

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT
SINCE 1955

January 7, 2009

Mr. Rob Simpson
27126 Grandview Avenue
Hayward, CA 94542

Dear Mr. Simpson:

Enclosed are photocopies of additional records you requested in the attached September 11, 2008, Public Records Request seeking "Documents subsequent to EPA Remand" regarding the Russell City Energy Center. These are copies of the records the District made available for review on December 18, 2008, per the email message to you on that date from Assistant Counsel Alexander Crockett. There are 206 pages of records enclosed, and the charge for copying them at \$0.10 per page is \$20.60. Please submit a check in this amount payable to "Bay Area Air Quality Management District" and send it to my attention. Please note on the check that it is for "September 11, 2008 Public Records Request".

These records supplement the District's September 18, 2008, response to the attached Public Records Act request. The documents we provided on September 18 were the responsive documents from the project file for the Russell City Energy Center project. The further documents we made available for review on December 18 are documents responsive to your request that are not in the project file, such as email messages regarding the project. The District is providing these additional documents after a comprehensive search to ensure that the District has identified all responsive documents in the District's possession.

In addition, after the District searched its files for public records responsive to the attached request you indicated that you wanted additional documents from the whole of 2008, although it is not clear exactly what the scope of your request is. You sent an email to the District's Public Records section on December 17, 2008, asking for all public records relating to the Russell City Energy Center, from all files including emails, that were created in 2008. Subsequently, on December 30, 2008, you sent an email to Mr. Crockett suggesting that you would like to see entries in the Russell City Energy Center project file from 2008.

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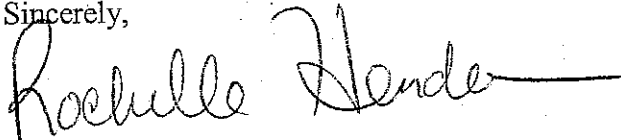
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The District would be happy to provide you with additional records, but it is important that you specify exactly which documents you would like before the District undertakes a records search.

For example, do you want to see only entries in the Russell City Energy Center project file, as implied in your December 30 email? Or do you want to see all documents that may exist anywhere within the agency, including electronic documents such as emails that may not have been entered in the project file, as indicated in your December 17 email? Obviously, if you are seeking the latter the scope of our records search will have to be much broader and so we need to know exactly what you want to review before we respond to any request. Please specify exactly what documents you are seeking and the District will make them available to you.

Please also note that the District has collected the documents from the project file supporting the District's proposal to issue an amended Federal PSD Permit and has them ready and available for public review. You may find information you are looking for in those documents. Those documents are available for public review without the need for a Public Records Act request in the District's Public Information and Outreach Division on the 5th Floor of District headquarters.

Sincerely,

A handwritten signature in cursive script that reads "Rochelle Henderson". The signature is written in black ink and includes a horizontal line extending to the right from the end of the name.

Rochelle Henderson
Public Records Coordinator