

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

In re Russell City Energy Center)	PSD Appeal No. 10-03
)	[Citizens Against Pollution]
Russell City Energy Company, LLC)	
PSD Permit Application No. 15487)	
_____)	

**DECLARATION OF HELEN KANG
IN SUPPORT OF REPLY OF CITIZENS AGAINST POLLUTION**

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Dated: May 28, 2010

I, Helen H. Kang, hereby declare:

1. I am counsel of record for Citizens Against Pollution (CAP). I make this declaration in support of CAP's reply. The facts stated herein are true and correct of my own personal knowledge, and I could and would competently testify thereto if called and sworn as a witness.

2. Attached hereto as Exhibit A is a true and correct copy of documents I received in response to requests for production of documents from PG&E in a separate proceeding. The documents were produced on May 13, 2010.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed this 28th day of May, 2010, in San Francisco, California.

/s/ Helen Kang
Helen Kang

EXHIBIT A

C. DAILY NO_x EMISSION DATA DURING: March 1-31, 2009

Day	Unit GT1 (P11 CEMS)		Unit GT2 (P12 CEMS)		Daily Mass Emission (P11 & P12 CEMS)	
	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	(lbs)	(Tons)
1	6.8	23.2*	4.7	23.1*	458.2	0.229
2	1.9	1.9	3.7	15.6*	474.6	0.237
3	1.9	2.0	3.6	36.3*	525.5	0.263
4	2.0	5.3**	1.8	1.9	531.5	0.266
5	25.5	25.5**	10.9	10.9**	33.8	0.017
6	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0.0	0.000
7	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0.0	0.000
8	16.4	75.0+	8.3	54.0*	719.9	0.380
9	1.8	1.9	4.2	36.0*	525.2	0.263
10	1.8	1.9	3.7	37.2*	598.0	0.299
11	1.8	1.9	2.2	10.7**	583.6	0.292
12	1.8	1.9	5.9	41.0*	467.8	0.234
13	3.4	39.9**	4.2	38.5*	590.3	0.295
14	3.7	24.4*	4.4	36.6*	525.2	0.263
15	1.8	2.0	4.6	37.6*	534.1	0.267
16	2.2	11.4**	4.5	38.2*	547.4	0.274
17	4.0	37.2*	1.8	1.8	496.7	0.248
18	4.1	43.1*	1.8	1.9	588.5	0.294
19	4.2	34.2*	1.8	1.9	554.2	0.277
20	3.5	38.1*	2.2	11.3**	531.4	0.266
21	1.8	1.9	8.6	44.6*	448.0	0.224
22	2.2	12.4**	4.6	32.9*	550.9	0.275
23	4.7	43.5*	1.8	1.9	580.5	0.290
24	6.1	37.2*	3.4	21.2* (trip)	647.4	0.324
25	3.8	36.3*	2.3	14.5**	548.3	0.274
26	1.8	1.9	4.3	33.9*	538.8	0.269
27	1.8	1.9	4.2	33.9*	538.9	0.269
28	1.8	1.9	4.0	36.0*	485.8	0.243
29	1.8	1.9	6.1	35.4*	469.8	0.235
30	1.8	1.9	4.6	44.1*	475.8	0.238
31	1.8	1.9	4.4	43.8*	470.2	0.235

+ Cold Startup
 * Startup
 ** Shutdown

C. DAILY NO_x EMISSION DATA DURING: April 1-30, 2009

Day	Unit GT1 (P11 CEMS)		Unit GT2 (P12 CEMS)		Daily Mass Emission (P11 & P12 CEMS)	
	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	(lbs)	(Tons)
1	2.1	9.1**	3.4	35.4*	519.1	0.260
2	3.8	35.4*	1.8	1.9	497.1	0.249
3	4.0	39.1*	1.8	1.9	522.4	0.261
4	1.9	4.7**	1.8	1.9	518.1	0.259
5	8.4	43.6*	7.7	43.6*	494.4	0.247
6	5.6	44.8*	5.7	41.5*	641.2	0.321
7	OFFLINE	OFFLINE	11.2	11.2**	7.5	0.004
8	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0
9	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0
10	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0
11	15.0	64.4+	OFFLINE	OFFLINE	429.1	0.215
12	7.4	45.7+	OFFLINE	OFFLINE	382.0	0.191
13	6.9	41.8+	9.2	57.5+	603.1	0.302
14	6.9	42.9*	5.0	44.7*	593.8	0.297
15	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0
16	7.6	51.6+	5.1	41.1*	606.8	0.303
17	7.3	54.0*	3.5	21.3*	623.6	0.312
18	5.5	45.1*	3.2	17.4*	601.8	0.301
19	7.7	46.9+	5.8	42.5*	595.5	0.298
20	1.7	2.0	3.5	32.5*	503.2	0.252
21	2.2	13.3**	2.5	18.3**	479.2	0.240
22	3.6	23.8*	4.9	22.7*	465.0	0.233
23	5.0	21.8*	5.5	37.9*	486.1	0.243
24	3.7	32.9*	4.6	41.3*	526.2	0.263
25	1.9	6.9**	10.6	50.0*	389.0	0.195
26	9.4	42.7*	4.8	47.5*	523.4	0.262
27	4.1	32.3*	4.7	46.2*	524.2	0.262
28	7.4	55.6*	6.6	50.1*	535.6	0.268
29	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0
30	5.4	29.5*	6.8	47.9+	721.2	0.361

