



CAPE COD COMMISSION

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E-mail: frontdesk@capecodcommission.org

DATE: June 18, 2003
TO: Mirant New England, Inc.
FROM: Cape Cod Commission
RE: Modification of Development of Regional Impact Decision dated
June 29, 1999

Cape Cod Commission Act, Sections 12 and 13

APPLICANT: Mirant New England, Inc.
C/o Shawn Konary, Director, Environmental Affairs
1099 Hingham Street
Rockland, MA 02370

PROJECT: Mirant/Canal Station

PROJECT #: JR - 98033

BOOK/PAGE: Book 11961 Pages 224 and 226

CERTIFICATE OF TITLE: Number 151549

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact (DRI) decision dated July 29, 1999 for the project "Canal Plant Redevelopment - Phase One of Installation of SCRs on Units #1 and #2" is hereby amended by a vote of the Regulatory Committee on June 16, 2003. All conditions attached to the original DRI decision dated July 29, 1999 shall continue to apply except as modified herein. For clarification, this modification decision does not affect the separate October 21, 1999 DRI decision and subsequent modification decisions made to it.

9 Freezer Rd, Sandwich
Map 92, Parcel 2



MODIFIED CONDITION

Condition HAZ3 of the July 29, 1999 DRI decision is hereby modified as shown below:

HAZ3. In the event that the applicant is unable to utilize the AOD urea system as described in this decision and Attorney Ford's July 8, 1999 letter, for only those reasons outlined in condition HAZ2, above, the applicant shall:

1.) Immediately provide written notice to the Commission and the Towns of Sandwich and Bourne describing the technical reasons for the inability to utilize the AOD urea system, methods for meeting the need for ammonia to supply the SCR units and providing an anticipated schedule for repair of the AOD urea system.

2.) Be allowed to supply the SCR units using ammonia for not more than 90 calendar days, or until the AOD urea system is repaired, whichever is sooner, **such 90 calendar days to begin on July 1, 2003**, provided the ammonia is transported in accordance with all local, state and federal regulations and is **may be** shipped by barge **truck** to the **plant**. ~~plant's berthing station in the Cape Cod Canal.~~

NEW CONDITION

A new condition, HAZ6, is also added to the July 29, 1999 DRI decision:

"HAZ6. Shipment, delivery, storage and handling of the ammonia referenced in condition HAZ3, above, shall be subject to the following provisions:

- a.) All deliveries of aqueous ammonia shall be made at night, between the hours of 9:00 PM and 7:00 AM.
- b.) The travel route(s) and schedule for deliveries shall be made available to the Army Corps of Engineers Cape Cod Canal Field Office, as well as the Bourne and Sandwich Fire and Police Departments in advance.

NEW CONDITION - Continued

c.) During product off-loading, the applicant shall:

i.) provide a properly trained person to review the process and ensure that it is compliant with nationally-accepted chemical handling safety practices.

ii.) have in place an evacuation plan for the site that does not hinder the arrival of public safety personnel.

iii.) provide a suitable means to prevent a buildup of vapors in the structure and ensure that all ignition sources proximate to the off-loading process be extinguished and secured during the off-loading.”

David Ansel
Chair, Regulatory Committee

8/11/03
Date

**Commonwealth of Massachusetts
County of Barnstable**

On this 11th day of August 2003, before me personally appeared David Ansel
to me known to be the person described in and who executed the foregoing instrument,
and acknowledged that he executed the same as his free act and deed.

Katharine L. Peters
Notary
Commonwealth of Massachusetts

My Commission Expires:

