

Appendix 12-C

Preliminary Emergency Response Plan



Competitive
Power Ventures, Inc.

DELIVERED VIA OVERNIGHT MAIL

November 7, 2008

Mr. Paul Graham, Chief
The New Hampton Fire Company
5024 Route 17M
New Hampton, NY 10958

**Subject: DRAFT EMERGENCY RESPONSE PLAN Review for
CPV Valley, LLC
Proposed CPV Valley Energy Center
Route 6, 17M and I84
Town of Wawayanda, Orange County, New York**

Dear Major Russo:

As follow up to previous communication from our counsel, Scott Bonacic, regarding the CPV Valley Energy Center, we are enclosing a draft Emergency Response Plan for your review and input. We look forward to meeting with you in the near future to discuss this draft plan in more detail. Also, the following provides some additional background on our proposed project and the current status of our permitting process for your information.

CPV Valley, LLC is proposing to construct and operate the CPV Valley Energy Center to be located on approximately a 20-acre portion of 122 acres of open land in the northeast portion of the Town of Wawayanda proximate to the boundary with the city of Middletown. The 122-acre site is bounded by Interstate Route 84 to the south; Route 17M on the east and Route 6 to the north and west. The proposed facility would be a 630 megawatt power plant. CPV Valley understands that fire protection for the project site will be provided by the New Hampton Volunteer Fire Company.

CPV Valley is currently in the process of preparing a Draft Environmental Impact Statement (DEIS) for the proposed facility to be submitted to Town of Wawayanda Planning Board, acting as lead agency, in accordance with the New York State Environmental Quality Review Act (SEQRA). In accordance with the project's draft

CPV

COMPETITIVE POWER
VENTURES, INC.

50 BRAINTREE HILL OFFICE PARK
SUITE 300
BRAintree, MA 02184

T/ 781-848-0253
F/ 781-848-5804
WWW.CPV.COM

SEQRA Scoping Document, CPV Valley is required to perform/provide the following in the projects DEIS:

- Identification of community service providers (police protection, fire, and emergency medical) that will be responsible for providing services to the project. Service providers will be asked about their current ability to service the proposed facility, either alone, or in conjunction with a similar service provider in the area.
- A draft Emergency Response Plan for your review.

To satisfy the above requirement, CPV Valley would like to request input from the New Hampton Volunteer Fire Company on the enclosed preliminary draft plan.

Please feel free to contact please me (781) 817-8970, or Glenn Harkness of TRC at (978) 656- 3603 if you have any questions or concerns.

Thank you for your attention to this request.

Sincerely,

CPV Valley LLC

Steven Remillard
Director of Development

Enclosure: DRAFT EMERGENCY RESPONSE PLAN

cc: Glenn Harkness, PE, TRC
Mike Bruno, CPV Valley
Laura Lefebvre, PE, TRC
Ken Cormier, TRC



DELIVERED VIA CERTIFIED MAIL

November 7, 2008

Acting Commander Robert Downs
New York State Police
55 Crystal Run Road
Middletown, NY 10941-9755

**Subject: DRAFT EMERGENCY RESPONSE PLAN Review for
CPV Valley, LLC
Proposed CPV Valley Energy Center
Route 6, 17M and I84
Town of Wawayanda, Orange County, New York**

Dear Acting Commander Downs:

I believe you may have spoken with Mr. Bonacic regarding meeting our project, the CPV Valley Energy Center as a follow up to our letter to Captain Nevins from our counsel, Mr. Scott Bonacic. We would like to discuss the project and our draft Emergency Response Plan. In that light w, enclosed please find a draft Emergency Response Plan for your review. Also, the following provides some additional background on our proposed project and the current status of our permitting process for your information.

CPV Valley, LLC is proposing to construct and operate the CPV Valley Energy Center to be located on approximately a 20-acre portion of 122 acres of open land in the northeast portion of the Town of Wawayanda proximate to the boundary with the city of Middletown. The 122-acre site is bounded by Interstate Route 84 to the south; Route 17M on the east and Route 6 to the north and west. The proposed facility would be a 630 megawatt power plant. CPV Valley understands that the project site falls the Middletown barracks, Troop F.

CPV Valley is currently in the process of preparing a Draft Environmental Impact Statement (DEIS) for the proposed facility to be submitted to Town of Wawayanda Planning Board, acting as lead agency, in accordance with the New York State Environmental Quality Review Act (SEQRA). In accordance with the project's draft

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SEQRA Scoping Document, CPV Valley is required to perform/provide the following in the project's DEIS:

- Identification of community service providers (police protection, fire, and emergency medical) that will be responsible for providing services to the project. Service providers will be asked about their current ability to service the proposed facility, either alone, or in conjunction with a similar service provider in the area.
- A draft Emergency Response Plan for your review.

To satisfy the above requirement, CPV Valley would like to request input from the State Police on the enclosed preliminary draft plan. Based on your conversation with Mr. Bonacic, I believe that it was suggested that we coordinate a combined meeting with you and the New Hampton Fire Company to discuss the project and obtain comments on the draft plan. We will contact you in the near future regarding scheduling the meeting.

Please feel free to contact please me (781) 817-8970, or Glenn Harkness of TRC at (978) 656- 3603 if you have any questions or concerns.

Thank you for your attention to this request and we look forward to meeting with you.

Sincerely,

CPV Valley LLC

Steven Remillard
Director of Development

Enclosure: DRAFT EMERGENCY RESPONSE PLAN

cc: Cpt. Stephen Nevins, NYSP
Scott Bonacic, BK&A
Mike Bruno, CPV Valley
Laura Lefebvre, PE, TRC
Ken Cormier, TRC



HARRY CORBITT
SUPERINTENDENT

**NEW YORK STATE POLICE
BUILDING 22
1220 WASHINGTON AVE.
ALBANY, N. Y. 12226-2252**

December 30, 2008

Mr. Steven Remillard
Director of Development
CPV Valley LLC
50 Braintree Hill Office Park
Suite 300
Braintree, MA 02184

Re: CPV Valley Energy Center Emergency Response Plan

Dear Mr. Remillard,

I am confirming that we have received the draft Emergency Response Plan (ERP) you previously provided. Based on a preliminary review, I do not have comments at this time. However, as discussed with Mr. Bonacic, we look forward to meeting with you in the near future to discuss the ERP in further detail, and therefore, may provide specific comments at that time.

Best regards,

A handwritten signature in black ink, appearing to read "R. Downs", with a long horizontal line extending to the right.

Sergeant Robert Downs
New York State Police



New Hampton Fire District
PO Box 386
New Hampton, New York 10958
(845) 374-2111

Paul J. Graham
Chief

Joseph Alfonso
1st Asst. Chief

John Glenn
2nd Asst. Chief

To: Town of Wawayanda Planning Board

From: Paul Graham, Chief

Date: 1-27-2009

Subj: Review of CPV Valley Energy Center S/B/L 4-1-38.32, 38.33, 40.22

After review of the plans for the above referenced application the New Hampton Fire District offers the following:

No issues of concern

Concerns / see below comments

We are in receipt of a draft Emergency Response Plan which is currently under review.

We have met with representatives of Competitive Power Ventures, Inc to discuss our concerns with the CPV Valley Energy Center.

