



VIA ELECTRONIC MAIL AND TELEFAX

Competitive
Power Ventures, Inc.

January 10, 2002

Alvaro Linero, P.E.
Administrator,
New Source Review Section
Bureau of Air Regulation
Florida Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32399

Post-It* Fax Note	7671	Date	1-10-02	# of pages	3
To	AL LINERO	From	PETER PODURSKIEL		
Co./Dept.		Co.	CPV CANA, LTD.		
Phone #		Phone #	781-405-3492		
Fax #	850-922-6979	Fax #			

Re: Additional Comments on CPV Cana Electric Generating Facility Draft PSD Permit,
DEP File No. 1110103-001-AC (PSD-FL-323)

Dear Mr. Linero:

On January 2, 2002, CPV Cana submitted comments on the draft PSD Air Construction proposed to be issued for the CPV Cana Electric Generating Facility, and in that comment letter stated that it would submit additional comments specifically to address Condition No. 29.c. (or, in renumbered Condition No. 29 b., if the paragraph concerning the bypass stack option has been deleted pursuant to the January 2, 2002 comments) best operational standard (no bypass) for minimization of startup NOx and CO emissions. Pursuant to our telephone discussion today, following are our comments, and we have provided language for inclusion in No. 29.c. of the PSD permit and in the BACT Determination to address this issue.

Comment:

As we discussed, we believe it is premature to define the "Best Operational Standard" information for the CPV Cana Project as part of the construction permit for the Project. Based on input from the turbine manufacturer, it is our belief that it is appropriate that the "Best Operational Standard" should be determined on a schedule appropriate for its incorporation into the required Title V operation permit for the Project. This is because at this time, sufficient vendor information and guarantees do not exist to warrant inclusion of such information in the construction permit.

Specifically, we are concerned about specifying the numbers of minutes within which the unit will reach "Mode 5Q" during cold, warm and hot startups, respectively, as well as specifying the numbers of minutes within which ammonia injection will be initiated for cold, warm and hot startups, respectively. We can envision circumstances under which such specific requirements would not constitute a "Best Operational Standard". For example, we do not believe that the amount of time required to reach "Mode 5Q" can be fixed under all circumstances, and we would anticipate that ammonia injection prior to having the equipment reach the appropriate temperature, will likely vary depending upon the operational circumstances.

Therefore, in lieu of specifying the numbers of minutes for these operational conditions at this time, we request that the "x, y and z minutes" phrase is left unchanged wherever it appears in both the construction permit (i.e., twice in Item 29.c. (or 29.b., if the "Best Operational Standard (Bypass Stack Option)" entry has been deleted as requested)) and BACT Determination (i.e., twice in the 5th from the last bullet on page BD-19, followed immediately by insertion of the following parenthetical phrase: "(to be determined for incorporation into the required Title V operation permit)". In addition, the parenthetical sentences at the end of Item 29.c. in the construction permit and in the 5th from the last bullet on page BD-19 of the BACT Determination need to be revised to read: "(Note: Times and measures to be determined for incorporation into the required Title V operation permit)". In addition, the word "operation" needs to be added prior to the word "permit" at the end of the last sentence of the preceding bullet on page BD-19 of the BACT Determination.

Language for inclusion in the permit and in the BACT Determination

Following is language to be inserted directly into the permit for Condition No. 29c (or renumbered Condition No. 29 b., if the provision concerning the bypass stack option in the draft permit was deleted pursuant to the comments previously submitted on January 2, 2002):

- c. **Best Operational Standard (No Bypass):** The unit will reach Mode 5Q with x, y, and z minutes for cold, warm, and hot startups, respectively (to minimize CO and NOx emissions). Ammonia injection will be initiated within x, y, and z minutes for cold, warm, and hot startups respectively to minimize NOx emissions. The following measures shall be employed following shutdowns to reduce subsequent excess emissions: (Note: Times and measures to be determined for incorporation into the required Title V operation permit during public comment period)

Following is language to be inserted into the last paragraph of the fourth bullet point on page BD-19 of the BACT Determination:

- * If the startup BACT described above is not feasible, then the applicant will submit an alternative Best Operational Practice. The procedure shall include features that minimize the time required to complete a startup following a shutdown. This could include installing dampers where necessary to reduce the rate of cooling when the unit is down. It shall include a more precise description regarding commencement of ammonia injection. The procedure (based on the following paragraph) shall be submitted prior to issuance of the final air operation permit.

Following is language to be inserted into the fifth bullet point on page BD-19 of the BACT Determination:

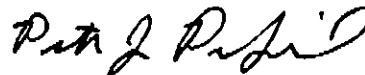
- * **Best Operational Standard - Startup BACT (No Bypass Stack):**

The unit will reach Mode 5Q with x, y, and z minutes for cold, warm, and hot startups, respectively (to minimize CO and NOx emissions). Ammonia injection will be initiated within x, y, and z minutes for cold, warm, and hot startups respectively to minimize NOx emissions. The following measures shall be employed following shutdowns to reduce subsequent excess emissions: (Note: Times and measures to be determined for incorporation into the required Title V operation permit during public comment period)

We believe this is the most responsible approach to achieve the Florida Department of Environmental Protection's (DEP) objective of minimizing NOx (and CO) emissions during startup (and shutdown) periods. CPV Cana is willing to operate the facility as needed to minimize those emissions, but the specific steps needed to do so will be determined during the testing phase and therefore can be addressed in the air operation permit. This fact is acknowledged by DEP in the 2nd to the last paragraph on page BD-16 of the BACT Determination, which reads as follows: "The Department is gathering information from recently commissioned 7FA units to more accurately estimate startup emissions of NOx and address carbon monoxide too."

We appreciate the opportunity to provide these comments and look forward to issuance of the permit.

Sincerely,



Peter J. Podurciel
CPV Cana, Ltd.

cc: Gary Lambert, CPV
Michael Anderson, TRC
Keith Price, AEP Pro Serv
Cathy Sellers, Moyle Flanigan
Teresa Heron, FDEP



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To	Teresa Heron		From	PETER PODURSKI	
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Specifically, we are concerned about specifying the numbers of minutes within which the unit will reach "Mode 5Q" during cold, warm and hot startups, respectively, as well as specifying the numbers of minutes within which ammonia injection will be initiated for cold, warm and hot startups, respectively. We can envision circumstances under which such specific requirements would not constitute a "Best Operational Standard". For example, we do not believe that the amount of time required to reach "Mode 5Q" can be fixed under all circumstances, and we would anticipate that ammonia injection prior to having the equipment reach the appropriate temperature, will likely vary depending upon the operational circumstances.

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Language for inclusion in the permit and in the BACT Determination

Following is language to be inserted directly into the permit for Condition No. 29c (or renumbered Condition No. 29 b., if the provision concerning the bypass stack option in the draft permit was deleted pursuant to the comments previously submitted on January 2, 2002):

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Following is language to be inserted into the last paragraph of the fourth bullet point on page BD-19 of the BACT Determination:

- * If the startup BACT described above is not feasible, then the applicant will submit an alternative Best Operational Practice. The procedure shall include features that minimize the time required to complete a startup following a shutdown. This could include installing dampers where necessary to reduce the rate of cooling when the unit is down. It shall include a more precise description regarding commencement of ammonia injection. The procedure (based on the following paragraph) shall be submitted prior to issuance of the final air operation permit.

Following is language to be inserted into the fifth bullet point on page BD-19 of the BACT Determination:

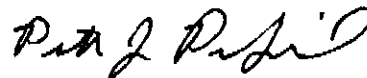
- * **Best Operational Standard -- Startup BACT (No Bypass Stack):**

The unit will reach Mode 5Q with x, y, and z minutes for cold, warm, and hot startups, respectively (to minimize CO and NOx emissions). Ammonia injection will be initiated within x, y, and z minutes for cold, warm, and hot startups respectively to minimize NOx emissions. The following measures shall be employed following shutdowns to reduce subsequent excess emissions: (Note: Times and measures to be determined for incorporation into the required Title V operation permit during public comment period)

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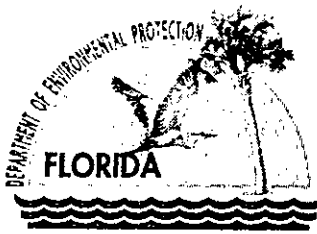
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**cc: Gary Lambert, CPV
Michael Anderson, TRC
Keith Price, AEP Pro Serv
Cathy Sellers, Moyle Flanigan
Teresa Heron, FDEP**



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

January 4, 2002

Certified - Return Receipt Requested
7000 0600 0024 1599 6285

Gary A. Lambert
Vice President
CPV Cana, L.L.C.
35 Braintree Hill Office, Suite 107
Braintree, MA 02184

RECEIVED

JAN 07 2002

BUREAU OF AIR REGULATION

Dear Mr. Lambert:

Enclosed is Environmental Resource Permit No. ES 56-0186076-001 issued pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.).

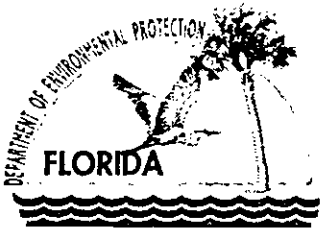
Appeal rights for you as the permittee and for any affected third party are described in the text of the permit along with conditions which must be met when permitted activities are undertaken. Please review this document carefully to ensure compliance with both the general and specific conditions contained herein. As the permittee, you are responsible for compliance with these conditions. **Please ensure all construction personnel associated with your activity review and understand the approved drawings and conditions.** Failure to comply with this permit may result in liability for damages and restoration, and the imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, F.S.

In addition please ensure the construction commencement notice and all other reporting conditions are forwarded to the appropriate office as indicated in the specific conditions.

If you have any questions about this document, please contact me at 561/681-6640.

Sincerely,

for Indar Jagnarine, P.E.
Submerged Lands & Environmental
Resources Program



Jeb Bush
Governor

Department of Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

ENVIRONMENTAL RESOURCE PERMIT

PERMITTEE:

Gary A. Lambert
Vice President
CPV Cana, Ltd.
35 Braintree Hill Office, Suite 107
Braintree, MA 02184

Permit Number: ES 56-0186076-001

Date of Issue: **JAN 04 2002**

Expiration Date of Construction **JAN 03 2007**

Phase:

Project: Power Plant-Stormwater-ERP

County: St. Lucie

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain an Environmental Resource Permit. Pursuant to operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity.

ACTIVITY DESCRIPTION:

CPV Cana, Ltd. proposes to construct and operate an electric generating facility and associated infrastructure called CPV Cana, Ltd. The facility will be sited on a 61.54-acre parcel in St. Lucie County. To serve the proposed development, stormwater runoff from the power generating facility is designed to meet State and South Florida Water Management District (SFWMD) water quality and quantity requirements. No wetlands are proposed to be impacted for this project.

ACTIVITY LOCATION:

CPV Cana, Ltd. project is located at off Range Line Road, approximately 0.75 miles south of the intersection of Glades Cut-off Road and Range Line Road, St. Lucie County, in Section 01, Township 37 South, Range 38 East.

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

This permit also constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. You are hereby advised that

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authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit is subject to the limits, conditions, and locations of work shown in the attached exhibits, and is also subject to the attached General Conditions (1-19) and Specific Conditions (1-10) which are a binding part of this permit.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit, and as specifically described below.

SURFACE WATER SYSTEM DESIGN:

Project Area: 61.54 acres

Drainage Area: 31.1 acres

Drainage Basin: SFWMD C-24

Receiving Body: Range Line Road, roadside ditch

Background: On July 3, 2001, the applicant, Mr. Gary A. Lambert, Vice President, CPV Cana Ltd. applied for an Environmental Resource Permit (ERP) to construct/operate a surface water management system to serve the proposed electric generating facility located in St. Lucie County. The proposed plant's steam generator will generate less than 75 megawatts and is, therefore, not required to be reviewed under the Florida Electrical Power Plant Siting Act.

Existing Facility: The site is an abandoned vegetable field/current pasture with one jurisdictional wetland associated with a cattle pond and two off-site jurisdictional wetlands with a small portion of each of the two wetlands encroaching into the site. The site's topography averages 26.5 to 27 feet NGVD. The site is currently zoned utility and industrial.

Proposed Facility:

Proposed Landuse Summary:

Landuse	Basin 1, acres	Basin 2, acres
Powerplant	23.3	-
Lakes (stormwater)	2.9	1.1
Swales	3.4	1
Un-developed	20.44	-
Landscape Buffer	1.3	1.9
Access Paving/Staging	-	6
Total	51.54	10.0

The facility's stormwater management system is designed to meet SFWMD C-24 allowable discharge criteria and water quality volumetric treatment requirements. The site is hydraulically separated into two drainage basins, Basin 1 and Basin 2. Stormwater from Basin 1 (power generating facility site) will be routed to the connected dry retention areas discharging to the on-site stormwater lakes and outfalls into Range Line Road swale via a single weir structure. Basin 2 consists of dry retention, wet detention, landscape areas, construction staging and construction employee parking. Stormwater from Basin 2 will be directed to grass retention areas to the wet detention system and outfalls into Range Line Road swale. The entrance road outside the property boundary is permitted by St. Lucie County.

There will be no chemical discharge to stormwater. All on-site chemicals or additives are stored under roof, on concrete flooring with containment and/or on skids in containment. All containment provides 110% volume.

Stormwater Management System Water Control Structure:

Identification	Structure Type	Elevation (feet NGVD)	Benchmark	Location
Basin 1	6.5 " orifice	26.0	Invert of flood Control Orifice	To Range Line Road, ditch
Basin 2	3" orifice	26.0	Invert of Flood Control Orifice	To Range Line Road, ditch

Basin Information:

Basin	Area (AC)	WSWT Elev. (ft NGVD)	Normal/Dry Ctrl Elev. (ft NGVD)	Method of Determination
Basin 1 & 2	61.54	25.5	26.0	Soil Survey

Discharge Rate: Flow control orifices will limit the discharge rate of stormwater to based on the SFWMD C-24 criteria as follows:

Design Storm Freq.: 10-yr, 3-day

Design Rainfall: 7.34 inches

Basin	Allow Disch (cfs)	Method of Determination	Design Disch (cfs)	Design Stage (ft. NGVD)
1	1.47	Allowable Discharge – 30.25cfs/mi ²	1.41	27.91
2	.47	"	0.31	27.94

Water Quality: Treatment is provided in dry retention /detention areas computed as the first inch over the site.

Basin	Pervious Area Ac.	Impervious Area for water quality Ac.	Treatment Method	Volume Req'd (ac.ft)	Volume Prov'd (ac.-ft)
1	10.68	20.42	Dry retention	1.39	1.39
2	11.62	4.90	Dry detention	0.82	0.82

Minimum Building Floor Elevation:

The minimum elevation of paved drives/parking areas within Basin 1 is set at 30.5 feet NGVD, which is above the 10-year, 3 day stage of 27.91 feet NGVD. The minimum elevation of paved drives/parking areas within Basin 2 is set at 29.0 feet NGVD, which is above the 10-year, 3-day stage of 27.94 feet NGVD. The minimum elevation of building floors is set at 32.0 feet NGVD which is above the 100-year, 3-day, zero discharge stage of 29.69 feet NGVD.

Environmental Review: The project is located on 61.54 acres of agricultural pasture land. A cattle pond exists in the northern portion of the project site. The cattle pond is vegetated with various pasture grass species. Herbaceous wetlands exist at the border and cross over onto the project site. The on-site wetlands are dominated by Maidencane and sodgrasses. No wetland impacts are proposed. BMP'S such as slit fences and hay bails will be used to protect an average 25 feet wetland buffer areas during construction.

The upland vegetative community consists primarily of a shrub layer of Brazilian Pepper (*Schinus terebinthifolius*) and Wax Myrtle (*Myrica cerifera*). The ground cover consists primarily of Bahia (*Paspalum notata*) and Broomsedge (*Andropogon virginicus*) along with other forage grasses and sedges.

System Operation: CPV Cana, Ltd.

Water Use Permit Status: A water use permit has not been applied for. A water use permit will be submitted prior to 2002.

Water and Wastewater Supplier: Initially, Water from Floridan Aquifer will be treated for use and deep well for disposal and ultimately by the City of Port St. Lucie.

Save Our Rivers: This project is not within or adjacent to lands under consideration by the Save Our Rivers program.

Swim Basin: This project is not located within a Swim Basin

Permittee: CPV Cana, Ltd.- ERP
Permit Number: ES 56-0186076-001

Right-of-way Permit Status: A right-of-way permit is not required from the South Florida Water Management District.

Well Field Zone of Influence: This project is not located within the zone of influence of a well-field.

GENERAL CONDITIONS:

- (1) All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
- (2) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by the Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
- (3) Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving water body exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
- (4) The permittee shall notify the Department of the anticipated construction start date within 30 days of the date that this permit is issued. **At least 48 hours prior to commencement** of activity authorized by this permit, the permittee shall submit to the Department an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.
- (5) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an "Annual Status Report Form"

(Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.

- (6) **Within 30 days after completion of construction** of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.). The statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the Department that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.
- (7) The operation phase of this permit shall not become effective until the permittee has complied with the requirements of condition (6) above, has **submitted a "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form No. 62-343.900(7), F.A.C.)**; the Department determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the Department in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.
- (8) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
- (9) For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the Department along with any other final operation and maintenance documents

required by sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

- (10) Should any other regulatory agency require changes to the permitted system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
- (11) This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C.
- (12) The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
- (13) The permittee is advised that the rules of the South Florida Water Management District require the permittee to obtain a water use permit from the South Florida Water Management District prior to construction dewatering, unless the work qualifies for a general permit pursuant to subsection 40E-20.302(4), F.A.C., also known as the "No Notice" rule.
- (14) The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
- (15) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

- (16) The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
- (17) Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
- (18) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate Department office.
- (19) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIFIC CONDITIONS:

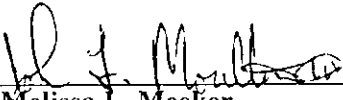
1. **Zoning.** The site is currently zoned utility and industrial. Prior to construction of the power plant, the applicant shall obtain the required zoning approval for the proposed electric power facility.
2. **Surface water management system.** The surface water system shall be constructed as shown in the attached exhibits. The dry detention basin bottom elevation shall be at 27.0 feet NGVD.
3. There shall be no chemical discharge to stormwater. Stormwater runoff collected in secondary containment storage shall not be disposed into the stormwater system.
4. **Sedimentation Controls.** Silt screens, hay bales or other such sediment control measures shall be utilized during construction. The selected sediment control measures shall be installed around the perimeter of the area to be developed. All areas shall be stabilized and vegetated immediately after construction to prevent erosion.
5. **Maintenance of Storm Drainage System.** Maintenance of the stormwater system is the responsibility of CPV Cana Ltd. A maintenance schedule shall be implemented to ensure that the stormwater management system is functioning as designed.
6. **Exotic Species.** The permittee shall maintain the project sites free from the invasion or establishment of the plants listed on the current year's Florida Exotic Pest Plant Council's Category I Invasive Exotic Species list (copy attached).

