

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

In re Russell City Energy Center)	PSD Appeal No.
)	
Russell City Energy Company, LLC)	
PSD Permit Application No. 15487)	
_____)	

ERRATA TO PETITION FOR REVIEW AND
APPENDIX OF EXHIBITS IN SUPPORT OF
PETITION FOR REVIEW
OF PREVENTION OF SIGNIFICANT DETERIORATION PERMIT
BY CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

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Dated: March 22, 2010

ERRATA TO PETITION FOR REVIEW

On behalf of petitioner Chabot-Las Positas Community College District, counsel corrects the citation to the last sentence of page 11, section B of the Background, on page 11 that presently reads:

Attached for the benefit of the Board are the resolutions passed by the Chabot-Las Positas Faculty and the Board of Trustees of the College District setting forth the background of the Chabot campus, student body and faculty and objecting to the February 2010 PSD Permit. (Exhibit 2.)

The reference to Exhibit 2 should be corrected to “Exhibit 1.”

Please also note that the sentence on page 24, attached to footnote 12, presenting reciting to the following: “Caithness is a plant that operates under either fuel oil or natural gas. June 15, 2009 letter enclosures.)[fn12]” should be corrected to refer to the College District’s September 16, 2009 letter and enclosures, not the June 15, 2009 letter.

Counsel apologies for any inconvenience to the Board and its staff, as well as other interested parties, for these inadvertent errors.

Dated: March 22, 2010

Respectfully Submitted,

Jewell J. Hargleroad,
Attorney for Petitioner Chabot Las-Positas
Community College District

APPENDIX OF EXHIBITS

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Exhibit 1:

Resolution adopted by faculty of Chabot-Las Positas Faculty Association in Opposition of the Russell City Energy Center Power Plant

Resolution adopted by the Board of Trustees on March 16, 2010 to appeal to the Environmental Appeals Board the issuance of the Prevention of Significant Deterioration Permit for Russell City Energy Center

Exhibit 2:

Ozone Chart provided by Environmental Protection Agency published in *San Francisco Chronicle*, Jan. 8, 2010, "New smog limits to hit Bay Area counties hard," by Peter Fimrite (Alameda County has highest ground level ozone concentration of the nine Bay Area Counties, 81 parts per billion).

Records dated December 2009, from BAAQMD's Community Air Risk Evaluation (CARE) Program identifying Western Alameda County, where the Chabot is located and next to where RCEC would be located, as one of the communities as "likely to face the highest health risks from toxic air contaminants (TAC)."

Copy of Chart published in *San Francisco Chronicle* on September 20, 2009, entitled "California plans to levy greenhouse gas fees," publishing the "top 10 emitters" in the nine county region as provided from BAAQMD.

Exhibit 3:

Copies of the Alameda County Congestion Management Maps for 2008 of the overall area falling within the significantly impacted area as identified within six miles. RCEC is located east and north of the toll gate for the Highway 92 bridge:

- a. 2008 AM & PM Peak Level Of Service Results: 2008 LOS Monitoring Study
- b. 2008 AM & PM Peak Level of Service Results for Arterials/ Hesperian

Exhibit 4:

June 15, 2009 letter from counsel for College District to BAAQMD Senior Engineer Lee and Assistant Counsel Crockett enclosing

copies of records from Summit Vineyard, LLC, Lake Side, to the Utah Division of Air Quality and highlighting in correspondence relevant tables: Includes one of the enclosures with letter of Engineering Analysis for Lakeside discussing 49 MMBtu/hr auxiliary boiler and two 501F Westinghouse turbines

Note that this correspondence and the letter's enclosures are NOT posted on BAAQMD web page.

Copy of portion of enclosures of College District's September 16, 2010 comments: Siemens Vendor Information provided for Caithness – Bellport Power Plant in New York re emissions with and without auxiliary boiler applying both natural gas, pages 1 and 3, and fuel oil, pages 2 and 4.