We discussed our concerns with regards to building height and the fact the New Hampton Fire District does not currently own a ladder truck. CPV representatives advised us that the plant operators would be in a control room at first floor level which reduced our concern for life safety. In addition interior access would be provided throughout the facility.

We advised the CPV representatives of our position with regards to the fire protection water to be provided from the City of Middletown waste water treatment plant. Our position is that the water from the City of Middletown which operates under a NY DEC permit to discharge water into the Walkill River is an acceptable source for fire protection. In fact historically prior to the installation of the fire hydrant system the New Hampton Fire District drafted water from the same river and stored this water in the fire apparatus tanks.

Roadway access will need to accommodate a vehicle weight of 70,000 pounds and overall length of 47 feet

The comments supplied are based on the Conceptual Plan dated 12/5/2007, The Emergency Response plan dated, 1/23/09, and the draft Emergency Response Plan dated November 2008. We reserve the right to make additional comments when revised plans and final plans are presented.

We look forward to conducting future dialogue with representatives of CPV.

Fax to the Town of Wawayanda Planning Board at 355-5752

PRELIMINARY EMERGENCY RESPONSE PLAN

CPV VALLEY ENERGY CENTER



Prepared for:

CPV Valley Energy Center , LLC

November 2008

Emergency Response Procedure

Valley Energy Center

PREPARED BY: _____ **DATE:** _____
Environmental Manager

APPROVED BY: _____ **DATE:** _____
Plant Manager

REVISION	DATE	DESCRIPTION

1. PURPOSE

The purpose of this procedure is to define emergency response for hazardous materials spills, medical/fire/law enforcement, weather emergencies, and evacuation.

2. DISCUSSION

This procedure applies to all plant personnel, contractors, and others who may be on the plant site during a fire, chemical release/spill, medical emergency, tornado/severe storms, or a bomb threat.

3. RESPONSIBILITIES

- A. The Plant Manager has overall responsibility for the development, revision, and implementation of this plan and for assigning the title and associated responsibilities of Emergency Coordinator to an employee to adequately cover all periods when the facility is occupied.
- B. The Operations Manager is responsible for the execution of this plan.
- C. The Emergency Coordinator is responsible for conducting fire and evacuation drills. The Emergency Coordinator is responsible for ensuring the Fire Department is notified, if necessary, and coordinating a response to the incident as well as directing the evacuation according to this plan. The Emergency Coordinator shall designate an Evacuation Coordinator if the emergency requires personnel to evacuate.
- D. The Control Room Operator will act as the Emergency Coordinator until relieved by management and shall account for all operation and maintenance (O & M) personnel on-site.
- E. The Evacuation Coordinator shall maintain radio communication with the Emergency Coordinator and keep a head count of all evacuated plant and contract personnel in order to report the status to the Emergency Coordinator. The Evacuation Coordinator may be any qualified plant employee.
- F. All personnel will be trained on their work areas regarding fire routes, exits, the location and use of emergency equipment, and understanding and following this plan. All personnel who have contractors or visitors at the facility shall ensure that they are familiar with this plan.

4. EMERGENCY RESPONSE OVERVIEW

This procedure provides immediate action steps to be used in a variety of emergencies. It is impossible to provide the exact steps to be followed in all emergencies and emergencies can involve several types of problems at once (a fire with corresponding injuries and a release of hazardous materials for example). Also, the sequence of actions in this procedure may not be the best sequence given the specific situation of an emergency. More often than not, steps in this procedure should be performed in parallel.

The specific steps below are to be used in conjunction with the Emergency Response Flowchart (Exhibit SMP2-A) at the end of this procedure as well as the Emergency Response Phone List posted in the Control Room. If the emergency ceases to exist prior to reaching the end of the

flowchart, emergency response actions may be halted and necessary notification shall be made. The control room logbook shall be used to document a timeline of events and actions taken during the emergency and to document all notifications made, including all instructions given by parties contacted. Reporting guidelines for injuries and near miss safety/environmental accidents is covered in SMP-14, Accident and Injury Reporting.

5. HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE (HAZWOPER)

A. SPILL RESPONSE PROCEDURE

NOTE

When working on or around the ammonia system, be alert as to the wind direction. At the first sign of ammonia odor, immediately try to determine where the release is coming from, then move upwind from the spill.

The following steps will be done immediately upon observation of ammonia, oil, or hazardous materials spills. This procedure is intended to be a concise list of the basic emergency response steps and must be used in conjunction with Hazardous Material Spill Background, Training and Follow-up section below.

1. Evacuate area. Ensure that all personnel are evacuated from the spill area. Attend to any injured personnel to minimize the extent of the injury and to prevent further injury.
2. Evacuate plant if necessary. Evacuate the entire plant if it becomes necessary. Primary and secondary evacuation routes are shown on Exhibit SMP2-B. The Plant Manager or his designee may designate different evacuation routes at the time of the accident based on the type of accident, location of problem, location of personnel, wind direction, and any other information known at the time. Personnel may also be directed to go to a particular corner of the plant to evacuate the area of the emergency if evacuation of the site is undesirable due to interference of incoming emergency personnel.
3. Evaluate the need for a "shelter-in-place". Additionally, if the emergency involves a toxic airborne release, the Plant Manager or his designee will evaluate the release and wind conditions and determine whether or not to evacuate plant personnel or "shelter-in-place". Due to the uncertainty of wind direction and concentrations, it may be preferable to have all personnel in buildings remain there until the toxic cloud has dissipated. The shelter-in-place concept is preferable in the situation where a high concentration cloud of toxic gas passes a building containing people. If the people were to evacuate the building at this point, they may be leaving a relatively safe environment and entering one that is toxic.

If the gas cloud is moving in the direction of the control room, shut down all air conditioning and ventilation systems. All personnel in the building should enter the control room area and all doors leading to this area should be closed. Even with a slight wind, the toxic cloud will dissipate in a short amount of time.

4. Stop the spill. Take the necessary steps to mitigate the spill or release (e.g., shut off pumps, close valves, discontinue loading/unloading operations, etc.) if it safe to do so. If at all possible, stop the spill at its source.

5. Notify all personnel. The Control Room Operator will immediately notify all personnel on-site by radio communication.

NOTE

The Plant Manager, and Corporate supervision shall be notified as soon as possible, but this requirement should not interfere with proper physical responses to the emergency.

6. Assess spill control measures. The Plant Manager (or his designee) will instruct plant personnel for further spill response measures. At any time the Plant Manager determines that the spill or any measure needed to prevent, contain, control, or clean up the spill is beyond the ability of the facility's manpower and/or equipment, he shall immediately contact outside hazardous materials emergency responders and remediation contractors to help control/clean up the spill. The plant currently has a contract with XXXXXX.

7. Notify outside agencies. If the spill or release is of a nature that may place the public at risk, initiate public warnings through the local emergency agencies listed on the Emergency Response Phone List. Contact the Environmental Manager to notify agencies as necessary depending on the material that spilled and the reportable quantity.

8. Maintain security and communications. The Plant Manager or his designee will maintain plant security and communications. Access shall be restricted so that only essential plant personnel and emergency personnel are admitted. In no case shall members of the press be admitted without the approval of Corporate Supervision. The Corporate PR executive or his designee will handle all public relations, press releases, and outside inquiries.