Permittee: CPV Cana, Ltd.- ERP
Permit Number: ES 56-0186076-001

7. **Dewatering.** Dewatering activity may require an Industrial Wastewater permit (Tim Powell @ 561/681-6684, DEP/West Palm Beach) and SFWMD approval. Within 30 days of receipt of a dewatering permit, the permittee shall submit a copy of the permit to the Department (ATTN: Stormwater Section).
8. **Additional Water Quality Requirement.** The Department reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
9. **Drawings and Attachments.** Attached Drawing exhibits and DEP forms: 62-343.900(3), (4), (5), (7), and (8) F.A.C., are hereby attached to and become part of this permit.
10. **Compliance with General Conditions.** The permittee shall be aware of and operate under the attached general limiting conditions. General conditions are binding upon the permittee and enforceable pursuant to Chapters 403 and 373 of the Florida Statutes.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Melissa L. Meeker
Director of District Management
Southeast District

1/3/02
Date

^{TR}
MLM/TR/vn/ij

Copies furnished to:
USACOE
Al Linero, DEP/TLH
Department of Community Affairs
South Florida Water Management District - T. Waterhouse, P.E.
South Florida Water Management District - Jeff Rosenfeld
Dennis Murphy, St. Lucie County
Richard Stalker, ERP/Compliance & Enforcement
Scott Glaubitz, B.S.E. Consultants, 312 South Harbor City Blvd., Suite #4, Melbourne FL 32901

RECEIVED

JAN 07 2002

BUREAU OF AIR REGULATION

Permittee: CPV Cana, Ltd.- ERP
Permit Number: ES 56-0186076-001

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were mailed to the above listed persons before the close of business on January 4, 2002.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(11),
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

Clara M. Suarez 1-4-02

Clerk

Date

Prepared by Indar Jagnarine, P.E. III and Victor Neugebauer, ES II

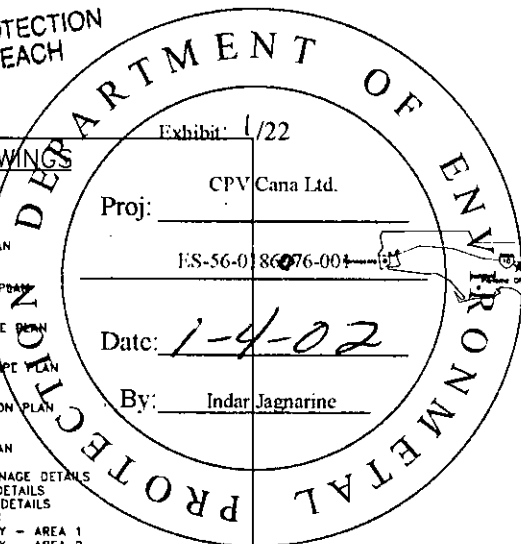
RECEIVED

NOV 06 2001

DEPT OF ENV PROTECTION
WEST PALM BEACH

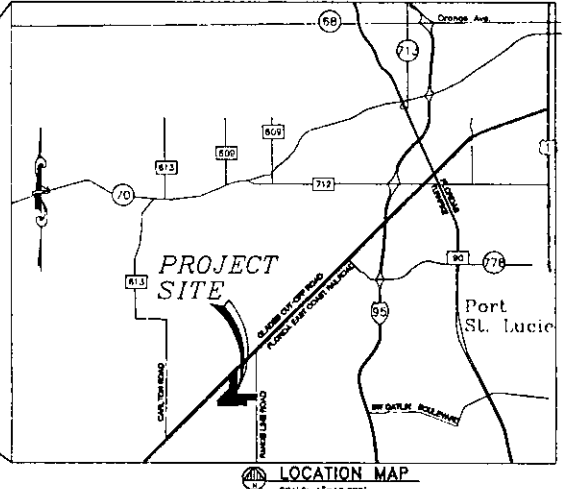
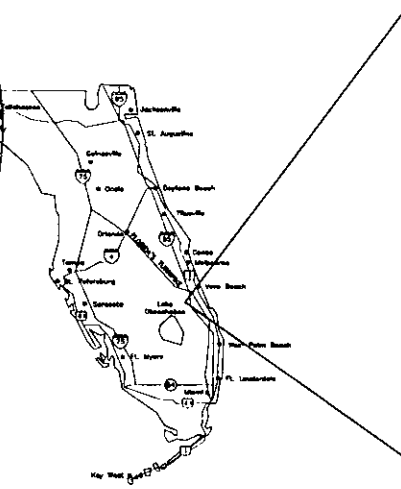
CPV CANA, LTD.

ST. LUCIE COUNTY, FLORIDA
SECTION 1, TOWNSHIP 37 SOUTH, RANGE 38 EAST



INDEX TO DRAWINGS

SHEET NO.	DWG. NO.	DWG. TITLE
1	10553401	COVER SHEET
2	10553402	OVERALL SITE PLAN
3	10553403	SITE PLAN
4	10553404	SITE PLAN
5	10553405	OVERALL UTILITY PLAN
6	10553406	UTILITY PLAN
7	10553407	UTILITY PLAN
8	10553408	OVERALL DRAINAGE PLAN
9	10553409	DRAINAGE PLAN
10	10553410	DRAINAGE PLAN
11	10553411	OVERALL LANDSCAPE PLAN
12	10553412	LANDSCAPE PLAN
13	10553413	LANDSCAPE PLAN
14	10553414	OVERALL IRRIGATION PLAN
15	10553415	IRRIGATION PLAN
16	10553416	IRRIGATION PLAN
17	10553417	SITE LIGHTING PLAN
18	10553418	CROSS SECTIONS
19	10553419	PAVING AND DRAINAGE DETAILS
20	10553420	POTABLE WATER DETAILS
21	10553421	SANITARY SEWER DETAILS
22	10553422	DEWATERING PLAN
23	10553100	BOUNDARY SURVEY - AREA 1
24	10553110	BOUNDARY SURVEY - AREA 2
25	10553425	EXISTING CONDITIONS
26	10553426	TREE SURVEY AREA 1 & AREA 2
27	10553427	SITE WITH AERIAL OVERLAY
28	10553428	SITE WITH TREE OVERLAY
29	10553429	GENERAL NOTES
30	10553430	GENERAL NOTES



ENGINEERS

B.S.E. CONSULTANTS, INC.
312 S. HARBOR CITY BLVD., SUITE 4
MELBOURNE, FLORIDA 32901
PHONE (321) 725-3674
FAX (321) 723-1159

LEGAL

MOYLE FLANIGAN KATZ RAYMOND & SHEEHAN P.A.
625 NORTH FLAGLER DRIVE, 9TH FLOOR
WEST PALM BEACH, FLORIDA 33401
PETER BRETON
PHONE (561) 822-0385

ENVIRONMENTAL PERMITTING CONSULTANT

THE LOUIS BERGER GROUP, INC.
75 SECOND AVE., SUITE 700
NEEDHAM, MA 02494
NEIL COLLINS
PHONE (781) 444-3330

OWNER / DEVELOPER

CPV CANA, LTD.
C/O COMPETITIVE POWER VENTURES, INC.
35 BRAINTREE HILL OFFICE PARK, SUITE 107
BRAintree, MA 02184
(CONTACT) PETER J. PODURGIEL
PHONE (781) 848-0253

ARCHITECT

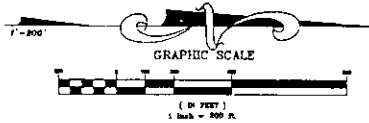
AEP PRO SERVE NORTHEAST
119 GANNETT DRIVE
SOUTH PORTLAND, ME 04105
KEITH PRICE
PHONE (207) 541-5800

REVISION: COUNTY COMMENTS - 7/28/01

SHEET 1

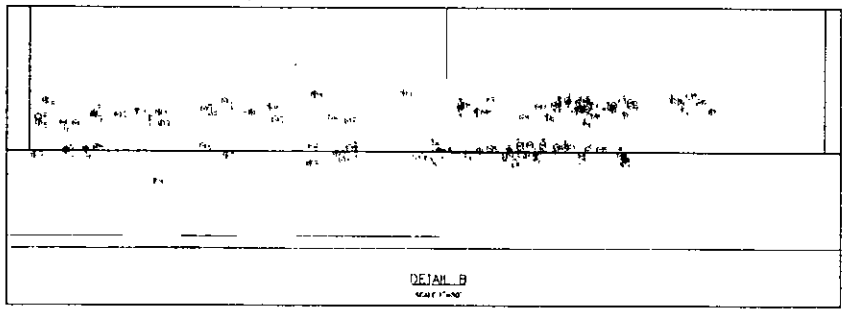
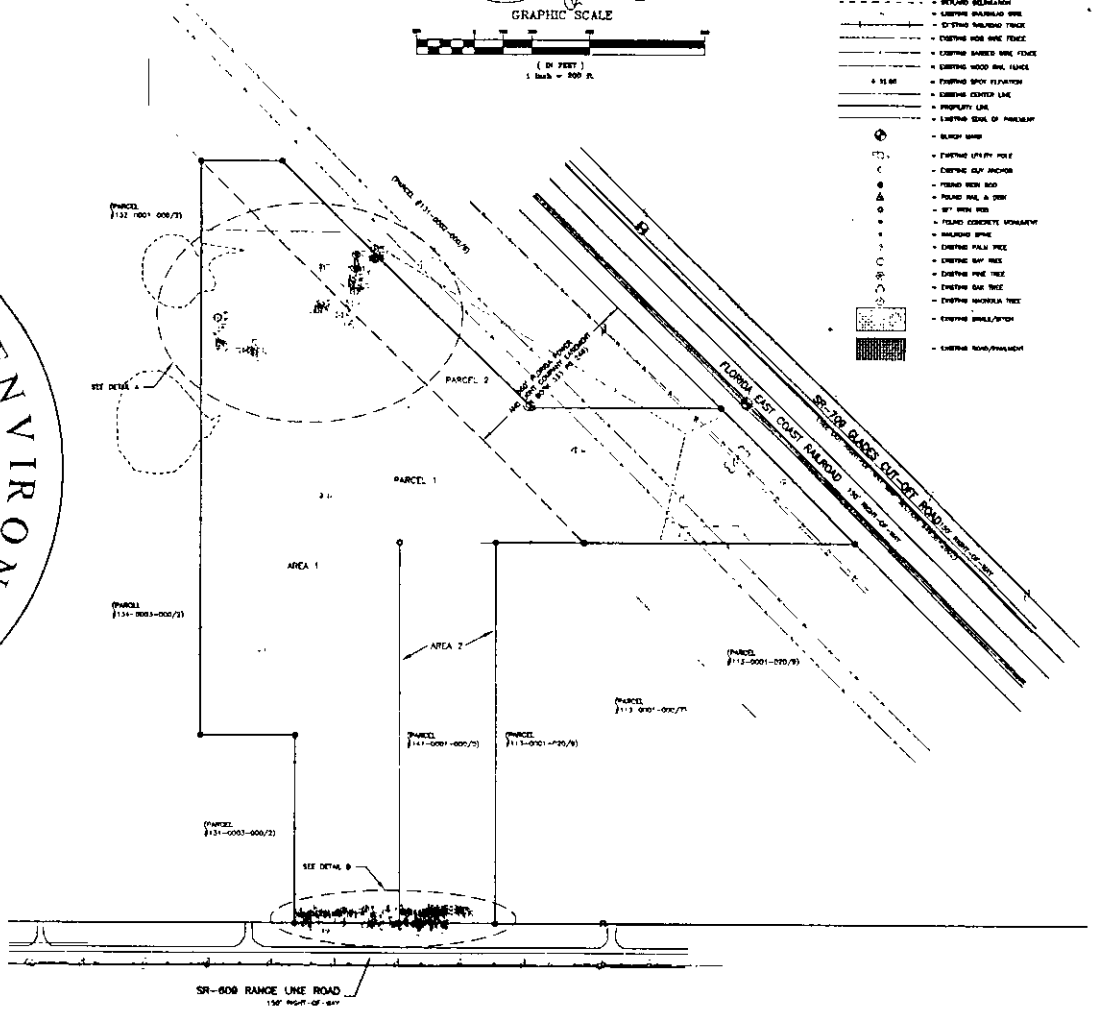
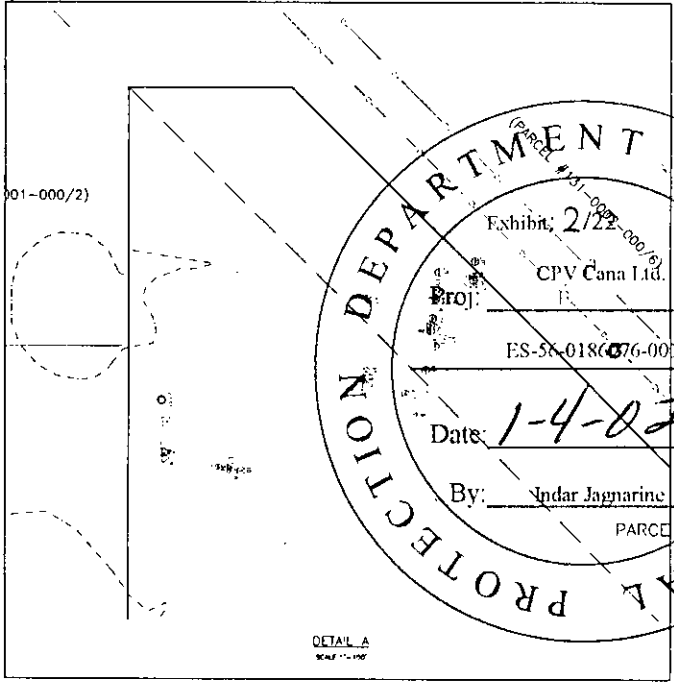
PROJECT NO: 10553403 DRAWING NO: 10553401

NOV 06 2001



- LEGEND**
- BELTED BOUNDARY
 - EXISTING PARALLEL FENCE
 - DOTTED PARALLEL FENCE
 - EXISTING HOE HOE FENCE
 - EXISTING BARBED WIRE FENCE
 - EXISTING WOOD POST RAIL FENCE
 - EXISTING WOOD POST RAIL FENCE
 - EXISTING CENTER LINE
 - PROPERTY LINE
 - EXISTING EDGE OF PARCELS
 - BUNCH MARK
 - EXISTING UPLIFT POLE
 - EXISTING GUY ANCHOR
 - POND WITH HOE
 - POND WITH A DIRT
 - SET BACK FENCE
 - PAVED CONCRETE DRIVEWAY
 - HOLLOW PIPE
 - EXISTING PALM TREE
 - EXISTING MAPLE TREE
 - EXISTING PINE TREE
 - EXISTING OAK TREE
 - EXISTING WOODLAND TREE
 - EXISTING SHRUB/SPRING
 - EXISTING ROAD/PAVEMENT

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Exhibit: 2/22
 CPV Cana Ltd.
 Proj: ES-56-0186076-001
 Date: 1-4-02
 By: Indar Jagnarine
 PARCEL



10557426.dwg 7:26:01 202740 pm EST

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	7/25/01		
2	7/25/01		

CPV CANA, LTD.



B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd, Suite 4, Melbourne, Florida (321) 725-3674



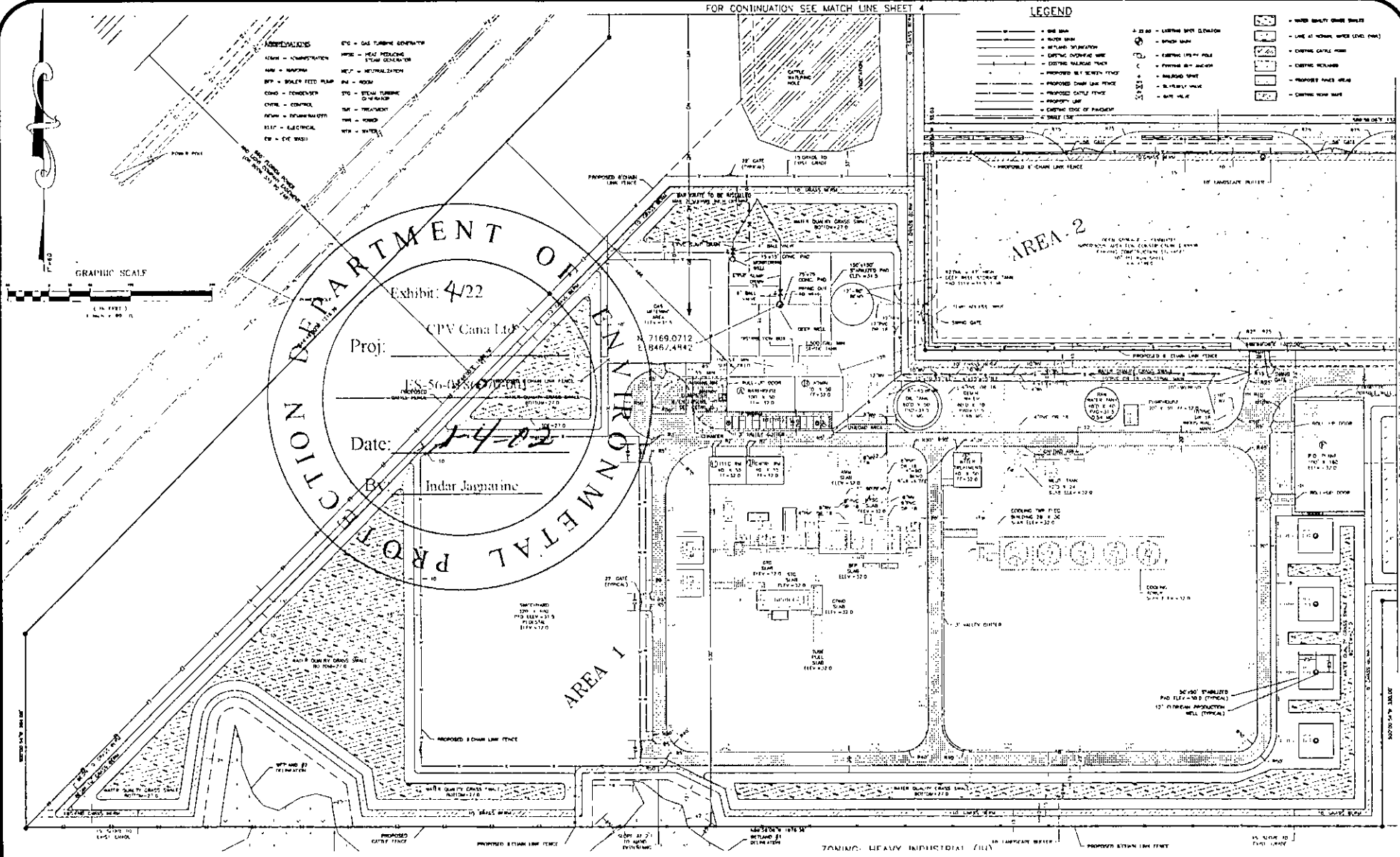
TREE SURVEY
 AREA 1 & AREA 2

DRAWING NO. 2001-002
 SHEET 26 OF 30
 DATE: 1/4/02
 0553

FOR CONTINUATION SEE MATCH LINE SHEET 4

LEGEND

- 6" DIA. PIPE
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- 120000" DIA. PIPE



DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Exhibit: 422
 Proj: CPV Cana Ltd.
 FS 56-000000-0001
 Date: 1-4-82
 By: Indar Jagannine

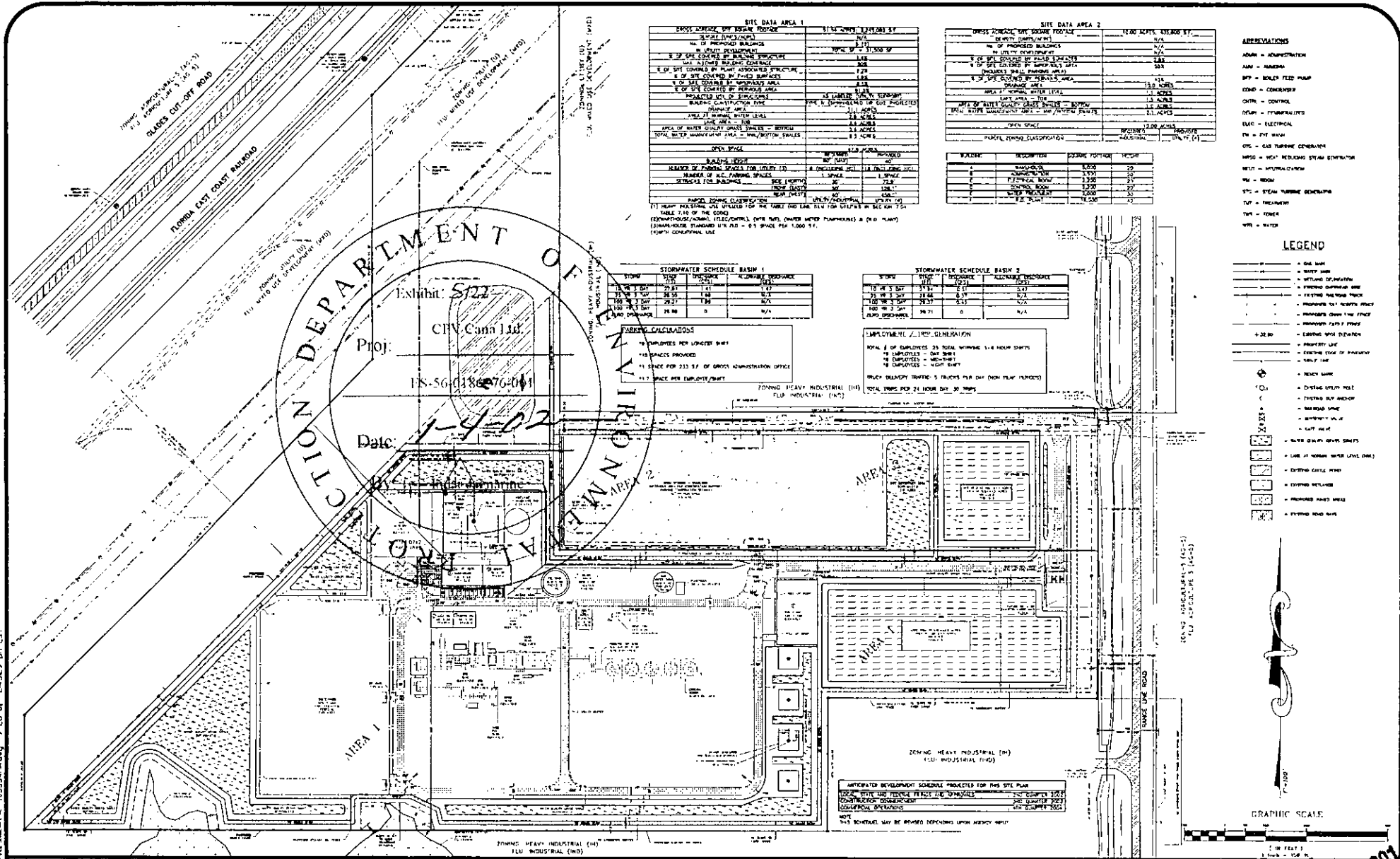
REVISED	DATE	BY	CHKD
1	8/12/01		
2	11/29/01		
3	4/26/02		
4	4/13/01		
5	4/13/01		
6	4/13/01		

