GRK champions enforcement and compliance of environmental laws within the watershed to protect and conserve the river for all users.

GUNPOWDER RIVERKEEPER®

WATERKEEPER® ALLIANCE MEMBER

SENT VIA ELECTRONIC MAIL

1/22/2020

Pete Gutwald
Director of Planning
Baltimore County Department of Planning
cpgutwald@baltimorecountymd.gov

Re: Baltimore County 2020 Comprehensive Zoning Map Process Issue No. 6-026

Dear Mr. Gutwald,

On behalf of the Gunpowder RIVERKEEPER® I hereby submit this letter in opposition of zoning request issue no. 6-026 submitted by CP Crane, LLC.

The Gunpowder RIVERKEEPER® (Riverkeeper) is an advocacy-based membership 501(c)(3) nonprofit organization that works with local communities for the purpose of protecting, conserving, and restoring the Gunpowder River and its watersheds. Riverkeeper represents individuals who live, work, and recreate, in the area of the CP Crane powerplant.

Riverkeeper is submitting this letter and accompanying documents because the requested zoning change will allow for any number of heavy manufacturing uses on site that may further exacerbate the environmental and water quality issues already occurring on site.

As attachments to this letter Riverkeeper is providing relevant documents that will be described below. Riverkeeper believes that each one of these documents is relevant and informative to the requested zoning change and thus should be provided to the Director of Planning for his consideration in making recommendations on zoning request issue no. 6-026.

Below is a summary of the attached documents and a brief description of their relevance.

1. Letter from the Federal Energy Regulatory Commission (FERC) to C.P. Crane LLC Dated 1/12/2018. Point two (2) of this letter states that CP Crane was unable to sell its generation capacity for the 2018-2019 and the 2020/2021 delivery years. This letter and issue were raised to the Maryland Public Service Commission but was not addressed in the PSC's granting of a Certificate of Public Convenience and Necessity (CPCN) to allow the site to "repower" to natural gas. Riverkeeper is worried that any future power generation operation may become a stranded asset and burden on county and state taxpayers.

2. Settlement Agreement Maryland Department of Environment May 2018. This Settlement required CP Crane to retire the two coal fired units no later than June 15, 2018. The Settlement also details Crane's air pollution violations from 2016-2018 and levies a civil penalty of $105,000 for violations and Clean Air Act permit noncompliance.
3. Intervenor Public Comments to MD PSC Case No. 9482. This public comment was submitted by Riverkeeper and other organizations to the PSC. It details numerous environmental, economic, and social concerns with site, the facility and CP Crane's repowering project.
4. Gunpowder Riverkeeper, EMRCC, & Blue Water Baltimore Public Comment on NPDES Permit MD0001511 Renewal Application. Similar to the document described above this document is a public comment to MDE regarding environmental and water quality concerns with the facility and its required NPDES wastewater discharge permit.
5. PSC documents related Zoning. These documents were provided by CP Crane in the PSC CPCN proceeding and they pertain to the letter of spirit and intent and the special zoning exception.

Riverkeeper thanks the Director for the opportunity to provide this letter and accompanying documents. If you have any questions or concerns about this letter and the accompanying document please feel free to contact the Riverkeeper, Theaux Le Gardeur at gunpowderriverkeeper@gmail.com or Patrick DeArmey at the below contact information

Sincerely,

Patrick DeArmey
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Representing the Gunpowder RIVERKEEPER®