



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

February 11, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Sean Finnerty, Vice President
CPV Gulfcoast Ltd.
35 Braintree Hill Office Park, Suite 107
Braintree, Massachusetts 02184

Re: DEP File No. 0810194-003-AC (PSD-FL-300)
CPV Gulfcoast Power Generating Facility.
245 MW Nominal Combined Cycle Facility – Permit Extension Request

Dear Mr. Finnerty:

The Department reviewed your request dated January 19, 2004 for extension of the referenced air construction permit. The request is to extend the dates for commencement of construction, completion of physical construction, and permit expiration.

According to our records, this permit has been extended on two prior occasions: July 31, 2002 and May 9, 2003. Accordingly, the Department is not inclined to accept your request without a re-review of the original BACT Determination which was done over 3 years ago. In order to continue processing your application, it is required that you submit a revised BACT evaluation for the Department to review; the Department will then make an updated determination. Should your response to this request require new calculations, assumptions or reference material, please include the appropriately revised pages of the application form.

Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Permit applicants are advised that Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days.

If you have any questions regarding this matter, please contact me at (850) 921-9519.

Sincerely,

Michael P. Halpin, P.E.
North Permitting Section

Copy: Sean Finnerty, CPV Gulfcoast, Ltd.*
Gregg Worley, EPA
John Bunyak, NPS
Jerry Kissell, DEP SWD
Chair, Manatee County BCC
Karen Collins-Fleming, Manatee County EMD

"More Protection, Less Process"

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>S. Finnerty</i></p>
<p>1. Article Addressed to:</p> <p>Mr. Sean Finnerty, Vice President GPV Gulfcoast, Ltd. 35 Braintree Hill Office Park Suite 107 Braintree, Massachusetts 02184</p>	<p>B. Received by (Printed Name) _____</p> <p>C. Date of Delivery <i>2/17/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p style="text-align: center; font-size: 2em;">FEB 17 2004</p>
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7001 1140 0002 1578 0508</p>	

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>											
OFFICIAL USE Mr. Sean Finnerty, Vice President											
<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$</td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	Postmark Here
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Total Postage & Fees	\$										
<p>Sent To</p> <p>Mr. Sean Finnerty, Vice President</p> <p>Street, Apt. No., or PO Box No. 35 Braintree Hill Office Park</p> <p>City, State, ZIP+4 Braintree, Massachusetts 02184</p>											

7001 1140 0002 1578 0508

PS Form 3800, January 2001 See Reverse for Instructions



Competitive
Power Ventures, Inc.

January 19, 2004

Mr. Alvaro A. Linero, P.E.
Program Administrator
Department of Environmental Protection
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399

RECEIVED
JAN 20 2004
BUREAU OF AIR REGULATION

Re: DEP PSD Permit No. 0810194-001/PSD-FL-300, for CPV Gulfcoast, Ltd.
Additional Extension of PSD Permit Expiration Date and Related Permit Dates.

0810194-003-AC

Dear Mr. Linero:

The Department of Environmental Protection, Bureau of Air Regulation issued PSD Permit No. 0810194-001 (PSD-FL-300) to CPV Gulfcoast, Ltd. ("CPV") on February 5, 2001 and subsequently granted an extension of the milestones contained therein on May 9, 2003. Due to the severe downturn in the electric power market, construction of the facility has not yet commenced.

This letter is to request that the Department extend the permit's expiration date and other specified compliance dates and deadlines in the permit, pursuant to Rule 62-4.080, Florida Administrative Code. CPV is requesting an additional extension of time for the current permit expiration date and other dates in the permit.

Following are the specific permit revisions requested in order to extend the expiration date and related deadlines:

SECTION II – CONDITION 8

PSD Approval to Construct Expiration. Approval to construct shall become invalid if construction is not commenced by March 30, 2005, or if construction is discontinued for a period of 18 months or more, or if physical construction is not completed by September 30, 2004. [40 CFR 52.21(r)(2)].

SECTION II – SPECIAL CONDITION 9

Completion of Construction. The permit expiration date is December 30, 2007. Physical construction of the facility shall be completed by September 30, 2007.

The additional time provides for testing, submittal of results, and submittal of Title V permit to the Department.

SECTION II – CONDITION 11

BACT Determination. In conjunction with extension of the December 30, 2007 permit expiration date, or any increases in MW generated by steam, heat input limits, hours of operation, oil firing, low or baseload operation, short-term or annual emission limits, annual fuel heat input limits, or similar changes; the permittee may be required to demonstrate the adequacy of any previous determination of best available control technology for the source.

This request is being made by CPV due to the continuing financial crisis in the energy industry and, specifically, the electric generation sector. The current financial crisis has resulted in construction of the CPV Gulfcoast project being delayed. These market conditions, which clearly are beyond the control of CPV, constitute good cause and justification for the Department's grant of the requested permit extension and related date modifications.

CPV anticipates that construction will commence prior to the dates set forth herein and be completed within twenty four months of commencement. As required by Rules 62-4.070 and 62-4.080, F.A.C., once constructed, the CPV Gulfcoast project will install all control equipment specified in the permit, will adhere to all standards set forth in the permit, and will comply with all applicable regulatory standards and conditions.

Sincerely,



Sean Finnerty
Vice President

CPV GULFCOAST, LTD

FLDEP
0000013408

Florida DEP
2/2/2004

3207

3207

<u>Date</u>	<u>Voucher #</u>	<u>Invoice #</u>	<u>Description</u>	<u>Outstanding Am</u>	<u>Amount Paid</u>
1/27/2004	0000010579	01/27/04	Extend PSD Permit	\$50.00	\$50.00

REC'D

FEB 03 2004

BUREAU OF APPROPRIATION

\$50.00

\$50.00

GCST LTD CHKG