+ Cold Startup
 * Startup
 ** Shutdown

C. DAILY NO_x EMISSION DATA DURING: May 1-31, 2009

Day	Unit GT1 (P11 CEMS)		Unit GT2 (P12 CEMS)		Daily Mass Emission (P11 & P12 CEMS)	
	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	(lbs)	(Tons)
1	OFFLINE	OFFLINE	3.7	6.1**	32.5	0.016
2	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
3	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
4	9.1	53.5+	6.9	59.1+	827.1	0.414
5	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
6	5.8	48.3+	7.6	41.5+	738.8	0.369
7	3.5	20.9*	4.1	29.6*	525.1	0.263
8	4.3	39.3	3.4	34.1*	499.7	0.250
9	2.8	18.9*	5.1	44.3*	438.2	0.219
10	4.9	29.7*	3.9	6.3*	481.5	0.241
11	4.0	34.4*	4.7	34.8*	593.7	0.297
12	5.2	35.1*	5.3	29.5*	570.1	0.285
13	3.6	29.4*	3.4	28.4*	567.4	0.284
14	2.6	18.0*	3.8	34.9*	508.8	0.254
15	1.7	1.8	3.4	22.9*	537.0	0.269
16	3.4	29.8*	4.2	28.3*	586.1	0.293
17	4.4	29.2*	5.5	37.6*	546.6	0.273
18	3.5	28.4*	4.8	31.1*	477.4	0.239
19	3.7	32.3*	4.6	39.2*	571.3	0.286
20	5.4	36*	5.4	32.3*	594.0	0.297
21	4.0	25.4*	4.5	20.8*	520.7	0.260
22	6.0	26.4*	6.1	29.5*	381.8	0.191
23	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
24	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
25	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
26	9.9	41.5+	6.4	52.4+	734.4	0.367
27	4.1	33.8*	3.2	34.3*	552.8	0.276
28	3.4	25.4*	2.1	6.5**	445.6	0.223
29	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
30	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
31	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000

+ Cold Startup
 * Startup
 ** Shutdown

C. DAILY NO_x EMISSION DATA DURING: June 1-30, 2009

Day	Unit GT1 (P11 CEMS)		Unit GT2 (P12 CEMS)		Daily Mass Emission (P11 & P12 CEMS)	
	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	Average 24-Hr Concentration (ppm)	Maximum 1-Hr Concentration (ppm)	(lbs)	(Tons)
1	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
2	2.5	2.5*	40.4	51.2+	293.0	0.147
3	6.2	39.4*	4.0	4.0**	362.6	0.181
4	3.2	20.5*	7.0	51.8+	613.0	0.307
5	4.2	29.1*	OFFLINE	OFFLINE	209.1	0.105
6	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
7	OFFLINE	OFFLINE	0.0	0.0+	0	0.000
8	6.7	36.4**	11.7	45.9+	606.0	0.303
9	7.2	34.2*	7.1	42.8*	543.5	0.272
10	7.6	48.5*	OFFLINE	OFFLINE	330.3	0.165
11	5.4	34.5*	5.4	40.5+	686.8	0.343
12	4.1	25.6*	3.5	28.9*	589.5	0.295
13	4.4	30.9*	4.8	26.7*	554.2	0.277
14	4.4	33.6*	3.7	26.9*	567.7	0.284
15	3.0	26.3*	4.3	30.0*	545.2	0.273
16	1.8	1.8	2.2	11.8**	489.2	0.245
17	3.8	31.5*	3.7	27.8*	528.9	0.264
18	4.3	29.4*	4.3	17.3*	526.9	0.263
19	4.5	36.9*	3.7	35.4*	502.8	0.251
20	4.6	36.5*	5.5	37.3*	471.3	0.236
21	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0.000
22	5.5	38.3+	8.1	43.2+	703.2	0.352
23	4.2	33.6*	4.7	22.1*	572.3	0.286
24	OFFLINE	OFFLINE	7.1	44.6*	370.2	0.185
25	6.9	43.8+	6.0	41.0+	676.3	0.338
26	4.5	35.6*	3.8	18.6*	608.4	0.304
27	4.0	29.1*	3.7	24.7*	580.8	0.290
28	3.5	31.0*	1.9	5.6**	588.1	0.294
29	1.8	1.8	2.7	19.3*	541.3	0.271
30	3.9	25.3*	1.8	1.8	578.7	0.289

