



Competitive
Power Ventures, Inc.

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BUREAU OF AIR REGULATION

May 3, 2002

Mr. Doug Neeley
Air, Pesticides, and Toxics Management
Division
USEPA Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

Ms. Cindy Phillips, P.E.
FDEP Bureau of Air Regulation

MS 5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: CPV Atlantic – CPV Cana – CPV Gulfcoast – CPV Pierce Projects
Maximum Achievable Control Technology (MACT) for Hazardous Air Pollutants
Reciprocating Internal Combustion Engine
Section 112(j) of the Clean Air Act

Dear Mr. Neeley and Ms. Phillips:

Competitive Power Ventures (CPV) has obtained air permits for the four above referenced power generation facilities in Florida.

Regarding CPV Atlantic: The CPV Atlantic project (Permit No. 1110101-001-AC (PSD-FL-312), Port St. Lucie, St. Lucie County), is no longer owned by CPV. The Atlantic project is now owned by Reliant Resources and any questions regarding its permit should be addressed to Reliant Resources.

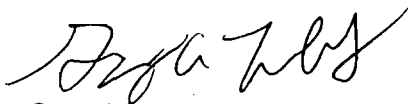
Regarding CPV Cana, CPV Gulfcoast and CPV Pierce: None of these CPV gas-fired combined-cycle facilities have commenced construction or operation as of May 2002. Each of the facilities contains one 500 kilowatt (kW) emergency generator as part of the ancillary equipment used for safe shutdown. These emergency generators are considered to be reciprocating internal combustion engines (RICE) in the MACT source category. However, none of the CPV facilities is a major source of hazardous air pollutants (HAPs) under the RICE source category.

- SW 1) Gulfcoast, Permit No. 0810194-001-AC (PSD-FL-3000), Piney Point, Manatee
County
SW 2) Pierce, Permit No. 1050349-001-AC (PSD-FL-319), Polk County
SE 3) Cana, Permit No. 1110103-001-AC (PSD-FL-323), St. Lucie County

The three facilities listed above did not require a 112(g) case-by-case MACT determination during the construction permitting process, and thus are not considered major sources of HAPs for the following reasons. Firstly, the total HAPs for each of the facilities is below the major source requirement of less than 10 tons per year (tpy) for any single HAP and less than 25 tpy for total HAPs. Since the HAPs total for each facility is less than 25 tpy, and the HAPs for the emergency generators are much lower, the emergency generators are not subject to MACT applicability. Secondly, the Federal Register Notice for HAPs (Title I, Section 112) indicates the MACT applicability criteria for RICE. The Federal Register Notice states that MACT does not apply to RICE used in emergency service. Therefore, since all four facilities use the RICE as emergency generators for safe shutdown, they would not be subject to MACT applicability. Thirdly, the air construction permits issued to all four CPV facilities by the Florida Department of Environmental Protection (DEP) state that a case-by-case MACT does not apply to these facilities since the HAPs are less than 10 tpy for any single HAP and less than 25 tpy for all HAPs.

In lieu of submitting 112(j) notification information (requested in a letter dated April 5, 2002 from the Florida Department of Environmental Protection) for the three facilities in Florida, CPV is submitting this letter. As described above, the three CPV facilities are not applicable as major sources of hazardous air pollutants in the affected Reciprocating Internal Combustion Engine source category.

Sincerely,



Gary A. Lambert, Jr.
Competitive Power Ventures Authorized Representative

Cc: Mike Anderson, TRC
Patty DiOrio, CPV
Peter Podurgiel, CPV
Sean Finnerty, CPV
Cathy Sellers, Esq., Moyle Flanagan