennepin Energy Recovery Center is capable of processing 1,212 TPD of municipal solid waste, without any physical modifications or equipment added to the plant. It is the intent of this application to remove the facility fuel usage limitation in accordance with the January 2000 statute to allow processing of MSW at the maximum daily capacity of the plant. No additional modifications, physical or otherwise are being requested in this application. Therefore, the facility requests the removal of the following condition:

"Fuel Usage: less than or equal to 365000 tons/year of waste for the total facility. An amendment to increase this fuel usage must undergo public notice and comment. This is a state only requirement and is not federally enforceable."

1.1 Regulatory Review

The following paragraphs discuss the regulatory programs potentially applicable to this permit modification.

1.1.1 Environmental Assessment Worksheet

Covanta is planning to remove the MSW annual fuel usage limit of MSW from 365,000 tons/year and allow fuel usage at the design capacity of 442,380 tons/year. Minnesota Rules for the Environmental Quality Board include provisions for mandatory environmental assessment worksheets (EAWs) and environmental impact statements (EIS). Specifically, Minnesota Rule Chapter 4410.4300 Subp. 17D requires preparation of an EAW:

- For construction or expansion of a mixed municipal solid waste energy recovery facility or incinerator, or the utilization of an existing facility for the combustion of mixed municipal solid waste or refuse derived fuel, with a capacity of 30 or more tons per day of input.

A cursory review of this language indicates that the change being proposed by Covanta might be subject to a mandatory EAW. However, further review shows that the definition of "expansion" is:

- 4410.0200 Subp. 28. "Expansion" means an extension of the capability of a facility to produce or operate beyond its existing **capacity** (emphasis added). It excludes repairs or renovations that do not increase the capacity of the facility.

And, the definition of "capacity" is:

- 4410.0200 Subp. 6a. "Capacity," as used in parts 4410.4300, subpart 17, and 4410.4400, subpart 13, means the maximum daily operational input volume a facility is designed to process on a continuing basis.

Since Covanta is not proposing to change the design capacity of the facility, only remove an existing administrative limit from the air permit, Covanta believes the proposed change should not require an EAW.

1.1.2 Prevention of Significant Deterioration

The proposed modification will not increase the design or daily fuel use capacity of the facility. Additionally, no change in operation will occur. This modification consists of a removal of an administrative limit on fuel use. According to 40 CFR 52.21(b)(2)(i), a major modification for the purposes of Prevention of Significant Deterioration (PSD) is:

(2)(i) *Major modification* means any physical change in or change in the method of operation of a major stationary source that would result in: a significant emissions increase (as defined in paragraph (b)(40) of this section) of a regulated NSR pollutant (as defined in paragraph (b)(50) of this section); and a significant net emissions increase of that pollutant from the major stationary source.

However, in accordance with 40 CFR 52.21(b)(2)(iii)(f)

(iii) A physical change or change in the method of operation shall not include:

(f) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or 40 CFR 51.166.

Since the permit condition limiting fuel use is not federally enforceable and no other physical or operational changes will be required to increase the fuel use, this project will not require review under PSD regulations.

1.1.3 New Source Performance Standards

The proposed changes to the New Source Performance Standard emission guidelines 40 CFR 60 Subpart Cb will not be effective until the Minnesota Pollution Control Agency (MPCA) completes rulemaking to modify Mn rule 7011.1227 for carbon monoxide, and 7011.1228 for nitrogen oxides. Additionally, the emission guidelines for mass burn waterwall municipal waste combustors are not changing. Therefore, no modifications to the permit are being proposed to address changes to NSPS Subpart Cb at this time.

1.1.4 Minnesota State Regulations

Per Minnesota Rules 7007.0100 Subp. 14.

"Modification" means:

A. any change that constitutes a title I modification, as defined in subpart 26; or

B. any physical change or change in the method of operation of an emissions unit, emission facility, or stationary source that results in an increase in the emission of a regulated air pollutant. Emissions are considered to increase if there is an increase in the rate of emissions of any regulated air pollutant, or new emissions of a regulated air pollutant not previously emitted, from any unit at the source. To determine if there is an increase in the rate of emissions, the agency shall compare the pounds per

hour of emissions at maximum capacity before and after the physical or operational change, using the method of calculation described in part 7007.1200

The facility currently and routinely operates at or near the design fuel use rate of 1,212 tons MSW per day. Compliance with the annual administrative fuel use limit of 365,000 tons of MSW per year is managed through a combination of controlling daily fuel use and the total days of operation. Since the facility currently operates at the maximum daily design fuel use capacity, no increase in the hourly emission rate will occur as a result of the removal of the administrative limit on fuel use. Therefore, the proposed removal of the administrative limit is not a modification under Minnesota Rules.

