

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

_____)	
In re:)	
)	
Palmdale Hybrid Power Plant)	PSD Appeal No. 11-07
)	
PSD Permit No. SE 09-01)	
_____)	

**DECLARATION OF GERARDO C. RIOS IN SUPPORT OF EPA REGION 9'S
RESPONSE TO MOTION FOR LEAVE TO INTERVENE**

I, Gerardo C. Rios, affirm and declare that the following statements are true and correct to the best of my knowledge and belief, and are based on my own personal knowledge or on information contained in the records of EPA or supplied to me by EPA employees under my supervision at EPA.

1. I am the Chief of the Air Permits Office within the Air Division of EPA Region 9. EPA's Region 9 Office generally has the responsibility within EPA for overseeing the implementation of Clean Air Act ("CAA" or "the Act") permitting in the Region 9 area. In Region 9, EPA has delegated the authority to implement procedures for preconstruction review for prevention of significant deterioration ("PSD") for new or modified major (stationary) sources under the CAA regulations in 40 C.F.R. § 52.21 to the Director of the Air Division. The Air Permits Office conducts the day-to-day administration necessary to implement the PSD permitting program within Region 9, including the processing of PSD permit applications.
2. I have been Chief of the Air Permits Office since 2000, and was Acting Chief of the Air Permits Office from 1999-2000. Previously, among other responsibilities at EPA, I served as the

EPA – US/Mexico Coordinator for the Air Program for five years, and as an Air Permit Engineer for seven years.

3. As Chief of the Air Permits Office, I supervise, regularly oversee and work extensively with the Region 9 staff responsible for processing PSD permit applications. Thus, I am knowledgeable about EPA Region 9's actions to date concerning EPA's processing of the PSD permit application for the Palmdale Hybrid Power Project ("PHPP" or "Project").

4. This declaration is filed in support of EPA Region 9's Response to Motion for Leave to Intervene in the above-captioned proceeding.

5. On March 10, 2011, Jane Williams sent Region 9 an email from the email address "dcapjane@aol.com" asking to be added to Region 9's distribution list for public notices concerning the EPA's permitting action for the PHPP. On July 18, 2011, Region 9 responded by email to Ms. Williams stating that Region 9 staff had added Ms. Williams to its list to receive notice of all EPA PSD permit actions for the Project. Attached hereto as Exhibit A is a true and correct copy of these March 10, 2011 and July 18, 2011 email messages.

6. On August 12, 2011, Region 9 emailed its public notice announcing its proposed PSD permit for the PHPP to Ms. Williams at the email address she had provided. Attached hereto as Exhibit B is a redacted but otherwise true and correct copy of this August 12, 2011 email message, excluding the attachments.

7. On August 11, 2011, Region 9 sent a hard copy of the public notice of its proposed PSD permit for the PHPP via U.S. Mail to Mr. Lyle Talbot of Desert Citizens Against Pollution ("DCAP"). Attached hereto as Exhibit C is a true and correct copy of the English-language portion of the public notice that Region 9 sent to Mr. Talbot on August 11, 2011, and attached

hereto as Exhibit D is a true and correct copy of an excerpt from the mailing list that Region 9 used to send its hard copy mailing on August 11, 2011, which includes Mr. Talbot.

8. On September 14, 2011, DCAP and California Communities Against Toxics (“CCAT”) together submitted written public comments on Region 9’s proposed permit for the PHPP, through counsel, Mr. Gideon Kracov. Attached hereto as Exhibit E is a true and correct copy of an excerpt from these comments and the accompanying email transmittal. Other than these comments from DCAP and CCAT, Region 9 did not receive any other written comments from Ms. Williams on the proposed PSD permit for the PHPP, and Ms. Williams did not provide oral or written comments at the public hearing that the Region scheduled to receive comments on its proposed PSD permit for the PHPP.

9. On October 19, 2011, Region 9 sent an email announcing the Region’s final permit decision for the PHPP to Ms. Williams at the email address she had provided to Region 9. Attached hereto as Exhibit F is a redacted but otherwise true and correct copy of this October 19, 2011 email message, excluding the attachment.

10. On October 19, 2011, Region 9 also sent a separate email to Ms. Williams and Mr. Kracov that included an announcement of Region 9’s final permit decision for the PHPP as well as the final PSD permit for the PHPP, EPA’s Response to Comments document, and the cover letter sent to the City. Attached hereto as Exhibit G is a true and correct copy of this second October 19, 2011 email message, excluding the attachments.

11. On October 20, 2011, Region 9 sent an announcement of the Region’s final permit decision for the PHPP by U.S. Mail to Lyle Talbot of DCAP. Attached hereto as Exhibit H is a true and correct copy of the announcement that Region 9 sent to Mr. Talbot on October 20, 2011, and attached hereto as Exhibit I is a true and correct copy of an excerpt from a redacted version

of the mailing list that Region 9 used to send its hard copy mailing on October 20, 2011, which includes Mr. Talbot.

12. To the best of my knowledge, neither Ms. Williams nor any other person has contacted Region 9's Air Permits Office or other Region 9 staff to indicate that she, DCAP, CCAT, or any of their representatives did not receive adequate notice of the Region's final PSD permit decision for the PHPP.

13. To the best of my knowledge, Ms. Williams has not contacted Region 9's Air Permits Office or other Region 9 staff to determine Region 9's position concerning her motion for leave to intervene filed on March 20, 2012, or to otherwise notify Region 9 of her intent to file the motion.

14. To the best of my knowledge, Ms. Williams has not, to date, served Region 9 with a copy of her motion for leave to intervene in the above-captioned case. Region 9 was first informed of the filing of Ms. Williams' motion by representatives of the City of Palmdale on March 21, 2012, followed by notification from Petitioner on March 25, 2012.

So Declared:

Dated: March 29, 2012



Gerardo C. Rios

Exhibit

A



Re: Palmdale Power Plant-PSD permit 

R9AirPermits to: Jane Williams

Sent by: Amy Parsley

Bcc: Omer Shalev

07/18/2011 11:57 AM

From: R9AirPermits
To: Jane Williams <dcapjane@aol.com>
Bcc: Omer Shalev/R9/USEPA/US@EPA

Hi Jane,

I am writing to let you know that we received your request (on 3/10/2011) to be added to our Public Notice Distribution list. I have added you to our list to receive notice of all EPA PSD permit actions for the Palmdale Hybrid Energy Project. Please note that this is specific to EPA-related actions and does not include delegated or SIP-approved PSD permit actions.

Thank you for your interest, and meanwhile, if you have any questions, feel free to call me or Gerardo Rios (415-972-3974), Chief of the Air Permits Office.

-Amy

Amy Parsley
Air Permits Office (Air-3)
USEPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105
415.972.3744 Office / 415.947.3579 Fax
parsley.amy@epa.gov

Jane Williams

[Please add me to the Region 9 EPA list for the...](#)

03/10/2011 12:22:19 PM

From: Jane Williams <dcapjane@aol.com>
To: R9AirPermits@EPA
Date: 03/10/2011 12:22 PM
Subject: Palmdale Power Plant-PSD permit

Please add me to the Region 9 EPA list for the Palmale Power Plant permits.

Thank you!

Jane Williams

Exhibit

B



Public Notice- Palmdale Hybrid Power Plant (SE 09-01)/ Aviso Publico-
Proyecto de Energia Hibrida de Palmdale (SE 09-01)

R9AirPermits to: R9AirPermits

08/12/2011 11:47 AM

Sent by: Andrew Chew

Cc: parsley.amy, Beckham.Lisa, Shirley Rivera

Bcc:

[Redacted]

dcapjane,

[Redacted]

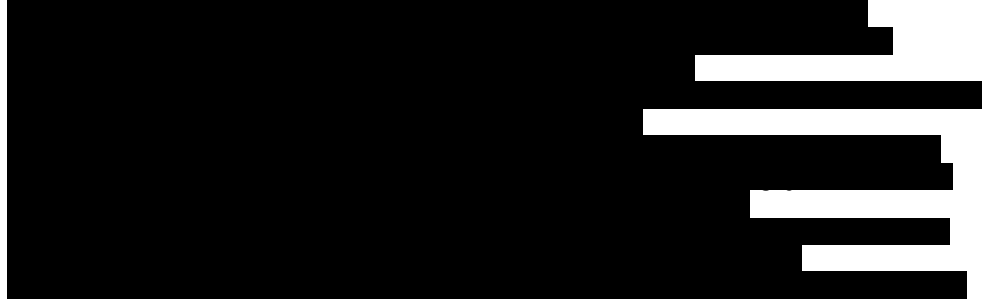
From:
To:
Cc:
Bcc:

R9AirPermits
R9AirPermits@EPA
parsley.amy@epa.gov, Beckham.Lisa@epa.gov, Shirley Rivera/R9/USEPA/US

[Redacted]

dcapjane@aol.com,

[Redacted]



Please see attached information and request for public comment concerning EPA's proposed PSD permit action for the Palmdale Hybrid Power Project, Palmdale, CA.

