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Covanta Hennepin Energy Resource Co., Limited Partnership
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July 28, 2011

City of Minneapolis, Minnesota
Attention: Kimberly Holien, City Planner
City of Minneapolis CPED
250 South 4th Street
Room 300 PSC
Minneapolis, Minnesota 55415

Re: Amendment to Conditional Use Permit #61061
Hennepin Energy Recovery Center

Dear Ms. Holien:

In connection with the application by Covanta Energy, on behalf of Hennepin County Environmental Services, for an amendment to the above referenced conditional use permit, Covanta Energy hereby requests a further extension of the time limit under Minnesota Statutes, Section 15.99, pursuant to Section 15.99(g) thereof.

Pursuant to Section 15.99, the City of Minneapolis (the "City") has extended its deadline to act on our application once for an additional sixty (60) days, thereby establishing the deadline of September 2, 2009. Covanta Energy most recently granted an extension to the City on April 22, 2011 to extend its review time for zoning application (BZZ 4401) until September 23, 2011. Covanta Energy hereby grants an extension to the City to extend its review time for zoning application (BZZ 4401) beyond the current deadline until December 22, 2011.

Covanta has submitted to MPCA a request for a major modification to the air permit to remove the limit on the annual throughput of municipal solid waste. The MPCA has ordered the preparation of an Environmental Assessment Worksheet (EAW) as part of the review process. Covanta has submitted a draft EAW to MPCA and has been in continuing discussions with the Agency regarding specific details and making revisions to the draft. Air modeling and the health risk assessment has been completed. The MPCA is reviewing the draft to arrive at a document to issue for public review and comment. Several weeks time was lost in this process due to the shutdown of State government.

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The current status of this application is that Covanta Energy appealed the decision of the City Planning Commission, notwithstanding the recommendation of staff, denying our application for an amended conditional permit for the Hennepin Energy Recovery Center to allow the facility to process at its designed and constructed capacity of 1,212 tons of waste per day. The Planning and Zoning Committee and the City Council have not acted on such appeal. The extension granted to the City in this letter is made with the understanding and agreement from the City that such extension will not waive or prejudice any of the rights of Covanta Energy, as the applicant, in its appeal and that the appeal will continue in the current procedural posture, without reference back to the City Planning Commission, with prior notice to us of proposed further action by the City on the appeal and matters relevant thereto.

If you have any questions regarding the application, our appeal, or this letter, please do not hesitate to contact me at (612) 332-9423.

Sincerely,

COVANTA HENNEPIN ENERGY RESOURCE COMPANY

John Sigmond

Business Manager

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