9. Keep the material on-site. Make every reasonable effort to keep the spill on plant property and away from navigable waters. In the event that the material has been released from the containment system, all necessary steps shall be taken to prevent it from entering storm sewers, public waters, or from escaping the facility property, as long as it is safe to do so.

10. Assess specific hazards. Refer to MSDS sheets for proper use of personnel protective equipment.

NOTE

MSDS's are maintained in the MSDS binders located in the Library.

11. Conduct spill control measures. Build berms, place absorbent materials, plug storm drain inlets, culverts, and ditches to stop flow of the spill. If necessary, plug culverts of streams and drainage ditches leaving the plant to stop the flow of the spill. Plant personnel are only qualified to respond to a spill at the **First Responder-Operations level**. Response to the spill can involve operating equipment remotely or placing absorbents in the flow path if it can be done without placing employees in an unsafe condition.

12. Document events. Document all events in detail as soon as possible.

13. Report the Incident. Follow up with all emergency response organizations and Corporate supervision to ensure all reporting requirements have been met. Report all injuries in accordance with SMP-14, Accident and Injury Reporting.

B. HAZARDOUS MATERIAL SPILL BACKGROUND, TRAINING, AND FOLLOW-UP

This section provides details and information to be used in preparation for and response to emergencies involving hazardous materials incidents in compliance with OSHA Hazardous Waste Operations and Emergency Response Standard (29 CFR 1910.120). This section is also to be used in conjunction with the facility Spill Prevention, Control, and Countermeasure Plan (SPCC) if the spill involves a fuel oil spill at the plant. The SPCC is required by EPA oil spill regulations 40 CFR 110 and 40 CFR 112. The SPCC is a document that describes the plant design features and administrative actions that prevent the discharge of oil and other hazardous materials to the environment. The SPCC is a spill prevention plan (that is, actions to be taken before the spill occurs), while this procedure is a spill response plan (that is, an action to be taken after the spill occurs).

An **oil spill event**, (this may not be relevant for VEC) as defined in 40 CFR 112.2, is a discharge of oil into or upon the navigable waters of the United States or adjoining shorelines in harmful quantities.

Guidance pertaining to employee safety and training related to major hazardous materials releases and subsequent cleanup operations is contained in 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response, referred to as HAZWOPER.

1. Overview of Hazardous Materials Releases

Hazardous Material

Any substance or mixture of substances defined as hazardous under OSHA, EPA, or DOT regulations, exposure to which results, or may result, in adverse effects to the health or safety of employees. (29 CFR 1910.120(a)(3)) Hazardous materials stored in quantities sufficient to require emergency response plans include: ammonia, fuel oil, sodium hydroxide, ferric chloride, hydrazine, and sulfuric acid. One or all of the regulations listed above may classify other materials as hazardous, but the release of which is not likely to create health and safety hazards sufficient to result in an emergency (i.e., laboratory reagents).

Emergency Release of Hazardous Material

A Hazardous Materials Emergency is an occurrence that results, or is likely to result, in an uncontrolled release of a hazardous substance. A Hazardous Materials Emergency may cause high levels of exposure to toxic substances, is life or health threatening, presents a fire or explosion hazard, creates an oxygen deficient condition, or requires immediate attention because of danger.

The following chemicals and materials are on-site with the combination of characteristics and quantities which could, if released in an uncontrolled manner, require emergency response under the regulations specified by 29 CFR 1910.120.

Chemical	Reportable Quantity Pure Product	Reportable Quantity - Solution Used at Plant	Potential Quantity stored On-site
Aqueous Ammonia, 19%	100 lbs.	XX gallons	15,000 gallons
Fuel Oil	5 gallons	5 gallons	965,000 gallons
X			
Y			
Z			

Due to the multiple safeguards incorporated by system design and construction (including secondary containments), and operation by highly trained and qualified personnel, any significant release is improbable. A release that does occur is most likely an incidental release, able to be controlled, contained, and cleaned up by on-site personnel as part of their normal duties.

Incidental Release of Hazardous Material

An Incidental Release is defined in 8 CCR 5192(a)(3) as: “one that does not cause a health or safety hazard to employees and does not need to be cleaned up immediately to prevent death or serious injury to employees.” Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area, or by maintenance personnel are not considered to be emergency responses.

2. Hazardous Materials Release Guidelines

Incidental Release Response

Incidental releases can be controlled, contained, and cleaned up by employees in the immediate area. No outside or special assistance is required. Nuisance spills and minor releases which do not require immediate attention (due to lack of danger to employees) would be considered within the normal activities and training of the employee. No additional or special training is required to properly deal with an incidental release.

Incidental releases, for the purposes of operator training and response activities pertaining to the unintended release of hazardous materials on-site, may be approached, controlled, stopped, absorbed, neutralized, and cleaned up as long as plant personnel do not endanger themselves, others, or the environment in the process.

Personnel will carry out system operations at a safe distance to minimize the severity of the release. Remote control of valves and pumps will be employed as available to minimize the necessity of approaching the point of origin of an incidental release. Personnel will employ PPE, as needed and for which they are

trained, to minimize potential for contact with the released materials. Clean up and hazardous material disposal techniques, as outlined in on-going training, will be followed to ensure safe and efficient return to normal operations. These actions implement the training conducted as part of normal system operations.

Disposal guidelines outlined below should be followed. Recording and reporting of the release should be made promptly as described in the Notification section below. As incidental releases often do not leave the plant, no outside notification may be necessary. The Plant Manager, or his designee shall review the situation and notification requirements to determine what outside organizations are required to be notified. As a minimum, the appropriate Corporate Supervision will be notified. Refer to the preceding table for Reportable Quantities for Extremely Hazardous Substances that are stored on-site. Proper decontamination of equipment and PPE shall be implemented after the clean up is completed.

Emergency Response

A hazardous materials emergency response is any response effort by employees from outside the immediate release area or by other designated responders (i.e., mutual aid groups, local fire departments, etc.) to an occurrence which results, or is likely to result, in an uncontrolled release, which may cause high levels of exposure to toxic substances, or which poses danger to employees requiring immediate attention (29 CFR 1910.120(a)(3)). While a release resulting in an emergency is highly unlikely, Valley Energy Center (VEC) employees will be trained and prepared to carry out appropriate responsibilities. No VEC employee shall attempt to perform actions for which they have not been prepared, through training and/or experience, or for which they are not properly equipped. On-site training will be conducted both initially and on a continuing basis, as necessary, to ensure that personnel have the knowledge and experience to make a reasonable determination of the dangers when faced with a release situation.

For planning purposes the only credible scenario, which could result in an uncontrolled release requiring HAZWOPER response, would be the highly improbable situation in which a chemical storage tank ruptured or rupture of a line with isolation impossible, with a simultaneous rupture of secondary containment and/or control system(s) failure.

If an uncontrolled release occurs resulting in an emergency, off-site emergency response organizations shall be contacted. Refer to the Emergency Response Phone List. Such response organizations, under municipal, government, or private auspices, are often referred to as HAZMAT Teams.