1.2 Permit Application Contents

This permit application contains the application forms for an administrative amendment of a Part 70 (Title V) operating permit, and calculations. The modification forms were obtained from the Minnesota Pollution Control Agency (MPCA) and include:

- Change Forms.

2.0 Permit Application Forms

This section contains the Minnesota Pollution Control Agency administrative application forms for the administrative amendment that Covanta proposes to complete.



1a) AQ Facility ID No.: 5300400
1b) AQ File No.: 2125
2) Facility Name: Covanta Hennepin Energy Resource Company, L.P.
3) Date: November 2, 2009

4) **THIS APPLICATION IS FOR AN AMENDMENT TO A (Check Permit Type):**

- Part 70 or PSD/NSR Permit
 State Permit
 No current permit to amend

5) **THIS CHANGE OR NOTIFICATION IS FOR (Check as many boxes as apply):**

- A Major Permit Amendment (Minn. R. 7007.1500)
 includes a Major Modification under NSR
 • Send a complete copy of the application to EPA Region V – see instructions
 • Contact EPA Region V to begin the Endangered Species Assessment process – see instructions
 includes establishment or modification of a PAL
 includes incorporation of EMS provisions
 A Reconstruction or Modification of NSPS Affected Facility Not Subject to NSR (Minn. R. 7007.1500, subp. 3a.)
 A Moderate Permit Amendment (Minn. R. 7007.1450, subp. 3)
 A Minor Permit Amendment (Minn. R. 7007.1450, subp. 2)
 An Administrative Amendment (Minn. R. 7007.1400)
 An Installation or Modification of a Part 61 NESHAP and/or a Part 60 NSPS Affected Facility at a Stationary Source with Potential-to-Emit below all Permit Thresholds (Minn. R. 7007.0500, subp. 2.C.(1))
 A Notification of Accumulated Insignificant Activities (Minn. R. 7007.1250)
 A Notification of Installation of Pollution Control Equipment (Minn. R. 7007.1150(C))
 A Notification of Replacement of a Unit (Minn. R. 7007.1150(C))
 A Notification of Changes That Contravene a Permit Term (Minn. R. 7007.1350)

6) **CONFIDENTIALITY:**

- This application contains material which is claimed to be confidential under Minn. Stat. §§ 13.37 subd. 1(b) and 116.075. Complete and attach Form CR-03. Your submittal must include both Confidential and Public versions of your application.
 Confidential Copy of Application attached
 Public Copy of Application attached



**Minnesota
Pollution
Control
Agency**

AIR QUALITY
520 LAFAYETTE ROAD
ST. PAUL, MN 55155-4194

PERMIT CHANGE FORM **CH-CR-01**
CERTIFICATION

03/31/04

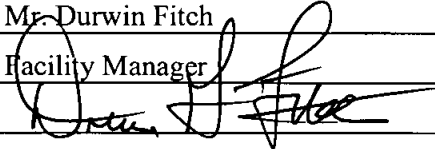
1a) AQ Facility ID No.: 5300400
 1b) AQ File No.: 2125
 2) Facility Name.: Covanta Hennepin Energy Resource Company, L.P.

You must sign this certification if you are applying for an amendment to your air quality permit, or if you are providing the agency with a notification required in Minn. R. 7007.0100 to 7007.1850.

I certify that:

- a) Emissions resulting from all modifications are as stated in this application.
- b) The modification(s) listed are not part of a larger project which would be subject to additional requirements.
- c) I understand that if I modify my facility before I am issued an air emission permit, I do so at my own risk.
- d) I understand that the modification(s) that I make to my facility before I am issued an air emission permit must be in compliance with any state and federal regulations and proposed permit conditions.
- e) I understand that protection offered by the "permit shield" of Minn. R. 7007.1400 does not apply to minor or moderate permit amendments.
- f) If I am applying for change of ownership/operational control, I am willing to comply with the terms of the existing permit.