Por favor vea la información y solicitud de comentarios públicos adjuntado, sobre la acción del PSD permiso propuesto por EPA, para el proyecto de Energía Híbrida de Palmdale, Palmdale, CA.



Palmdale Hybrid Power Project - Public Notice (English) 8-11-11.pdf



Proyecto de Energía Híbrida de Palmdale - Aviso Publico (Spanish) 8-11-11.pdf

*** PUBLIC NOTICE ***

PALMDALE HYBRID POWER PROJECT

ANNOUNCEMENT OF PROPOSED PERMIT, PUBLIC INFORMATION MEETING AND PUBLIC HEARING, AND REQUEST FOR PUBLIC COMMENT ON PROPOSED CLEAN AIR ACT PREVENTION OF SIGNIFICANT DETERIORATION PERMIT PERMIT APPLICATION NO. SE 09-01

The United States Environmental Protection Agency (EPA) provides notice of, and requests public comment on, EPA's proposed action relating to the Prevention of Significant Deterioration (PSD) permit application for the Palmdale Hybrid Power Project (Project). EPA is issuing a proposed PSD permit that would grant conditional approval, in accordance with the PSD regulations (40 CFR 52.21), to the City of Palmdale to construct and operate a 570 megawatt (MW, nominal) electric generating facility. The address for the City of Palmdale is 38300 Sierra Highway, Suite A, Palmdale, CA 93550. The proposed location for the Project is 950 East Avenue M, Palmdale, California 93550.

The proposed Project consists of two General Electric (GE) Frame 7FA natural gas-fired combustion turbine-generators (CTGs) rated at 154 megawatt (MW) each, two heat recovery steam generators (HRSGs), one steam turbine generator (STG) rated at 267 MW, and 251 acres of parabolic solar-thermal collectors with associated heat-transfer equipment with the capacity to provide up to 50 MW of supplemental energy. The Project will have an electrical output of 570 MW (nominal) or 563 MW (net). The Project will be located on a parcel of land owned by the city of Palmdale, currently zoned for industrial use, in Los Angeles County. The approximately 333-acre parcel is west of the northwest corner of Air Force Plant 42, and east of the intersection of Sierra Highway and East Avenue M. The City of Palmdale is located within the Antelope Valley Air Quality Management District.

The proposed PSD permit for the Project would require the use of Best Available Control Technology (BACT) to limit emissions of nitrogen oxides (NO_x), carbon monoxide (CO), total particulate matter (PM), particulate matter under 10 micrometers (µm) in diameter (PM₁₀), particulate matter under 2.5 (µm) in diameter (PM_{2.5}), and greenhouse gases (GHG), to the greatest extent feasible. Air pollution emissions from the Project would not cause or contribute to violations of any National Ambient Air Quality Standards (NAAQS) for the pollutants regulated under the PSD permit.

The emissions of other air pollutants from the proposed Project, including the pollutants for which the area is not meeting the NAAQS (and precursors that lead to the formation of such pollutants), are regulated by the Antelope Valley Air Quality Management District (District), which implements the Nonattainment New Source Review (NNSR) permitting program for this area. On May 13, 2010, the District issued a Final Determination of Compliance (FDOC) for the Project, which includes the District's NNSR permit requirements.

Any interested person may submit written comments on EPA's proposed PSD permit for the Project. All written comments on EPA's proposed action must be received by EPA via email by **September 14, 2011**, or postmarked by **September 14, 2011**. Comments must be sent or delivered in writing to Lisa Beckham at one of the following addresses:

E-mail: R9airpermits@epa.gov

U.S. Mail: Lisa Beckham (AIR-3)
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901
Phone: (415) 972-3811

Alternatively, written comments may be submitted to EPA at the Public Hearing for this matter that will be held on **September 14, 2011**, as described below.

Comments should address the proposed permit and facility, including such matters as:

1. The Best Available Control Technology (BACT) determinations;
2. The effects, if any, on Class I areas;
3. The effect of the proposed facility on ambient air quality; and
4. The attainment and maintenance of the NAAQS.

EPA will hold a Public Information Meeting for the purpose of providing interested parties with additional information and an opportunity for informal discussion of the proposed Project. The date, time and location of the Public Information Meeting are as follows:

Date: September 14, 2011
Time: 4:00 p.m. - 6:00 p.m.
Location: Larry Chimbole Cultural Center
Manzanita Ballroom, 2nd Floor
38350 Sierra Highway
Palmdale, California 93550-4611

Pursuant to 40 CFR 124.12, EPA also intends to hold a Public Hearing to provide the public with further opportunity to comment on the proposed permit. At this Public Hearing, any interested person may provide written or oral comments, in English or Spanish, and data pertaining to the proposed permit. The date, time and location of the Public Hearing are as follows:

Date: September 14, 2011
Time: 7:00 p.m. - 10:00 p.m.
Location: Larry Chimbole Cultural Center
Manzanita Ballroom, 2nd Floor
38350 Sierra Highway
Palmdale, California 93550-4611

English-Spanish translation services will be provided at both the Public Information Meeting and the Public Hearing.

If you require a reasonable accommodation please contact Terisa Williams, EPA Region 9 Reasonable Accommodations Coordinator, by **August 31, 2011** at (415) 972-3829, or Williams.Terisa@epa.gov.

All information submitted by the applicant is available as part of the administrative record. The proposed air permit, fact sheet/ambient air quality impact report, permit application and other supporting information are available on the EPA Region 9 website at <http://www.epa.gov/region09/air/permit/r9-permits-issued.html#pubcomment>. The administrative record may also be viewed in person, Monday through Friday (excluding federal holidays) from 9:00 AM to 4:00 PM, at the EPA Region 9 address above. Due to building security procedures, please call Lisa Beckham at (415) 972-3811 at least 24 hours in advance to arrange a visit. Hard copies of the administrative record can be mailed to individuals upon request in accordance with Freedom of Information Act requirements as described on the EPA Region 9 website at <http://www.epa.gov/region9/foia/>.

EPA's proposed PSD permit for the Project and the accompanying fact sheet/ambient air quality impact report are available for review at the following locations: Antelope Valley Air Quality Management District, 43301 Division Street, Suite 206, Lancaster, CA 93535, (661) 723-8070; Palmdale City Library, 700 East Palmdale Boulevard, Palmdale, CA 93550-4742, (661) 267-5600; Lancaster Regional Library, 601 W. Lancaster Boulevard, Lancaster, CA 93534-3398, (661) 948-5029; Lake Los Angeles Library, 16921 East Avenue O, Palmdale, CA 93591-3045, (661) 264-0593; and Quartz Hill Library, 42018 N. 50th Street West, Quartz Hill, CA 93536-3590, (661) 943-2454.

All comments that are received will be included in the public docket without change and will be available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through e-mail. If you send e-mail directly to the EPA, your e-mail address will be automatically captured and included as part of the public comment. Please note that an e-mail or postal address must be provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit.

EPA will consider all written and oral comments submitted during the public comment period before taking final action on the PSD permit application and will send notice of the final decision to each person who submitted comments and contact information during the public comment period or requested notice of the final permit decision. EPA will respond to all substantive comments in a document accompanying EPA's final permit decision and will make the Public Hearing proceedings available to the public.

EPA's final permit decision will become effective 30 days after the service of notice of the decision unless:

1. A later effective date is specified in the decision; or
2. The decision is appealed to EPA's Environmental Appeals Board pursuant to 40 CFR 124.19; or
3. There are no comments requesting a change to the proposed permit decision, in which case the final decision shall become effective immediately upon issuance.

If EPA issues a final decision granting the PSD permit application for the Project, and there is no appeal, construction of the Project may commence, subject to the conditions of the PSD permit and other applicable permit and legal requirements.