3. Resource Allocation

The Plant Manager has the authority to commit resources and funds for any spill remediation activity. He may delegate duties to other VEC employees to expedite spill containment, clean-up, and disposal. In the event of a major spill or release, the Plant Manager will be in charge of the handling and cleanup of the toxic material. This person would either be from the licensed spill cleanup company or a government agency (i.e., Ammonia supplier or other chemical supplier, Fire

Department, or commercial response organization). The Plant Manager or his designee would remain in charge of the overall plant operation and coordination of spill response activities.

In the event that the Plant Manager or his designee is not available, the O&M Manager in consultation with Corporate Supervision shall assume the responsibility for supervision of any spill response activities.

4. Emergency Response Training

Training shall be based on the duties and functions to be performed by each employee. Documentation of such training, including program agendas (with a copy of any outlines, overheads or handouts) and training rosters shall be maintained.

Facility response personnel are given instruction in emergency procedures (see VEC's Spill Prevention and Response Plan) related to a release of a hazardous substance or any hazardous chemical. Topics of instruction include emergency equipment (proper use, inspection and maintenance procedures), emergency systems (such as alarms/communications, key cut off systems for automatic feed systems), response procedures for fires, explosions, and spills (including spills to groundwater), and the organizational responsibilities of response personnel under the Incident Command System.

First Responder Awareness Level

First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

- a. An understanding of what a hazardous substances are, and the risks associated with them in an incident
- b. An understanding of the potential outcomes associated with an emergency created when hazardous substances are present
- c. The ability to recognize the presence of hazardous substances in an emergency
- d. An understanding of the role of the first responder awareness individual in the employers emergency response plan, including site security and control and DOT's Emergency Response Guidebook
- e. The ability to realize the need for additional resources, and to make the appropriate notifications to the communications center

First Responder Operations Level

First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the spill from a safe distance, keep it from spreading, and prevent exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level:

- a. Knowledge of the basic hazard and risk assessment techniques
- b. Knowledge of how to select and use proper PPE provided to the first responder operational level
- c. An understanding of basic hazardous materials terms
- d. Knowledge of how to perform basic control, containment and/or confinement within the capabilities of the resources and PPE available within their unit
- e. Knowledge of how to implement basic decontamination procedures
- f. An understanding of the relevant standard operating and termination procedures

5. Hazardous Material Release Notification and Follow-up

Initiate spill response and cleanup procedures above in conjunction with the following reporting requirements.

Hazardous materials emergencies are occurrences that release, or are likely to release, hazardous materials into the workplace and that create a potential safety or health hazard to persons in the vicinity. Such emergencies require assistance of personnel from outside the immediate work area to control and halt the release of the material. Notification of commercial emergency or municipal emergency responders should be made as soon as an assessment of the area indicates that the volume of the release, or the danger caused by the release, is beyond the ability of the plant personnel to respond effectively in a timely manner.

Notification

NOTE

When reporting spills it is important to provide accurate, concise, and factual information. Do not exaggerate or speculate.

- a. Upon observation of a release of a hazardous material, chemical, or oil, employees shall immediately contact the Plant Manager and provide him with information concerning the spill, such as:
 - (1) Employee name
 - (2) Location of spill
 - (3) Type and quantity of material spilled
 - (4) Actions and result of actions taken to mitigate the spill
 - (5) Circumstances that caused the spill
- b. The Plant Manager, or his designee, will notify the necessary organizations and governmental agencies listed on the Emergency Phone List. If necessary, the Plant Manager, or his designee may contact outside Hazardous Materials Emergency Response organizations, and/or hazardous waste clean-up contractors to assist in the remediation of the spill.
- c. The Plant Manager or his designee will also notify Corporate Supervision of all spills regardless of quantity and type as soon as practical.
- d. The Plant Manager or his designee will provide the following information in the agency notification:
 - (1) The facility name, exact location, and phone number
 - (2) The source and cause of the spill
 - (3) The type (chemical name), volume of material released, and whether the material is classified as extremely hazardous
 - (4) The volume estimated that reached navigable waters
 - (5) The time, date, and duration of the spill
 - (6) The medium release went into (air, soil, water) and anticipated release movement
 - (7) The action taken and anticipated
 - (8) State whether evacuation is needed
 - (9) The weather conditions, if applicable

- (10) Known health risks and required medical attention
 - (11) Names of other parties contacted
 - (12) Names of other parties to be contacted
- e. Keep notifications factual and do not speculate. Keep a record of all notifications made including all instructions given by parties contacted using the Emergency Response Call Record Form shown on Exhibit SMP2-F. The records of notification shall be kept in the plant files for a period of 5 years.
 - f. All inquiries from the media and the public should be referred to the Plant Manager, or his designee. Under no circumstances shall any plant personnel provide information to media or the general public concerning the spill. Simply and politely refer all inquiries to the Plant Manager. The Plant Manager will refer all inquiries to the Corporate Representative.
 - g. For plants with fuel oil: Per 40 CFR 112.4, in the unlikely event that a discharge of 1,000 gallons of oil escapes the containment systems and enters into the **navigable waters** of the United States in a single spill event or a discharge of harmful quantities (as defined by 40 CFR 110) in two spill events within any twelve month period occurs, the Plant Manager will submit in writing to the EPA Regional Administrator:

NOTE

An * denotes information included in the SPCC plan

- (1) A complete copy of the SPCC plan
- (2) Name, phone number, and address of the facility (*)
- (3) Owner and operator name and address (*)
- (4) Date and year of initial facility operation (*)
- (5) Maximum storage capacity and average daily use (*)
- (6) Description of the facility (*)
- (7) Quantity and type of material spilled
- (8) Cause(s) of the spill(s)
- (9) Corrective actions
- (10) Additional preventative measures
- (11) Other pertinent information

- h. The plant staff shall investigate each incident that resulted in, or could reasonably have resulted in, a release of hazardous materials. An incident investigation shall be initiated as promptly as possible, but not later than 24 hours following the incident.

The responsibilities of VEC following a release include determining the origin of the incident, investigating the effectiveness of this procedure, and evaluating the potential need for modifications to this procedure and plant personal response. VEC will be responsible for the implementation and communication of any changes to this procedure following an accidental release of aqueous ammonia.

A summary shall be prepared at the conclusion of the investigation that includes at a minimum:

- Date of incident and investigation
- A description of the incident
- The factors that contributed to the incident
- Any recommendations resulting from the investigation

VEC will promptly address and resolve the investigation findings and recommendations. Resolutions and corrective actions shall be documented. The findings shall be reviewed with all affected personnel whose job tasks are affected by the findings. Investigation summaries shall be retained for five years in the plant environmental files.

6. Spill Clean-up and Disposal Procedure

- a. All residuals (recovered chemicals, contaminated clean up materials, and contaminated soil) resulting from spill remediation will be placed in approved containers. If the spill residual has no reuse or salvage value, the spill residual will be properly disposed of off-site.
- b. Clean up will be conducted to coordinate collection for isolation and disposal of contaminated products and materials, as appropriate. The following categories will be isolated and secured independently:

NOTE

These steps are necessary to reduce costs associated with clean up and disposal of contaminated materials.

