

Exhibit A

Exhibit A.1

From: David.Bookbinder
Sent: 02/19/2009 10:38 AM EST
To: Lisa Heinzerling
Cc: bruce.nilles@sierraclub.org
Subject: Stuff

Lisa:

I'm off to Duke this afternoon to do intern interviews tomorrow (14 half-hour slots starting at 8:30 am. God help me.) Can Bruce Nilles and I meet with you sometime next week to discuss what non-CO2 steps EPA might be taking as to coal plant permits? There is a whole mess o' Title V and PSD issues out there re Hg, HAPS, NOx, SOx, PM 2.5, etc. (I'm especially concerned about avoiding Title V litigation.)

David



Coal plant permits

David.Bookbinder to: Richard Ossias

Cc: Bruce.Nilles

02/25/2009 09:55 AM

History: This message has been replied to and forwarded.

Rich:

Thanks for getting back to me. Attached is a list of the PSD permits we're expecting between now and June 1. Putting aside CO2, each of these present at least one, and usually several of the following issues: NOx, SOx, Hg, HAPs, PM and SSM. What we would like to discuss is how EPA can use its Title V and Section 167 authority to deal with these, following the admirable example of Region 8 in its objections to the Big Stone II permit in South Dakota.

DB



PSD Permits Expected by June 1 2009.doc

PSD Permits Expected by 6/1/09

Arkansas SWEPCO Turk (state admin review board decision)
Florida Seminole (state court decision and/or federal EAB decision)
Georgia Longleaf (state court decision)
Idaho Southeast Idaho Advanced Energy Center (state agency issuance)
Indiana Duke Edwardsport (state admin review board decision)
Louisiana Big Cajun I (state court decision)
Louisiana Big Cajun II (state court decision)
Michigan Northern Michigan University (federal EAB decision)
Michigan Holland Board of Public Works (state agency issuance)
Michigan Wolverine Power Co-op (state agency issuance)
Montana Highwood (state court decision)
New Mexico Desert Rock (federal EAB decision)
Nevada White Pine (state agency issuance)
Nevada Ely Energy Center (state agency issuance)
Nevada Toquop (state agency issuance)
North Carolina Cliffside (state admin review board decision)
Ohio Baard Energy CTL (state admin review board decision)
Ohio AMP Generating Station (state admin review board decision)
Pennsylvania Wellington (state agency issuance)
South Carolina Santee Cooper (state admin review board decision)
South Dakota Big Stone (state court decision)
Texas NRG Limestone (state admin review board decision)
Texas Coletto Creek (state agency issuance)
Texas Tenaska (state agency issuance)
Utah Deseret (federal agency reissuance)
Utah Sevier (state court decision)
Virginia Dominion Wise County (state court decision)
Wyoming Basin/Dry Fork (state court decision)
Wyoming Medicine Bow (state agency issuance)



Re: Coal plant permits
 David.Bookbinder to: Richard Ossias
 Cc: Bruce.Nilles

02/25/2009 12:59 PM

History: This message has been forwarded.

Rich:

If we could schedule a meeting with Bob by Monday, that would be great, as I will be out of town after that until March 16. If not, Bruce Nilles can go solo.

DB

Ossias.Richard@epamail.epa.gov

02/25/2009 02:59 PM

To David.Bookbinder@sierraclub.org
 cc Bruce.Nilles@sierraclub.org
 Subject Re: Coal plant permits

Thanks. I'll follow up on this here.