If you have questions, please contact Lisa Beckham at (415) 972-3811 or email at R9airpermits@epa.gov. If you would like to be added to our mailing list to receive future information about this proposed permit decision or other PSD permit decisions issued by EPA Region 9, please contact Lisa Beckham at (415) 972-3811 or send an email to R9airpermits@epa.gov, or visit EPA Region 9's website at <http://www.epa.gov/region09/air/permit/psd-public-guidelines.html>.

Please bring the foregoing notice to the attention of all persons who would be interested in this matter.

***** AVISO PÚBLICO *****

PROYECTO DE ENERGÍA HÍBRIDA DE PALMDALE

**ANUNCIO DE PROPUESTA DE PERMISO, REUNIÓN INFORMATIVA PÚBLICA Y
AUDIENCIA PÚBLICA - SOLICITUD DE COMENTARIOS SOBRE LA PROPUESTA
DE PERMISO DE PSD CONFORME A LA LEY DE AIRE LIMPIO
SOLICITUD DE PERMISO N° SE 09-01**

La Agencia de Protección Ambiental (Environmental Protection Agency, "EPA") de los Estados Unidos anuncia y solicita comentarios de la población sobre la medida propuesta por la EPA en relación con la solicitud de permiso de Prevención de Deterioros Significativos (Prevention of Significant Deterioration, "PSD") para el Proyecto de Energía Híbrida de Palmdale ("Proyecto"). La EPA ha elaborado una propuesta de permiso de PSD que otorgaría a la ciudad de Palmdale aprobación condicional, conforme a los reglamentos de PSD (40 CFR 52.21), para construir y operar una planta de generación eléctrica de 570 MW (nominales). La dirección de la administración de la ciudad de Palmdale es 38300 Sierra Highway, Suite A, Palmdale, California 93550. El predio propuesto para el Proyecto está sito en 950 East Avenue M, Palmdale, California 93550.

El Proyecto propuesto consta de dos generadores de turbina de combustión de gas natural General Electric 7FA de 154 MW cada uno, dos generadores de recuperación de calor a vapor, un generador de turbina de vapor de 267 MW, y 251 acres de colectores solares térmicos parabólicos con sus respectivos equipos de transferencia de calor con la capacidad de proporcionar 50 MW de energía suplementario. El Proyecto generará 570 MW nominales o 563 MW netos de energía eléctrica, y se ubicará en un predio de propiedad de la ciudad de Palmdale, en el condado de Los Ángeles, que se encuentra en la zona industrial de la ciudad. El predio, de aproximadamente 333 acres, se encuentra al oeste de la esquina noroeste de la Planta 42 de la Fuerza Aérea y al este de la intersección de Sierra Highway y East Avenue M. La ciudad de Palmdale pertenece al Distrito de Gestión de la Calidad del Aire de Antelope Valley.

La propuesta de permiso de PSD para el Proyecto requeriría el uso de la Mejor Tecnología de Control Disponible (Best Available Control Technology, "BACT") para limitar al máximo posible las emisiones de óxidos de nitrógeno (NO_x), monóxido de carbono (CO), material particulado total (PM), material particulado de menos de 10 µm de diámetro (PM₁₀), material particulado de menos de 2.5 µm de diámetro (PM_{2.5}), y gases de efecto invernadero. Las emisiones de contaminantes atmosféricos del Proyecto no violarían ni contribuirían a una violación de las Normas Nacionales de Calidad del Aire Ambiental (National Ambient Air Quality Standards, "NAAQS") aplicables a los contaminantes regulados por los permisos de PSD.

Las emisiones de otros contaminantes atmosféricos del Proyecto propuesto, incluidos los contaminantes respecto de los cuales el área no cumple actualmente las NAAQS (y sus precursores), son regulados por el Distrito de Gestión de la Calidad del Aire de Antelope Valley ("Distrito"), que ha implementado para esta zona el programa de otorgamiento de permisos

llamado Examen de Nuevas Fuentes en Áreas de Incumplimiento (Non-Attainment New Source Review, "NNSR"). El 13 de mayo de 2010, el Distrito le expidió al Proyecto una Decisión Definitiva de Cumplimiento que incluye los requisitos para el permiso NNSR que impone el Distrito.

Todas las personas interesadas pueden presentar comentarios por escrito sobre la propuesta de permiso de PSD de la EPA para el Proyecto. La EPA tendrá en cuenta todos los comentarios por escrito que se envíen por correo electrónico o sean franqueados por el servicio postal de los Estados Unidos hasta el **14 de setiembre de 2011**. Los comentarios deben entregarse o dirigirse a Lisa Beckham, a una de las siguientes direcciones:

Correo electrónico: R9airpermits@epa.gov

Correo de los EE.UU.: Lisa Beckham (AIR-3)
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901
Teléfono: (415) 972-3811

También se podrá entregar comentarios por escrito a la EPA en la Audiencia Pública sobre esta propuesta que se llevará a cabo el **14 de setiembre de 2011**, tal como se describe más adelante.

Los comentarios se deben referir a la propuesta de permiso y al proyecto de la planta, incluidos aspectos tales como:

1. Determinación de la BACT;
2. Efectos, si los hubiera, sobre las zonas de Clase I;
3. Efecto de la planta propuesta en la calidad del aire ambiental;
4. Cumplimiento y mantenimiento de las NAAQS.

La EPA organizará una Reunión Informativa Pública para brindar a los interesados información adicional y oportunidad para hablar informalmente sobre el Proyecto propuesto, que se realizará:

Fecha: 14 de setiembre de 2011
Hora: 4:00 pm a 6:00 pm
Lugar: Larry Chimbole Cultural Center
Manzanita Ballroom, Piso 2
38350 Sierra Highway
Palmdale, California 93550-4611

Conforme a la norma 40 CFR 124.12, la EPA también ha decidido realizar una Audiencia Pública para darle a la población más oportunidades de presentar comentarios sobre el permiso propuesto. En dicha Audiencia Pública, todos los interesados podrán presentar comentarios escritos o verbales en inglés o español, así como información sobre el permiso propuesto. Dicha Audiencia se realizará:

Fecha: 14 de setiembre de 2011
Hora: 7:00 pm a 10:00 pm
Lugar: Larry Chimbole Cultural Center
Manzanita Ballroom, Piso 2
38350 Sierra Highway
Palmdale, California 93550-4611

Tanto en la Reunión Informativa como en la Audiencia Pública habrá servicios de traducción inglés-español.

Para solicitudes de acomodos razonables, comuníquese con Terisa Williams, Coordinadora de Equipos Especiales de la Región 9 de la EPA, antes del 31 de agosto de 2011 por el teléfono (415) 977-3829, o enviar un mensaje electrónico a Williams.Terisa@epa.gov

Toda la información presentada por el solicitante está disponible en nuestros registros administrativos. En el sitio web de la Región 9 de la EPA (<http://www.epa.gov/region09/air/permit/19-permits-issued.html#pubcomment>) está publicado el permiso de PSD propuesto, así como la hoja de información sobre impactos en la calidad del aire ambiental, la solicitud de permiso y otros materiales informativos. Nuestros registros administrativos también se pueden consultar personalmente de lunes a viernes (excluidos los feriados federales) de 9:00 am a 4:00 pm, en la sede de la Región 9 de la EPA que se indicó anteriormente. Debido a los procedimientos de seguridad aplicados en el edificio, se debe llamar al menos 24 horas antes a Lisa Beckham, al teléfono (415) 972-3811, para programar la visita. Asimismo, conforme a lo dispuesto en la Ley de Libertad de Información según se describe en el sitio web de la Región 9 de la EPA (<http://www.epa.gov/region9/foia>), también se puede solicitar el envío por correo de copias impresas de los registros administrativos.

La propuesta de permiso de PSD de la EPA respecto al Proyecto y la hoja de información sobre impactos en la calidad del aire ambiental correspondientes están disponibles para ser examinados en los siguientes lugares: Distrito de Gestión de la Calidad del Aire de Antelope Valley, 43301 Division Street, Suite 206, Lancaster, CA 93535, (661) 723-8070; Biblioteca de la ciudad de Palmdale, 700 East Palmdale Boulevard, Palmdale, CA 93550-4742, (661) 267-5600, Biblioteca Regional de Lancaster, 601 W. Lancaster Boulevard, Lancaster, CA 93534-3398, (661) 948-5029; Biblioteca de Lake Los Angeles, 16921 East Avenue O, Palmdale, CA 93591-3045, (661) 264 0593; y Biblioteca de Quartz Hill, 42018 N. 50th Street West, Quartz Hill, CA 93536 3590, (661) 943 2454.