- (1) Recovered pure product for possible refining and reuse
- (2) Contaminated PPE for separate disposal
- (3) Oiled debris for separate disposal, i.e. wood products, beauty bark, etc.
- (4) Contaminated soils for possible incineration or separate disposal

- (5) Absorbent materials for incineration
- c. Disposal of spilled material will meet all Federal and State regulations guiding the disposal of waste. Hazardous waste manifests will accompany containers of spill residues if the residue is determined by definitions of hazardous regulations to be hazardous. All required labeling and recordkeeping requirements will be followed.
- d. Consult the Material Safety Data Sheet of the substance for cleanup procedures. Ensure all plant and contractor personnel assisting with the clean-up are aware of clean-up instructions and hazards listed on MSDSs.

6. FIRE RESPONSE PROCEDURE

- A. In the event of any fire, immediately report the fire to the Control Room Operator via plant radio, cell phone, or other means. The report to the Control Room Operator shall include the following:
 - 1. Your name
 - 2. Nature of event – “Fire”
 - 3. Location of the fire
 - 4. Severity of the fire
 - 5. Your planned action (ex. - evacuate or use fire extinguisher)
- B. If the fire is in the incipient stage (small) and you have been properly trained, respond using the appropriate fire response equipment (fire extinguisher, small hose, etc.).

NOTE

If the fire progresses to a life-threatening event, immediately evacuate the area and notify the Control Room.

- C. The Control Room Operator shall contact the Emergency Coordinator. The Emergency Coordinator shall report to the incident scene. The Emergency Coordinator shall evaluate the situation to decide if evacuation of all personnel or outside emergency response service (Fire Department) is necessary.
- D. In the event that the fire is beyond the incipient stage and requires outside emergency response, the Emergency Coordinator shall instruct the Control Room Operator to dial 911 and sound the plant evacuation alarm.
- E. To facilitate a quick response, the Emergency Coordinator will designate a liaison to meet the Fire Response Service at the main entrance gate.
- F. Evacuation Areas: The areas on-site that have been designated as muster areas. Evacuation areas are to be posted as such with appropriate signage. For the plant, the following two areas have been identified as evacuation areas (Exhibit SMP2-B):

1. Main Entrance Gate Area – Evacuation Area #1

2. Additional location to be determined.

- Upon hearing the fire evacuation alarm, all personnel shall evacuate to their primary evacuation area.

G. If the Emergency Coordinator deems it necessary, a secondary evacuation area will be determined based upon site conditions and wind direction (as determined by the wind sock). If no specific evacuation area is dictated, the primary evacuation areas should be utilized.

H. The Emergency Coordinator shall designate an Evacuation Coordinator to account for all plant and contract personnel. The Visitor's Log Book from the Administration Building should be utilized to aid in this function.

I. Fire Evacuation Drills shall be conducted at a minimum on an annual basis. All occupants at the facility shall participate in the fire drill unless their participation could create an operational upset. At a minimum, the plant evacuation alarm shall be tested monthly. A written record of all drills shall be maintained. Any deficiencies observed shall be corrected through employee training.

7. CHEMICAL RELEASE/SPILL PROCEDURE

A. In the event of a chemical spill or release, immediately report it to the Control Room Operator via plant radio, cell phone, or other means. The report to the Control Room Operator shall include the following:

1. Your name
2. Nature of event – “chemical spill/release”
3. Location of the spill/release
4. Chemical identity and severity of the spill/release (estimate quantity)
5. Your planned action (ex. - evacuate or close remote valve)

B. Depending on the chemical and quantity involved, do not attempt to stop, contain or clean the spill. Only trained personnel using the proper procedures shall attempt to stop, contain, or clean a chemical spill or release.

C. The Control Room Operator shall contact the Emergency Coordinator. The Emergency Coordinator shall report to the incident scene. The Emergency Coordinator shall evaluate the situation to decide if evacuation of all personnel or outside emergency response service is necessary.

D. The Emergency Coordinator shall evaluate the need for a "Shelter-In-Place". Additionally, if the emergency involves a toxic airborne release, the Plant Manager or Control Room Operator will evaluate the release and wind conditions and determine whether or not to evacuate plant personnel or “shelter-in-place”. Due to the uncertainty of wind direction

and concentrations, it may be preferable to have all personnel in buildings remain there until the toxic cloud has dissipated. The shelter-in-place concept is preferable in the situation where a high concentration cloud of toxic gas passes a building containing people. If the people were to evacuate the building at this point, they may be leaving a relatively safe environment and entering one that is toxic. If the gas cloud is moving in the direction of the control room, shut down all air conditioning and ventilation systems. All personnel in the building should enter the control room area and all doors leading to this area should be closed. Even with a slight wind, the toxic cloud will dissipate in a short amount of time.

- E. In the event the spill or release requires outside emergency response, the Emergency Coordinator shall instruct the Control Room Operator to dial 911 and sound the evacuation alarm.
- F. The Emergency Coordinator will designate a liaison to meet the Emergency Response Service at the main entrance gate.
 - Upon hearing the evacuation alarm, all personnel shall evacuate to their primary evacuation area.
- G. If the Emergency Coordinator deems it necessary, a secondary evacuation area will be utilized based upon site conditions and wind direction (as determined by the wind sock). If no specific evacuation area is dictated, the primary evacuation areas should be utilized.
- H. The Emergency Coordinator shall designate an Evacuation Coordinator to account for all plant and contract personnel. The Visitor's Log Book from the Administration Building should be utilized to aid in this function.

8. MEDICAL EMERGENCIES

- A. All injuries must be reported to your supervisor, no matter how small. First Aid/CPR trained personnel will be called to respond to minor first aid injuries. If applicable, the injured person may be taken to plant's approved health care facility and/or local emergency room for further evaluation.
- B. If someone is seriously hurt, notify the Control Room Operator of the location of the injured person, nature of the injury, and any other important information related to the incident scene (ex. down power line next to injured person, chemical drum spill, etc.).
- C. The Control Room Operator will dial 911 to alert emergency crews. An individual will be designated to meet emergency crews at the main entrance gate.
- D. The Control Room Operator will make a radio announcement for all available First Aid/CPR trained personnel to report to the incident site. The First Aid/CPR trained personnel will administer first aid and any other measures within their training until the emergency crews arrive at the scene.
- E. If the situation warrants the rescue of an unconscious or immobile person from a confined space or an elevated surface, the Control Room Operator will be instructed to dial 911 and shall explain to emergency personnel the type, location, and hazards of the confined space.

Again, an individual will be designated to meet the emergency crews at the appropriate entrance to expedite the response.

NOTE

For emergencies that involve an immobile or unconscious person in a confined space, follow Confined Space and Enclosed Space Entry.

9. EARTHQUAKES, TORNADOS, AND SEVERE STORM EMERGENCIES

A. Earthquakes

If you are inside a building:

1. Do not use the telephone except for emergency notification.
2. Stay inside the building.
3. Take cover under a desk or strong table or in a doorway, or sit or stand against an inside wall.
4. Stay away from windows, glass, bookcases, and outside doors.
5. If the earthquake should be followed by fire, then use the Fire Response Procedure above.
6. Do not attempt to leave the building during a severe earthquake because of the hazards of downed power lines, falling debris from the building, etc.