+ Cold Startup
 * Startup
 ** Shutdown

C. DAILY NOx EMISSION DATA DURING: 11/01/2009 to 11/30/2009

Day	Unit GT1		Unit GT2		Daily Mass		Exceedence	
	(P11 CEMS)		(P12 CEMS)		Emissions		Hour (H)	
	Average	Max	Average	Max	(P11 and P12)		Day (D)	
	24-Hr	1-Hr	24-Hr	1-Hr	(CEMS)		+ Cold Start	
	Concen.	Concen.	Concen.	Concen.			* Startup	
	(ppm)	(ppm)	(ppm)	(ppm)	(lbs)	(tons)	P11	P12
							** Shutdown	
1	3.2	27.6	2.0	14.9	389	0.1945	H *	H **
2	1.5	1.6	3.6	35.6	513	0.2565		H *
3	1.5	1.7	15	1.6	494	0.2468		
4	1.5	1.7	3.2	26.7	526	0.2629		H * **
5	1.5	1.6	3.3	31.0	509	0.2545		H * **
6	1.5	1.6	3.9	29.3	504	0.2522		H * **
7	1.5	1.6	4.8	42.0	485	0.2425		H * **
8	3.7	30.9	4.1	26.5	599	0.2997	H * **	H * **
9	1.5	1.6	1.5	1.6	527	0.2634		
10	1.5	1.7	1.6	5.1	487	0.2435		H **
11	1.5	1.6	3.3	40.5	491	0.2454		H *
12	1.5	1.6	4.9	39.4	502	0.2509		H * **
13	1.5	1.6	4.4	39.3	477	0.2385		H * **
14	8.2	34.5	10.0	53.9	500	0.2498	H * **	H +
15	7.5	13.4	12.4	12.4	46	0.0228	H **	H **
16	10.5	57.6	5.8	62.5	857	0.4284	H + **	H *
17	3.7	32.9	3.6	38.2	613	0.3063	H *	H * **
18	3.8	38.8	1.5	1.6	502	0.2509	H *	
19	4.4	40.3	1.5	1.6	557	0.2787	H * **	
20	3.5	40.7	2.1	16.9	501	0.2503	H *	H **
21	1.5	1.6	8.4	54.1	406	0.2027		H *
22	1.5	1.6	8.0	44.8	408	0.2038		H * **
23	1.5	1.6	4.4	44.3	516	0.2579		H * **
24	3.8	7.2	OFFLINE	OFFLINE	33	0.0166	H **	
25	8.1	52.4	5.5	37.3	716	0.3578	H +	H * **
26	9.1	13.7	OFFLINE	OFFLINE	32	0.0160	H **	
27	OFFLINE	OFFLINE	OFFLINE	OFFLINE	OFFLINE	OFFLINE		
28	28.6	28.6	OFFLINE	OFFLINE	18	0.0088	H * **	
29	OFFLINE	OFFLINE	20.8	20.8	10	0.0050		H * **
30	OFFLINE	OFFLINE	OFFLINE	OFFLINE	OFFLINE	OFFLINE		