Todos los comentarios que se reciban se incluirán en el expediente público sin modificaciones y estarán a disposición del público, incluida la información personal del remitente, salvo que contengan Información Comercial Confidencial (Confidential Business Information, "CBI") u otra información cuya divulgación esté protegida por ley. La información que se considere CBI o protegida de otro modo debe ser claramente identificada como tal y no debe enviarse por correo electrónico. Cuando se envíen mensajes electrónicos directamente a la EPA, la dirección del remitente será captada automáticamente y se incluirá en los comentarios públicos. Cabe observar que las personas que deseen recibir un aviso directo de la decisión definitiva de la EPA

sobre el permiso deben incluir en sus comentarios una dirección electrónica o un domicilio para correspondencia.

Antes de adoptar una medida definitiva sobre la solicitud de permiso de PSD, la EPA analizará todos los comentarios escritos y verbales que reciba durante el período de comentarios públicos y, una vez adoptada la decisión definitiva, la comunicará a todas las personas que hayan presentado comentarios con información para contactos durante el período de comentarios públicos o solicitado recibir un aviso de la decisión definitiva. La EPA responderá a todos los comentarios de importancia en un documento que se adjuntará a la decisión definitiva sobre el permiso, y pondrá a disposición de la población las actas de la Audiencia Pública.

La decisión definitiva de la EPA sobre el permiso entrará en vigor 30 días después de su notificación, salvo que:

1. En la propia decisión se indique una fecha de vigencia posterior;
2. Se presente una apelación contra la decisión al Consejo de Apelaciones Ambientales de la EPA conforme a la norma 40 CFR 124.19; o
3. No se haya presentado ningún comentario que solicite cambios en la propuesta de decisión sobre el permiso, en cuyo caso la decisión definitiva entrará en vigor inmediatamente después de que se dicte.

Si la EPA adopta una decisión definitiva que aprueba la solicitud de permiso de PSD para el Proyecto y no se presenta ninguna apelación en su contra, podrá comenzar la construcción del Proyecto, sujeta a las condiciones establecidas en el permiso de PSD y a los requisitos de los demás permisos, leyes y reglamentaciones aplicables.

Si tiene alguna pregunta, favor de comunicarse con Lisa Beckham al teléfono (415) 972-3811 o enviar un mensaje electrónico a R9airpermits@epa.gov. Si desea ser incluido en nuestra lista de correo para recibir en el futuro información sobre la decisión acerca de esta propuesta de permiso u otras decisiones sobre permisos de PSD de la Región 9 de la EPA, comuníquese con Lisa Beckham al teléfono (415) 972-3811, envíe un mensaje electrónico a R9airpermits@epa.gov o visite el sitio web de la Región 9 de la EPA. <http://www.epa.gov/region09/air/permits/psd-public-guidelines.html>

Agradeceremos que se dé a conocer este aviso a todas las personas que puedan tener interés en este asunto.

Exhibit

C

* * * PUBLIC NOTICE * * *

PALMDALE HYBRID POWER PROJECT

ANNOUNCEMENT OF PROPOSED PERMIT, PUBLIC INFORMATION MEETING AND PUBLIC HEARING, AND REQUEST FOR PUBLIC COMMENT ON PROPOSED CLEAN AIR ACT PREVENTION OF SIGNIFICANT DETERIORATION PERMIT PERMIT APPLICATION NO. SE 09-01

The United States Environmental Protection Agency (EPA) provides notice of, and requests public comment on, EPA's proposed action relating to the Prevention of Significant Deterioration (PSD) permit application for the Palmdale Hybrid Power Project (Project). EPA is issuing a proposed PSD permit that would grant conditional approval, in accordance with the PSD regulations (40 CFR 52.21), to the City of Palmdale to construct and operate a 570 megawatt (MW, nominal) electric generating facility. The address for the City of Palmdale is 38300 Sierra Highway, Suite A, Palmdale, CA 93550. The proposed location for the Project is 950 East Avenue M, Palmdale, California 93550.

The proposed Project consists of two General Electric (GE) Frame 7FA natural gas-fired combustion turbine-generators (CTGs) rated at 154 megawatt (MW) each, two heat recovery steam generators (HRSGs), one steam turbine generator (STG) rated at 267 MW, and 251 acres of parabolic solar-thermal collectors with associated heat-transfer equipment with the capacity to provide up to 50 MW of supplemental energy. The Project will have an electrical output of 570 MW (nominal) or 563 MW (net). The Project will be located on a parcel of land owned by the city of Palmdale, currently zoned for industrial use, in Los Angeles County. The approximately 333-acre parcel is west of the northwest corner of Air Force Plant 42, and east of the intersection of Sierra Highway and East Avenue M. The City of Palmdale is located within the Antelope Valley Air Quality Management District.

The proposed PSD permit for the Project would require the use of Best Available Control Technology (BACT) to limit emissions of nitrogen oxides (NO_x), carbon monoxide (CO), total particulate matter (PM), particulate matter under 10 micrometers (µm) in diameter (PM₁₀), particulate matter under 2.5 (µm) in diameter (PM_{2.5}), and greenhouse gases (GHG), to the greatest extent feasible. Air pollution emissions from the Project would not cause or contribute to violations of any National Ambient Air Quality Standards (NAAQS) for the pollutants regulated under the PSD permit.

The emissions of other air pollutants from the proposed Project, including the pollutants for which the area is not meeting the NAAQS (and precursors that lead to the formation of such pollutants), are regulated by the Antelope Valley Air Quality Management District (District), which implements the Nonattainment New Source Review (NNSR) permitting program for this area. On May 13, 2010, the District issued a Final Determination of Compliance (FDOC) for the Project, which includes the District's NNSR permit requirements.

Any interested person may submit written comments on EPA's proposed PSD permit for the Project. All written comments on EPA's proposed action must be received by EPA via email by **September 14, 2011**, or postmarked by **September 14, 2011**. Comments must be sent or delivered in writing to Lisa Beckham at one of the following addresses:

E-mail: R9airpermits@epa.gov

U.S. Mail: Lisa Beckham (AIR-3)
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901
Phone: (415) 972-3811

Alternatively, written comments may be submitted to EPA at the Public Hearing for this matter that will be held on **September 14, 2011**, as described below.

Comments should address the proposed permit and facility, including such matters as:

1. The Best Available Control Technology (BACT) determinations;
2. The effects, if any, on Class I areas;
3. The effect of the proposed facility on ambient air quality; and
4. The attainment and maintenance of the NAAQS.

EPA will hold a Public Information Meeting for the purpose of providing interested parties with additional information and an opportunity for informal discussion of the proposed Project. The date, time and location of the Public Information Meeting are as follows:

Date: September 14, 2011
Time: 4:00 p.m. - 6:00 p.m.
Location: Larry Chimbole Cultural Center
Manzanita Ballroom, 2nd Floor
38350 Sierra Highway
Palmdale, California 93550-4611

Pursuant to 40 CFR 124.12, EPA also intends to hold a Public Hearing to provide the public with further opportunity to comment on the proposed permit. At this Public Hearing, any interested person may provide written or oral comments, in English or Spanish, and data pertaining to the proposed permit. The date, time and location of the Public Hearing are as follows:

Date: September 14, 2011
Time: 7:00 p.m. – 10:00 p.m.
Location: Larry Chimbole Cultural Center
Manzanita Ballroom, 2nd Floor
38350 Sierra Highway
Palmdale, California 93550-4611

English-Spanish translation services will be provided at both the Public Information Meeting and the Public Hearing.

If you require a reasonable accommodation please contact Terisa Williams, EPA Region 9 Reasonable Accommodations Coordinator, by **August 31, 2011** at (415) 972-3829, or Williams.Terisa@epa.gov.

All information submitted by the applicant is available as part of the administrative record. The proposed air permit, fact sheet/ambient air quality impact report, permit application and other supporting information are available on the EPA Region 9 website at <http://www.epa.gov/region09/air/permit/r9-permits-issued.html#pubcomment>. The administrative record may also be viewed in person, Monday through Friday (excluding federal holidays) from 9:00 AM to 4:00 PM, at the EPA Region 9 address above. Due to building security procedures, please call Lisa Beckham at (415) 972-3811 at least 24 hours in advance to arrange a visit. Hard copies of the administrative record can be mailed to individuals upon request in accordance with Freedom of Information Act requirements as described on the EPA Region 9 website at <http://www.epa.gov/region9/foia/>.