If you are outside a building:

1. Stay outside the building.
2. Move away from buildings and utility wires.
3. Watch for falling glass, electrical wires, poles or other debris.

After the earthquake:

1. Check for injuries and provide first aid as necessary.
2. Check for broken fuel lines and electrical faults. Isolate ruptures and faults as necessary.
3. Check for ruptures in systems containing hazardous chemicals. Isolate and contain spills.
4. Place the plant in a safe condition by shutting down equipment as necessary.
5. Avoid using the telephone except for emergency notification.

B. Tornados and Severe Storms

Changes in the weather associated with fast-moving severe storm fronts give little or no warning. Tornadoes develop from powerful thunderstorms. They are incredibly violent local storms that extend to the ground with winds that can reach 300 mph. In the event of impending severe weather, plant personnel will monitor the local emergency weather broadcast. The safety of on-site personnel and the integrity of plant equipment will be the first concern. The Plant Manager shall be notified and will try to be on-site to determine appropriate action. If the Plant Manager cannot be contacted, the Control Room Operator shall determine the appropriate action.

During severe thunderstorms, caution should be used during outside activities. If thunderstorms are in the immediate area of the plant, outside activities should be curtailed as much as possible. Personnel shall avoid being the highest elevation on any structure. The safety of plant personnel shall be the prime concern and reasonable judgment shall be used.

Types of Shelter Areas

The best protection in a tornado is usually an underground area. The best above ground areas in a building are:

1. Small interior rooms on the lowest floor without windows
2. Hallways on lowest floor away from outside doors and windows
3. Rooms constructed of reinforced concrete, brick or block with no windows and a heavy concrete floor or roof system.

<p style="text-align: center;">NOTE</p>
--

<p>Buildings with flat, wide-span roofs are not considered safe.</p>
--

Emergency Procedure

1. Employees should be instructed to seek shelter areas as near as possible to inside walls, away from window areas. The Control Room Operator will make a radio announcement, warning all plant personnel of the outside conditions and to seek shelter inside in a safe location.
2. Get as close to the floor as possible and against sturdy machinery that will prevent portions of the roof, etc. from striking directly should they fall.
3. Do not evacuate the building until dangerous wind levels have subsided. An automobile is not a safe place to be in these circumstances.
4. If outside, seek safety in a low-lying depression such as a ditch or ravine.
5. A radio announcement will be made indicating when the tornado or severe storm has passed.

6. An investigative committee will be designated to inspect all outside plant areas looking for damages, down power lines, and other potentially dangerous conditions.

10. BOMB THREAT AND ACTS OF SABOTAGE

A. General Procedure

1. When receiving a bomb threat or act of sabotage it is important not to panic, but to act efficiently, calmly, and promptly.
2. The majority of bomb threats turn out to be hoaxes. However, it is important not to dismiss these threats lightly, but to follow the developed procedure outlined in this manual.
3. Maintain security and communications. The Plant Manager or Operations Manager, as applicable, will maintain plant security by restricting access so that only essential plant personnel and emergency personnel are admitted. The telephones should be manned if there are enough people on-site. Two-way radio communication should be kept free to be used as needed. In no case shall members of the press be admitted without the approval of the Corporate Representative. The Corporate Representative or his designee will handle all public relations, press releases, and outside inquiries.

B. Handling a Bomb Threat Call

1. When a call is received, refer to the bomb threat checklist (see attached Exhibit SMP2-C). Simultaneously, attempt to notify management of the call.
2. Engage the caller in as much conversation as possible and complete the checklist as the call progresses. If you are at a phone with caller ID, note the phone number of the caller.
3. Keep the caller on the line as long as possible. Ask the caller to repeat the message even if you fully understood the message the first time. This will stall or cause a delay and allow the operator more time to react properly and involve the necessary personnel.
4. If the caller does not give a location of the device or a time of detonation attempt to attain this information.
5. Inform the caller that the building is occupied and that an explosion would result in serious injury or death to innocent people.
6. Be aware of the caller's voice and any background noises that may assist in identifying the location of the call. Record your findings on the checklist.
7. Attempt to have the caller speak to a designated member of management.
8. Do not hang up until the conversation ends and the caller hangs up.

9. To avoid panic, keep the call confidential and notify your supervisor immediately. Do not discuss the call with anyone except your supervisor. In the absence of your supervisor, notify the highest ranking member of management on-site.

C. Response Plan

1. Report the call to the State police as soon as possible. Provide the police with the following information:
 - a. Your name
 - b. Your location and phone number
 - c. Name of the initial recipient
 - d. Name of any employee threatened by the caller
 - e. Normal work location of any threatened employee
 - f. Time the bomb is supposed to explode
 - g. Exact location where the bomb is supposed to be located
 - h. Outside appearance or description of the bomb
2. When the police arrive at the site, the Plant Manager or Control Room Operator shall brief the police as to the location of the gas isolation valve, the plant status, and additional information regarding the nature of the bomb threat received.

NOTE

Have all written records or notes of the bomb threat call available.

3. Appropriate assistance should be requested from the police including site protection and personnel protection during an evacuation.
4. Notify the Plant Manager, and Corporate Supervision.
5. Quickly search the plant area for suspicious, unusual, or foreign items (suspected bombs), and report any findings, but do not touch, move, jar, disturb, or cover any suspicious items found. Observe the precautions of Exhibit SMP2-D. When police arrive, assist as necessary with a more detailed search of the plant.
6. If a suspicious item or a bomb is located during the search, do the following:
 - a. Do not touch or disturb the item.
 - b. Make notes of the location, appearance, colors, wires, etc.
 - c. Contact the civil authorities and management in person.
 - d. Do not use two-way radios or intercoms.

NOTE

At any time during these actions, the Plant Manager or on shift Control Room Operator can order the shutdown of equipment and evacuation if, in his judgment, there are strong indications of an immediate serious threat to the plant and/or its personnel.

7. If the plant is evacuated, do not return to the plant until after the police have declared the site safe.
8. Upon completion of the threat, the management team shall assemble to critique the handling of the situation. Any recommendations for improvement must be incorporated into the policy and re-training conducted with the necessary personnel.

11. TRAINING

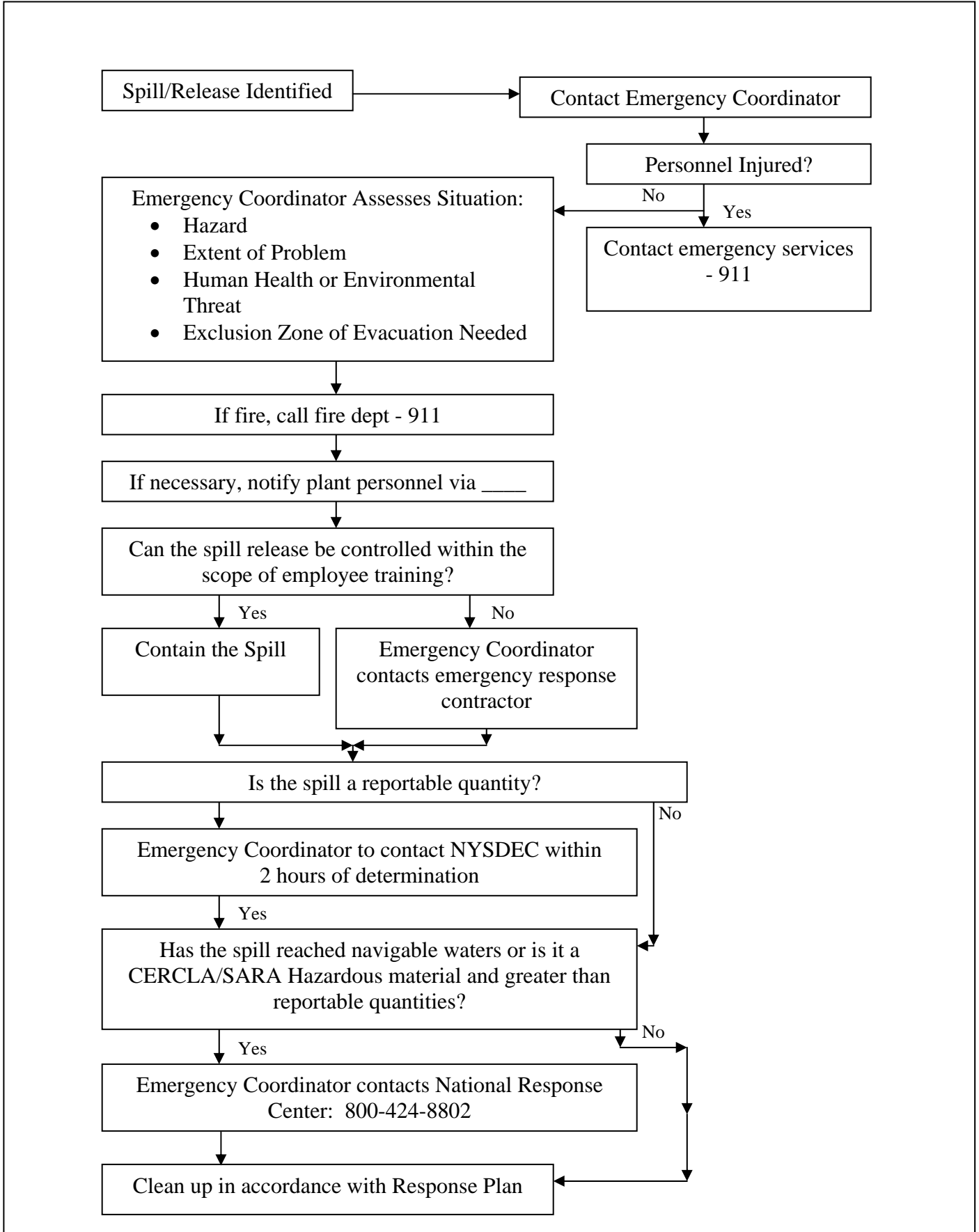
- A. All plant employees shall receive training on emergency response procedures on an annual basis.
- B. All newly hired employees shall receive this training during orientation.
- C. Contract employees must receive this training as integrated into the contractor safety video.

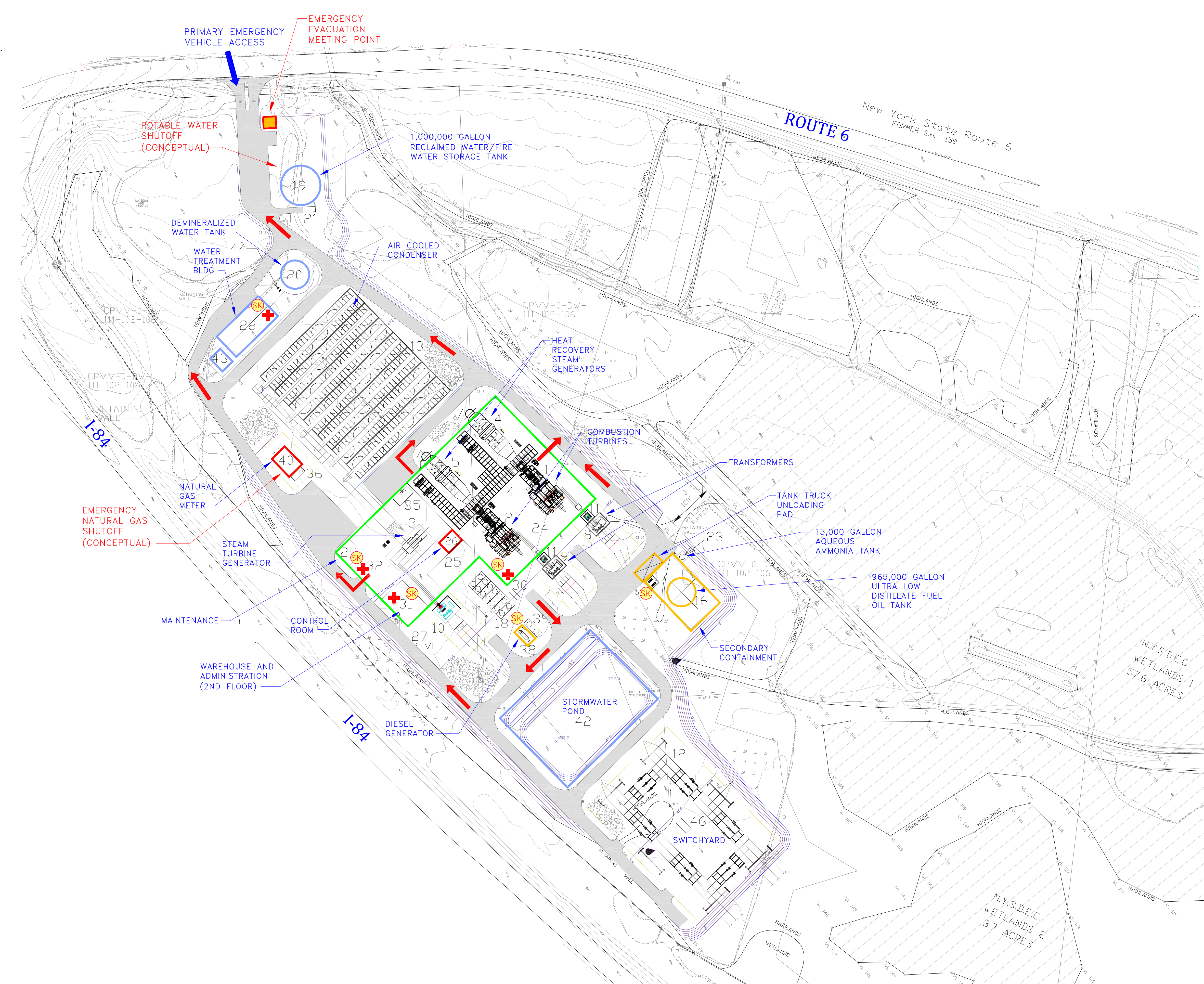
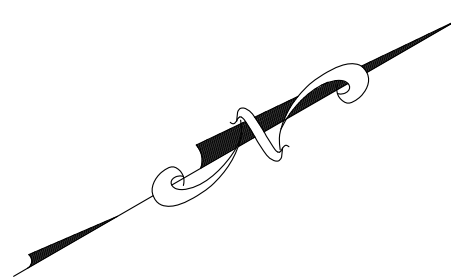
NOTE

In addition to the training, the appropriate number of radios shall be determined and issued to the Contractor Supervisor/Foreman.

