

-----Original Message-----

From: GYoung@nlh.nl.ca [<mailto:GYoung@nlh.nl.ca>]

Sent: Friday, May 05, 2006 4:12 PM

To: cblundon@pub.nl.ca; jhutchings@pa-law.ca;

palteen@newfoundlandpower.com; tjohnson@odeaearle.nf.ca;

pcoxworthy@smss.com; jhaynes@nlh.nf.ca; PU - HYDRO Geoff Young (E-mail);

PU - NP Gerard Hayes (E-mail)

Subject: NLH PUB Application re 1% Sulphur - Cover letter to Certificate of Approval

Paul Coxworthy requested that I provide a copy of the February 2, 2006 covering letter that enclosed the Certificate of Approval. Frank Ricketts made reference to this document in this morning's testimony.

Cheryl, I would suggest that this be entered as an Information Item or, alternatively, as a Hydro exhibit. I will bring hard copies of this document to the hearing on Monday morning.

Geoffrey P. Young
Senior Legal Counsel
Newfoundland and Labrador Hydro

(See attached file: Certificate of Approval letter.pdf)



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Environment and Conservation
Pollution Prevention Division

File No.716.008

February 2, 2006

Mr. Wayne Rice
Manager, Environmental Services
Newfoundland & Labrador Hydro
P.O. Box 29
Holyrood, NL
A0A 2R0

Dear Mr. Rice:

Re: Certificate of Approval for the Holyrood Thermal Generating Station

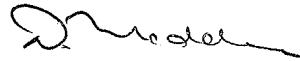
Please find enclosed a copy of a Certificate of Approval, pursuant to section 83 of the *Environmental Protection Act*, for the operation of a thermal generating station at Holyrood, NL.

As a reminder, the processing fee for the Approval [\$3000 + \$450 (HST)] is now due. Please forward a cheque or money order, made payable to the Newfoundland Exchequer, to the attention of Mr. Dan Michielsen, Manager of Industrial Compliance

In accordance with the Department's *Determination of Compliance with the Ambient Air Quality Standards Guidance Document (GD-PPD-009.02)*, HYDRO have been found to be non-compliant with the Air Pollution Control Regulations, 2004 with respect to ambient air concentrations of sulphur dioxide, particulate matter and nitrogen oxides in areas outside of the thermal generating station property line. Furthermore, this Department cannot issue a compliance agreement if HYDRO remains unwilling to acknowledge non-compliance. Subject to this, I hereby wish to advise HYDRO that full compliance with the *Environmental Protection Act*, associated regulations and the Certificate of Approval is required. Finally, as discussed with Mr. Dexter Pittman, the Department is prepared to enter into a compliance agreement with respect to opacity monitoring, within the framework proposed in Sections 3.1 and 7.2 of the draft agreement which you forwarded to Mr. Pittman on December 14, 2005.

If you have any further questions or comments, please contact me at 729-5782.

Sincerely yours,



Derrick Maddocks, P.Eng.
Director

cc. Dan Michielsen, Industrial Compliance
Frank Ricketts, Newfoundland & Labrador Hydro