EPA's proposed PSD permit for the Project and the accompanying fact sheet/ambient air quality impact report are available for review at the following locations: Antelope Valley Air Quality Management District, 43301 Division Street, Suite 206, Lancaster, CA 93535, (661) 723-8070; Palmdale City Library, 700 East Palmdale Boulevard, Palmdale, CA 93550-4742, (661) 267-5600; Lancaster Regional Library, 601 W. Lancaster Boulevard, Lancaster, CA 93534-3398, (661) 948-5029; Lake Los Angeles Library, 16921 East Avenue O, Palmdale, CA 93591-3045, (661) 264-0593; and Quartz Hill Library, 42018 N. 50th Street West, Quartz Hill, CA 93536-3590, (661) 943-2454.

All comments that are received will be included in the public docket without change and will be available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through e-mail. If you send e-mail directly to the EPA, your e-mail address will be automatically captured and included as part of the public comment. Please note that an e-mail or postal address must be provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit.

EPA will consider all written and oral comments submitted during the public comment period before taking final action on the PSD permit application and will send notice of the final decision to each person who submitted comments and contact information during the public comment period or requested notice of the final permit decision. EPA will respond to all substantive comments in a document accompanying EPA's final permit decision and will make the Public Hearing proceedings available to the public.

EPA's final permit decision will become effective 30 days after the service of notice of the decision unless:

1. A later effective date is specified in the decision; or
2. The decision is appealed to EPA's Environmental Appeals Board pursuant to 40 CFR 124.19; or
3. There are no comments requesting a change to the proposed permit decision, in which case the final decision shall become effective immediately upon issuance.

If EPA issues a final decision granting the PSD permit application for the Project, and there is no appeal, construction of the Project may commence, subject to the conditions of the PSD permit and other applicable permit and legal requirements.

If you have questions, please contact Lisa Beckham at (415) 972-3811 or email at R9airpermits@epa.gov. If you would like to be added to our mailing list to receive future information about this proposed permit decision or other PSD permit decisions issued by EPA Region 9, please contact Lisa Beckham at (415) 972-3811 or send an email to R9airpermits@epa.gov, or visit EPA Region 9's website at <http://www.epa.gov/region09/air/permit/psd-public-guidelines.html>.

Please bring the foregoing notice to the attention of all persons who would be interested in this matter.

Exhibit

D

Erick Studenicka			4197 Pheasant Drive	Carson City	CA	89701
Gary Rubenstein		Sierra Research	1801 J Street,	Sacramento	CA	95814
Gilbert Parra	Environmental Director	Chemehuevi Indian Tribe	P. O. Box 1976	Havasu Lake	CA	92363
James Ramos	Chairman	San Manuel General Council	26569 Community Center Drive	Highland	CA	92346
Janet Laurain		Adams Broadwell Joseph & Cardozo	601 Gateway Blvd., St. 1000	South San Francisco	CA	94080
Jerry Mosley		Air Force Plant 42	2503 E. Avenue P,	Palmdale	CA	93550
Jim Ritchie	Deputy Executive Director	Los Angeles World Airports	1 World Way P.O. Box 92216	Los Angeles,	CA	90009
Josh Margolis	Managing Director	Cantor Fitzgerald Brokerage L.P.	345 California Street, Suite 1260,	San Francisco	CA	94104
Karen Everett	City Librarian	Victorville City Library	15011 Circle Drive	Victorville	CA	92395
La Weeda Ward	Air Quality Program Mgr	USAF Edwards AFB Env Mngmt Div5	East Popson Avenue, Bldg. 2650A,	Edwards AFB	CA	93524
Laura Been	Environmental Control Specialist	Lockheed Martin Skunk Works	1011 Lockheed Way	Palmdale	CA	93599
Laurie Lile	Assistant City Manager	City of Palmdale	38300 Sierra Highway, Suite A	Palmdale	CA	93550
Luke Johnson	Environmental Director	Fort Mojave Indian Tribe	500 Merriman Avenue	Needles	CA	92363
Lyle Talbot		DCAP	633 W. Ave J-11	Lancaster	CA	93534
Marie Rippee	Branch Manager	Adelanto Branch Library	11744 Bartlett Avenue	Adelanto	CA	92301
Mary Dyas	Compliance Project Manager	California Energy Commission	1516 Ninth Street	Sacramento	CA	95814
Mohsen Nazemi	Assistant Deputy Executive Officer	South Coast Air Quality Management District	21865 Copley Drive	Diamond Bar	CA	91765-4178
Nancy Jackson	Public Affairs Manager	Southern California Edison	12353 Hesperia Road,	Victorville	CA	92395
Natalie Griffith	Branch Manager	Apple Valley Branch Library	14901 Dale Evans Parkway	Apple Valley	CA	92307
Nora Helton	Chairperson	Fort Mojave Indian Tribe	500 Merriman Avenue	Needles	CA	92363
Nora McDowell	Chairperson	Fort Mojave Indian Tribe of Arizona	Fort Mojave Indian Tribal Council	Needles	CA	92363
Richard Whitney	Director of Acquisition and Env Mgmt	Aeronautical System Center, Bldg. 8	1801 10th Street,	Wright Patterson AFB	OH	45433
Robert Gorson	City Manager	City of Taft	209 E. Kern St.	Taft	CA	93268
Samantha Unger		Evolution Markets LLC	10 Bank Street, Suite 410	White Plains	NY	10606
Thomas Ishii	Project Manager	Southern California Gas Co.	Box 513249	Los Angeles	CA	90051
Timothy Williams	Chairperson	Fort Mojave Indian Tribe	500 Merriman Avenue	Needles	CA	92363
Vanessa Damron		Northrop Grumman	3520 E Avenue M, PA11/4S,	Palmdale	CA	93350
Violette Roberts	Community Relations Director	MDAQMD	14306 Park Avenue,	Victorville	CA	92392
WILL WALTERS		ASPEN ENVIRONMENTAL GROUP	30423 CANWOOD STREET, SUITE 215	AGOURA HILLS	CA	91301
William Weese		Mojave Desert Air Quality Management District	15428 Civic Drive	Victorville	CA	92392
MICHAEL BASS		ESOLAR	130 W. UNION ST	PASADENA	CA	91103-3628
TIM BURHOE		GRANITE CONSTRUCTION COMPANY	213 EAST AVE M	PALMDALE	CA	93550
TONY DILGER		LOCKHEED MARTIN	1011 LOCKHEED WAY	PALMDALE	CA	93599-0001
TOM HOWSER		CCL ENGINEERING	43434 SAHUAYO	LANCASTER	CA	93535-4674

