

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

In re: Sierra Pacific Industries)	
)	
PSD Permit No. 94-VP-18b)	Docket No. 14-01
PSD Permit No. 94-PO-18)	
)	
)	
Respondent: EPA Region 9,)	
Shasta County Air Quality Mgmt Dist.)	

MOTION TO FILE SUPPLEMENTAL INFORMATION

Petitioner Celeste Draisner asserts that the documents to be submitted in the motion to file supplemental information are critical to the issue of the Environmental Appeals Board's understanding of the case. The information provided is from EPA and it shows unequivocally, in EPA Region 9's own words that they were modifying PSD permit 94-PO-18 (renamed 94-VP-18b by Shasta County AQMD)

Below are emails between EPA Region 9 FOIA officer Shaheerah Kelly and Heidi Strand.

- [Kelly, Shaheerah](#)
- Today at 12:39 PM

To hswriter@frontiernet.net Johnson, Ivry Wilder, Ceciley

Heidi,

Attached is the SCAQMD PSD permit referred to in your FOIA request.

Please note that SCAQMD's permit was issued in 1995, not 1994, as stated in previous public notices.

Feel free to contact me for questions.

Shaheerah Kelly

Permits Office, Air Division (AIR-3)

U.S. Environmental Protection Agency, Region 9

San Francisco, CA 94105

Phone: 415-947-4156

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Email: kelly.shaheerah@epa.gov

V.10 Initial SPI PSD Permit Issued by SCAQMD 15JUN1995.pdf [94-PO-18]

From: hswriter@frontiernet.net

Sent: Monday, May 19, 2014 10:34 AM

To: R9FOIA; Rose Flame; mweiser@sacbee.com; marily-lobo@hotmail.com

Subject: Re: Final Disposition, Request EPA-R9-2014-005699

Wow, this is the second time I told them they were not providing the information I requested. In my FOIA I asked Region 9 to identify the PSD permit they referred to but did not name in their modification to issue PSD permit SAC 12-01 for Sierra Pacific Industries.

Please either deny or respond to the information requested.

Sincerely,

Heidi Strand

Heidi Strand requested that EPA Region 9 identify the PSD permit the region stated it was modifying in two public notices for PSD SAC 12-01.

On May 19, 2014, EPA FOIA officer Shaheerah Kelly attached PSD permit 94-PO-18 and identified it as the PSD permit the Region modified to issue SAC 12-01.

Region 9, in their own words and supporting documents acknowledge they modified PSD permit 94-PO-18 (renamed 94-VP-18b) issued in 1995.

Petitioner hopes this clears up the question of jurisdiction in this case. Hopefully this will allow the case to be heard on its merits.

Respectfully Submitted,

Date: May 25, 2014

Celeste Draisner
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