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B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd. Suite 4, Melbourne, Florida (321) 725-3674

SITE PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2

NOV 28 2001



SITE DATA AREA 1

DEVELOPER	DATE
CPV-CANA, LTD.	1/15/02
NO. OF PROPOSED BUILDINGS	2
TOTAL AREA OF PROPOSED BUILDINGS	1,500 SF
% OF SITE COVERED BY PROPOSED BUILDINGS	0.08
% OF SITE COVERED BY PLANT APPROVED STRUCTURE	1.28
% OF SITE COVERED BY IMPAVED SURFACES	1.88
% OF SITE COVERED BY PAVED DRIVE	1.88
% OF SITE COVERED BY PAVED DRIVE	1.88
% OF SITE COVERED BY PAVED DRIVE	1.88
AREA OF WATER QUALITY SWALE - BOTTOM	24.8 ACRES
AREA OF WATER QUALITY SWALE - TOP	24.8 ACRES
TOTAL WATER QUALITY SWALE AREA - TOP/BOTTOM SWALES	49.6 ACRES
OPEN SPACE	17.3 ACRES
WATER	17.3 ACRES
PAVING	17.3 ACRES
PLANT APPROVED STRUCTURE	1.28 ACRES
IMPAVED SURFACES	1.88 ACRES
PAVED DRIVE	1.88 ACRES
AREA OF WATER QUALITY SWALE - BOTTOM	24.8 ACRES
AREA OF WATER QUALITY SWALE - TOP	24.8 ACRES
TOTAL WATER QUALITY SWALE AREA - TOP/BOTTOM SWALES	49.6 ACRES

SITE DATA AREA 2

DEVELOPER	DATE
CPV-CANA, LTD.	1/15/02
NO. OF PROPOSED BUILDINGS	N/A
TOTAL AREA OF PROPOSED BUILDINGS	N/A
% OF SITE COVERED BY PLANT APPROVED STRUCTURE	0.08
% OF SITE COVERED BY IMPAVED SURFACES	1.88
% OF SITE COVERED BY PAVED DRIVE	1.88
% OF SITE COVERED BY PAVED DRIVE	1.88
% OF SITE COVERED BY PAVED DRIVE	1.88
AREA OF WATER QUALITY SWALE - BOTTOM	24.8 ACRES
AREA OF WATER QUALITY SWALE - TOP	24.8 ACRES
TOTAL WATER QUALITY SWALE AREA - TOP/BOTTOM SWALES	49.6 ACRES
OPEN SPACE	17.3 ACRES
WATER	17.3 ACRES
PAVING	17.3 ACRES
PLANT APPROVED STRUCTURE	1.28 ACRES
IMPAVED SURFACES	1.88 ACRES
PAVED DRIVE	1.88 ACRES
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AREA OF WATER QUALITY SWALE - TOP	24.8 ACRES
TOTAL WATER QUALITY SWALE AREA - TOP/BOTTOM SWALES	49.6 ACRES

- ABBREVIATIONS**
- ADM - ADMINISTRATION
 - AMU - ASSEMBLY
 - BPT - BOLLER PILED PUMP
 - COND - CONDENSER
 - CONT - CONTROL
 - CRUC - CRUMBLER
 - ELEC - ELECTRICAL
 - EM - FIRE MANSION
 - GAS - GAS FURNACE GENERATOR
 - HPSO - HIGH PRESSURE STEAM GENERATOR
 - HUT - HYDRAULIC UNIT
 - ME - MECHANICAL
 - MT - MOTOR
 - ST - STEAM TURBINE GENERATOR
 - TWT - TREATMENT
 - TRM - TRUCK
 - WR - WATER

STORMWATER SCHEDULE BASIN 1

STORM	STORM	DISCHARGE	PERMISSIBLE DISCHARGE
15 MIN 3 DAY	27.21	1.41	N/A
15 MIN 3 DAY	28.50	1.40	N/A
15 MIN 3 DAY	29.21	1.38	N/A
15 MIN 3 DAY	29.88	1.36	N/A
15 MIN 3 DAY	30.50	1.34	N/A

STORMWATER SCHEDULE BASIN 2

STORM	STORM	DISCHARGE	PERMISSIBLE DISCHARGE
15 MIN 3 DAY	31.84	1.32	N/A
15 MIN 3 DAY	32.44	1.30	N/A
15 MIN 3 DAY	33.00	1.28	N/A
15 MIN 3 DAY	33.50	1.26	N/A
15 MIN 3 DAY	34.00	1.24	N/A

EMPLOYMENT CALCULATIONS

- 10 EMPLOYEES PER LONGEST SHIFT
- 10 SPACES PROVIDED
- 11 SPACES PER 233 SF OF GROSS ADMINISTRATION OFFICE
- 11.2 SPACES PER EMPLOYEE/SHIFT

EMPLOYMENT GENERATION

- TOTAL # OF EMPLOYEES 20 TOTAL WORKING 1/8 HOUR SHIFTS
- 10 EMPLOYEES - DAY SHIFT
- 10 EMPLOYEES - NIGHT SHIFT
- 10 EMPLOYEES - NIGHT SHIFT
- MUCH DELIVERY TRUCKS 5 TRUCKS PER DAY (NON PEAK PERIOD)
- TOTAL TRUCKS PER 24 HOUR DAY 30 TRUCKS

ZONING HEAVY INDUSTRIAL (HI)

FLU INDUSTRIAL (IND)

ANTICIPATED DEVELOPMENT SCHEDULE PROJECTED FOR THIS SITE PLAN

100% SITE AND PERMIT PLAN FOR PHASE 1 - 2002

CONSTRUCTION COMMENCEMENT - 2ND QUARTER 2002

CONSTRUCTION COMPLETION - 4TH QUARTER 2002

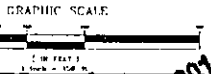
100% SCHEDULE MAY BE REVISED DEPENDING UPON MARKET NEED

03/15/02 10:53 AM 9-26-01 24-529 011 EST
 03/15/02 10:53 AM 9-26-01 24-529 011 EST
 03/15/02 10:53 AM 9-26-01 24-529 011 EST
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CPV-CANA, LTD.

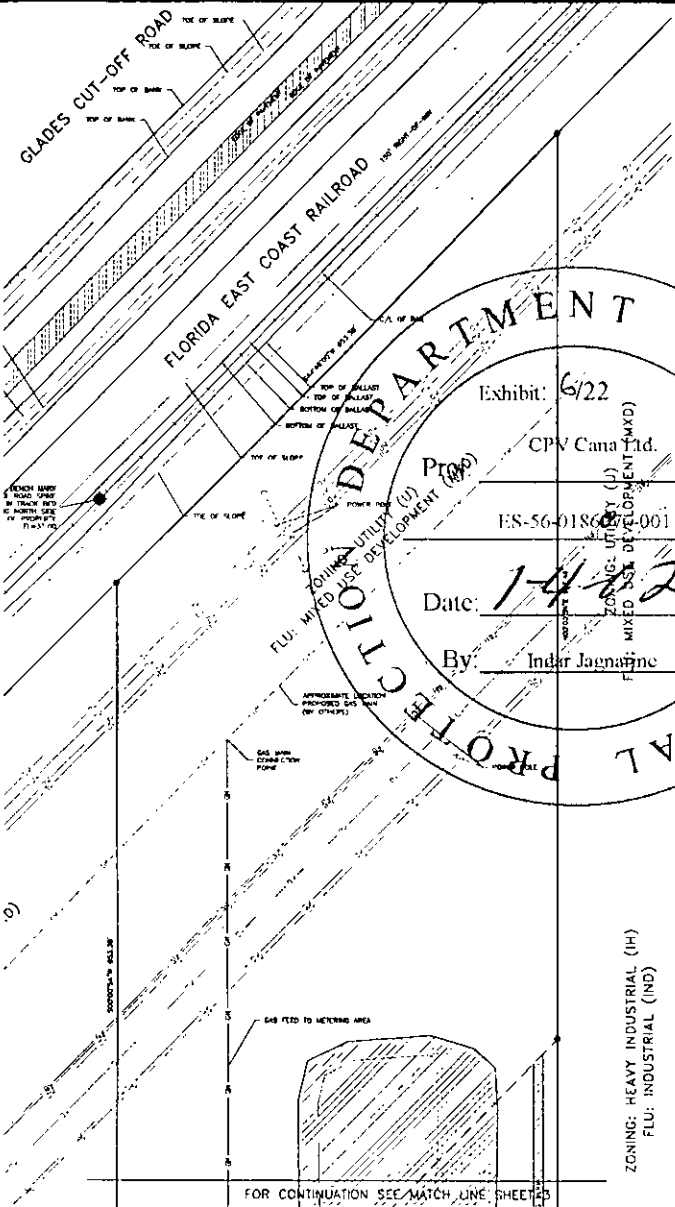
B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd. Suite 4, Melbourne, Florida (321) 725-3674

OVERALL SITE PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2



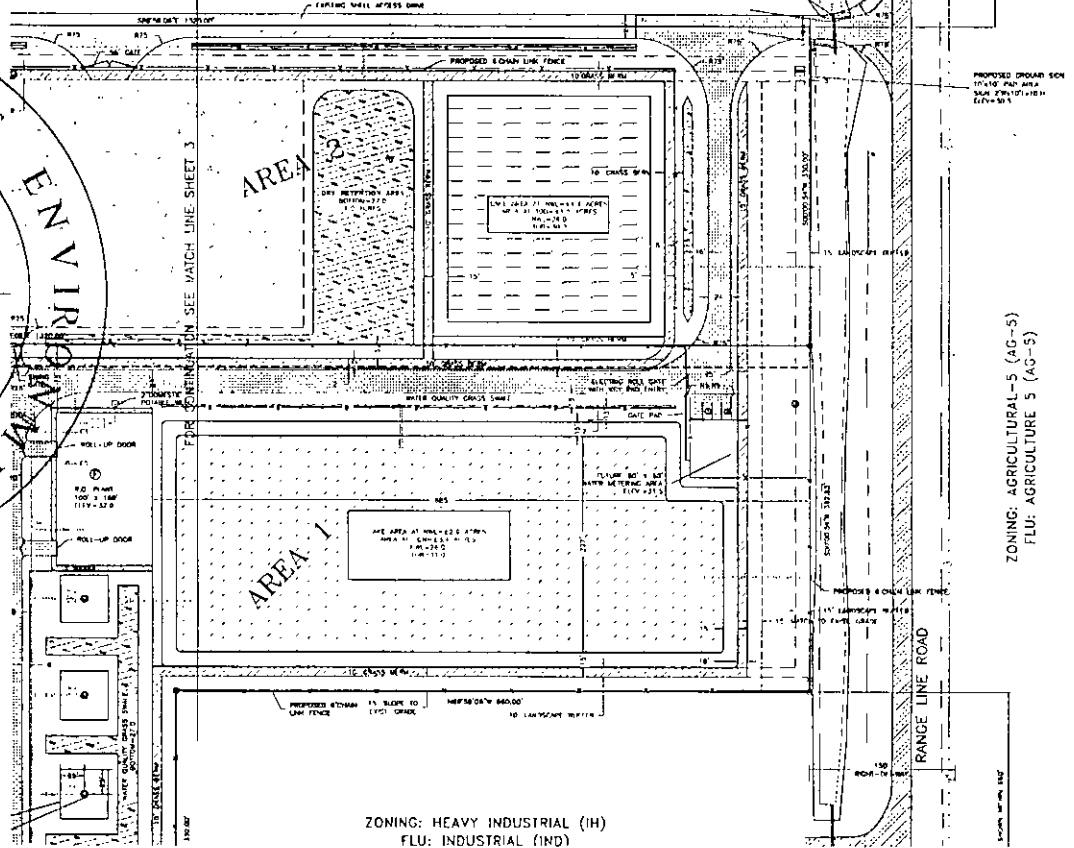
DATE: 4/12/02
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

© 2001 B.S.E. CONSULTANTS, INC. 9-25-01 245529 ON E5T



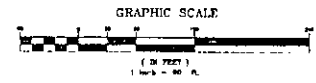
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Exhibit: 6/22
 Project: CPV Cana Ltd.
 ES-56-0186001
 Date: 1-4-02
 By: Inder Jaenarine
 ZONING: MIXED USE DEVELOPMENT (MUD)
 FLU: MIXED USE DEVELOPMENT (MUD)

ZONING: HEAVY INDUSTRIAL (IH)
 FLU: INDUSTRIAL (IND)



ZONING: HEAVY INDUSTRIAL (IH)
 FLU: INDUSTRIAL (IND)

ZONING: AGRICULTURAL-5 (AG-5)
 FLU: AGRICULTURE 5 (AG-5)



FOR CONTINUATION SEE MATCH LINE SHEETS

NO.	DESCRIPTION	DATE
1	PRELIMINARY	1/1/01
2	REVISED	1/1/01
3	REVISED	1/1/01
4	REVISED	1/1/01
5	REVISED	1/1/01
6	REVISED	1/1/01
7	REVISED	1/1/01
8	REVISED	1/1/01
9	REVISED	1/1/01
10	REVISED	1/1/01

CPV CANA, LTD.



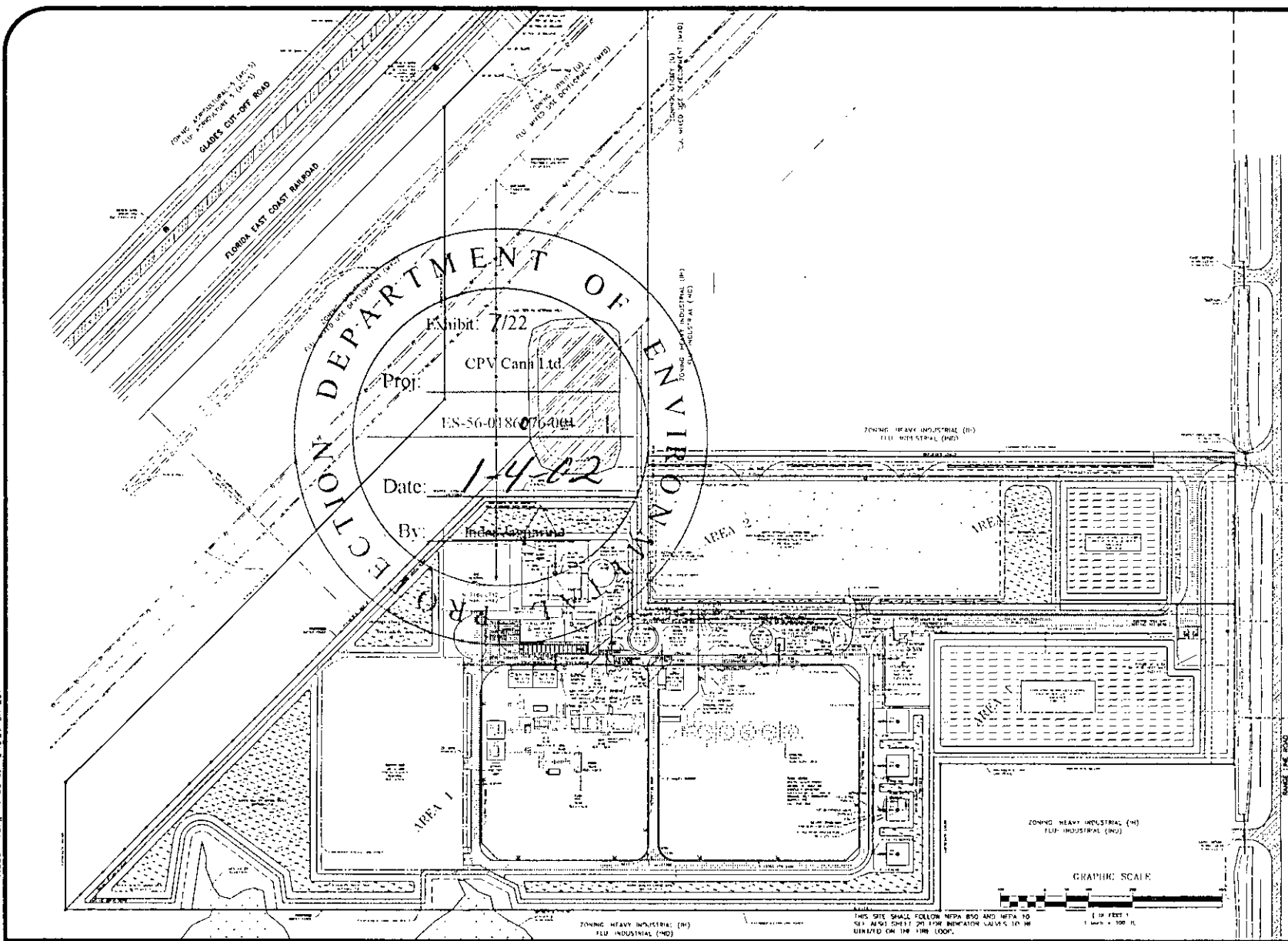
B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd. Suite 4, Melbourne, Florida (321) 725-3674



SITE PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2

NO. 1-01-2001

205534NA.dwg 9-26-01 2:49:29 pm EST



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Exhibit: 7/22
 Proj: CPV Cana Ltd.
 ES-56-0186076-004
 Date: 1-4-02
 By: Indec Engineering

- ABBREVIATIONS**
- ADM - ADMINISTRATION
 - AM - AMMUNITION
 - BT - BUILT (EED) MAP
 - CON - CONCRETE
 - CONC - CONTROL
 - DEM - DEMONSTRATION
 - ELC - ELECTRICAL
 - EP - EYE WASH
 - ETS - GAS TURBINE GENERATOR
 - HTS - HEAT RECOVERING STEAM GENERATOR
 - HT - HYDROTHERMAL
 - IS - ISOLATION
 - STG - STEAM TURBINE GENERATOR
 - TST - TREATMENT
 - TWR - TOWER
 - WTR - WATER

- LEGEND**
- GAS MAIN
 - WATER MAIN
 - WETLAND DELINEATION
 - FUTURE OUTFALL WAY
 - EXISTING RAILROAD TRACK
 - PROPOSED BUILT BOTTLED FLAME
 - PROPOSED CHINA LIME PLANT
 - PROPOSED COKE PLANT
 - EXISTING WPT PIPELINE
 - EXISTING WPT PIPELINE
 - PROPERTY LINE
 - EXISTING EDGE OF PLANTMENT
 - STAKE LINE
 - FIVE MINUTE VELOCITY
 - BENCH MARK
 - EXISTING UTILITY POLE
 - EXISTING GUY ANCHOR
 - WETLAND BOUNDARY
 - BUTTERFLY VALVE
 - SITE WEDGE
 - WATER QUALITY MONITOR STATION
 - EAST OF NORMAL WATER (EWN) POINT
 - EXISTING CURB CUT
 - EXISTING WPT PIPE
 - EXISTING WPT PIPE
 - PROPERTY BOUNDARY
 - TO THIS SHEET ONLY



THIS SITE SHALL FOLLOW NEPA AND NEPA TO 25% AND 50% OF THE BENCHMARK VALUES TO BE LIMITED ON THE FIRE LOOP.

ALL VALUES ON THIS MAP TO BE ADJUSTED BY INDICATOR POST VALUES PER DETAIL #102028

DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
DATE	DATE

CPV CANA, LTD.