		RESIDENT	37612 GILWORTH AVE	PALMDALE	CA	93550-6985
		RESIDENT	37638 GILWORTH AVE	PALMDALE	CA	93550-6985
		RESIDENT	37138 KENDRICK CIR	PALMDALE	CA	93550-7301
		RESIDENT	1726 MORISAN AVE	PALMDALE	CA	93550-7302
		RESIDENT	1743 MORISAN AVE	PALMDALE	CA	93550-7303
		RESIDENT	1713 MARCUS AVE	PALMDALE	CA	93550-7310
		RESIDENT	1735 MARCUS AVE	PALMDALE	CA	93550-7310
		RESIDENT	37111 VELUTINA WAY	PALMDALE	CA	93550-7311
		RESIDENT	37139 VELUTINA WAY	PALMDALE	CA	93550-7311
		RESIDENT	1627 VIA VERDE AVE	PALMDALE	CA	93550-7313
		RESIDENT	37119 DAISY ST	PALMDALE	CA	93550-7318
		RESIDENT	37157 DAISY ST	PALMDALE	CA	93550-7319
		RESIDENT	37042 LA CONTEMPO AVE	PALMDALE	CA	93550-7352
		RESIDENT	41923 SIERRA HWY	PALMDALE	CA	93550-7610
		RESIDENT	1321 GARNET AVE	PALMDALE	CA	93550-7712
		RESIDENT	1362 GARNET AVE	PALMDALE	CA	93550-7712
		RESIDENT	37613 LASKER AVE	PALMDALE	CA	93550-7721
		RESIDENT	1011 LOCKHEED WAY	PALMDALE	CA	93599-0001
Cathy Hart	Public Affairs Manager	Southern California Edison	42060 10th Street West	LANCASTER	CA	93534
Tim Hughes		Air Force Plant 42	2503 E. Avenue P	PALMDALE	CA	93550
Ed Stewart		Los Angeles County Sanitation Districts	P.O. Box 4998	Whittier	CA	90607-4998
Lyle Talbot		Desert Citizens Against Pollution	633 West Avenue J-11	LANCASTER	CA	93534
Norm Hickling		Los Angeles County 5th District Supervisor Michael Antonovich	1113 West Avenue M-4, Suite A	PALMDALE	CA	93551
Vicki Medina		Antelope Valley Board of Trade	548 West Lancaster Blvd., Suite 103	LANCASTER	CA	93534
Mel Layne		Greater Antelope Valley Economic Alliance	1028 West Ave. L-12 #101	LANCASTER	CA	93534
Terry Roberts	State Clearinghouse Director	Governor's Office of Planning and Research (OPR)	P.O. Box 3044	Sacramento	CA	95812-3044
Larry Woodson	Public Participation Supervisor	CA DTSC	8801 Cal Center Drive	Sacramento	CA	95826
Nathan Schumacher	Public Participation Specialist	CA DTSC	8800 Cal Center Drive	Sacramento	CA	95826
Ruth Cayabyab	Project Manager	CA DTSC	8800 Cal Center Drive	Sacramento	CA	95826
Yolanda Garza	Director of Public Participation	CA DTSC	9211 Oakdale Avenue	Chatsworth	CA	91311-6505
Cynthia Gomez	Environmental Justice	CalEPA	1001 I Street P.O. Box 2815	Sacramento	CA	95812-2815
Malinda Dumisani	Environmental Justice	CalEPA	1001 I Street P.O. Box 2815	Sacramento	CA	95812-2815
CYNTHIA OSHITA OR SUSAN LONG		CAL-EPA	OFC OF ENV HEALTH HAZARD ASSE	SACRAMENTO	CA	95812
MARIAM ADHAMI		COUNTY OF LA PUBLIC WORKS	900 S. FREMONT AVE	ALHAMBRA	CA	91803-1331
LAURA BLANK		LOS ANGELES COUNTY FARM BUREAU	4122 12TH STREET WEST #A	PALMDALE	CA	93551
CONNIE BROWN	LANDSCAPE/ARCHITECT	CITY OF PALMDALE	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609
ASOKA HERATH		CITY OF PALMDALE PLANNING DEPT.	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609

Exhibit

E



Comments on Palmdale Hybrid Power Plant (SE 09-01)

Gideon Kracov

to:

R9AirPermits

09/14/2011 02:22 PM

Cc:

"Jane Williams", "Lisa Belenky"

Hide Details

From: "Gideon Kracov" <gk@gideonlaw.net>

To: R9AirPermits@EPA

Cc: "Jane Williams" <dcapjane@aol.com>, "Lisa Belenky" <lbelenky@biologicaldiversity.org>

3 Attachments



palmdale.comment.1.pdf



CBD comments on PMPD final.pdf



Palmdale Road Paving 7-21-10 pdf A.PDF

Dear EPA Region 9 and/or Ms. Lisa Beckham:

Please see the attached comments on the referenced permit.

I would appreciate a confirmation that you received this email.

Thank you.

Gideon Kracov

Attorney at Law

801 S. Grand Ave., 11th Fl.

Los Angeles, CA 90017

p 213-629-2071

f 213-623-7755

GK@GideonLaw.net

www.GideonLaw.net

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GIDEON KRACOV

Attorney at Law

801 South Grand Avenue
11th Floor
Los Angeles, California 90017

(213) 629-2071
Fax: (213) 623-7755

gk@gideonlaw.net
www.gideonlaw.net

September 14, 2011

Via Email

R9airpermits@epa.gov

Lisa Beckham
US EPA Region 9
75 Hawthorne St.
San Francisco, CA 94105

Re: Comments on Palmdale Hybrid Power Plant (SE 09-01)

Dear Ms. Beckham:

This Office writes on behalf of Desert Citizens Against Pollution and California Communities Against Toxics to provide comments on the referenced prevention of significant deterioration (PSD) proposed permit for the Palmdale Hybrid Powerplant. We respectfully request a response to the following comments:

1. Attached hereto and incorporated by this reference in their entirety are the comments on this project of the Center for Biological Diversity dated July 11, 2011 and Phyllis Fox Ph.D. dated July 19, 2010. We request a response to these comments, in particular those that address PM2.5 emissions, interpollutant trading and the air quality and other environmental impacts of the proposed use of road paving emission reduction credits.
2. We are concerned that this facility will consume much of the allowable criteria pollutant increment for the attainment area under the PSD regime and therefore will prevent other, more environmentally friendly facilities in the region from receiving PSD permits. This will have a negative impact on the economy and green jobs. How much increment for the various criteria pollutants will remain available in the attainment area? What are the socioeconomic impacts of this? These questions must be studied and answered as part of the required socioeconomic impact analysis of the project.
3. Cooling tower monitoring must include monitoring of water circulation rate at time of TDS sampling (to calculate drift rate from water circulation rate and TDS content).

4. Stack tests for boiler every five years should be changed to annually.
5. Initial performance test for firewater pump and internal combustion engine D2 is insufficient as performance deteriorates over time. The permit should require a stack test at least every five years.
6. There is no quantification of heat transfer VOC emissions. This is generally done based on estimated annual loss (based on experience at other facilities) and should be quantified here.
7. Under the PM2.5 final rule, the two "screening tools" which include the Significant Level of Impacts (SIL) and the Significant Monitoring Concentrations (SMC) for PM 2.5 went into effect as of December 20, 2010. *See* 75 Fed. Reg. 64898, 64900. EPA is already using these screening tools to review PSD applications. The SIL provides significance thresholds above which new sources must comply with increment analysis under the PSD program.

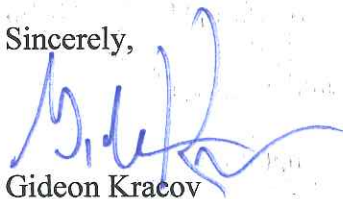
Significant Impact Levels:

Pollutant Averaging time	Class I area	Class II area	Class III area
PM2.5 Annual	0.06 µg/m ³	0.3 µg/m ³	0.3 µg/m ³
24-hour	0.07 µg/m ³	1.2 µg/m ³	1.2 µg/m ³

50 CFR §52.21(k)(2). The proposed project will emit PM2.5 at levels far above these SIL. *See* Exh. 307 at 20 (revised PM2.5 24-hour figures). These thresholds indicate that the PM2.5 emissions from the proposed project are significant and should have been analyzed as such in order to comply with NEPA and CEQA.

Thank you for consideration of these comments. Should you have any questions about this letter please contact Jane Williams at 661-510-3412 or the undersigned.

Sincerely,



Gideon Kracov

Attachs.

Exhibit

F



FINAL PERMIT - Palmdale Hybrid Power Project (SE 09-01)

R9AirPermits to: R9AirPermits

10/19/2011 05:05 PM

Sent by: Lisa Beckham

Cc: Shirley Rivera, Roberto Gutierrez

Bcc:

[Redacted]

dcapjane

[Redacted]

From: R9AirPermits
To: R9AirPermits@EPA
Cc: Shirley Rivera/R9/USEPA/US@EPA, Roberto Gutierrez/R9/USEPA/US@EPA
Bcc:

[Redacted]

dcapjane@aol.com,

[Redacted]



Please see attached information regarding EPA's final PSD permit for the Palmdale Hybrid Power Project, Palmdale, CA.



Notice of Final Permit Decision.pdf

*** ANNOUNCEMENT ***
OF A FINAL DECISION TO ISSUE A PSD PERMIT THAT REGULATES THE EMISSION
OF AIR POLLUTANTS
PALMDALE HYBRID POWER PROJECT
PERMIT APPLICATION NO. SE 09-01

In August 2011, the United States Environmental Protection Agency, Region 9 (EPA) requested public comment on our proposal to issue a Prevention of Significant Deterioration (PSD) permit authorizing the construction and operation of a 570 megawatt (MW) natural gas-fired combined-cycle power plant, with an integrated 50 MW solar-thermal plant, known as the Palmdale Hybrid Power Project (PHPP or Project), in Palmdale, California.

During the public comment period, which ended on September 14, 2011, EPA received written and oral comments regarding its proposed PSD permitting action for the Project. EPA has carefully reviewed each of the comments submitted and, after consideration of the expressed views of all commenters, the pertinent Federal statutes and regulations, and additional material relevant to the application and contained in our Administrative Record, EPA has made a decision in accordance with 40 CFR 52.21 to issue a final PSD permit to the City of Palmdale for the Project. The final permit was signed on October 18, 2011.

