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May 24, 2018

Hand-Delivered
W. Carl Richards, Jr., Supervisor
Zoning Review Office
Department of Permits, Approvals
and Inspections
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: REQUEST FOR SPIRIT AND INTENT VERIFICATION
RELATED TO CASE NOS. R-1957-4077, 1972-41-A, 74-102-SPHA
Location: 1021 Carroll Island Road
Parcel No. 141, Tax Account No. 1502001277
Legal Owner: CP Crane LLC
15th Election District, 6th Councilmanic District

Dear Mr. Richards:

This firm represents CP Crane, LLC ("CP Crane"), the legal owner of the above-referenced property, which consists of 88 ± acres and is located adjacent to and on the south side of Carroll Island Road in the Middle Rover area of Baltimore County (the "Property"). The Property is now split-zoned RC5 (Rural-Residential Zone) and RC20 (Critical Area). Copies of printouts from the State Department of Assessments and Taxation website for the Property are enclosed for your review and convenience. I am writing to confirm that improvements planned for the Property and the intended use of the Property are within spirit and intent of the prior special exception approved in Case No. R-1957-4077 and two subsequent zoning cases and that no additional zoning relief and/or a public hearing before the Administrative Law Judge will be required for the intended improvements to and use of the Property, as described in this letter below.

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Currently, a coal-fired power plant is located on the Property and has been for over 50 years. In its current configuration, the power plant has two nominal 200 megawatt coal-fired boilers and steam turbines and one diesel fueled GE Frame 5 combustion turbine. The planned repowering project by CP Crane on the Property, as shown and indicated on the enclosed site plan, labeled "Plan to Accompany Spirit and Intent Request" and dated May 17, 2018, will involve the design, construction, and operation of the following for conversion to a natural gas and ultra-low sulfur diesel power plant:

Three state-of-the-art natural gas and ultra-low sulfur diesel ("ULSD") fired GE LM6000 aero-derivative combustion turbines (hereinafter "CTs");

Liquid ULSD oil handling, piping, and storage, including a liquid fuel unloading area, and fuel tanks;

A natural gas compression station with associated treatment, piping, and regulation equipment;

Water treatment and wastewater handling facilities;

Electrical interconnection facilities, including GSU transformers; and

Related ancillary equipment to support the overall operation.

The electric generation units and associated equipment will be constructed on a portion of the approximately 88 ± acre Property, as shown on the site plan. Several existing power plant components will be demolished to allow space for the new site layout and improvements listed above. These components to be removed include a Unit 2 air heater, a Unit 2 dust collector, a Unit 2 electrical control and vacuum blower building, and urea storage tanks, all of which are shown on the site plan. These components are currently located on the south west side of the existing boiler structure. The Project will also result in the permanent retirement of the two existing coal-fired generating units and the installation of the three CTs and associated ancillary equipment. The existing GE Frame 5 CT will remain. The GE LM6000 CTs selected for the Repowering Project incorporate the latest advancements in clean, energy-efficient electrical power generation. They are expected to serve as peaking units (i.e., providing power during periods of high demand) and operate at an annual capacity factor of up to 30 percent. Clean natural gas will be their primary fuel (via the existing natural gas pipeline), but they will also be capable of firing ULSD in situations when natural gas is not available in sufficient

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quantities. The project may also include a battery energy storage system at some time in the future.

By way of brief history, in Zoning Case No. R-1957-4077 (the "1957 Case"), a special exception was granted for a steam electric generating station and related facilities. Subsequent to this 1957 Case, in Case No. 1972-41-A (the "1972 Case"), variances were granted, which related to "dock and sheet piling" on the Property. In a later case, Case No. 74-102-SPHA (the "1974 Case"), a special hearing was granted for an amendment to the prior approved special exception to permit construction of a propane storage facility with the existing special exception and a variance for the height of storage tank. Following these zoning cases, a series of administrative approvals were granted relating to power plant operations on the Property by way of spirit and intent letter requests, which related to the following:

2003 Spirit and Intent ("S & I") Letter – For a temporary change of coal operations;

June, 2005 S & I Letter – Alternative for barging of coal to the Property;

July 2005 S & I Letter – Confirmation of no zoning relief required for equipment 110 + feet in height;

2008 S & I Letter – For repairs and site improvements including coal safety yard modifications, installation of additional air quality emissions control equipment and other related site improvements; and

2011 S & I Letter – For improvements to facilitate addition of coal additives for improvement of boiler operations and reduction of air emissions.

The purpose of this letter is to confirm that conversion of the current improvements on the Property from a coal-fired power plant to a new state-of-the art natural gas/ULSD power plant, as shown and indicated on the enclosed site plan, is within the spirit and intent of 1957 Case and the subsequent 1972 and 1974 zoning cases for the Property. The intended use of the Property by CP Crane will continue to be a power plant and the overall operations on the Property for power plant purposes will be confined to and not extend outside of the special exception area originally approved in the 1957 Case. For these reason, please confirm on behalf of your office, by your countersignature below, that the site improvements and changes to the operation of the power plant use, as described in this letter and shown on the enclosed site plan, are within the

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spirit and intent of the prior zoning cases applicable to the Property and that no additional zoning relief and/or another public hearing before the Administrative Law Judge will be required at this time.

I have enclosed with this letter a check in the amount of $500.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you have any questions or require any additional information regarding this request, please feel free to contact me. I appreciate your attention to this matter.

Very truly yours,

David H. Karceski

DHK
Enclosure

REVIEWED AND APPROVED

W. CARL RICHARDS, JR.
ZONING REVIEW OFFICE

5/30/18
DATE

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