Person certifying this permit application:

Mr./Ms.: Mr. Durwin Fitch
 Title: Facility Manager
 Signature: 
 Phone: (612) 332-9428 Fax: (612) 333-7347
 Date: _____



Minnesota Pollution Control Agency

520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194

NOV 03 2009

PERMIT CHANGE FORM

CH-GI-01

FACILITY INFORMATION

October 25, 2006

1a) AQ Facility ID No.: 5300400

1b) AQ File No.: 2125

2) Facility Name: Covanta Hennepin Energy Resource Company, L.P.

3) Facility Location:
 Street Address: 505 Sixth Avenue North
 City: Minneapolis County: Hennepin ZIP Code: 55405
 Mailing Address: 505 Sixth Avenue North
 City: Minneapolis State: MN ZIP Code: 55405

4) Corporate/Company Owner:
 Name: Hennepin County, Minnesota
 Mailing Address: 417 North Fifth Street
 City: Minneapolis State: Mn ZIP Code: 55401
 Owner Classification: Private Local Govt State Govt. Federal Govt. Utility

5) Corporate/Company Operator (if different than owner):
 Name: Covanta Hennepin Energy Resource Company, L.P.
 Mailing Address: 505 Sixth Avenue North
 City: Minneapolis State: MN ZIP Code: 55405

6) Co-permittee (if applicable):
 Name: N/A
 Mailing Address: _____
 City: _____ State: _____ ZIP Code: _____

7) Legally responsible official for this permit/facility:
 Mr/Ms: Mr. Durwin G. Fitch Phone: (612) 332-9422
 Title: Facility Manager Fax: (612) 333-7347
 At (check one): Owner Address Operator Address Emission Facility Address
 Other (specify) _____

8) Contact person for this permit:
 Mr/Ms: Mr. Daniel Fish Phone: (612) 332-9428
 Title: Environmental Engineer Fax: (612) 333-7347
 At (check one): Owner Address Operator Address Emission Facility Address
 Other (specify) _____
 E-mail address: DFish@CovantaEnergy.com

9) All billings for annual fees should be addressed to:

Mr/Ms: Mr. Daniel Fish Phone: (612) 332-9428
Title: Environmental Engineer Fax: (612) 333-7347
At (check one): Owner Address Operator Address Emission Facility Address
 Other (specify) _____

10) Standard Industrial Classification (SIC) Code and description for the facility:

Primary: 4953 / Refuse Systems
Secondary (if applicable): 4911 / Electric Services
Tertiary (if applicable): _____ / _____

11) Primary product produced (or activity performed) at the facility is:

Municipal Solid Waste Incineration and Steam/Electricity Generation

12) Facility is: Stationary Portable

13) (reserved for future use)

14) Is environmental review required (either an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS)) for this facility?

No Yes -- you may also be required to perform a state air toxics review for your facility. Please call (800) 646-6247 or locally (651) 297-2274.

15) Are you (or will you be, if this is a new facility) required to submit a Toxics Release Inventory (Form R) under SARA Title 313 for this facility? Call the Minnesota Emergency Planning and Community Right-to-Know Act (EPCRA) Program for more information, at 651-297-7372.

Yes - Answer Question 15a No - Go on to Question 16

15a) Are you required to submit a Pollution Prevention Plan Progress Report in accordance with Minn. Stat. § 115D.08?

No Yes, and the most recently required progress report has been submitted
 Yes, but a progress report has not been submitted because: (fill in reason below)

16) Is this facility within 50 miles of another state or the Canadian border?:

Yes (specify which ones) WI No

17) Are you proposing any alternative operating or emissions trading scenarios in this application? (see Minn. R. 7007.0800, subp. 10 and 11)

No Yes - attach a description of your proposal, including a statement on how the proposal will meet all applicable requirements (specifically, please address any applicable New Source Review requirements - see Form CH-04).

18) Person preparing this permit application:

Mr. / Ms. Joseph Muggli
Title: Staff Specialist II
Phone: (763) 551-2434 Fax: (763)473-0400 Date: 10/28/09
E-mail address joseph.muggli@aecom.com



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

CH-00

Project Screening
Air Quality Permit Program

AQ Facility ID No.: 5300400 AQ File No: 2125

Facility Name: Covanta Hennepin Energy Resource Company, L.P.

Instructions: Fill out this form last after you've determined the type of permit you need.

Check all applicable boxes on this form that describe your proposed project and your facility.