- D. All plant employees training must include at a minimum the following:
 1. Familiarization with this plan
 2. Any Hazmat Training that may be applicable
 3. The use of any firefighting equipment available
 4. Any special items or needs that may rise
- E. All contract employees training must include the following:
 1. A general overview of this plan
 2. Any special items or needs that may arise during the course of their stay on-site
- F. A written record must be maintained of all plant employees and contract employees who have received the training.

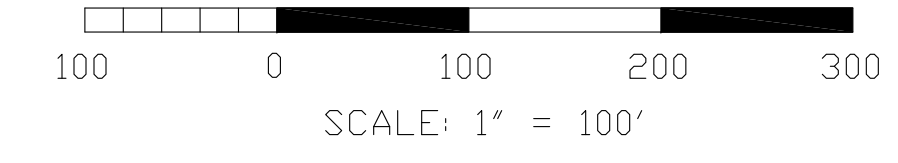
**EXHIBIT SMP2-A
EMERGENCY RESPONSE FLOWCHART**





EQUIPMENT DESCRIPTION

- 1 CTG #1
 - 2 CTG #2
 - 3 STG
 - 4 HRSG #1
 - 5 HRSG #2
 - 6 NDT USED
 - 7 HRSG STACK
 - 8 GSU TRANSFORMER #1
 - 9 GSU TRANSFORMER #2
 - 10 GSU TRANSFORMER #3
 - 11 AUXILIARY TRANSFORMER
 - 12 SWITCHYARD
 - 13 AIR COOLED CONDENSER
 - 14 PIPE RACK
 - 15 TRUCK UNLOADING AREA
 - 16 FUEL OIL TANK
 - 17 FUEL OIL PUMPS
 - 18 AUXILIARY FIN-FAN COOLER
 - 19 RECALM/FIRE WATER STG TK (1,000,000 GAL)
 - 20 DEMINERALIZED WATER TK (400,000 GAL)
 - 21 FIRE WATER PUMP BUILDING
 - 22 WTR TRT LV SWITCHGEAR & XFMS
 - 23 AQUEOUS AMMONIA TANK & PUMPS
 - 24 COMBUSTION TURBINE BUILDING
 - 25 ELECTRICAL EQUIPMENT ROOM
 - 26 CONTROL ROOM
 - 27 ADMINISTRATION OFFICES
 - 28 WATER TREATMENT BUILDING
 - 29 MAINTENANCE
 - 30 OILY WATER SEPARATOR
 - 31 WAREHOUSE
 - 32 STEAM TURBINE GENERATOR BUILDING
 - 33 PERIMETER FENCING
 - 34 MAIN PLANT ENTRANCE/GUARD SHACK
 - 35 AUX. BOILER
 - 36 DEW POINT HEATER
 - 37 PLANT PARKING
 - 38 DIESEL GENERATOR
 - 39 DIESEL GENERATOR AUX COOLER
 - 40 NATURAL GAS METER & FILTER AREA
 - 41 NDT USED
 - 42 STORM WATER POND
 - 43 PROCESS WATER SUMP
 - 44 CONDENSATE MAKE-UP PUMPS
 - 45 NDT USED
 - 46 SWITCHYARD CONTROL BLDG.
- EMERGENCY EVACUATION ROUTE
 LOCATION OF SPILL KIT
 LOCATION OF FIRST AID KIT



CPV VALLEY LLC		FIGURE
CPV VALLEY ENERGY CENTER		
EMERGENCY RESPONSE PLAN		
		Wannalancit Mills 650 Suffolk Street Lowell, MA 01854 (978) 970-5600
DRAWN BY: HWB	DATE:	
CHECKED BY: KC	1-23-09	

DRAWING BASED ON "GENERAL ARRANGEMENT, SITE PLAN, 2x1 COMBINED CYCLE" BY WORLEYPARSONS DATED 10/07.

FILE: T:\E_CAD\1501338\FIG 1-6 EMERGENCY RESPONSE SITE PLAN-2.dwg

EXHIBIT SMP2-C

BOMB THREAT CHECKLIST

Exact Time of Call: _____

Exact Words of Caller: _____

QUESTIONS TO ASK

When is the Bomb going to explode? _____

Where is the Bomb? _____

What does it look like? _____

What kind of Bomb is it? _____

Did you place the Bomb? _____

Why? _____

Where are you calling from? _____

What is your address? _____

What is your name? _____

CALLER'S VOICE (circle)

- | | | | | |
|----------|-----------|---------|---------|---------|
| Calm | Disguised | Nasal | Angry | Broken |
| Stutter | Slow | Sincere | Lisp | Rapid |
| Giggling | Deep | Crying | Squeaky | Excited |
| Stressed | Accent | Loud | Slurred | Normal |

If the voice is familiar, whose did it sound like? _____

Were there any background noises? _____

Remarks: _____

Person Receiving Call: _____ Telephone No. _____ Date _____

EXHIBIT SMP2-D

SUSPECTED BOMB SAFETY PRECAUTIONS

The safety precautions below are designed to acquaint you with dangers inherent in the search, discovery, and handling of “suspected bombs”.

While some of the following safety precautions may seem elementary, do not dismiss them as unimportant, nor take them for granted because adequate knowledge of these precautionary provisions may save your life or the lives of other plant operators and visitors.

1. DO NOT TOUCH a suspected Bomb.
2. DO NOT SHAKE, SHOCK, OR JAR a suspected Bomb.
3. DO NOT USE RADIO EQUIPMENT near the Bomb to transmit messages.
4. DO NOT MOVE LIGHT SWITCHES.
5. DO NOT SMOKE.
6. DO NOT ACCEPT THE CONTENTS OF ANY CONTAINER as bona fide, simply because it was delivered by routine means.
7. DO NOT ACCEPT CONTAINER MARKINGS and/or appearance as sole evidence of their contents’ identification and legitimacy.
8. DO NOT COVER A SUSPECTED BOMB.
9. DO NOT CARRY A SUSPECTED BOMB.
10. DO NOT ASSUME that a suspected Bomb is of a specific (high explosive or incendiary) type.
11. DO NOT OPEN ANY SUSPICIOUS CONTAINER OR OBJECT.
12. DO NOT CUT A STRING, CORD, OR WIRE on a suspicious container or object.
13. DO NOT CUT OR REMOVE THE WRAPPER on a suspicious object or container.
14. DO NOT UNSCREW THE COVER, MOVE THE LATCH OR HOOK ON THE COVER, OR RAISE OR REMOVE THE COVER of a suspicious container.
15. DO NOT CHANGE THE POSITION of a suspicious container or object.
16. DO NOT PLACE a suspicious container or object INTO WATER.

EXHIBIT SMP2-F

EMERGENCY RESPONSE CALL RECORD FORM

Emergency Description: _____

Date and Time of Emergency: _____

Time	Company/Agency Notified	Name of Contact	Name of NAES Notified

Description of Correspondence:

Time	Company/Agency Notified	Name of Contact	Name of NAES Notified

Description of Correspondence:

Time	Company/Agency Notified	Name of Contact	Name of NAES Notified

Description of Correspondence:

