

Ruth



City of Alexandria, Virginia

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Mayor*

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April 5, 2004

The Honorable Jerry W. Kilgore
Attorney General, Commonwealth of Virginia
900 East Main Street
Richmond, VA 23219

Re: Mirant, Potomac River Generating Station located at 1400 N. Royal Street Alexandria, Virginia

Dear Attorney General Kilgore:

I write to share with you City of Alexandria's concerns regarding operations at Mirant Potomac River Power Generating Station located in Alexandria. Our concerns stem from the effects that the plant's operations are having on air quality in the City and on Alexandria citizens.

As you may be aware, the Potomac River Station operated by Mirant in Alexandria was issued a Notice of Violation by the Virginia Department of Environmental Quality (VDEQ) on September 10, 2003, for violating its Virginia Stationary Source Permit to Operate issued by VDEQ. The violation involved the release of oxides of nitrogen (NOx) in an amount that exceeded the 1,019 ton cap included in the Permit during the 2003 ozone period from May 1 till September 30, 2003. VDEQ was notified that Mirant had already exceeded the cap as of July 31, 2003. Mirant continued to operate the plant through September 2003, releasing additional NOx emissions and further exceeding the Permit cap.

The City is deeply concerned about this violation and more importantly how Mirant will comply with the NOx cap in 2004 and future years. The City is aware that Mirant and VDEQ have been in discussions concerning the NOV and compliance in the future. VDEQ has been working closely with City staff, keeping the City informed and requesting input from the City. As the issue moves closer to resolution, which may involve a consent agreement or similar approach, the City requests your office also keep the City informed and provide the City the opportunity to share with your office the City's concerns prior to any final action.

"Home Town of George Washington and Robert E. Lee"

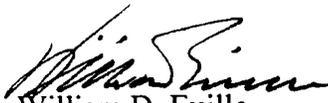
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The City supports the strongest possible enforcement action against Mirant for past violations. If any penalties are collected or supplemental environmental projects are required pursuant to any consent agreement, the City would like to suggest a portion of penalties or supplemental environmental projects be used to improve the air quality in Alexandria and the community adjacent to the plant.

The City also has been working with VDEQ on fine particulate and fugitive emissions from the Mirant plant, which may provide an excellent opportunity for air quality improvements in the City.

I appreciate your consideration of this request, and I look forward to your reply. In the meantime, if you have any questions, please contact Richard Baier, the Director of our Department of Transportation and Environmental Services, at 703-838-4966.

Sincerely,



William D. Euille,
Mayor

cc: The Honorable W. Tayloe Murphy, Jr., Secretary of Natural Resources
The Honorable Members of City Council
Philip Sunderland, City Manager
✓ Richard J. Baier, P.E., Director, T&ES
Robert G. Burnley, Director, Virginia DEQ
Jeffrey A. Steers, Director, VDEQ Northern Virginia Regional Office