

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

In re:)
)
Desert Rock Energy Company, LLC) PSD Appeal Nos. 08-03, 08-04,
) 08-05 & 08-06
PSD Permit No. AZP 04-01)
_____)

NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL

Please take notice that Nicholas Persampieri withdraws as counsel for petitioners Sierra Club, Dine Care, San Juan Citizens Alliance, Grand Canyon Trust, and WildEarth Guardians in this proceeding and Janette K. Brimmer is substituted in his place. John Barth continues to represent petitioners in this case. This Notice of Withdrawal and Substitution of Counsel is effective immediately.

All future papers, pleadings, and correspondence, except original process, shall be directly served upon the following attorneys at the following addresses.

Janette K. Brimmer
Earthjustice
705 Second Avenue, Suite 203
Seattle, WA 98104
(206) 343-7340
(206) 343-1526 [FAX]
jbrimmer@earthjustice.org

John Barth
Attorney at Law
P.O. Box 409
Hygiene, CO 80533
(303) 774-8868
(303) 774-8899 [FAX]
barthlaw@aol.com

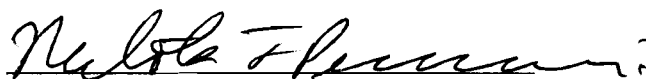
Counsel for Sierra Club, Dine Care, San Juan Citizens Alliance, Grand Canyon Trust, and WildEarth Guardians

Ann Brewster Weeks
Clean Air Task Force
18 Tremont Street, Suite 530
Boston, MA 02108
(617) 624-0234 ext. 13
(617) 624-0230 [FAX]
aweeks@catf.us

Of Counsel for Dine Care, San Juan Citizens Alliance, Grand Canyon Trust, and WildEarth Guardians

Respectfully submitted this 28th day of May, 2009.

WITHDRAWING COUNSEL

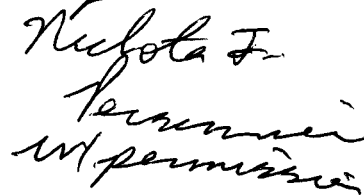


NICHOLAS F. PERSAMPIERI
Earthjustice
1400 Glenarm Place, #300
Denver, CO 80202
(303) 996-9617
(303) 623-8083 [FAX]
npersampieri@earthjustice.org

SUBSTITUTING COUNSEL



JANETTE K. BRIMMER
Earthjustice
705 Second Avenue, Suite 203
Seattle, WA 98104
(206) 343-7340
(206) 343-1526 [FAX]
jbrimmer@earthjustice.org



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 28, 2009 he caused a copy of the foregoing to be served by mail on:

Deborah Jordan

Director, Air Division (Attn: AIR-3)
EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901

Stephanie Kodish

Clean Air Counsel
National Parks Conservation Association
706 Walnut Street, Suite 200
Knoxville, TN 37902

Brain L. Doster

Elliott Zenicli
Kristi M. Smith
U.S. Environmental Protection Agency
Office of General Counsel
Air and Radiation Law Office
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Leslie Barnhart

Eric Ames
Special Assistant Attorneys General
New Mexico Environment Department
P.O. Box 26110
Santa Fe, NM 87502-6110

Seth Cohen

Assistant Attorney General
P.O. Drawer 1508
Santa Fe, NM 87504

George E. Hays

236 West Portal Avenue #110
San Francisco, CA 94127

Douglas C. MacCourt

Michael J. Sandmire
Ater Wynne LLP
1331 NW Lovejoy, Suite 900
Portland, OR 97209

Jeffrey R Holmstead

Richard Alonso
Bracewell & Giuliani LLP
2000 K Street, N.W.
Washington D.C. 20006

Leslie Glustrom

4492 Burr Place
Boulder, CO 80303

Justin Lesky

Law Office of Justin Lesky
8210 Mirada Place NE Suite 600
Albuquerque, NM 87109

Louis Denetsosic

D. Harrison Tsosie
Navajo Nation Department of Justice
P.O. Box 2010
Old Club Building
Window Rock, AZ 86515

Ann Lyons

Office of Regional Counsel
EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Signed:


Nicholas F. Persampieri