

September 15, 2010

Ms. Deborah Jordan
Director, Air Division
United States Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Subject: Administrative Amendment to Title V permit for Facility A0018

Dear Ms. Jordan:

This is to advise you that the Bay Area Air Quality Management District is issuing an administrative amendment to the Major Facility Review Permit for Mirant Delta, LLC (Facility Number A0018, Application No. 22223).

The main purpose of this administrative amendment is to add a voluntary permit limit that Mirant has requested. The permit limit will require Mirant to shut down Unit 6 and Unit 7 (S-9 and S-10) on April 30, 2013 contingent upon several regulatory approvals. This condition will ensure that when Mirant receives the appropriate regulatory approvals the Contra Costa Power Plant will shut down prior to the start of commercial operation of the proposed Mirant Marsh Landing Power Plant. Pursuant to District Regulation 2-1-201, changes to non-federally enforceable applicable requirements are administrative amendments to a major facility review permit.

Condition 672 Part 7 reads:

*Subject to: (i) receipt of final, non-appealable California Public Utilities Commission approval of the Tolling Agreement for Units 6 and 7 at the Contra Costa Power Plant by and between Mirant Delta, LLC and Pacific Gas and Electric Company and dated as of September 2, 2009, as amended from time to time, without material condition or modification unacceptable to either party thereto in its sole discretion; and (ii) the receipt of all other approvals and consents from the relevant local, state and federal governmental agencies (including but not limited to the California Independent System Operator) necessary for the shutdown and permanent retirement from service of Units 6 and 7; Mirant Delta, LLC will shut down and permanently retire Units 6 and 7 from service at 2400 PDT on April 30, 2013. (Basis: Voluntary)

An asterisk is used to designate non-federally enforceable conditions in the District's Major Facility Review permits.

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The administrative amendment also corrects a typographical error in Table IV-B that showed Condition No. 672, Part 2, applied to S-10. This condition was related to fuel oil combustion and was deleted from Section VI, Permit Conditions, of the Major Facility Permit pursuant to Title V Renewal Application 7180 in 2005. The citation of the requirement in Table IV-B is an administrative amendment because it is a typographical error.

In addition, corrections have been made to Section IX, Revision History. The application numbers, for each revision have been added. The administrative amendment dated December 5, 2006, has been deleted because it is the same administrative amendment pursuant to Application 15335 that was issued on July 12, 2007. These revisions are administrative amendments because they are typographical errors.

The District will also notify the California Air Resources Board that the permit has been amended.

A copy of the permit may be viewed on the District's website at: <http://www.baaqmd.gov/Divisions/Engineering/Title-V-Permit-Programs/Title-V-Permits.aspx>. It will also be transmitted to EPA via EPSS. If you have any questions regarding this matter, please call Dennis Jang, Senior Air Quality Engineer, at (415) 749-4707.

Sincerely yours,

Jack P. Broadbent
Executive Officer/APCO

JPB:BGY:csu