

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

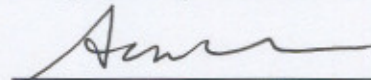
In the matter of )  
 ) PSD Appeal No. 08-08  
Humboldt Bay Repowering Project )  
\_\_\_\_\_ )

**NOTICE OF ERRATA IN THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY, REGION 9'S  
AMICUS CURIAE BRIEF IN SUPPORT OF SUMMARY  
DISPOSITION**

On October 16, 2008, the United States Environmental Protection Agency, Region 9 ("EPA"), signed and served its *amicus curiae* brief supporting Motions for Summary Disposition filed in this matter. EPA has since discovered an error. EPA's Brief refers to retaining federal jurisdiction for "projects with stack heights over 65 feet". Brief, at p. 3. EPA is correcting that statement to refer to "projects with stack heights over 65 meters". In the following paragraph, EPA's Brief states that we understand the stack height of the project will be under "65 feet". *Id.* Again, EPA is notifying the Board and parties that the correct statement is the stack height of the project will be under "65 meters."

Date: October 16, 2008

Respectfully submitted



Ann H. Lyons  
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