C. DAILY NOx EMISSION DATA DURING: 12/01/2009 to 12/31/2009

Day	Unit GT1 (P11 CEMS)		Unit GT2 (P12 CEMS)		Daily Mass Emissions (P11 and P12) (CEMS)		Exceedance Hour (H) Day (D) + Cold Start * Startup ** Shutdown	
	Average 24-Hr Concen. (ppm)	Max 1-Hr Concen. (ppm)	Average 24-Hr Concen. (ppm)	Max 1-Hr Concen. (ppm)	(lbs)	(tons)	P11	P12
	1	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0	
2	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0		
3	OFFLINE	OFFLINE	OFFLINE	OFFLINE	0	0		
4	16.0	61.9	OFFLINE	OFFLINE	553	0.2763	H +	
5	3.3	34.9	OFFLINE	OFFLINE	280	0.1402	H * **	
6	11.1	48.1	OFFLINE	OFFLINE	238	0.1188	H + **	
7	4.2	39.6	OFFLINE	OFFLINE	274	0.137	H +	
8	1.5	1.6	OFFLINE	OFFLINE	256	0.1278		
9	1.5	1.6	OFFLINE	OFFLINE	253	0.1264		
10	1.5	1.5	OFFLINE	OFFLINE	249	0.1244		
11	1.5	1.7	OFFLINE	OFFLINE	254	0.1268		
12	1.5	1.6	OFFLINE	OFFLINE	233	0.1164		
13	1.6	5.0	6.1	56.4	491	0.2456	H **	H +
14	4.3	48.8	1.4	1.5	486	0.243	H *	
15	1.5	1.6	2.8	27.3	518	0.259		H *
16	1.6	1.8	1.5	1.6	520	0.2598		
17	1.5	1.9	1.5	1.6	519	0.2596		
18	4.6	59.6	1.5	1.5	587	0.2935	H * **	
19	1.5	1.7	1.4	1.6	442	0.2212		
20	3.1	29.0	1.4	1.6	369	0.1844	H *	
21	3.4	36.0	1.5	1.6	492	0.2458	H * **	
22	3.8	43.5	1.5	1.6	478	0.239	H *	
23	1.6	1.9	2.7	23.9	513	0.2565		H *
24	1.5	1.6	1.5	1.7	420	0.2101		
25	6.8	46.7	1.5	1.6	413	0.2064	H * **	
26	2.8	19.3	1.5	1.5	494	0.2468	H * **	
27	7.5	54.4	1.5	1.6	430	0.215	H * **	
28	2.6	25.3	1.5	1.6	504	0.2519	H *	
29	2.6	24.8	1.5	1.6	562	0.2809	H * **	
30	4.1	50.8	1.5	1.6	582	0.2908	H *	
31	3.8	44.5	1.5	1.6	456	0.2279	H *	

C. DAILY NOx EMISSION DATA DURING: 01/01/2010 to 01/31/2010

Day	Unit GT1 (P11 CEMS)		Unit GT2 (P12 CEMS)		Daily Mass Emissions (P11 and P12 CEMS)		Exceedance							
	Avg 24-Hr Concen. (ppm)	Max 1-Hr Concen. (ppm)	Avg 24-Hr Concen. (ppm)	Max 1-Hr Concen. (ppm)	(lbs)	(tons)	P11			P12				
1	3	31	2	1.6	489.1	0.2446	H		*	#				
2	8	31.1	5	28.6	357.5	0.1788	H	+		#	H		*	#
3	8	35.1	5	21.7	356.8	0.1784	H		*	#	H		*	#
4	1	1.6	2	1.6	461.7	0.2309								
5	1	1.6	3	23.9	455.7	0.2279					H		*	#
6	2	13.3	2	1.6	464.6	0.2323	H		*	#				
7	1	1.6	2	1.6	478.2	0.2391								
8	3	27.4	2	1.6	519.3	0.2597	H		*					
9	2	1.6	2	1.6	479.5	0.2398								
10	4	41.1	2	1.6	468.1	0.2341	H		*	#				
11	2	1.6	2	1.6	461.5	0.2308								
12	2	1.7	2	1.6	469.1	0.2346								
13	1	1.6	2	1.6	426.5	0.2133								
14	1	1.5	2	10.8	434.6	0.2173					H		*	#
15	2	10.9	2	3.5	415.8	0.2079	H			#	H			#
16	OFFLINE	OFFLINE	OFFLINE	OFFLINE	OFFLINE	OFFLINE								
17	26	53.8	OFFLINE	OFFLINE	251.6	0.1258	H	+						
18	2	1.9	4	33.8	494.9	0.2475					H		*	
19	3	27.3	2	1.6	453.8	0.2269	H		*					
20	2	1.6	1	1.5	474.4	0.2372								
21	2	1.7	2	1.6	475.8	0.2379								
22	2	1.7	2	1.6	473.5	0.2368								
23	3	44.8	2	1.7	495.5	0.2478	H		*	#				
24	2	2.3	2	1.6	458.3	0.2292	H			#				
25	2	28.2	2	1.7	519.1	0.2596	H		*					
26	2	1.8	2	1.5	452.9	0.2265								
27	2	1.7	1	1.6	488.9	0.2445								
28	2	1.7	2	1.5	481.8	0.2409								
29	2	1.6	1	1.5	486.1	0.2431								
30	2	1.6	2	1.6	470.9	0.2355								
31	2	1.6	3	29.4	458	0.229					H		*	#

H - Hourly Exceedance
D - Daily Exceedance

+ - indicates Cold Startup Exceedance
* - indicates Startup Exceedance
- indicates Shutdown Exceedance