

ENVIRONMENTAL CERTIFICATE

The undersigned, a duly authorized representative of MIRANT LOVETT, LLC, (the “**Company**”) does hereby certify to the COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY (“**Agency**”) the following:

1. The Environmental Assessment Form and the Project Type Checklist and other environmental information and materials submitted as part of its application for financial assistance to the Agency are true and accurate as of the date hereof.

2. The Company acknowledges it has been advised by the Agency that, based upon the Environmental Assessment Form and Project Type Checklist, the Agency has determined that the proposed action does not constitute an “action” under the applicable SEQRA regulations promulgated pursuant to the Environmental Conservation Law of the State of New York.

3. There has been no change with respect to the Project and its impact upon the environment that would cause the Agency to change the environmental determination it has made under SEQRA.

MIRANT LOVETT, LLC,
a Delaware limited liability company

By: Mirant New York, Inc., its sole member

By: _____
Jeffrey R. Perry, President

ENVIRONMENTAL STATEMENT

Jeffrey R. Perry, President of MIRANT LOVETT, LLC, a Delaware limited liability company authorized to do business in the State of New York, declares to the best of his knowledge and belief, that the premises known as Lovett Electric Generating Facility do not have any unpermitted underground storage tanks or any unpermitted hazardous wastes or toxic materials contained thereon or within the structure.

MIRANT LOVETT, LLC

By: _____
Jeffrey R. Perry, President