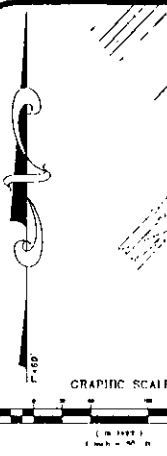


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OVERALL UTILITY PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2

MINY 01/11/02



- ABBREVIATIONS**
- ATS - GAS ENGINE GENERATOR
 - MBSC - MEAT PACKING STEAM GENERATOR
 - ADM - ADMINISTRATION
 - BYP - BULKY FUEL PUMP
 - COND - CONDENSER
 - CNTRL - CONTROL
 - DEW - DEMINERALIZED
 - ETC - ELECTRICAL
 - EM - LIVE MAN
 - HTG - HEATING
 - HTG - HEATING
 - MC - MEAT CANTINA
 - PH - ROOM
 - SH - STEAM TRAPPING
 - TR - TREATMENT
 - TR - TRUCK
 - WTR - WATER

- LEGEND**
- LIVE MAN
 - WATER MAIN
 - WETLAND DELINEATION
 - EXISTING OVERHEAD WIRE
 - EXISTING UNDERGROUND POWER
 - PROPOSED 12" SEWER MAIN
 - PROPOSED CHAIN LINK FENCE
 - PROPOSED CATTLE FENCE
 - PROPERTY LINE
 - EXISTING EDGE OF PAVEMENT
 - BENCH MARK
 - EXISTING UTILITY POLE
 - EXISTING SIGN ANCHOR
 - EXISTING VALVE
 - EXISTING ROAD BUILT
 - EXISTING ROAD WIDE
 - EXISTING ROAD SIDE
 - EXISTING ROAD RIGHT
 - EXISTING ROAD LEFT
 - EXISTING ROAD WIDTH
 - EXISTING ROAD RIGHT
 - EXISTING ROAD LEFT
 - EXISTING ROAD WIDTH
 - EXISTING ROAD RIGHT
 - EXISTING ROAD LEFT
 - EXISTING ROAD WIDTH
 - EXISTING ROAD RIGHT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Exhibit: 8/22

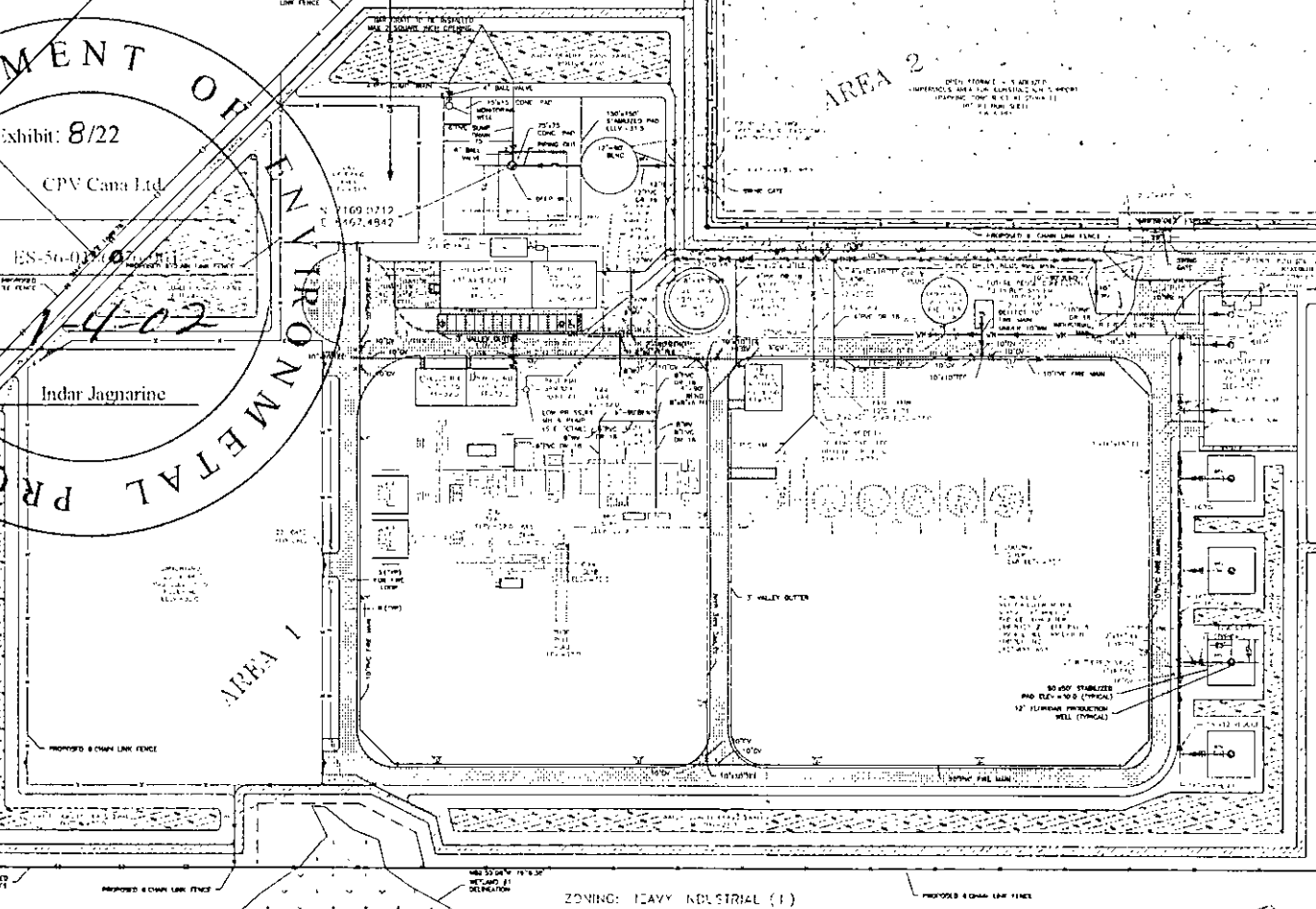
CPV Cana Ltd

Proj: _____

ES-56-018-02

Date: 1-4-02

By: Indar Jagnarine



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	1/11/01
2	ISSUED FOR PERMITS	1/29/01
3	ISSUED FOR PERMITS	2/28/01
4	SUBMITTAL	4/11/01
5	ISSUED FOR PERMITS	7/13/01

CPV CANA, LTD.

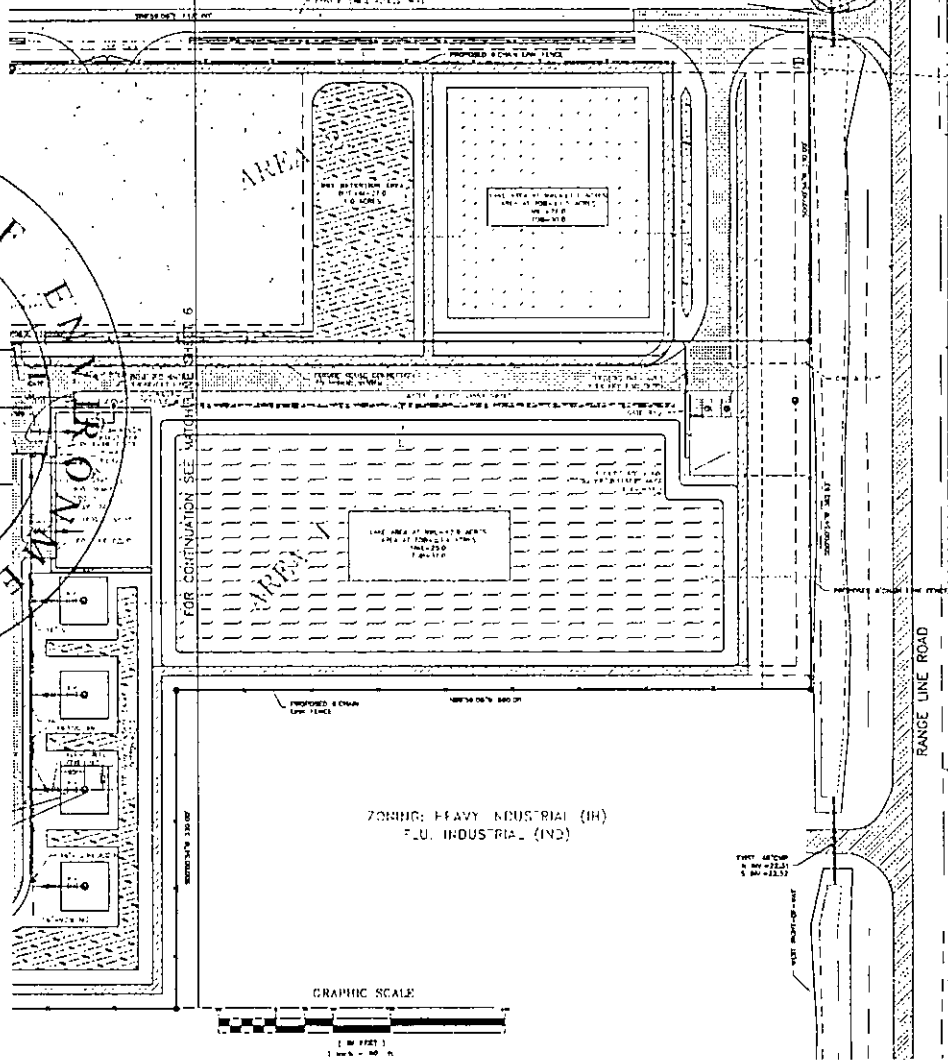
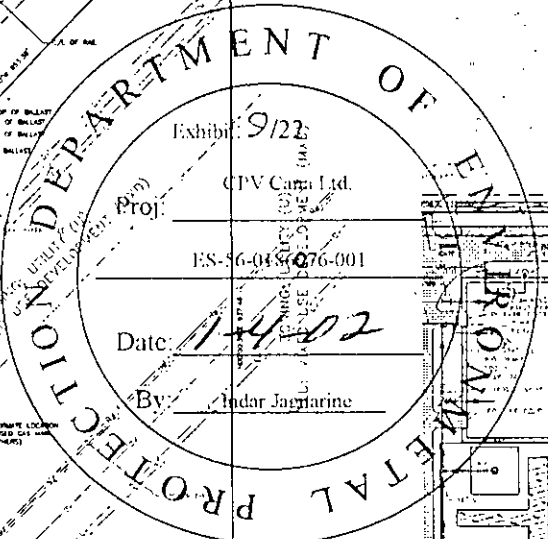
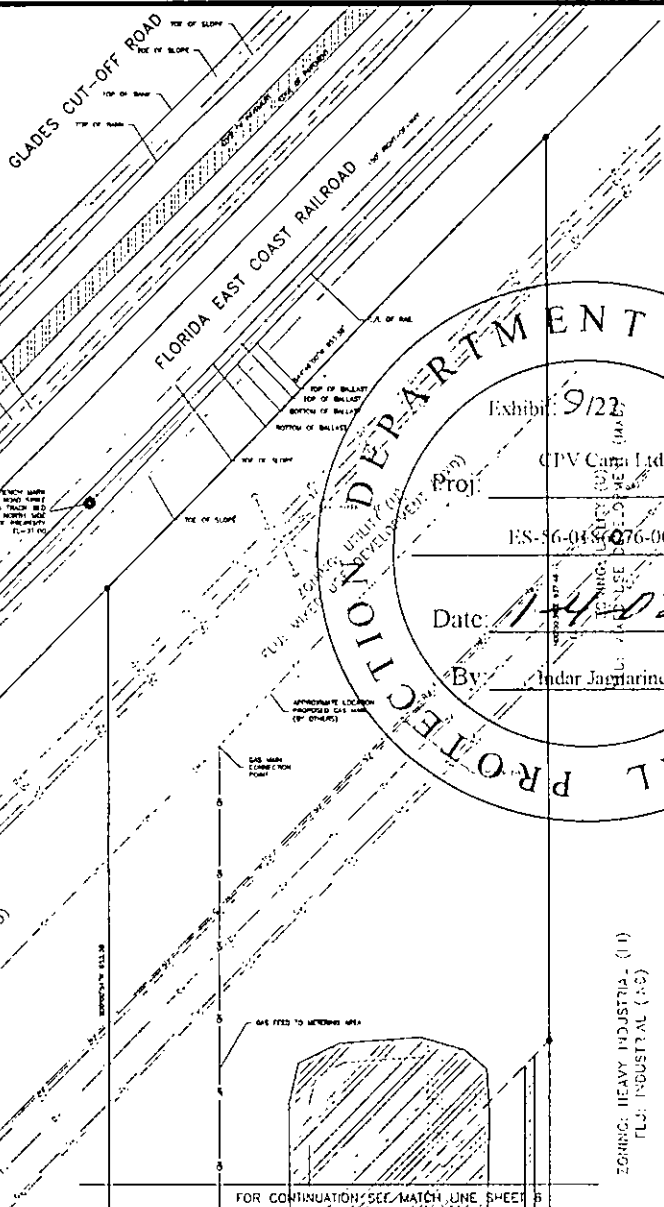
B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd. Suite 4, Melbourne, Florida (321) 725-3674

UTILITY PLAN
AREA 1-BASIN 1, AREA 2-BASIN 2

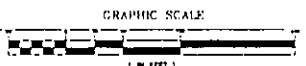
NOV 05 2001

ZONING: HEAVY INDUSTRIAL (IH)
 FLU: INDUSTRIAL (IN2)

REMARK: SEE SHEET 1
 8-10-2001
 8-10-2001



ZONING: AGRICULTURAL 3 (AS-3)
 FLU: AGRICULTURE 3 (AS-3)



01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

NO. 1	DATE	BY
1	4/17/01	CPV
2	4/17/01	CPV
3	4/17/01	CPV

CPV CANA, LTD.



B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd., Suite 4, Melbourne, Florida (321) 725-3674



UTILITY PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2

01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

FOR CONTINUATION SEE MATCH LINE SHEET 10

LEGEND

- ABBREVIATIONS**
- AGM = AIR HEAT EXCHANGER
 - AWG = AIR-WATER GENERATOR
 - AWH = AIR-WATER HEAT EXCHANGER
 - AWM = AIR-WATER MIXER
 - AWP = AIR-WATER PUMP
 - AWR = AIR-WATER REHEATER
 - AWT = AIR-WATER TOWER
 - AWY = AIR-WATER YARD
 - AWZ = AIR-WATER ZONE
 - AWA = AIR-WATER WASH
 - AWB = AIR-WATER BURNER
 - AWC = AIR-WATER COOLER
 - AWD = AIR-WATER DRYER
 - AWE = AIR-WATER EXHAUST
 - AWF = AIR-WATER FAN
 - AWG = AIR-WATER GEAR
 - AWH = AIR-WATER HEAT EXCHANGER
 - AWI = AIR-WATER INLET
 - AWJ = AIR-WATER JACKET
 - AWK = AIR-WATER KILN
 - AWL = AIR-WATER LAMP
 - AWM = AIR-WATER MIXER
 - AWN = AIR-WATER NUCLEAR
 - AWO = AIR-WATER OVEN
 - AWP = AIR-WATER PUMP
 - AWR = AIR-WATER REHEATER
 - AWS = AIR-WATER SPLITTER
 - AWT = AIR-WATER TOWER
 - AWU = AIR-WATER UNIT
 - AWV = AIR-WATER VALVE
 - AWW = AIR-WATER WASH
 - AWX = AIR-WATER X-RAY
 - AWY = AIR-WATER YARD
 - AWZ = AIR-WATER ZONE

- 1" = 10' GRADE
- 2" = 20' GRADE
- 3" = 30' GRADE
- 4" = 40' GRADE
- 5" = 50' GRADE
- 6" = 60' GRADE
- 7" = 70' GRADE
- 8" = 80' GRADE
- 9" = 90' GRADE
- 10" = 100' GRADE
- 11" = 110' GRADE
- 12" = 120' GRADE
- 13" = 130' GRADE
- 14" = 140' GRADE
- 15" = 150' GRADE
- 16" = 160' GRADE
- 17" = 170' GRADE
- 18" = 180' GRADE
- 19" = 190' GRADE
- 20" = 200' GRADE
- 21" = 210' GRADE
- 22" = 220' GRADE
- 23" = 230' GRADE
- 24" = 240' GRADE
- 25" = 250' GRADE
- 26" = 260' GRADE
- 27" = 270' GRADE
- 28" = 280' GRADE
- 29" = 290' GRADE
- 30" = 300' GRADE
- 31" = 310' GRADE
- 32" = 320' GRADE
- 33" = 330' GRADE
- 34" = 340' GRADE
- 35" = 350' GRADE
- 36" = 360' GRADE
- 37" = 370' GRADE
- 38" = 380' GRADE
- 39" = 390' GRADE
- 40" = 400' GRADE
- 41" = 410' GRADE
- 42" = 420' GRADE
- 43" = 430' GRADE
- 44" = 440' GRADE
- 45" = 450' GRADE
- 46" = 460' GRADE
- 47" = 470' GRADE
- 48" = 480' GRADE
- 49" = 490' GRADE
- 50" = 500' GRADE



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Exhibit: 11/22

Proj: CPV Cana Ltd.

ES-56-018-07-019

Date: 7/1/02

By: Inda Marine

AREA 1

AREA 2

BASIN #1 ZONING: HEAVY INDUSTRIAL (IH)

DESIGNED BY	3/13/01
CHECKED BY	2/28/01
DATE	4/23/01
SCALE	1" = 100'
PROJECT	CPV CANA LTD.
DATE	7/1/02

CPV CANA, LTD.

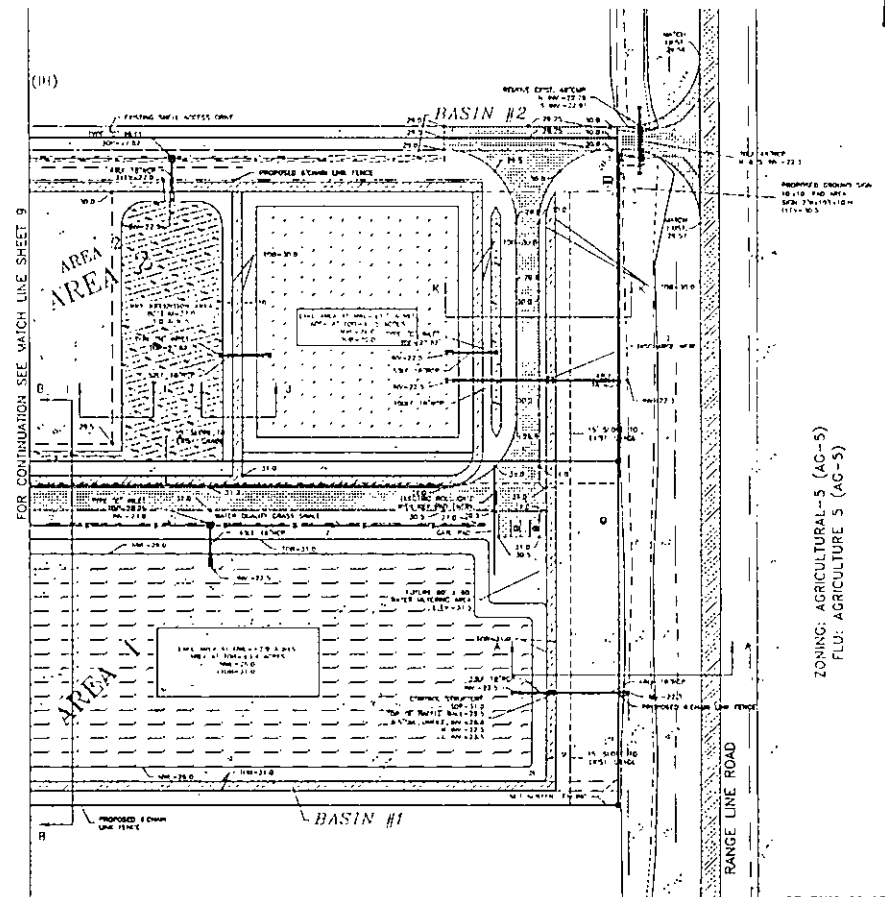
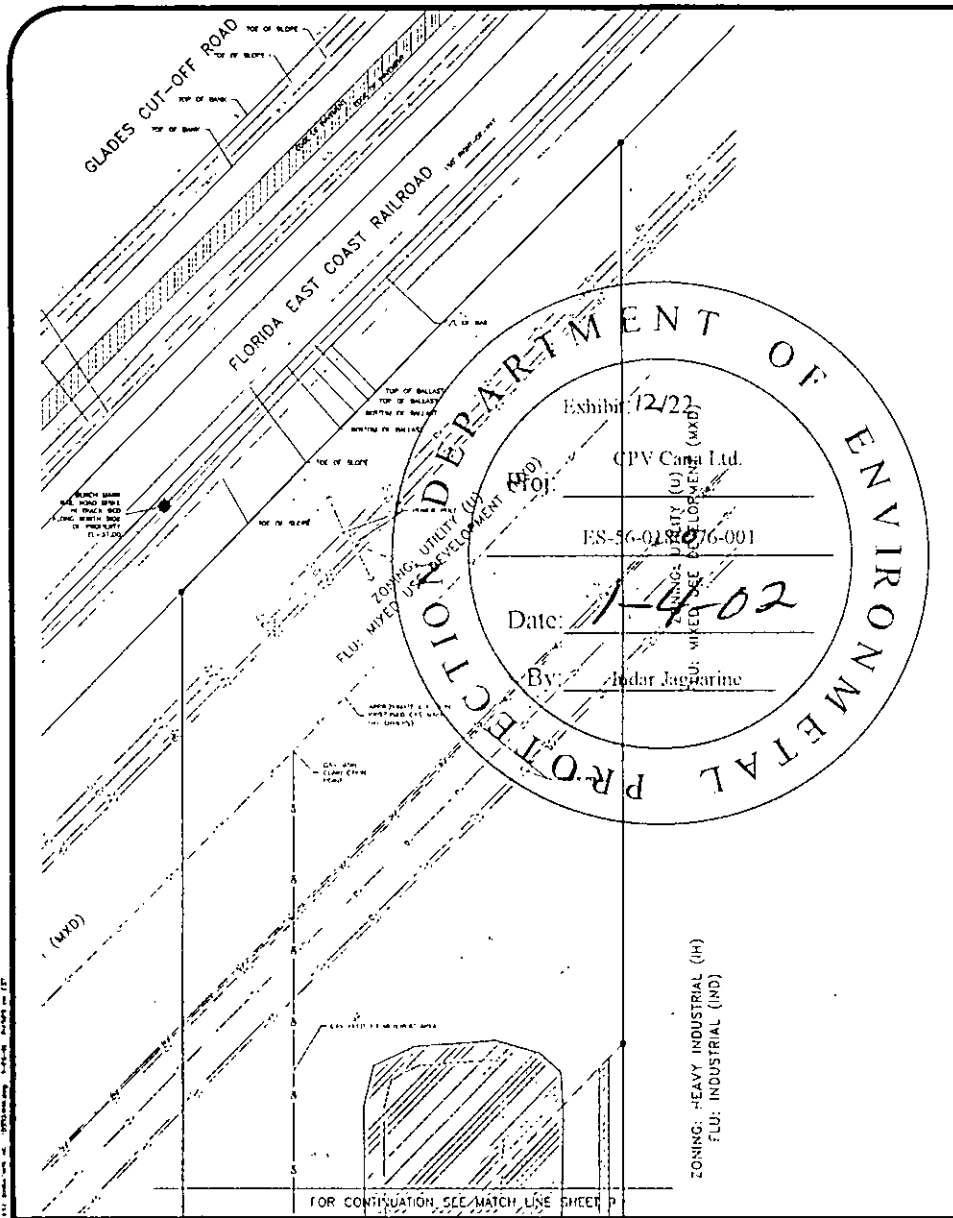


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DRAINAGE PLAN
AREA 1-BASIN 1, AREA 2-BASIN 2

NOV 12 2002



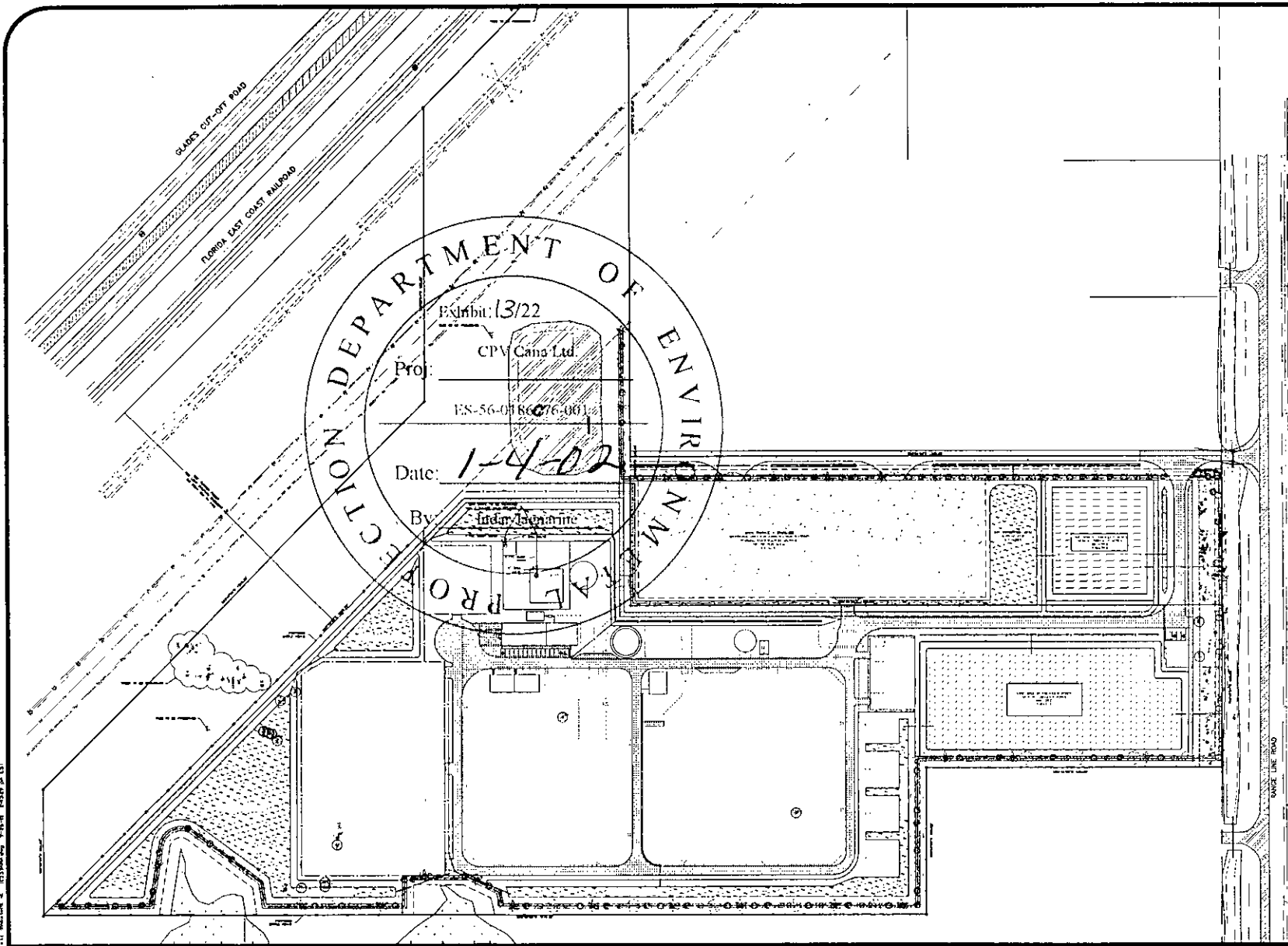
DATE	BY	CHKD
6/12/01		
DATE	BY	CHKD
6/12/01		

CPV CANA, LTD.

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312 S. Harbor City Blvd, Suite 4, Melbourne, Florida (321) 725-3674

DRAINAGE PLAN
AREA 1-BASIN 1, AREA 2-BASIN 2

MAILED 2002



- ABBREVIATIONS**
- ADMN - ADMINISTRATION
 - AMN - AMENITY
 - BPF - BOLEY FEED PUMP
 - CONC - CONCRETE
 - ENTR - ENTRANCE
 - DRY - DRAINAGE
 - ELEC - ELECTRICAL
 - EW - EYE WASH
 - GSC - GAS SUPPLY CONTAINER
 - HRSR - HEAT REDUCING STEAM HEATER
 - HEAT - HEATING SYSTEM
 - RM - ROOM
 - STG - STEAM TURBINE GENERATOR
 - TMT - TREATMENT
 - TWR - TOWER
 - WTR - WATER

- EXISTING_TREE_LEGEND**
- - EXISTING PINE TREE
 - - EXISTING BAY TREE
 - - EXISTING PALM TREE
 - - EXISTING OAK TREE
 - - EXISTING MANGROVE TREE

○ - TREES TO BE REMOVED & REPLANTED FOR ALL EXISTING TREES TO BE REMOVED EXCEPT FOR THE TREES WITHIN THE FIRST 15' WEST OF RAILROAD LINE ROAD RIGHT OF WAY UNLESS NOTED OTHERWISE. SEE SHEET 13 FOR PLANTING SCHEDULE & PLANTING NOTES.



DATE	BY	CHKD	APP'D
1/10/02	[Signature]	[Signature]	[Signature]

CPV CANA, LTD.

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 312 S. Harbor City Blvd, Suite 4, Melbourne, Florida (321) 725-3674

OVERALL LANDSCAPE PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2

NOV 20 2002

FOR CONTINUATION SEE MATCH LINE SHEET 13

EXISTING TREE LEGEND

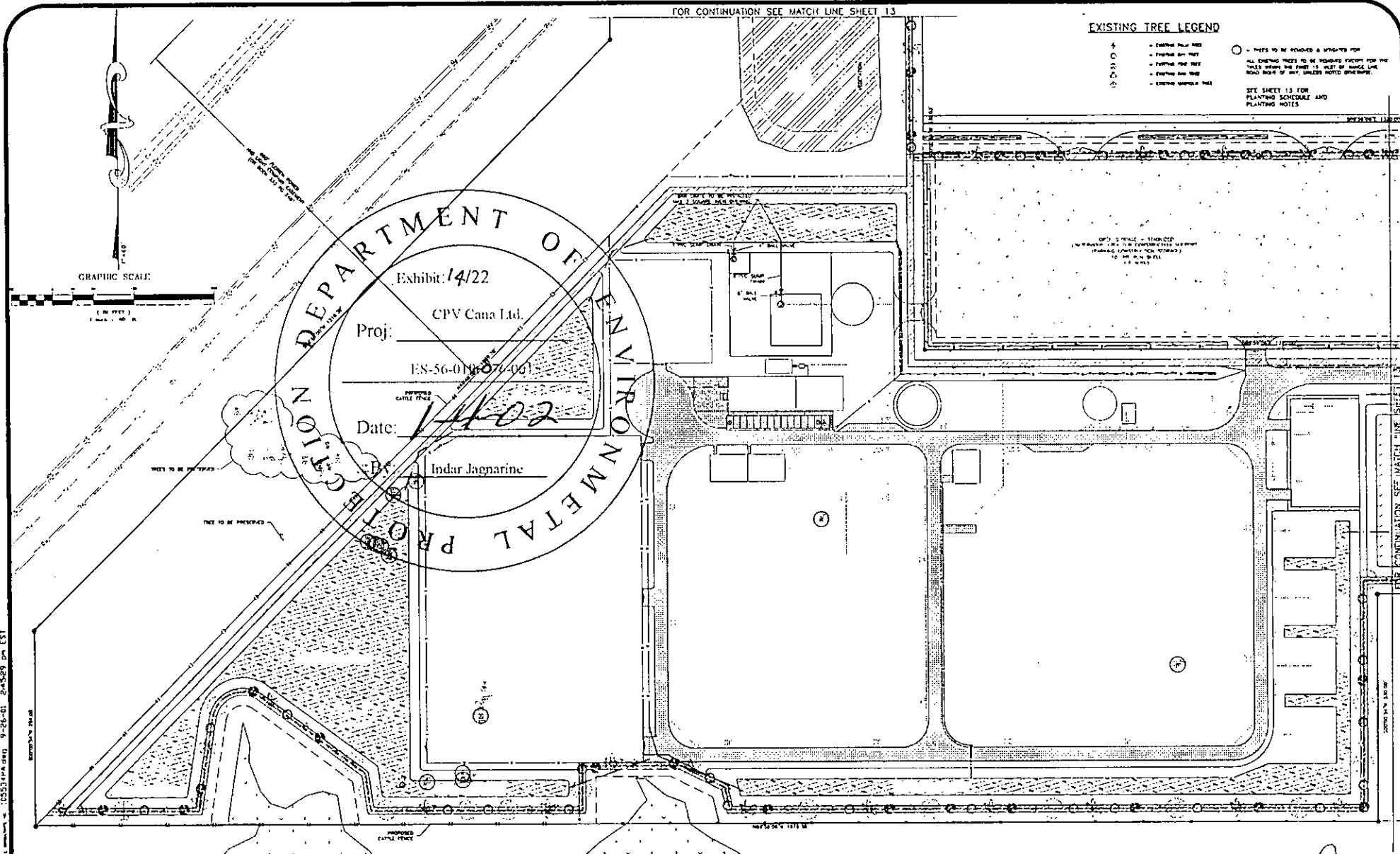
- ⊕ - EXISTING PALM TREE
 - ⊙ - EXISTING OAK TREE
 - ⊙ - EXISTING PINE TREE
 - ⊙ - EXISTING CYPRESS TREE
 - ⊙ - EXISTING SPANISH PALM
 - ⊙ - TREES TO BE REMOVED & REPLANTED FOR
- ALL EXISTING TREES TO BE REMOVED EXCEPT FOR THE TREES SHOWN AND NOTED TO THE WEST OF MATCH LINE ROAD RIGHT OF WAY, UNLESS NOTED OTHERWISE.

SEE SHEET 13 FOR PLANTING SCHEDULE AND PLANTING NOTES

GRAPHIC SCALE:

1" = 100'

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Exhibit: 14/22
 Proj: CPV Cana Ltd.
 ES-56-01 (879-06)
 Date: 1/14/02
 By: Indur Jagarine



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REVISED	DATE	BY
1	8/22/01	Indur Jagarine
2	1/29/02	Indur Jagarine
3	4/28/02	Indur Jagarine
4	4/12/01	Indur Jagarine
5	4/12/01	Indur Jagarine
6	4/12/01	Indur Jagarine

CPV CANA, LTD.



B.S.E. CONSULTANTS, INC.
 CONSULTING, ENGINEERING, LAND SURVEYING
 312 S. Harbor City Blvd. Suite 4, Melbourne, Florida (321) 725-3674



LANDSCAPE PLAN
 AREA 1-BASIN 1, AREA 2-BASIN 2

NOV 14 2001

INDUR JAGARINE
 1/29/02

GLADES CUT-OFF ROAD

FLORIDA EAST COAST RAILROAD

DEPARTMENT OF ENVIRONMENTAL PROTECTION

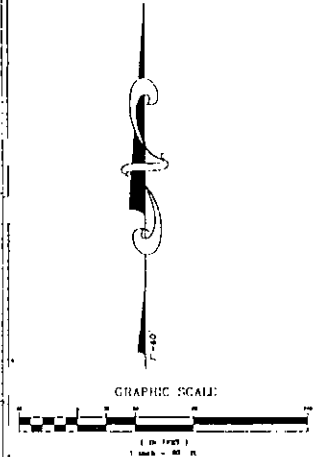
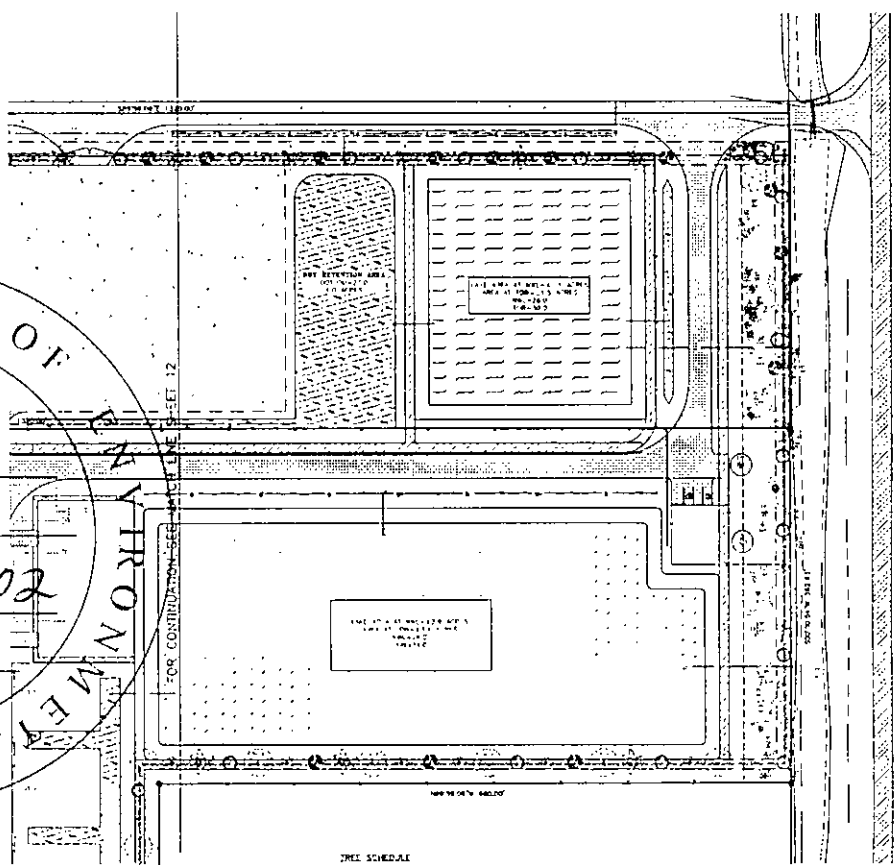
Exhibit: 1522

Proj: CPV Cana Ltd.

ES 56-018076-001

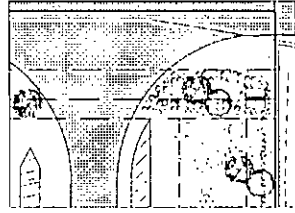
Date: 1-14-02

By: Indar Jagnarine



EXISTING TREE LEGEND

- - EXISTING 4" DBH TREE
- - EXISTING 6" DBH TREE
- - EXISTING 8" DBH TREE
- - EXISTING 10" DBH TREE
- - EXISTING 12" DBH TREE



SYMBOL	COMMON NAME	BOTANICAL NAME	SPECIFICATION	PLANTED QUANTITY	REMOVED QUANTITY
○	LIME OAK	QUERCUS VIMBRANA	1 1/2" DBH @ 4' HEIGHT 1.5' SPREAD 12' HT. 1.5' SPREAD 1 CLEAR TRUNK	30	0
○	EAST PALMBA BOLL	ALBIZIA ATERMILA	1 1/2" DBH @ 4' HEIGHT 1.5' SPREAD 12' HT. 1.5' SPREAD 1 CLEAR TRUNK	12	0
○	SLASH PINE	PINUS ELIOTI	1 1/2" DBH @ 4' HEIGHT 1.5' SPREAD 12' HT. 1.5' SPREAD 1 CLEAR TRUNK	26	0
○	COAST SPINALE	LANTERNFLORA INDICA	1 1/2" DBH @ 4' HEIGHT 1.5' SPREAD 12' HT. 1.5' SPREAD 1 CLEAR TRUNK	11	0
○	CAROLINA CHERRY LIME	PRUNUS CAROLINANA	1 1/2" DBH @ 4' HEIGHT 1.5' SPREAD 12' HT. 1.5' SPREAD 1 CLEAR TRUNK	31	0
○				117	0

TYPE	NOVIES/SPITS REMOVED	REMOVED INCHES/FEET	NOTES
TRUNK	188	188	0
BRANCH	12	12	0

SYMBOL	COMMON NAME	BOTANICAL NAME	SPECIFICATION	PLANTED QUANTITY	REMOVED QUANTITY
○	SHOW BERRY	ORNITHOGALON	3 GAL. 3' O.C. 3" HT.	728	12
○	ORANGE	HELIOPSIS	3 GAL. 3' O.C. 3" HT.	728	0
○	SOUTHERN WAX SHRUB	LYNCHIA CALIFORNICA	3 GAL. 3' O.C. 3" HT.	728	16
				1924	28

NOTES

1. ALL UNPLANTED LANDSCAPES SHALL TO BE COVERED WITH LIVING MULCH LANDSCAPE FABRIC OR EQUAL PRIOR TO PLANTING AND SOAKING.

2. ALL LANDSCAPES SHALL BE 2" MINIMUM DEPTH OF PAKE MULCH.

3. REMOVE EXISTING LANDSCAPE TO BE PLANTED AT THE SPECIFIED LOCATIONS. THIS IS INCLUDING LANDSCAPING MATERIALS AND PRODUCTS.

FOR CONTINUATION SEE MATCH LINE SHEET 12

DESIGNED BY	DATE
CHECKED BY	DATE
DRAWN BY	DATE
SCALE	

CPV CANA, LTD.

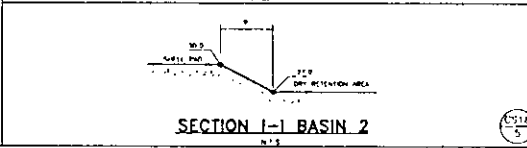
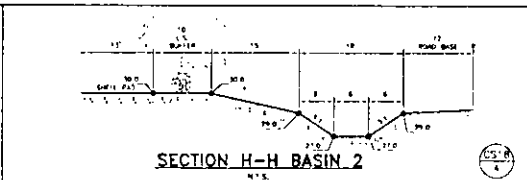
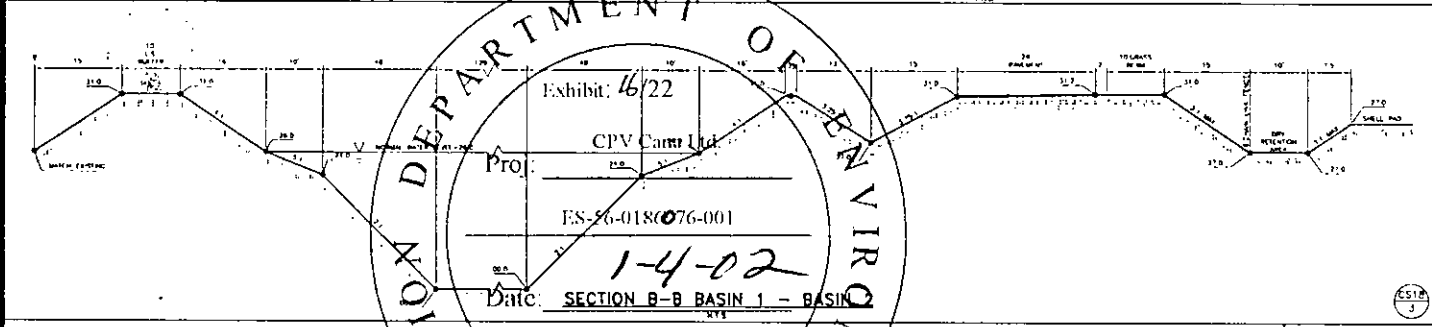
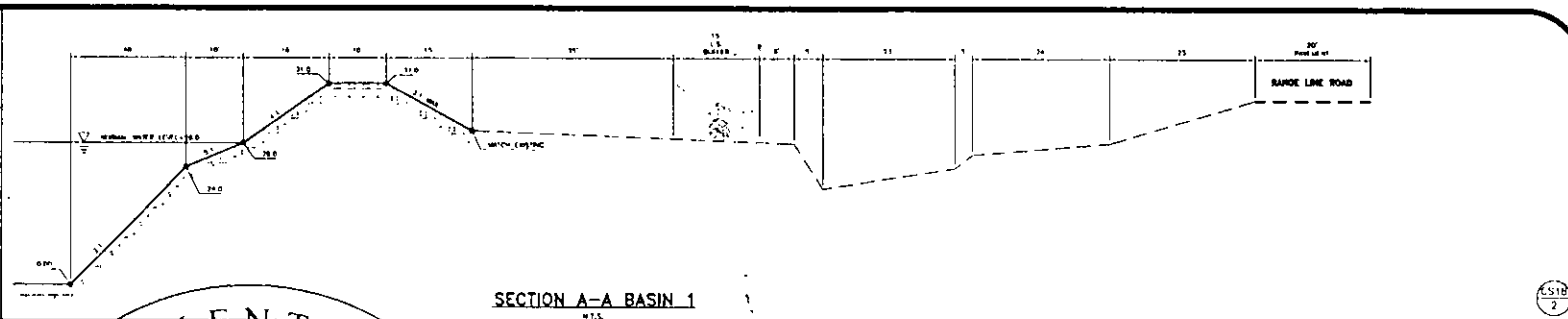
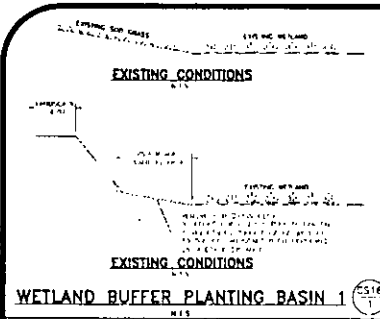


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CONSULTING, ENGINEERING, LAND SURVEYING
312 S. Harbor City Blvd. Suite 4, Melbourne, Florida (321) 725-3674

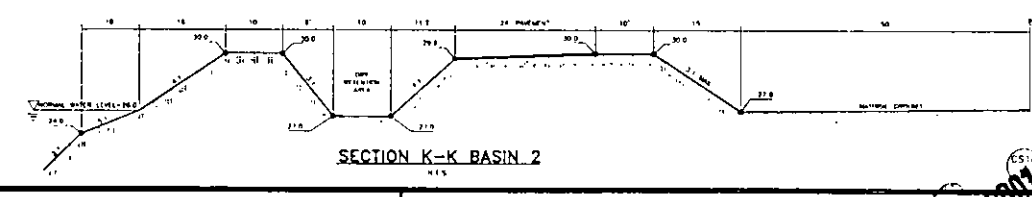
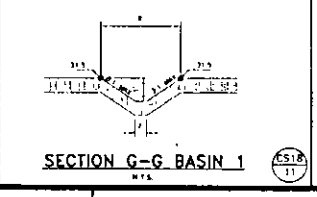
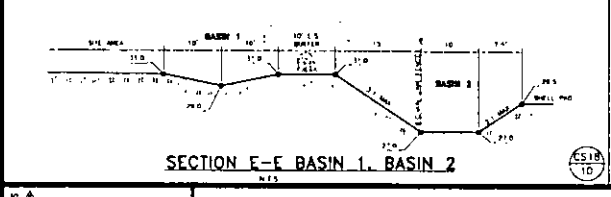
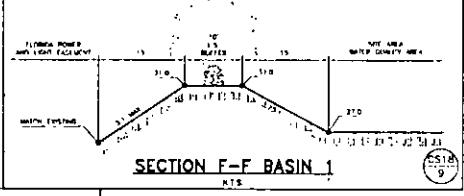
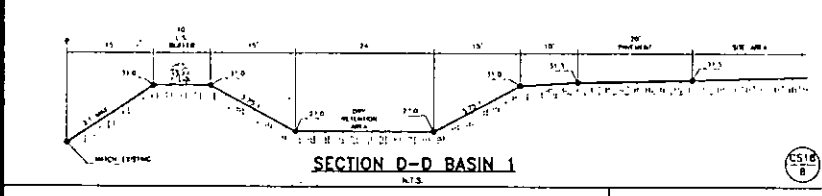
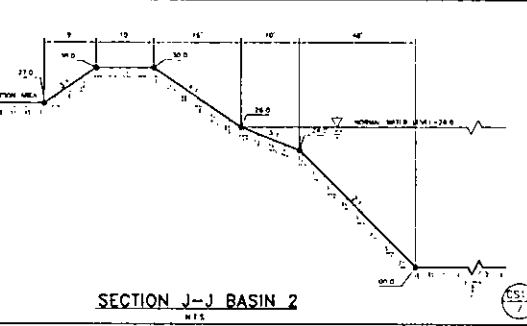
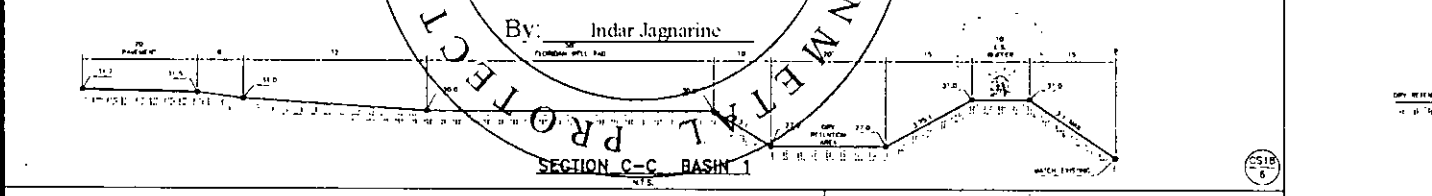


LANDSCAPE PLAN
AREA 1-BASIN 1, AREA 2-BASIN 2

Handwritten signatures and dates, including a date stamp 'MAY 14 2002'.



DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Exhibit: 46/22
 CPV Cana Ltd.
 Proj: ES-56-018076-001
 Date: 1-4-02
 SECTION B-B BASIN 1 - BASIN 2
 By: Indar Jagarine



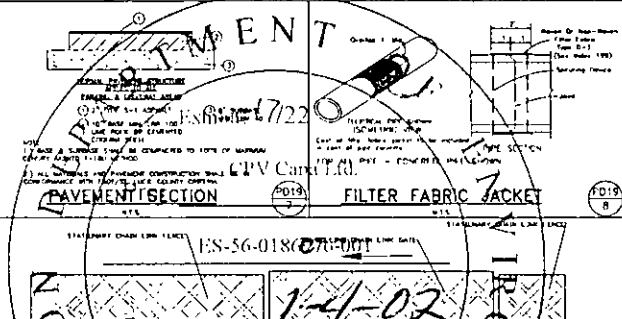
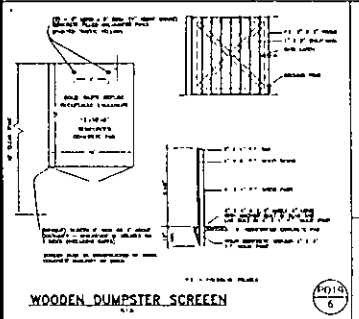
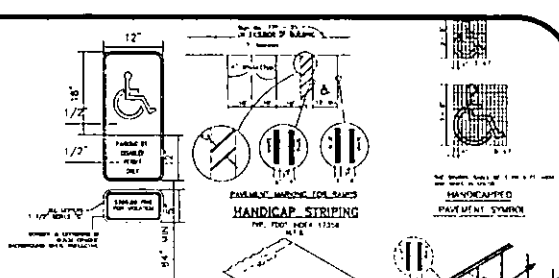
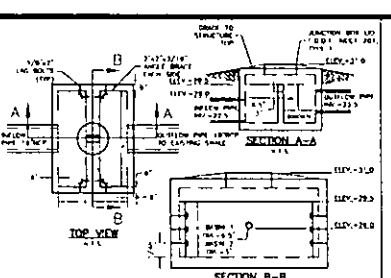
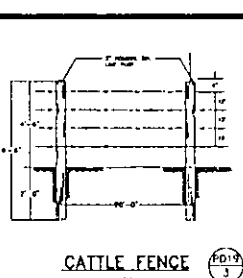
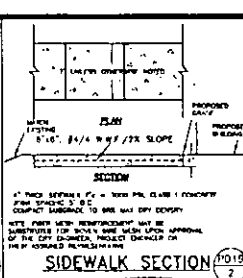
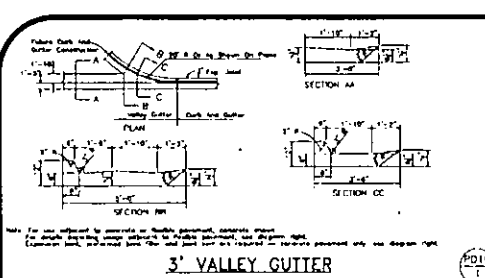
APPROVED	
DESIGNED	7/26/01
CONSTRUCTION SUPERVISOR	6/06/01
CHECKED	4/11/01
TALKED	4/11/01
GRADING	4/11/01

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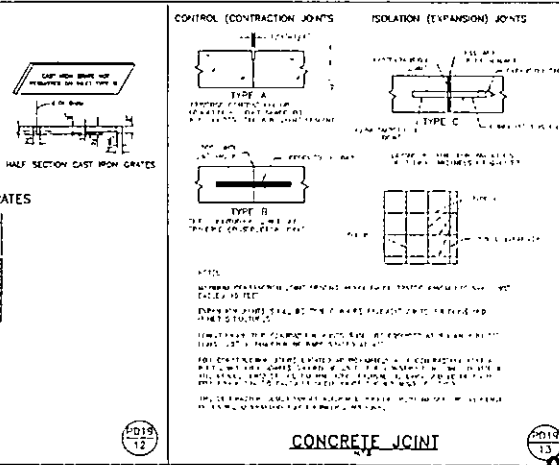
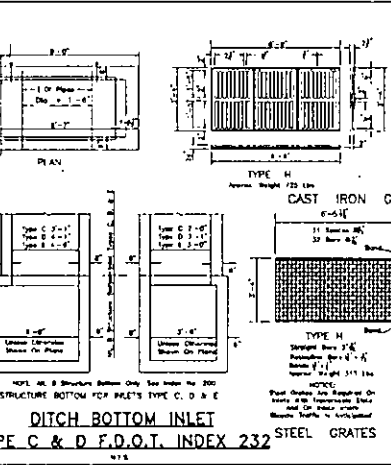
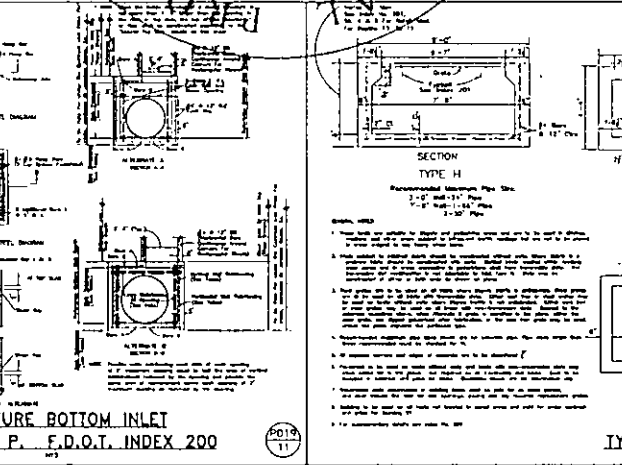
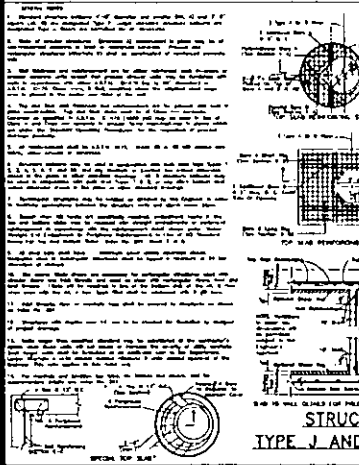
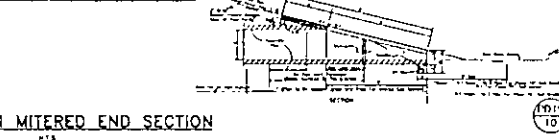
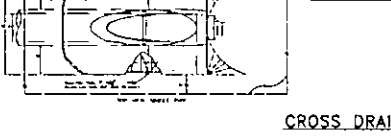
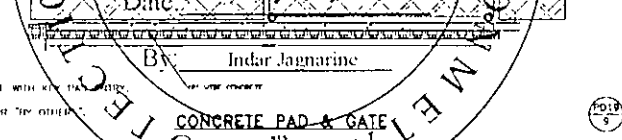
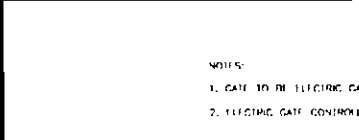
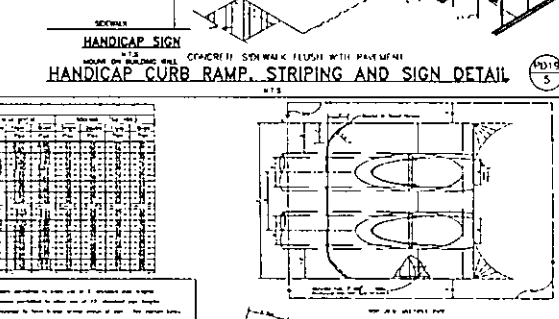
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CROSS - SECTIONS
 AREA 1-BASIN 1, AREA 2-BASIN 2

NOV 2001



NO.	DESCRIPTION	QUANTITY	UNIT
1	CONCRETE	100	CU YD
2	STEEL	50	LB
3	PAVEMENT	200	SQ YD
4	GRASS	100	SQ YD
5	WATER	100	CU YD
6	SOIL	100	CU YD
7	ROCK	100	CU YD
8	BRICK	100	SQ YD
9	GLASS	100	SQ YD
10	PAINT	100	GA
11	WIRE	100	LB
12	CEMENT	100	CU YD
13	SAND	100	CU YD
14	GRAVEL	100	CU YD
15	ASPHALT	100	SQ YD
16	CONCRETE	100	CU YD
17	STEEL	50	LB
18	PAVEMENT	200	SQ YD
19	GRASS	100	SQ YD
20	WATER	100	CU YD
21	SOIL	100	CU YD
22	ROCK	100	CU YD
23	BRICK	100	SQ YD
24	GLASS	100	SQ YD
25	PAINT	100	GA
26	WIRE	100	LB
27	CEMENT	100	CU YD
28	SAND	100	CU YD
29	GRAVEL	100	CU YD
30	ASPHALT	100	SQ YD



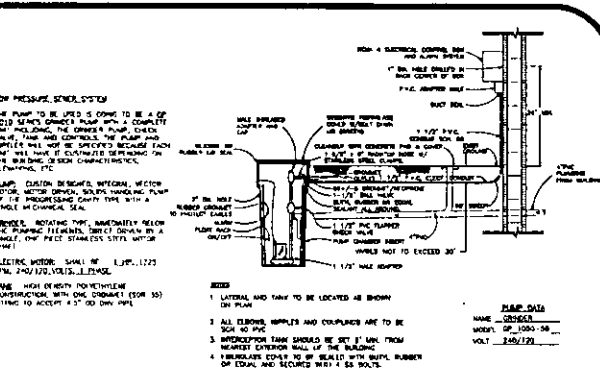
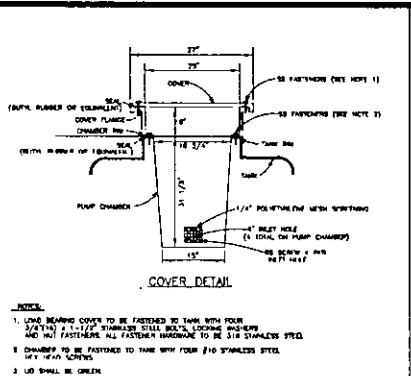
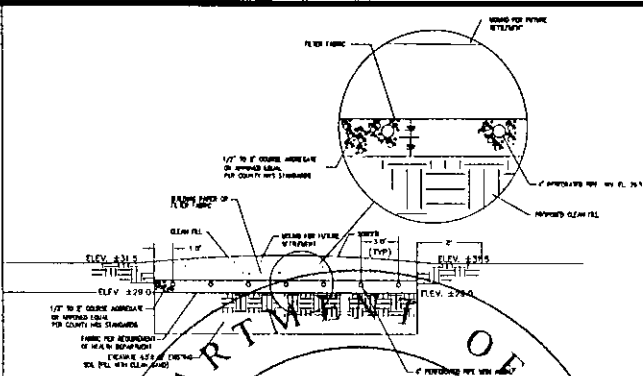
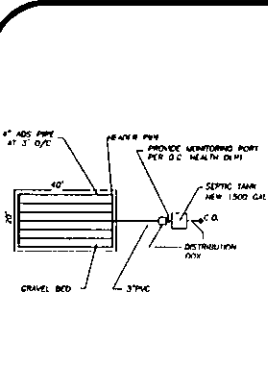
ES-56-018
 Date: **1-4-02**
 By: **Indar Jagnarine**

NO.	DESCRIPTION	DATE
1	DESIGN	1/1/02
2	REVISION	1/1/02
3	REVISION	1/1/02
4	REVISION	1/1/02
5	REVISION	1/1/02
6	REVISION	1/1/02
7	REVISION	1/1/02
8	REVISION	1/1/02
9	REVISION	1/1/02
10	REVISION	1/1/02

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PAVING AND DRAINAGE DETAIL
 AREA 1-BASIN 1, AREA 2-BASIN 2



COVER DETAIL

NOTES:

1. LID BEARING COVER TO BE FASTENED TO TANK WITH FOUR (4) 1/2\"/>

LOW PRESSURE SANITARY SEWER PUMP CHAMBER INSERT

NOTES:

1. LATERAL AND TANK TO BE LOCATED AS SHOWN ON PLAN
2. ALL FIBERGLASS REINFORCED POLYESTER AND COMPOUNDS ARE TO BE MADE TO SPEC. NO. 1500-18
3. INTERCEPTION TANK SHOULD BE SET 1\"/>