Applicable Analyses:

- My project requires an Environmental Assessment Worksheet.
Submitted to (who?): _____ on (date): _____
- My project requires an Environmental Impact Statement.
Submitted to (who?): _____ on (date): _____
- My project requires a Prevention of Significant Deterioration (PSD) permit, utilizes the Plant-wide Applicability Limit requirements of 40 CFR § 52.21, and/or involves a Best Available Control Technology (BACT) Analysis (either a new analysis or revisions to previous permit conditions).
- My project involves a case-by-case Maximum Achievable Control Technology (MACT) determination under section 112(g)(2)(B) of the Clean Air Act Amendments of 1990 as described on form CH-07.
- My project involves a site-specific alternative monitoring request under 40 CFR § 60.13(i) or 40 CFR § 63.8(f).
- My project involves changes to limits or requirements that are identified as State Implementation Plan (SIP) requirements in my permit or Administrative Order. (Use Form CH-15 to determine this.)
- My project involves ambient air dispersion modeling for criteria pollutants.
- My project involves an Air Emissions Risk Analysis (AERA).
Submitted to (who?): _____ on (date): _____
- Per the July 16, 2008, guidance on Greenhouse Gases (<http://www.pca.state.mn.us/publications/greenhousegas-memo0708.pdf>), my project requires a Greenhouse Gas Emissions Evaluation.
Is the evaluation included with the permit application? Yes No
- My project requires at least one other media permit in addition to an air permit.
_____ (list permits: e.g., NPDES permit).
Application submitted to (who?): _____ on (date): _____
- None of the above

Industry Sector:

- Petroleum refining
- Pulp and/or paper mill
- Composite wood products (e.g., OSB)
- Metallic mining
- Non-beverage ethanol production
- Waste combustor
- Electric utility
- None of the above



Use Form CH-02 to determine if a permit amendment is required for your proposed change or modification. If an amendment is required, provide below a description of each physical and operational change, or proposed change to existing permit conditions, included in this application. This includes addition of new units, removal or replacement of existing units, or changes which may result in debottlenecking of emission units.

1a) AQ Facility ID No.: 5300400
1b) AQ File No. 2125
2) Facility Name.: Covanta Hennepin Energy Resource Company, L.P.

3) Does your project involve construction or a physical or operational change to your facility?
[X] No. Go to question 5
[] Yes. [] Construction or physical change [] Operational change

4) Do you need your permit issued by a certain date?
[X] No. Go to question 5
[] Yes. Date:
Reason:

5) Description of proposed project

Covanta Hennepin Energy Resource Company, L.P. (Covanta) is applying for an administrative amendment to operating permit 05300400-003 to remove a condition from the permit which was based on an applicable requirement that has been repealed. At the time of original permit issuance, Minnesota Statutes 383B.235 limited the average daily throughput of a resource recovery facility built in the City of Minneapolis to 1,000 TPD. In January 2000, Minnesota Statutes 383B.235 was revised to eliminate the 1,000 TPD limit (Minnesota Session Laws 2000, Ch. 488, Art. 3, Sec. 30):

Existing facility may use its capacity. Notwithstanding subdivisions 1 and 2, an existing resource recovery facility may reclaim, burn, use, process, or dispose of mixed municipal solid waste to the full extent of its maximum yearly capacity as of January 1, 2000. The facility must comply with all federal and state environmental laws and regulations and must obtain a conditional use permit from the municipality where the facility is located.

By original design, the Hennepin Energy Recovery Center is capable of processing 1,212 TPD of municipal solid waste, without any physical modifications or equipment added to the plant. It is the intent of this application to remove the facility fuel usage limitation in accordance with the January 2000 statute to allow processing of MSW at the maximum daily capacity of the plant. No additional modifications, physical or otherwise are being requested in this application.

6) Attach Form CD-01 to specify which applicable requirements need to be added or deleted from your permit.



AIR QUALITY
520 LAFAYETTE ROAD
ST. PAUL, MN 55155-4194

1a) AQ Facility ID No.: 5300400 1b) AQ File No. 2125
2) Facility Name.: Covanta Hennepin Energy Resource Company, L.P.

Answer the questions on this form, referring to and completing the additional forms as directed, to determine if a permit or amendment is required (and if so what type), or if a notification is required.

3. Does the proposed change or modification require a major amendment? Complete Form CH-03 and all forms referenced therein.

