COVANTA
ENERGY

Covanta Hennepin
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April 12, 2010

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 December 1, 2009 to extend its review time for zoning application (BZZ 4401) until May 3, 2010. Covanta Energy hereby grants an extension to the City to extend its review time for zoning application (BZZ 4401) beyond the current deadline until October 16, 2010.

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 expects to submit a draft EAW to MPCA in the next couple of weeks. The MPCA will review the draft and issue a draft for public review and comment.

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

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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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