DRAIN FIELD BED SYSTEM

SEPTIC TANK DRAIN FIELD SECTION

LOW PRESSURE SANITARY SEWER PUMP CHAMBER

LOW PRESSURE SANITARY SEWER PUMP CHAMBER INSERT

Exhibit: 1922

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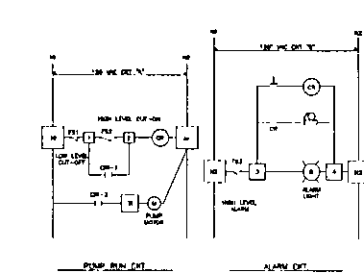
Proj: \$6,015,676-001

Date: 1-4-02

By: Indir Jayasinghe

COMPONENT LIST:

1. QUANTITY NOT SPECIFIED
2. TANK OF CONSTRUCTION
3. TERMINAL BOX
4. ALARM BELL RING
5. TERMINAL BOX CHANGING
6. STAINLESS STEEL FALLOUTABLE PUMP
7. HIGH ALARM LIGHT AND SILENCE BUTTON
8. HIGH FIBERGLASS ENCLOSURE
9. 240V AC WIRE



LOW PRESSURE SANITARY SEWER PUMP WIRING SCHEMATIC

ELECTRICAL NOTES:

1. HIGH WATER LEVEL ALARM AND LOW WATER LEVEL ALARM 120 VAC SUPPLY DERIVED FROM THE MAIN HOUSE SUPPLY SYSTEM
2. ELECTRICAL WIRING SHALL BE FURNISHED BY ELECTRICAL CONTRACTOR
3. ELECTRICAL INSTALLATION SHALL COMPLY WITH THE NEC, NESC AND LOCAL CODES
4. HIGH WATER LEVEL/ALARM AND LOW WATER LEVEL LIGHT SHALL BE LOCATED IN CORNER OF PUMP CONTROL BOX

LOW PRESSURE SANITARY SEWER CONTROL PANEL

DATE	BY
7/29/01	
7/29/01	
7/29/01	
7/29/01	
7/29/01	
7/29/01	
7/29/01	

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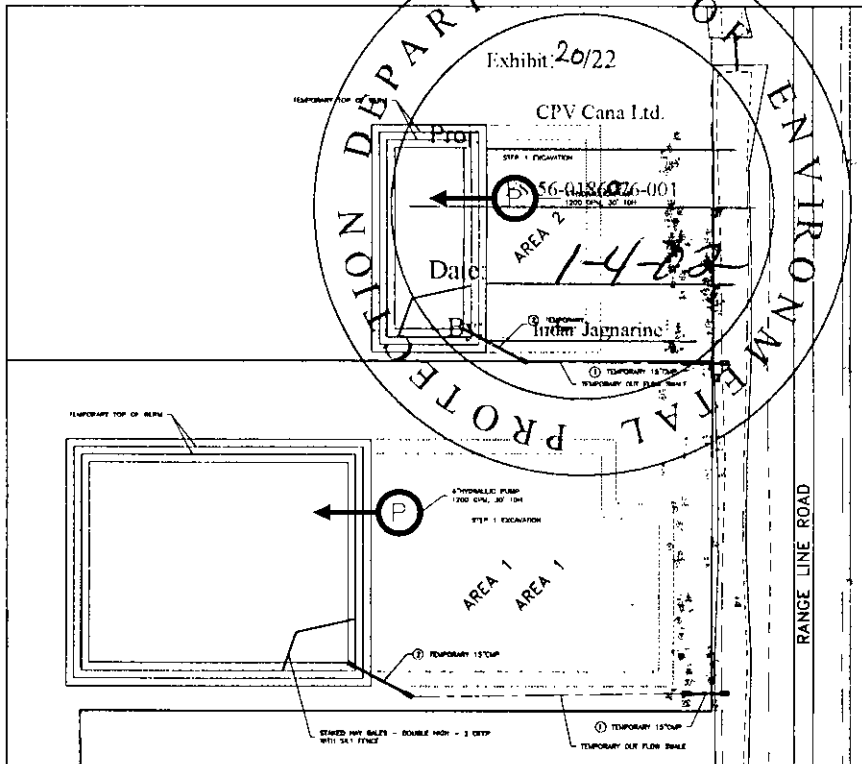
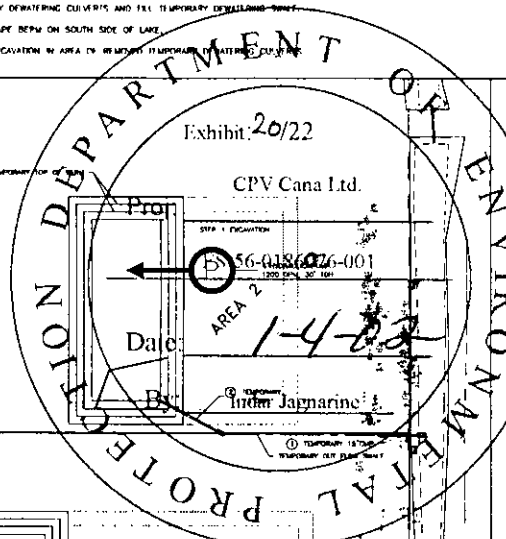
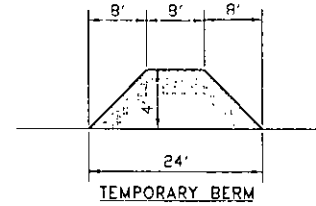
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SANITARY SEWER DETAILS

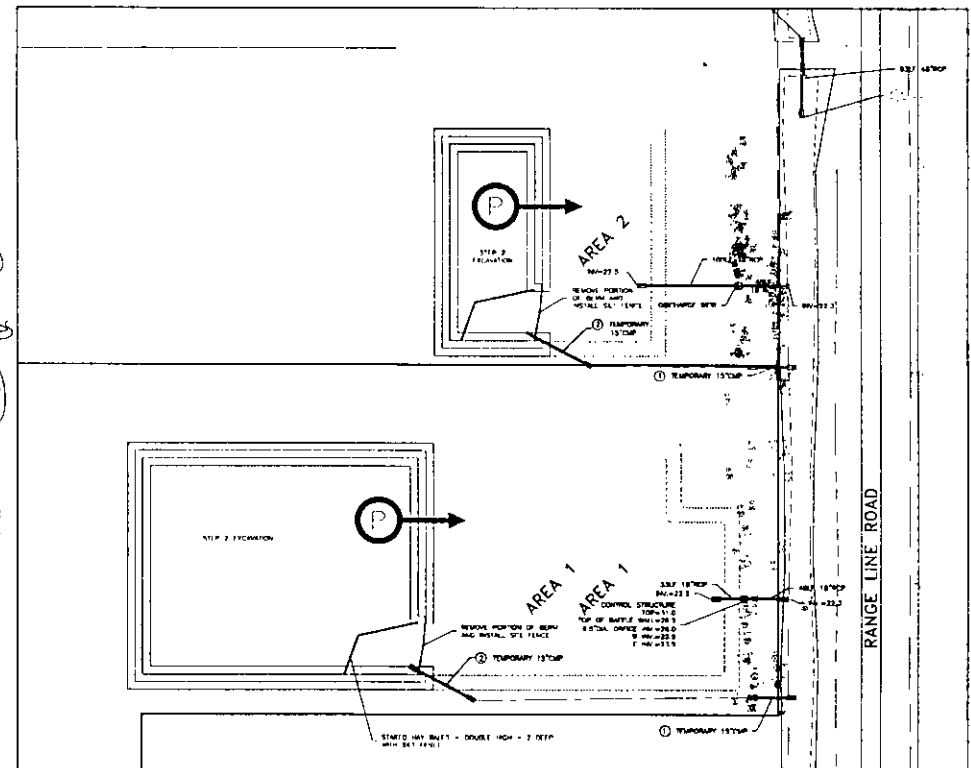
NOV 21 2001
 21 OF 30
 2001

DEWATERING PLAN:

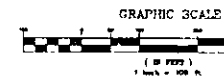
1. INSTALL TEMPORARY 15" DRAINAGE CULVERT (1) TO RANGE LINE ROAD.
2. CONSTRUCT TEMPORARY BERM AS SHOWN.
3. INSTALL TEMPORARY 15" CULVERT (2) THROUGH TEMPORARY BERM, INSTALL HAY BALES & S&P FENCE.
4. EXCAVATE EAST END OF LAKE AS SHOWN (STEP 1).
5. EXCAVATE WEST END OF LAKE AS STEP 2, DEWATER INTO EAST END OF LAKE (EXCAVATED AS STEP 1).
6. REVERSE HYDRAULIC PUMP FOR EXCAVATION OF STEP 2.
7. CONTINUE TO UTILIZE TEMPORARY CULVERTS FOR DEWATERING.
8. CONSTRUCT PERIMETER LANDSCAPE BERMS AND PERIMETER BERMS.
9. INSTALL CONTROL STRUCTURE.
10. REMOVE TEMPORARY DEWATERING CULVERTS AND FILL TEMPORARY DEWATERING BERMS.
11. COMPLETE LANDSCAPE BERMS ON SOUTH SIDE OF LAKE.
12. COMPLETE LAKE EXCAVATION IN AREA 19 REMOVE TEMPORARY DEWATERING CULVERTS.



PHASE 1 DEWATERING



PHASE 2 DEWATERING



REVISIONS	
1	DATE: 1/20/01
2	DATE: 4/13/01
3	DATE: 4/13/01
4	DATE: 4/13/01
5	DATE: 4/13/01

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DEWATERING PLAN
AREA 1-BASIN 1, AREA 2-BASIN 2

NOV 25 2001

Form #62-343.900(3), F.A.C.
Form Title: Construction
Commencement Notice
Date: October 3, 1995

**ENVIRONMENTAL RESOURCE PERMIT
Construction Commencement Notice**

PROJECT: _____ PHASE: _____

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No. _____ has commenced / is expected to commence on _____ 199__, and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual construction commencement date is not known, Department staff should be so notified in writing in order to satisfy permit conditions.

Permittee or Authorized Agent	Title and Company	Date
Phone	Address	

ENVIRONMENTAL RESOURCE PERMIT ANNUAL STATUS REPORT FORM

Florida Department of Environmental Protection

Permit No. _____

County: _____

Project Name: _____

Phase: _____

The following activity has occurred at the above referenced project during the past year, between June 1, 19__ and May 30, 19__.

Permit Condition / Activity	% of Completion	Date of anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use Additional Sheets As Necessary)

Benchmark Description (one per major control structure): _____

Print Name _____

Phone _____

Permittee's or Authorized Agent's Signature

Title and Company _____

Date _____

This form shall be submitted to the above referenced Department Office during June of each year for activities whose duration of construction exceeds one year.

**ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL**

Permit Number: _____

Project Name: _____

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or other appropriate individual as authorized by law.

Name (please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

REQUEST FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION PHASE TO OPERATION PHASE

(To be completed and submitted by the operating entity)

Florida Department of Environmental Protection

It is requested that Department Permit No. _____ authorizing the construction and operation of a surface water management system for the below mentioned project be transferred from the construction phase permittee to the operation phase operating entity.

PROJECT: _____

FROM: Name: _____
Address: _____
City: _____ State: _____
Zipcode: _____

TO: Name: _____
Address: _____
City: _____ State: _____
Zipcode: _____

The surface water management facilities are hereby accepted for operation and maintenance in accordance with the engineers certification and as outlined in the restrictive covenants and articles of incorporation for the operating entity. Enclosed is a copy of the document transferring title of the operating entity for the common areas on which the surface water management system is located. Note that if the operating entity has not been previously approved, the applicant should contact the Department staff prior to filing for a permit transfer.

The undersigned hereby agrees that all terms and conditions of the permit and subsequent modifications, if any, have been reviewed, are understood and are hereby accepted. Any proposed modifications shall be applied for and obtained prior to such modification.

Operating Entity _____

Name _____ Title _____

Telephone _____

Enclosure:

- () Copy of recorded transfer of title surface water management system
- () Copy of plat(s)
- () Copy of recorded restrictive covenants, articles of incorporation, and certificate of incorporation

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
APPLICATION FOR TRANSFER OF AN ERP PERMIT

Permit No. _____

Date Issued _____ Date Construction Phase Expires _____

NOTIFICATION OF SALE OR OF LEGAL TRANSFER (to be completed by the current permittee)

Project Name: _____ County: _____

Project Location: _____ City: _____

Permittee Name (existing): _____

Permittee's Title: _____

Mailing Address: _____

The undersigned hereby notifies the Department of the sale or legal transfer of the property [] or of the permit [] (please check one of the spaces). The permittee further agrees to assign the rights as permittee to the transferee in the event the Department agrees to the transfer of the permit.

REQUEST FOR TRANSFER OF PERMIT

Project Name: _____ County: _____

Project Location: _____ City: _____

Proposed Transferee's Name: _____

Transferee's Title (if applicable): _____

Mailing Address: _____

Telephone: (____) _____

Proposed Project Engineer (name): _____

Engineer's Mailing Address: _____

Engineer's Telephone: (____) _____

The undersigned hereby notifies the Department of [] having acquired title to the property subject to this permit, or, [] having entered into an agreement with the Permittee to accept transfer (please check one). The applicant further states that he or she has examined the application and documents submitted by the current permittee the basis of which the permit was issued by the Department, and states that they accurately and completely describe the permitted activity or project. The applicant further states he or she is familiar with the permit, agrees to comply with its terms and conditions, and agrees to assume the rights and liabilities contained therein. The applicant also agrees to promptly notify the Department of any future change in ownership of, or responsibility for, the permitted activity or project.

Signature of Applicant: _____
(please attach a letter of authorization if other than the owner or a corporate officer)

Title: _____

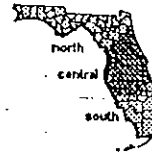
Date: _____

Florida Exotic Pest Plant Council's 2001 List of Invasive Species

DEFINITIONS: *Exotic*—a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida. *Native*—a species whose natural range included Florida at the time of European contact (1500 AD). *Naturalized exotic*—an exotic that sustains itself outside cultivation (it has not "become" native). *Invasive exotic*—an exotic that not only has naturalized but is expanding on its own in Florida plant communities.

Abbreviations used:

for "Gov. list": **P** = Prohibited by Fla. Dept. of Environmental Protection, **N** = Noxious weed listed by Fla. Dept. of Agriculture & Consumer Services, **U** = Noxious weed listed by U.S. Department of Agriculture. for "Reg. Dis.": **N** = north, **C** = central, **S** = south, referring to each species' current distribution in general regions of Florida (not its potential range in the state). See map.



Category I - Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives. *This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.*

Scientific Name	Common Name	Gov. list	Reg. Dist.
<i>Abrus precatorius</i>	rosary pea		C, S
<i>Acacia auriculiformis</i>	earleaf acacia		S
<i>Albizia julibrissin</i>	mimosa, silk tree		N, C
<i>Albizia lebbek</i>	woman's tongue		C, S
<i>Ardisia crenata</i> (= <i>A. crenulata</i>)	coral ardisia		N, C
<i>Ardisia elliptica</i> (= <i>A. humilis</i>)	shoebutton ardisia		S
<i>Asparagus densiflorus</i>	asparagus-fern		C, S
<i>Bauhinia variegata</i>	orchid tree		C, S
<i>Bischofia javanica</i>	bischofia		C, S
<i>Calophyllum antillanum</i> (= <i>C. calaba</i> ; <i>C. inophyllum</i> misapplied)	santa maria (names "mast wood," "Alexandrian laurel" used in cultivation)		S
<i>Casuarina equisetifolia</i>	Australian pine	P	N, C, S
<i>Casuarina glauca</i>	suckering Australian pine	P	C, S
<i>Cestrum diurnum</i>	day jessamine		C, S
<i>Cinnamomum camphora</i>	camphor-tree		N, C, S
<i>Colocasia esculenta</i>	wild taro		N, C, S
<i>Colubrina asiatica</i>	lather leaf		S
<i>Cupaniopsis anacardioides</i>	carrotwood	N	C, S
<i>Dioscorea alata</i>	winged yam	N	N, C, S
<i>Dioscorea bulbifera</i>	air-potato	N	N, C, S
<i>Eichhornia crassipes</i>	water-hyacinth	P	N, C, S
<i>Eugenia uniflora</i>	Surinam cherry		C, S
<i>Ficus microcarpa</i> (<i>F. nitida</i> & <i>F. retusa</i> var. <i>nitida</i> misapplied)	laurel fig		C, S
<i>Hydrilla verticillata</i>	hydrilla	P, U	N, C, S
<i>Hygrophila polysperma</i>	green hygro	P, U	N, C, S
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass		C, S
<i>Imperata cylindrica</i> (<i>I. brasiliensis</i> misapplied)	cogon grass	N, U	N, C, S
<i>Ipomoea aquatica</i>	waterspinach	P, U	C
<i>Jasminum dichotomum</i>	Gold Coast jasmine		C, S
<i>Jasminum fluminense</i>	Brazilian jasmine		C, S
<i>Lantana camara</i>	lantana, shrub verbena		N, C, S
<i>Ligustrum lucidum</i>	glossy privet		N, C
<i>Ligustrum sinense</i>	Chinese privet, hedge privet		N, C, S
<i>Lonicera japonica</i>	Japanese honeysuckle		N, C, S
<i>Lygodium japonicum</i>	Japanese climbing fern	N	N, C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	N	C, S
<i>Macfadyena unguis-cati</i>	cat's claw vine		N, C, S
<i>Manilkara zapota</i>	sapodilla		S

<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	P, N, U	C, S
<i>Melia azedarach</i>	Chinaberry		N, C, S
<i>Mimosa pigra</i>	cat-claw mimosa	P, N, U	C, S
<i>Nandina domestica</i>	nandina, heavenly bamboo		N
<i>Nephrolepis cordifolia</i>	sword fern		N, C, S
<i>Nephrolepis multiflora</i>	Asian sword fern		C, S
<i>Neyraudia reynaudiana</i>	Burma reed; cane grass	N	S
<i>Paederia cruddasiana</i>	sewer vine, onion vine	N	S
<i>Paederia foetida</i>	skunk vine	N	N, C, S
<i>Panicum repens</i>	torpedo grass		N, C, S
<i>Pennisetum purpureum</i>	Napier grass		C, S
<i>Pistia stratiotes</i>	water lettuce	P	N, C, S
<i>Psidium cattleianum</i> (= <i>P. littorale</i>)	strawberry guava		C, S
<i>Psidium guajava</i>	guava		C, S
<i>Pueraria montana</i> (= <i>P. lobata</i>)	kudzu	N, U	N, C, S
<i>Rhodomyrtus tomentosa</i>	downy rose-myrtle	N	C, S
<i>Rhoeo spathacea</i> (see <i>Tradescantia spathacea</i>)			
<i>Ruellia brittoniana</i>	Mexican petunia		N, C, S
<i>Sapium sebiferum</i>	popcorn tree, Chinese tallow tree	N	N, C, S
<i>Scaevola sericea</i> (= <i>Scaevola taccada</i> var. <i>sericea</i> , <i>S. frutescens</i>)	scaevola, half-flower, beach naupaka		C, S
<i>Schefflera actinophylla</i> (= <i>Brassia actinophylla</i>)	schefflera, Queensland umbrella tree		C, S
<i>Schinus terebinthifolius</i>	Brazilian pepper	P, N	N, C, S
<i>Senna pendula</i> (= <i>Cassia coluteoides</i>)	climbing cassia, Christmas cassia, Christmas senna		C, S
<i>Solanum tampicense</i> (= <i>S. houstonii</i>)	wetland night shade, aquatic soda apple	N, U	C, S
<i>Solanum viarum</i>	tropical soda apple	N, U	N, C, S
<i>Syngonium podophyllum</i>	arrowhead vine		C, S
<i>Syzygium cumini</i>	jambolan, Java plum		C, S
<i>Tectaria incisa</i>	incised halberd fern		S
<i>Thespesia populnea</i>	seaside mahoe		C, S
<i>Tradescantia fluminensis</i>	white-flowered wandering jew		N, C
<i>Tradescantia spathacea</i> (= <i>Rhoeo spathacea</i> , <i>Rhoeo discolor</i>)	oyster plant		S
<i>Urochloa mutica</i> (= <i>Brachiaria mutica</i>)	Pará grass		C, S



Competitive
Power Ventures, Inc.