- Yes. Go to question 8.
 No. Go to question 4.

4. Does the entire proposed change or modification consist only of insignificant activities described in Minn. R. 7007.1300, subparts 2 and/or 3?

- Yes. The proposed change qualifies as an insignificant modification. Use Form CH-12 to determine if notification to the MPCA is required. If notification is required, go to Form CH-14 to determine what must be submitted.
 No. Part of the project is not one of the listed insignificant activities listed in Minn. R. 7007.1300, subparts 2 and/or 3. Go to question 5.

5. Can the change be done through an administrative amendment? Use Form CH-08 to determine Yes or No.

- Yes. Go to Form CH-14 to determine what must be submitted.
 No. Go to question 6.

6. Can the change be made through the "contravening permit terms" provision? Use Form CH-09 to determine Yes or No.

- Yes. Go to Form CH-14 to determine what must be submitted.
 No. Go to question 7.

7. Calculate the emissions increase as described on Form CH-10. Is there an increase?

- Yes. Complete Form CH-10 to determine if a minor or moderate amendment is needed. If a minor or moderate amendment is needed, go to question 8. If the change qualifies as an insignificant modification, keep records and use Form CH-12 to determine if notification is required.
 No. Complete Form CH-12 to determine what notification or recordkeeping requirements apply.

8. Complete Form CH-11 to determine your status with regard to crossing permit thresholds, and indicate that status below.

This change can be made through the permit amendment provisions of Minn. R. 7007.1450 or 7007.1500, using the forms indicated on Form CH-14.

This change requires issuance of a Title V or State operating permit. Include a completed Total Facility Application.

9. Complete Form CH-13 to determine what state rules apply to the equipment you are adding or the changes you are proposing.

10. Complete Form CH-00, summarizing the category of change and industry type.



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

CH-03

Major Permit Amendment Determination

Air Quality Permit Program

Instructions on Page 3

- 1a) AQ Facility ID No.: 5300400
- 1b) AQ File No. 2125
- 2) Facility Name: Covanta Hennepin Energy Resource Company, L.P.

To answer the questions posed in this form, you will have to complete the additional forms referenced in the individual items.

This form refers to proposed **changes** and **modifications**. A "modification" as defined in Minn. R. 7007.0100, subp. 14, includes:

- A. any change that constitutes a title I modification ...; or
- B. any physical change or change in the method of operation of an emissions unit, emission facility, or stationary source that results in an increase in the emission of a regulated air pollutant.

A "change" is a change to permit terms or conditions, in the absence of a modification as described above.

- 3) Is the proposed change or modification a title I modification? It is if the answer to any of the following is "yes":
- 3a) Is the proposed change or modification subject to New Source Review? Use and submit Forms CH-04, and CH-04a or CH-04b, as applicable.
- Yes
 - No
- 3b) Is the proposed change or modification a modification or reconstruction as defined for New Source Performance Standards? Use and submit Form CH-05.
- Yes
 - No
- 3c) Is the proposed change or modification a hazardous air pollutant modification under Part 61 National Emission Standards for Hazardous Air Pollutants (NESHAPs)? Use and submit Form CH-06.
- Yes
 - No
- 3d) Is the proposed change or modification defined as construction or reconstruction under Part 63 NESHAPs? Use and submit Form CH-07.
- Yes
 - No
- 4) Does this modification change any permit conditions or amend existing permit requirements related to **monitoring, reporting, or recordkeeping** other than adding new requirements, eliminating the requirements if they are rendered meaningless because they apply to emissions that will no longer occur, or changing test methods if both the new and the old test methods are considered valid for the pollutant and source category (Minn. R. 7007.1500, subp. 1(A))?
- Yes. Use and submit Form CD-01 and/or CD-05 to document such requirements.
 - No
- 5) Does this modification establish or amend any **source-specific permit condition** that is required to be based on a case-by-case determination of an emissions limit or standard, an ambient impacts analysis, visibility, or increment analysis (e.g., a modeling-based limit, Best Available Control Technology (BACT), Maximum Achievable Control Technology (MACT), etc.) (Minn. R. 7007.1500, subp. 1(B))?
- Yes. Use and submit Form CD-01 and/or CD-05 to document such conditions.
 - No