Key portions of the Administrative Record for this decision (including the final permit, all public comments, EPA's responses to the public comments, and additional supporting information) are available online at www.regulations.gov (Docket ID # EPA-R09-OAR-2011-0560), with a link from our website at www.epa.gov/region09/air/permit/r9-permits-issued.html#psd.

Hard copies of the final permit and EPA's responses to the public comments, and the Administrative Record for this action, may also be viewed in person, Monday through Friday from 9:00 AM to 4:00 PM, at the EPA Region 9 address below. Due to building security procedures, please call Lisa Beckham at (415) 972-3811 to arrange a visit at least 24 hours in

advance. Hard copies of the final permit and EPA's responses to the public comments are available upon request in writing, by e-mail, or by fax to:

U.S. Environmental Protection Agency Air Permits Office (AIR-3)
Attn: Lisa Beckham
75 Hawthorne Street
San Francisco, CA 94105
E-mail: R9airpermits@epa.gov
Fax: 415-947-3579

The contact information above may also be used to request copies of other portions of the administrative record for this action.

Within 30 days after the service of notice announcing this final permit decision, any person who filed comments on the proposed permit for the Project or participated in any of the public hearings for the Project may petition EPA's Environmental Appeals Board (EAB) to review any condition of the final permit. Persons who did not file comments or participate in the public hearings may petition for administrative review only to the extent of changes from the proposed to the final permit decision. The petition must include a statement of the reason(s) for requesting review by the EAB, including a demonstration that any issues being raised were raised during the public comment period to the extent required by the regulations at 40 CFR Part 124 and when appropriate, a showing that the conditions in question are based on 1) a finding of fact or conclusion of law which is erroneous, or 2) an exercise of discretion or an important policy consideration which the EAB should, in its discretion, review. Please see 40 CFR 124.19 and visit <http://www.epa.gov/eab/> for important information regarding the procedures for appeal of a PSD permit decision to the EAB.

EPA's PSD permit for the Project shall take effect thirty (30) days from the date of service of notice of this permit decision unless a petition for review is properly and timely filed with the EAB. In the event that a petition for review is filed with the EAB, construction of the facility is not authorized under this PSD permit until resolution of the EAB petition(s).

*** END OF ANNOUNCEMENT ***
Issued October 19, 2011

Exhibit

G



Final PSD Permit for Palmdale Hybrid Power Project

Barnett, Bret Banks, adesalvio, mtollstr,
mlynton, fmiller, ggemis, sradis, rob, Lisa

Lisa Beckham to: Belenky, Glyer, Reed, gk, 'Laurie Lile', Head,
Sara, tonypenna, Tom Barnett, April Sommer,
April Rose Sommer, dcapjane

10/19/2011 04:46 PM

Cc: Julie Walters, Gerardo Rios

From: Lisa Beckham/R9/USEPA/US

To: Barnett <tbarnett@inlandenergy.com>, Bret Banks <bbanks@avaqmd.ca.gov>, adesalvio@mdaqmd.ca.gov, mtollstr@arb.ca.gov, mlynton@energy.state.ca.us, fmiller@energy.state.ca.us, ggemis@energy.state.ca.us, sradis@energy.state.ca.us, rob@redwoodrob.com, Lisa Belenky <lbelenky@biologicaldiversity.org>, "Glyer, Reed" <RGlyer@SYCR.com>, gk@gideonlaw.net, 'Laurie Lile' <llile@cityofpalmdale.org>, "Head, Sara" <Sara.Head@aecom.com>, tonypenna@inlandenergy.com, Tom Barnett <tbarnett@inlandenergy.com>, April Sommer <aprilsommerlaw@yahoo.com>, April Rose Sommer <april.2ht@hotmail.com>, dcapjane@aol.com

Cc: Julie Walters/R9/USEPA/US@EPA, Gerardo Rios/R9/USEPA/US@EPA

All,

Please see the attached documents relating to the final PSD permit for the Palmdale Hybrid Power Project. The final permit was signed yesterday, October 18, 2011. I have included the final PSD permit, EPA's responses to comments received during the public comment period, the cover letter sent to the applicant, and the announcement for the final permit. The final permit is also available on Region 9's website:

<http://www.epa.gov/region9/air/permit/r9-permits-issued.html#pubcomment>



PHPP PSD Permit Cover Letter.pdf



Final PSD Permit.pdf



Response to Comments.pdf



Notice of Final Permit Decision.pdf

If you have any questions regarding the final PSD permit, please let me know.

Thanks,
Lisa Beckham
Environmental Engineer
Air Division, Permits Office
U.S. EPA Region 9
(415) 972-3811

Exhibit

H

*** ANNOUNCEMENT ***
OF A FINAL DECISION TO ISSUE A PSD PERMIT THAT REGULATES THE
EMISSION OF AIR POLLUTANTS
PALMDALE HYBRID POWER PROJECT
PERMIT APPLICATION NO. SE 09-01

In August 2011, the United States Environmental Protection Agency, Region 9 (EPA) requested public comment on our proposal to issue a Prevention of Significant Deterioration (PSD) permit authorizing the construction and operation of a 570 megawatt (MW) natural gas-fired combined-cycle power plant, with an integrated 50 MW solar-thermal plant, known as the Palmdale Hybrid Power Project (PHPP or Project), in Palmdale, California.

During the public comment period, which ended on September 14, 2011, EPA received written and oral comments regarding its proposed PSD permitting action for the Project. EPA has carefully reviewed each of the comments submitted and, after consideration of the expressed views of all commenters, the pertinent Federal statutes and regulations, and additional material relevant to the application and contained in our Administrative Record, EPA has made a decision in accordance with 40 CFR 52.21 to issue a final PSD permit to the City of Palmdale for the Project. The final permit was signed on October 18, 2011.

Key portions of the Administrative Record for this decision (including the final permit, all public comments, EPA's responses to the public comments, and additional supporting information) are available online at www.regulations.gov (Docket ID # EPA-R09-OAR-2011-0560), with a link from our website at www.epa.gov/region09/air/permit/r9-permits-issued.html#psd.

Hard copies of the final permit and EPA's responses to the public comments, and the Administrative Record for this action, may also be viewed in person, Monday through Friday from 9:00 AM to 4:00 PM, at the EPA Region 9 address below. Due to building security procedures, please call Lisa Beckham at (415) 972-3811 to arrange a visit at least 24 hours in advance. Hard copies of the final permit and EPA's responses to the public comments are available upon request in writing, by e-mail, or by fax to:

U.S. Environmental Protection Agency Air Permits Office (AIR-3)
Attn: Lisa Beckham
75 Hawthorne Street
San Francisco, CA 94105
E-mail: R9airpermits@epa.gov
Fax: 415-947-3579

The contact information above may also be used to request copies of other portions of the administrative record for this action.

Within 30 days after the service of notice announcing this final permit decision, any

person who filed comments on the proposed permit for the Project or participated in any of the public hearings for the Project may petition EPA's Environmental Appeals Board (EAB) to review any condition of the final permit. Persons who did not file comments or participate in the public hearings may petition for administrative review only to the extent of changes from the proposed to the final permit decision. The petition must include a statement of the reason(s) for requesting review by the EAB, including a demonstration that any issues being raised were raised during the public comment period to the extent required by the regulations at 40 CFR Part 124 and when appropriate, a showing that the conditions in question are based on 1) a finding of fact or conclusion of law which is erroneous, or 2) an exercise of discretion or an important policy consideration which the EAB should, in its discretion, review. Please see 40 CFR 124.19 and visit <http://www.epa.gov/eab/> for important information regarding the procedures for appeal of a PSD permit decision to the EAB.

EPA's PSD permit for the Project shall take effect thirty (30) days from the date of service of notice of this permit decision unless a petition for review is properly and timely filed with the EAB. In the event that a petition for review is filed with the EAB, construction of the facility is not authorized under this PSD permit until resolution of the EAB petition(s).

*** END OF ANNOUNCEMENT ***

Issued October 19, 2011

Exhibit

I

Dave Jones	Air Pollution Control Officer	Kern County APCD	2700 "M" Street	Bakersfield	CA	93301-2370
David Bubenick		The AirBank	49 Junction Square Drive	Concord	MA	01742
Douglas MacIver	Engineer	Doug MacIver Consulting	P.O. Box 120001	Big Bear Lake	CA	92315
Erick Studenicka			4197 Pheasant Drive	Carson City	CA	89701
Gary Rubenstein		Sierra Research	1801 J Street,	Sacramento	CA	95814
Gilbert Parra	Environmental Director	Chemehuevi Indian Tribe	P. O. Box 1976	Havasu Lake	CA	92363
James Ramos	Chairman	San Manuel General Council	26569 Community Center Drive	Highland	CA	92346
Janet Laurain		Adams Broadwell Joseph & Cardozo	601 Gateway Blvd., St. 1000	South San Francisco	CA	94080
Jerry Mosley		Air Force Plant 42	2503 E. Avenue P,	Palmdale	CA	93550
Jim Ritchie	Deputy Executive Director	Los Angeles World Airports	1 World Way P.O. Box 92216	Los Angeles,	CA	90009
Josh Margolis	Managing Director	Cantor Fitzgerald Brokerage L.P.	345 California Street, Suite 1260,	San Francisco	CA	94104
Karen Everett	City Librarian	Victorville City Library	15011 Circle Drive	Victorville	CA	92395
La Weeda Ward	Air Quality Program Mgr	USAF Edwards AFB Env Mngmt Div5	East Popson Avenue, Bldg. 2650A,	Edwards AFB	CA	93524
Laura Been	Environmental Control Specialist	Lockheed Martin Skunk Works	1011 Lockheed Way	Palmdale	CA	93599
Laurie Lile	Assistant City Manager	City of Palmdale	38300 Sierra Highway, Suite A	Palmdale	CA	93550
Luke Johnson	Environmental Director	Fort Mojave Indian Tribe	500 Merriman Avenue	Needles	CA	92363
Lyle Talbot		DCAP	633 W. Ave J-11	Lancaster	CA	93534
Marie Rippee	Branch Manager	Adelanto Branch Library	11744 Bartlett Avenue	Adelanto	CA	92301
Mary Dyas	Compliance Project Manager	California Energy Commission	1516 Ninth Street	Sacramento	CA	95814
Mohsen Nazemi	Assistant Deputy Executive Officer	South Coast Air Quality Management District	21865 Copley Drive	Diamond Bar	CA	91765-4178
Nancy Jackson	Public Affairs Manager	Southern California Edison	12353 Hesperia Road,	Victorville	CA	92395
Natalie Griffith	Branch Manager	Apple Valley Branch Library	14901 Dale Evans Parkway	Apple Valley	CA	92307
Nora Helton	Chairperson	Fort Mojave Indian Tribe	500 Merriman Avenue	Needles	CA	92363
Nora McDowell	Chairperson	Fort Mojave Indian Tribe of Arizona	Fort Mojave Indian Tribal Council	Needles	CA	92363
Richard Whitney	Director of Acquisition and Env Mgmt	Aeronautical System Center, Bldg. 8	1801 10th Street,	Wright Patterson AFB	OH	45433
Robert Gorson	City Manager	City of Taft	209 E. Kern St.	Taft	CA	93268
Samantha Unger		Evolution Markets LLC	10 Bank Street, Suite 410	White Plains	NY	10606
Thomas Ishii	Project Manager	Southern California Gas Co.	Box 513249	Los Angeles	CA	90051
Timothy Williams	Chairperson	Fort Mojave Indian Tribe	500 Merriman Avenue	Needles	CA	92363
Vanessa Damron		Northrop Grumman	3520 E Avenue M, PA11/4S,	Palmdale	CA	93350
Violette Roberts	Community Relations Director	MDAQMD	14306 Park Avenue,	Victorville	CA	92392
WILL WALTERS		ASPEN ENVIRONMENTAL GROUP	30423 CANWOOD STREET, SUITE 215	AGOURA HILLS	CA	91301
William Weese		Mojave Desert Air Quality Management District	15428 Civic Drive	Victorville	CA	92392

Ed Stewart		Los Angeles County Sanitation Districts	P.O. Box 4998	Whittier	CA	90607-4998
Lyle Talbot		Desert Citizens Against Pollution	633 West Avenue J-11	LANCASTER	CA	93534
Norm Hickling		Los Angeles County 5th District Supervisor Michael Antonovich	1113 West Avenue M-4, Suite A	PALMDALE	CA	93551
Vicki Medina		Antelope Valley Board of Trade	548 West Lancaster Blvd., Suite 103	LANCASTER	CA	93534
Mel Layne		Greater Antelope Valley Economic Alliance	1028 West Ave. L-12 #101	LANCASTER	CA	93534
Terry Roberts	State Clearinghouse Director	Governor's Office of Planning and Research (OPR)	P.O. Box 3044	Sacramento	CA	95812-3044
Larry Woodson	Public Participation Supervisor	CA DTSC	8801 Cal Center Drive	Sacramento	CA	95826
Nathan Schumacher	Public Participation Specialist	CA DTSC	8800 Cal Center Drive	Sacramento	CA	95826
Ruth Cayabyab	Project Manager	CA DTSC	8800 Cal Center Drive	Sacramento	CA	95826
Yolanda Garza	Director of Public Participation	CA DTSC	9211 Oakdale Avenue	Chatsworth	CA	91311-6505
Cynthia Gomez	Environmental Justice	CalEPA	1001 I Street P.O. Box 2815	Sacramento	CA	95812-2815
Malinda Dumisani	Environmental Justice	CalEPA	1001 I Street P.O. Box 2815	Sacramento	CA	95812-2815
CYNTHIA OSHITA OR SUSAN LONG		CAL-EPA	OFC OF ENV HEALTH HAZARD ASSESS	SACRAMENTO	CA	95812
MARIAM ADHAMI		COUNTY OF LA PUBLIC WORKS	900 S. FREMONT AVE	ALHAMBRA	CA	91803-1331
LAURA BLANK		LOS ANGELES COUNTY FARM BUREAU	4122 12TH STREET WEST #A	PALMDALE	CA	93551
CONNIE BROWN	LANDSCAPE/ARCHITECT	CITY OF PALMDALE	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609
ASOKA HERATH		CITY OF PALMDALE PLANNING DEPT.	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609
JOE KOUTSKY		REGIONAL WATER QUALITY CONTROL	LAHONTAN REGION (RWQCB)	VICTORVILLE	CA	92392-9501
BEN LUCHA	PUBLIC WORKS DEPT.	ENVIRONMENTAL DIVISION	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609
BRIAN LUDICKE		CITY OF LANCASTER PLANNING DEPT.	44933 FERN AVE	LANCASTER	CA	93534-2461
JOSH MANN		A.V. BOARD OF TRADE	548 W. LANCASTER BLVD #103	LANCASTER	CA	93534-2572
MIKE MISCHEL		CITY OF PALMDALE DEPT OF ENGINEER	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609
JON PERNULA		PALMDALE WATER DISTRICT	2029 E. AEO	PALMDALE	CA	93551
GORDON PHAIR		CITY OF PALMDALE PUBLIC WORKS DE	38250 SIERRA HIGHWAY	PALMDALE	CA	93550-4609
MIKE PLAZIAK	ACTING OFFICE SUPERVISOR	LAHONTAN RWQCB	14440 CIVIC DRIVE SUITE 200	VICTORVILLE	CA	92392-9501
RANDY SCHULLEY		OFFICE OF EMERGENCY SERVICES (OES)	3650 SCHRIEVER AVE	MATHER	CA	95655-4203
		CAL OSHA - SAN BERNARDINO	464 W 4TH ST STE 332	SAN BERNARDINO	CA	92401
		CALIFORNIA DMV	2260-D EAST PALMDALE ST.	PALMDALE	CA	93550-1325
	CONSULT. SVCS COMPLIANCE DIV.	CAL-OSHA	464 WEST 4TH STREET, ROOM 339	SAN BERNARDINO	CA	92401-1429
		CITY OF PALMDALE DEPT OF BLDG & S	38250 SIERRA HWY	PALMDALE	CA	93550-4609
		COUNTY OF LA PUBLIC WORKS	PALMDALE PERMIT OFFICE PERMIT CL	PALMDALE	CA	93550-4609
	DUTY OFFICER - HAZMAT DIV	LA COUNTY FIRE DEPT	5825 RICKENBACKER RD	COMMERCE	CA	90040-3027
		LA COUNTY FIRE DEPT CAL-ARP UNIT	200 N MAIN STREET RM 1780	LOS ANGELES	CA	90012-4141