35 Braintree Hill Office Park
Suite 107
Braintree, MA 02184
Phone: 781-848-0253
Fax: 781-848-8804

Fax

To: Alvaro Linero, P.E.	From: Betty Deyaso for Peter Podurgiel
Fax: 850-922-6979	Date: 1/2/02
Phone:	Pages: 6
Re: CPV Cana, Ltd	CC:
Comments on Draft PSD Permit Power Generating Facility & Comments on Electric Facility	
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	

The information contained in this facsimile is privileged and confidential, and intended only for the use of the individual named above. If you are not the intended recipient, or the person responsible for delivering this to the intended recipient, you are hereby notified that reading, copying or distributing this facsimile is prohibited. If you have received this facsimile in error, please telephone us immediately.



**Competitive
Power Ventures, Inc.**

VIA TELEFAX AND OVERNIGHT COURIER

January 2, 2002

Alvaro Lincero, P.E.
Administrator, New Source Review Section
Bureau of Air Regulation
Florida Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32399

Re: Comments on CPV Cana Electric Generating Facility Draft PSD Permit,
DEP File No. 1110103-001-AC (PSD-FL-323)

Dear Mr. Lincero:

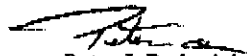
Pursuant to the Public Notice of Intent for the above-referenced matter, the permit applicant, CPV Cana, Ltd., submits the attached comments on the draft Prevention of Significant Deterioration (PSD) permit for the CPV Cana Power Generating Facility.

As we recently discussed with you, CPV Cana currently is in the process of working with turbine manufacturer General Electric and others to address the complex startup and shutdown emissions issues raised in the draft PSD Permit condition concerning Excess Emissions, Best Operational Standard (No Bypass), which is Condition No. 29c., as renumbered pursuant to attached comment letter, and the corresponding information, for inclusion on page BD-19 of the BACT Determination document. Due to the complexity and newness of the excess emissions Best Operational Standard issue, CPV Cana still is obtaining from its turbine manufacturers and others information that CPV Cana needs in order to prepare and submit its comments on this issue. Accordingly, CPV Cana respectfully requests the Bureau of Air Regulation to extend the 30-day period in which CPV Cana may submit comments, by 14 days, so that CPV Cana will submit its comments on the excess emissions Best Operational Standard issue to the Bureau of Air Regulation by the close of business on January 17, 2002.

The Bureau of Air Regulation determined CPV Cana's PSD permit application to be complete on October 25, 2001. Under Section 403.0876, Florida Statutes, and Section 120.60, Florida Statutes, the 90-day period in which the Department must issue (or deny) CPV Cana's permit will expire on January 23, 2002. CPV Cana hereby waives the 90-day timeframe in which the Department must issue (or deny) the permit until January 28, 2002, to afford CPV Cana and the Department sufficient time in which to resolve the excess emissions issue and any other outstanding issues. Under this waiver, the Department has until end of business on January 28, 2002, in which to issue (or deny) CPV Cana's PSD permit.

We appreciate the opportunity to work with you on this matter, and please call me if you have any questions or wish to discuss any issues concerning the CPV Cana PSD permit.

Sincerely,


Peter J. Podugiel
CPV Cana, Ltd.

cc: Gary Lambert, CPV
Michael Anderson, TRC
Keith Price, AEP Pro Serv
Cathy Sellers, Moyle Flanigan
Theresa Herron, FDEP

35 Braintree Hill Office Park, Suite 107, Braintree, MA 02184

PHONE: (781) 848-0253

FAX: (781) 848-5804



**Competitive
Power Ventures, Inc.**

January 2, 2002

Mr. Alvaro Linero, P.E.
Administrator, New Source Review Section
Bureau of Air Regulation
Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32399

Re: **Comments on Draft PSD Permit for CPV Cana, Ltd. Power Generating Facility,
DEP File No. 1110103-001-AC (PSD-FL-323)**

Dear Mr. Linero:

Pursuant to the Public Notice of Intent for the above-referenced matter, the permit applicant, CPV Cana, Ltd., submits the following comments on the draft Prevention of Significant Deterioration ("PSD") permit, Technical Evaluation and Preliminary Determination, and BACT Determination for the CPV Cana Power Generating Facility.

I. Comments on Draft Permit

1. On page 1 of 20 in the permit file information box, on 4 of 20 in General and Administrative Requirements, Condition No. 9; and on page 5 of 20, Condition No. 11, the permit expiration date is December 31, 2004. Given that construction of the facility will take between twenty-four (24) and twenty-seven (27) months to complete and also given that construction cannot commence at this time because other permits are still being obtained, CPV Cana is concerned that the December 31, 2004 permit expiration date will not provide sufficient time to complete construction and testing of the facility. Therefore, CPV Cana requests that the permit expiration date be revised to December 31, 2005.

2. On page 2 of 20, in the Facility Description, third bullet point, the word "million" should be deleted, to accurately reflect the 975,000 gallon storage tank capacity.

3. On page 2 of 20, in the Emissions Units table, for Emissions Unit No. 004, the emission unit description should be revised to insert the word "fire" between "hp" and "water," so that the revision reads as follows: "One diesel-fired 250 hp fire water pump, one 500 kW emergency generator, and an aqueous ammonia storage tank." Similarly, the end of the last bullet under the preceding Facility Description heading should be revised to read: "...one diesel-fired 250 hp fire water pump, and a 500 kW emergency generator."

4. On page 2 of 20, in the Regulatory Classification section, in the paragraph entitled "PSD," at the beginning of the fifth (5th) line of that paragraph, the word "modification" should be deleted, since this is a permit for a new facility, rather than a modification of an existing facility.

5. On page 3 of 20, in the Permit Schedule section, second bullet point, the Notice of Intent for the permit was published in The Tribune on December 3, 2001.

6. In connection with Comment No. 1 above, regarding revision of the permit expiration date, on page 4 of 20, on page 4 of 20, General and Administrative Requirements, Condition No. 9, the construction deadline in that condition should be revised to February 28, 2005 to provide a sufficient timeframe in which to complete construction of the facility.

7. On page 8 of 20, in the Applicable Standards and Regulations, Condition No. 3.a., concerning Emissions Unit 001, the clause "power generation facilities consisting of three simple cycle combustion turbines with a nominal generating capacity of 170 MW each" immediately before the parenthetical regarding Subpart GG of 40 CFR 60, should be deleted as unnecessary, since CPV Cana is a combined cycle facility consisting of one combustion turbine and one steam turbine.

8. On page 8 of 20, in the Applicable Standards and Regulations, Condition No. 3.d., concerning Emissions Unit 004, in the first bullet point concerning Ancillary Equipment, the term "500 MW" should be changed to "500 kW" to accurately reflect the capacity of the CPV Cana facility's emergency generator.

9. On page 9 of 20, in the Applicable Standards and Regulations, Condition No. 3.d., concerning Emissions Unit 004, in the last bullet point concerning One Exhaust Stack, the sentence "A separate bypass stack and damper may be installed to facilitate startup of the steam cycle while operating the combustion turbine in Low Emission Modes 5, 5Q, and 6Q." should be deleted since the bypass stack option is not an appropriate operating mode for the CPV Cana facility, and the facility will not be operated in this mode.

10. On page 9 of 20, in General Operating Requirements, Condition No. 6, the maximum heat input to the combustion turbine when firing oil should be revised from 1900 mmBtu/hr to 1898 mmBtu/hr. to accurately reflect the information provided in the permit application.

11. On page 12 of 20, Condition No. 15, the reference to Condition No. 4 should be changed to Condition No. 5 and the reference to Condition No. 26 should be changed to Condition No. 27, to correctly cross-reference the permit conditions that address fuel types and fuel sulfur limits.

12. Similarly, on page 12 of 20, Condition No. 16, the reference to Condition No. 4 should be changed to Condition No. 5 and the reference to Condition No. 26 should be changed to Condition No. 27, to correctly cross-reference the permit conditions that address fuel types and fuel sulfur limits.

13. On page 14 of 20, in the middle of Condition No. 23, there is a spacing typographical error. The topic under the heading "Compliance with the CO/NOx Emissions Limits" should be made into a separate new Condition No. 24. In connection with this revision, the references in new Condition No. 24 to Conditions No. 17, 21, and 29 should be changed to Conditions No. 18, 22, and 30, respectively.

14. Beginning with new Condition No. 24, the Conditions throughout the rest of the permit should be renumbered.

15. On page 14 of 20, in new Condition No. 25, the references to Conditions No. 17 and 20 should be changed to Conditions No. 18 and 21, respectively.

16. On page 15 of 20, in Condition No. 29 (per renumbering of Conditions), section b., concerning the Best Operational Standard (Bypass Stack Option) should be deleted from the permit, since the bypass stack option is not an appropriate operating mode for the CPV Cana facility, and the facility will not be operated in this mode.

17. On page 15 of 20, in Condition No. 29 (per renumbering of Conditions), section c., concerning the Best Operational Standard (No Bypass), [FILL IN INFORMATION RE: OPERATION DURING STARTUP]

18. On page 15 of 20, in Condition No. 29 (per renumbering of Conditions), section e., the reference to Condition 20 should be changed to Condition 30 to accurately reflect the renumbering of the

19. On page 16 of 20, Condition No. 30 (per renumbering of Conditions), the first sentence of this condition should be revised as follows: "The owner or operator shall install, calibrate, maintain, and operate a continuous emissions monitoring (CEM) system in the combustion turbine exhaust stack (EU 001) of each emissions unit to measure and record the emissions of NOx and CO from these emissions units in a manner sufficient to demonstrate compliance with the CEM emission standards of this permit." These revisions clarify that EU 001 (the combustion turbine exhaust stack) is the only emissions unit for which CEM system monitoring is required.

20. On page 20 of 20, in Condition No. 36 (per renumbering of Conditions), the word "each" should be inserted before the term "Compliance Authority."

II. Comments on Technical Evaluation and Preliminary Determination

21. On page TE-2, in the Facility Information section, Facility Location paragraph, the following revisions should be made: First, the location is approximately 180 km, rather than 200 km, North-northeast of the Everglades National Park. Second, the proposed site is located in St. Lucie County, rather than in Port St. Lucie.

22. On page TE-3, in the Project Description section, Emissions Units table, for Emissions Unit No. 004, the emission unit description should be revised to insert the word "fire" between "hp" and "water," so that the revision reads as follows: "One 500 kW emergency generator and one diesel-fired 250 hp fire water pump."

23. On page TE-3, immediately under the Emissions Units table, the reference to "Competitive Power Ventures Cana Ltd." should be changed to "CPV Cana, Ltd."

24. On page TE-4, in the last line on the page, for consistency with the information submitted in the permit application, the tons per year (TPY) for PM/PM₁₀ should be changed to 96 TPY, and the TPY for NOx should be changed to 103 TPY.

25. The following typographical errors should be corrected:

- (1) On page TE-5, in the second paragraph in Section 4, Process Description, in the second sentence immediately above the photograph, the word "a" should be inserted before the word "photograph."
- (2) On page TE-6, in the third paragraph, delete the stray " symbol immediately after "59° F."
- (3) On page TE-6, in the Rule Applicability section, third paragraph, second sentence, insert the word "the" immediately before the word "proposed."

26. On page TE-7, in the Source Impact Analysis section, paragraph 6.1, in the last sentence, the references to Condition Nos. in the draft permit should be revised from 12 to 13, and from 16 to 17.

27. On page TE-8, the following revisions should be made to the Facility Emissions (Total TPY) and PSD Applicability Table, to accurately reflect the information provided in the application:

- (1) For NOx, the Oil Firing TPY should be changed from 28 to 29, and the Total TPY should be changed from 102 to 103.

(2) For Sulfuric Acid Mist, the Gas Firing TPY should be changed from 9 to 4.

28. On page TE-8, in paragraph 6.4, paragraph 6.4.1. Description of Vicinity, should be revised to read as follows: "Refer to Figures 1 and 2 above. The CPV Cana Power Generating Facility is located approximately three (3) miles west of ~~will be in~~ the City of Port St. Lucie, which has a population of 80,000, compared to the 185,000 in St. Lucie County. The proposed project is located North of Jensen Beach."

29. On page TE-9, the reference in the third sentence to "southeast" should be revised to "southwest," to accurately state the location of the facility.

30. On page TE-10, in Section 6.4.3, in the list of the Major Sources of NO_x in St. Lucie County, the Tons per year figure for CPV Cana should be changed from 102 to 103.

31. On pages TE-10 and TE-11, all references to CPV Gulfcoast should be changed to CPV Atlantic, and all references to CPV Cana should be followed by the insert: "(Future)". In addition, the word "major" should be deleted from the titles of the tables on each page, since many quantities listed are below the 100 TPY threshold for being considered a "major source" of air pollution, and the use of the term in a non-regulatory sense is confusing, since the air regulations specifically address and regulate "major sources."

32. On page TE-13, in the Air Quality Impact Analysis section, in the second paragraph of 6.5.1, the distance of the site from the Everglades National Park should be revised from 200 km to 180 km.

III. Comments on Appendix BD, Best Available Control Technology Determination (BACT):

33. On page BD-1, in the Background section, first paragraph, second sentence, strike the reference to Port St. Lucie, since the facility will not be located in the City of Port St. Lucie, but will instead be located in unincorporated St. Lucie County.

34. On page BD-17, in the table, the Proposed BACT Limit for CO emissions for oil firing should be corrected to 15% O₂, so that it is listed as 17 ppmvd @ 15% O₂ in the table.

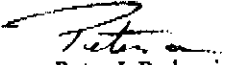
35. On page BD-18, in the fourth bullet point, first line, the word "is" should be changed to "in."

36. On page BD-19, the third bullet point concerning Best Operational Standard — Startup BACT (Bypass Stack Option) should be deleted because it is not appropriate for CPV Cana and will not be used at the facility.

37. On page BD-19, in the fourth and fifth bullet points concerning an alternative Best Operational Practice and a Best Operational Standard — Startup BACT (No Bypass Stack), respectively, the following revisions should be made to reflect operating conditions during startup: [FILL IN INFORMATION]

We appreciate the opportunity to comment on the draft permit, and look forward to receipt of the final permit. Please contact me if you have any questions or wish to discuss any revisions we have requested.

Sincerely,


Peter J. Podurgiel
CPV Cana, Ltd.

cc: Gary Lambert, CPV
Michael Anderson, TRC
Keith Price, AEP Pro Serv
Cathy Sellers, Moyle Flanigan
Theresa Herron, FDEP

MOYLE, FLANIGAN, KATZ, RAYMOND & SHEEHAN, P.A.

ATTORNEYS AT LAW

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CATHY M. SELLERS
E-mail: csellers@moylelaw.com

December 6, 2001

West Palm Beach Office
(561) 659-7500

RECEIVED

DEC 06 2001

BUREAU OF AIR REGULATION

By Hand Delivery

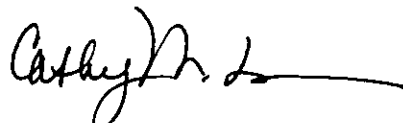
Mr. Alvaro Linero, P.E.
Administrator, New Source Review Section
Bureau of Air Regulation
Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32399

**Re: CPV Cana Electric Generating Facility
DEP File No. 1110103-001-AC (PSD-FL-323)
Affidavit of Publication**

Dear Mr. Linero:

Enclosed please find the original Affidavit of Publication for the Cana PSD air construction permit. If you have any questions, please give me a call.

Sincerely,



Cathy M. Sellers

CMS/jd
Enclosure

J. Heron
C. Holladay
J. Baldonado SEP
B. Worley NPS
G. Bennett EPA



THE TRIBUNE
ST. LUCIE COUNTY, FLORIDA
 600 Edwards Road, Ft. Pierce, FL 34982

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA
 COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, Lynn Ferraro, General Manager; Kathy LeClair, Business Manager or Bob Rossi, Circulation Manager of The Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida; that the attached copy of advertisement was published in The Tribune in the following issues below. Affiant further says that the said Tribune is a newspaper published at Fort Pierce in said St. Lucie County, Florida and that the said newspaper has heretofore been continuously published in said St. Lucie County, Florida daily and distributed in St. Lucie County, Florida, for a period of one year next preceding the first publication of attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Tribune has been entered as second class matter at the Post Office in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

<u>Ad #</u>	<u>Name</u>	<u>Date</u>	<u>Price Per Day</u>	<u>PO #</u>
2296875	RICHARD V. NEILL, JR.	12/03/2001	\$472.00	
			Total	\$472.00

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
 STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 1110103-001-CA and PSD-FL-323
 CPV Cana Power Generating Facility
 Combined Cycle Power Project
 St. Lucie County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to CPV Cana Ltd. The permit is to construct a combined cycle electrical power generating plant in St. Lucie County. A Best Available Control Technology (BACT) determination was required pursuant to Rule 62-212.400, F.A.C., Prevention of Significant Deterioration of Air Quality (PSD), for emissions of particulate matter (PM/PM10), carbon monoxide (CO), sulphur dioxide (SO2), sulfuric acid mist (SAM), and nitrogen oxides (NOx). A maximum achievable control technology (MACT) determination for hazardous air pollutants was not required. The applicant's name and address are CPV Cana Ltd., 35 Braintree Hill Office Park, Suite 107, Braintree, Massachusetts 02184.

Subscribed and sworn to me before this date:

12/03/2001

Bob Rossi

The project consists of: a nominal 170 megawatt General Electric 7FA combustion turbine-electrical generator, an unfired heat recovery steam generator, a separate steam-electrical generator, a 170-foot stack, a mechanical draft cooling tower, a 975,000 gallon fuel oil storage tank, and other ancillary equipment. Back-up distillate fuel oil will be burned for a maximum of 720 hours per year.

NOx emissions will be controlled by selective catalytic reduction (SCR) to achieve 2.5 parts per million by volume, dry, at 15 percent oxygen (ppmv) while burning gas and 10 ppmvd while burning low sulfur distillate fuel oil. Emissions of CO will be controlled to 9 and 20 ppmvd while burning gas and fuel oil respectively. Emissions of PM/PM10, SO2, sulfuric acid mist, volatile organic compounds, and hazardous pollutants (HAP) will be controlled to very low levels by good combustion and use of inherently clean pipeline quality natural gas and low sulfur (0.05 percent) distillate fuel oil. Ammonia emissions (NH3) generated due to NOx control will be limited to 5 ppmvd.

The following table summarizes the maximum emissions (in tons per year) of regulated air pollutants as a result of this project.

Pollutants	Maximum Potential Emissions	PSD Significant Emission Rate
PM/PM10 (filterable & condensable)	96	25/15
Sulfuric Acid Mist	8	7
SO2	76	40
NOx	102	40
VOC	16	40
CO	170	100
HAP	8	NA

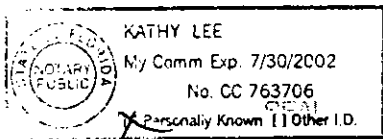
Kathy Lee
 Notary Public

An air quality impact analysis was conducted. Maximum impacts due to proposed emissions from the project are less than the applicable PSD Class II significant impact levels for all applicable pollutants. Therefore no increment consumption analysis was required. Given the distance from the Everglades and the rather low emissions, the National Park Service advised the Department that it does not anticipate any significant impacts on resources from emissions from this proposed facility. Therefore a Class I analysis was not required. The Department concludes that emissions from the facility will not cause or contribute to a violation of any state or federal ambient air quality standards.

The project is not subject to Section 403.501-518, F.S., Florida Electrical Power Plant Siting Act, based on information regarding gross electrical power generated from the steam cycle submitted by the applicant and reviewed by the Department.

The Department will issue the FINAL permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for a public meeting concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of "Public Notice of Intent to Issue Air Construction



The project is not subject to Section 403.501-518, F.S., Florida Electrical Power Plant Siting Act, based on information regarding gross electrical power generated from the steam cycle submitted by the applicant and reviewed by the Department.

The Department will issue the FINAL permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for a public meeting concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments and requests for a public meeting should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in the proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under section 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action."

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dept. of Environmental Protection	Dept. of Environmental Protection	Dept. of Environmental Protection
Bureau of Air Regulation	Southeast District Office	Port St. Lucie Branch Office
111 S. Magnolia Drive, Suite 4	400 North Congress Avenue	1801 S.E. Hillmoor Dr., C204
Tallahassee, Florida, 32301	W. Palm Beach, Florida 33416-5425	Port St. Lucie, Florida 34952
Telephone: 850/488-0114	Telephone: 561/681-6600	Telephone: 561/398-2806
Fax: 850/922-6979	Fax: 561/681-6755	Fax: 561/398-2815

The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. Key documents can be accessed at www.dep.state.fl.us/air/permitting/construction.htm by clicking on the Southeast Region of the map of Florida.

Publish: December 4, 2001

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