- 6) Does this modification establish or amend any permit terms or conditions for which there is no underlying applicable requirement and that you have assumed to avoid an applicable requirement to which you would otherwise be subject? Such limits are usually synthetic minor limitations such as a limit on hours of operation. Please note that if you would like to add equipment under an existing emissions cap or limit, and the permit does not explicitly pre-authorize such additions, that is considered amending the limit or emissions cap. (Minn. R. 7007.1500, subp. 1(C)).
- Yes. Use and submit Form CD-01 and/or CD-05 to document such conditions.
- No
- 7) Does this modification establish, amend, renew, or distribute a **Plantwide Applicability Limit (PAL)** under 40 CFR § 52.21(aa)? (This is only available to existing major sources under New Source Review.)
- Yes. Use and submit Forms PAL-01 (and the forms referenced within PAL-01) and CD-01 to document conditions. (As of the date of this form, the PAL cover page (PAL-01) and the form for determination of a PAL (PAL-02) have been completed. The remaining forms for renewal, expiration allocation, and increasing a PAL, are not yet available.)
- No
- 8) Is this modification subject to classification as a **major permit amendment under any other agency rule?**
- Yes
- No
- 9) Does this modification seek to establish or amend a federally enforceable emission cap (such as a synthetic minor limit which limits hours of operation) which avoids classification as a part 70 source?
- Yes. Use and submit Form CD-01 and/or CD-05 to document conditions.
- No

If you answered "Yes" to one or more of the above questions, a major permit amendment is required.



AIR QUALITY
520 LAFAYETTE ROAD
ST. PAUL, MN 55155-4194

PERMIT CHANGE FORM **CH-08**
ADMINISTRATIVE AMENDMENT
DETERMINATION

(FORMERLY MOD-03 ADMINISTRATIVE AMENDMENT DETERMINATION)
04/15/04

- 1a) AQ Facility ID No.: 5300400
- 1b) AQ File No.: 2125
- 2) Facility Name.: Covanta Hennepin Energy Resource Company, L.P.

Permit changes described on this form may be made through the administrative permit amendment process. Please verify that the proposed change does not require a major amendment:

I answered "no" to all questions on Form CH-03

- No. I answered "yes" to one or more questions on Form CH-03. This means that the proposed change requires a major amendment, and the administrative amendment process is not applicable.
- Yes. To apply for an administrative amendment, indicate which of the following *completely* describes the change needed to your permit.

- A. an amendment to correct a typographical error;
- B. an amendment to change the name, mailing address, or telephone number of any person identified in the permit, or that reflects a similar minor administrative change at the permitted facility. A change in the stationary source's location of operation is not covered by this item;
- C. an amendment requiring the permittee to comply with additional, more frequent, or expanded testing, monitoring, recordkeeping, or reporting requirements;
- D. an amendment to eliminate monitoring, recordkeeping, or reporting requirements if:
 - the requirements are rendered meaningless because the only emissions to which the requirements apply will no longer occur;
 - the change is to eliminate one validated reference test method for a pollutant and source category in order to add another;
 - the requirements are redundant to or less strict than other existing requirements;
 - the requirements are technically incorrect and their elimination does not affect the accuracy of the data generated or of the monitoring information recorded or reported; or
 - the piece of equipment to which the monitoring, recordkeeping, or reporting requirement applies no longer exists or has been permanently disabled from use at the stationary source.

- E. an amendment reflecting a change in ownership or operational control of a stationary source where the agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the agency;
- F. an amendment to incorporate into a permit the requirements from preconstruction review permits issued by the MPCA, incorporate into a permit the requirements from standards adopted under Code of Federal Regulations, title 40, part 63, as amended (National Emission Standards for Hazardous Air Pollutants for Source Categories), or to lower the plantwide emission limits in permits with Plantwide Applicability Limits to reflect the impact of standards adopted under Code of Federal Regulations, title 40, part 63, as amended;
- G. an amendment to clarify the meaning of a permit term;

NOTE: Administrative amendments cannot make substantive changes to permit

- H. an amendment to extend a deadline in a permit by no more than 120 days, provided that the MPCA may only extend a deadline established by an applicable requirement described in Minn. R. 7007,0100, subp. 7(A)-(K), if the Agency has been delegated authority to make such extensions by the administrator of EPA. Notwithstanding the previous sentence, the MPCA may do an administrative amendment to extend a testing deadline in a permit up to 365 days if the MPCA finds that the extension is needed to allow the permittee to test at worst case conditions as required by Minn. R. 7017.2025, subp. 2;
- I. an amendment to remove any condition from a permit which was based on an applicable requirement that has been repealed, but only if the permit condition:
is neither required nor replaced by another applicable requirement; and
was not established for a specific facility to protect human health and the environment, to prevent pollution, as a mitigation measure in an environmental impact statement, or to obtain a negative declaration in an environmental assessment worksheet, and
- J. an amendment to correct or update a citation to an applicable requirement where the corresponding permit condition is not changed.
- K. an amendment to include operating conditions that ensure that waste combustors emit mercury at less than 50 percent of the applicable standard.

If any of the above are checked, and the checked change completely describes your proposed changes (i.e., there is nothing else that is being changed other than what is indicated on this form), then the change qualifies for an administrative amendment. Answer "yes" to Question 5 on Form CH-02. Attach a sheet describing the section of the permit that is to be amended and your proposed new permit conditions. You may wish to submit a marked-up copy of the relevant portions of your existing permit to provide this information clearly.



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

CH-14

Complete Application Requirements

Air Quality Permit Program

1a) AQ Facility ID No.: 5300400 1b) AQ File No.: 2125

2) Facility Name: Covanta Hennepin Energy Resource Company, L.P.

Minn. R. 7007.0600 describes what a complete permit application must include. Please note that a complete permit application for the modification must be included with this submittal or the application will be deemed incomplete. The following information must be included in your application **if it applies to the modification**. Please complete the following to verify that you have included all the needed information.

All applications or notifications

- CH-CP-01 CH-CR-01 CH-00
- CH-GI-01 CH-01 CH-15
- CH-02 CH-14
- CR-03 (when you are requesting confidentiality)

All Applications for Major, Moderate, or Minor Amendments

- CH-03 CH-11
- CH-04 CH-13
- CH-04a (existing major sources under NSR)
- CH-04b (existing non-major sources under NSR)
- CH-05 CD-01
- CH-06 GI-07
- CH-07

Additional Requirements for Some Major Amendments

- Limits required because of performance testing or modeling results, if not already incorporated into your permit (photocopies of Minnesota Pollution Control Agency (MPCA) correspondence fulfills this requirement)
- GI-09H, to determine if a physical change to or addition of new equipment with add-on control equipment is subject to CAM, and a CAM Submittal (including a CAM Plan), if so indicated by Form GI-09H
- EMS-00, if permit is to incorporate Environmental Management System (EMS) provisions

Additional Requirements for Moderate or Minor Amendments

- CH-10

NSR = New Source Review

All Applications for Administrative Amendments

- CH-08

Contravening Permit Terms

- CH-09 CH-12

Notifications for Changes Not Requiring a Permit

- CH-12

Additional Forms Dependent on Change Requested

- PAL-01, PAL-02, MI-02c (to request a new PAL under NSR)
- GI-02 (to describe changes in process flow)
- GI-03 (to describe changes in stack layout)
- GI-04 (to describe new, removed, or changed stacks)
- GI-05a (to describe new, removed, or changed control equipment)
- HE-01/CR-02 (to describe and certify hood efficiency associated with new or changed control equipment **not** collecting through a total enclosure)
- GI-05b (to describe new, removed, or changed emissions units)
- GI-05c (to describe new, removed, or changed storage tanks)
- GI-05d (to describe new, removed, or changed fugitive sources)
- HG-01 (for taconite production secondary metal production, fuel combustion for electricity generation or industrial boilers, or incinerators, if there is **any** increase in mercury emissions)



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

CH-15

SIP Changes and Permits
Air Quality Permit Program

1a) AQ Facility ID No.: 5300400 1b) AQ File No.: 2125
2) Facility Name: Covanta Hennepin Energy Resource Company, L.P.

Section I

I.1 Does your facility have source specific State Implementation Plan (SIP) conditions contained in a Part 70 permit or a federally enforceable state operating permit or has your facility been issued an Administrative Order (Order) to ensure compliance with a national ambient air quality standard (NAAQS)? (This would include permit conditions labeled "Title I condition: SIP for [pollutant] NAAQS"). If your facility is listed in Table 1 below, you have source specific SIP conditions.

Yes. Check all applicable pollutants and continue with Section II.

- Sulfur Dioxide (SO₂)
- Particulate matter less than 10 microns (PM₁₀)
- Lead

No. **Stop here**, and submit this form with your application for a permit amendment or operating permit reissuance.

Section II

II.1 Where are the SIP conditions that apply to your facility?

- In the current operating permit
- In the Order
- In both the current operating permit and the Order

II.2 This permit application is for

- Reissuance of the operating permit
- An amendment to the current operating permit

Whether you are proposing changes through an application for a facility modification, or if you are submitting a reissuance application and there have been changes at your facility that are not included in the current operating permit or the Order, complete the rest of this form considering those changes as the 'proposed change.' If your facility is subject to the Order, Minnesota Pollution Control Agency (MPCA) will initiate a SIP revision to transfer the Title I conditions from the Order to the Permit.

II.3 Does the proposed change involve equipment or operating parameters that are subject to a Title I SIP condition in your permit or a requirement from your Order?

- Yes
- No

II.4 Does the proposed change add an emission unit(s) or stack/vent that will emit the criteria pollutant(s) identified in Section I?

- Yes
- No

II.5 Does the proposed change increase the emission rate of the criteria pollutant(s) at any of the existing emission points (emission unit, control equipment or stack/vent)?

- Yes
- No

II.6 Does the proposed change increase the overall emission rate of that criteria pollutant at the facility?

- Yes
- No

Section III

Review the SIP modeling parameters for your facility. These are usually found in an appendix to your permit or in your Order. For the proposed change at your facility, check all that apply:

- Addition of new emission point(s) for the criteria pollutant
- Removal of existing emission point(s) for the criteria pollutant
- Change in one or more modeled stack/vent heights or diameter
 - Increase in stack height
 - Decrease in stack height
 - Increase in stack diameter
 - Decrease in stack diameter
- Change in modeled air flow rate(s)
 - Increase in air flow rate(s)
 - Decrease in air flow rate(s)
- Change in one or more modeled emission rates
 - Increase in emission rate(s)
 - Decrease in emission rate(s)
- Change in location of one or more emission points
- Change in exit point temperature
 - Increase in temperature
 - Decrease in temperature
- Change in building locations or dimensions
- Other _____
- No change to current modeling parameters.

If there are any changes to the modeling parameters, you will need to demonstrate that the plume dispersion characteristics of the criteria pollutant will be equivalent to or better than the dispersion characteristics modeled using the parameters included as noted in the appendix of your permit or in your Order. In many cases you will need to remodel to show attainment with the NAAQS. However, in some cases you may be able to provide a written justification for improved dispersion characteristics.

If you will need to do modeling, it is recommended that you check the MPCA website or contact MPCA staff for guidance on current SIP modeling. SIP modeling requirements may be different than modeling for other programs and may have changed since previous modeling was done for your facility. See the MPCA's on-line SIP and modeling information at <http://www.pca.state.mn.us/air/sip.html> and <http://www.pca.state.mn.us/air/modeling.html> for current contact information.

Section IV

Will the proposed change require a SIP revision?

In general, a SIP revision is not required if you are making a change to the facility that does not increase, from any emission point, the emission rate of the criteria pollutant or alter equipment or parameters used as the basis for modeling of the criteria pollutant.

If you answered "Yes" to any of the questions in Section II or have identified changes to the modeling parameters for your facility in Section III, you will likely need a SIP revision for your project. If a SIP revision is required for a modification amendment, you must submit a **major** amendment application. If the proposed change includes an increase in emissions of the criteria pollutant or if it is new construction, the current Title I SIP conditions in your permit or the conditions in your Order for your facility must be followed until the SIP revision is approved by U.S. Environmental Protection Agency (EPA). If the proposed change will reduce emissions or will provide better modeled dispersion characteristics that change may proceed with MPCA and EPA approval.

When a SIP revision is part of your permit reissuance or amendment, approval of the reissuance or modification application will include more steps and take more time than the general process for a permit issuance. The SIP revision includes review and approval of the permit application by MPCA, including public notice of the permit. The SIP revision requires a public notice (which may occur concurrently with the permit notice of the draft/proposed permit); EPA generally does a preliminary review of the SIP revision at this time. There is an opportunity for interested parties to request a public meeting during the public notice period. After MPCA's public notice period ends for the draft/proposed permit, MPCA submits the SIP revision to EPA for a formal review and approval. Final approval of the SIP revision occurs when EPA publishes the revision as a final rule in the federal register.