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|----->
| From: |
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>-----|
|David.Bookbinder@sierraclub.org
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>-----|
|----->
| To: |
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>-----|
|Richard Ossias/DC/USEPA/US@EPA
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>-----|
|----->
| Cc: |
|----->
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>-----|
|Bruce.Nilles@sierraclub.org
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>-----

|----->
| Date: |
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>-----

|02/25/2009 12:55 PM
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|----->
| Subject: |
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|Coal plant permits
|

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Rich:

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DB

[attachment "PSD Permits Expected by June 1 2009.doc" deleted by Richard Ossias/DC/USEPA/US]



Fw: Coal plant permits

Richard Ossias to: Bob Sussman, Georgia Bednar

02/25/2009 02:42 PM

Cc: "Mary-Kay Lynch", "Kevin Mclean", "Beth Craig", "Rob Brenner",
"Steve Page", "Bill Harnett", "Michael Ling", "Elliott Zenick", "Brian
Doster", "James Havard", "Patricia Embrey", "Wendy Blake"

Bob--here is the list David B provided. He is asking if the meeting could be scheduled for no later than this coming Monday, as he'll be out for 2 weeks after that. I suggest we go ahead and schedule it as requested, and plan on its being a listening session. I think David's list is so long that it's best just to hear what issues he would like us to focus on.

If you'd like a pre-meeting on this, we could try to do that, but again the list is so extensive I'm not sure what we'd be able to accomplish. We will get with you tomorrow or Friday on any recusal issues.

Others on this email: This comes out of a request from David B to meet with Bob on non-GHG issues presented by a long list of pending coal-fired power-plant permitting proceedings. He wants to be sure we're attentive to their issues/concerns on them. I'll leave to OAR to offer whatever prep can be done for this, but if you do meet with David Monday there might not be much time for useful prep.

Sent by EPA Wireless E-Mail Services

From: David.Bookbinder

Sent: 02/25/2009 12:56 PM EST

To: Richard Ossias

Cc: Bruce.Nilles@sierraclub.org

Subject: Coal plant permits

Rich:

Thanks for getting back to me. Attached is a list of the PSD permits we're expecting between now and June 1. Putting aside CO2, each of these present at least one, and usually several of the following issues: NOx, SOx, Hg, HAPs, PM and SSM. What we would like to discuss is how EPA can use its Title V and Section 167 authority to deal with these, following the admirable example of Region 8 in its objections to the Big Stone II permit in South Dakota.

DB



PSD Permits Expected by June 1 2009.doc



Re: Fw: Coal plant permits

Bob Sussman to: Richard Ossias

02/25/2009 03:30 PM

Cc: "Georgia Bednar", "Wendy Blake", "Rob Brenner", "Beth Craig",
"Brian Doster", "Patricia Embrey", "Bill Harnett", "James Havard",
"Michael Ling", "Mary-Kay Lynch", "Kevin Mclean", "Steve Page",
"Elliott Zenick"

Ok. Let's do the meeting. If there can be prep, that's great but not essential. Who will come to the mtg with me? OAR and OGC?

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

Richard Ossias

Bob--here is the list David B provided. He is ask...

02/25/2009 05:42:46 PM

From: Richard Ossias/DC/USEPA/US
To: "Bob Sussman" <Sussman.Bob@epamail.epa.gov>, "Georgia Bednar" <Bednar.Georgia@epamail.epa.gov>
Cc: "Mary-Kay Lynch" <Lynch.Mary-Kay@epamail.epa.gov>, "Kevin Mclean" <mclean.kevin@epamail.epa.gov>, "Beth Craig" <Craig.Beth@epamail.epa.gov>, "Rob Brenner" <Brenner.Rob@epamail.epa.gov>, "Steve Page" <Page.Steve@epamail.epa.gov>, "Bill Harnett" <Harnett.Bill@epamail.epa.gov>, "Michael Ling" <Ling.Michael@epamail.epa.gov>, "Elliott Zenick" <Zenick.Elliott@epamail.epa.gov>, "Brian Doster" <Doster.Brian@epamail.epa.gov>, "James Havard" <Havard.James@epamail.epa.gov>, "Patricia Embrey" <embrey.patricia@epamail.epa.gov>, "Wendy Blake" <Blake.Wendy@epamail.epa.gov>
Date: 02/25/2009 05:42 PM
Subject: Fw: Coal plant permits

Bob--here is the list David B provided. He is asking if the meeting could be scheduled for no later than this coming Monday, as he'll be out for 2 weeks after that. I suggest we go ahead and schedule it as requested, and plan on its being a listening session. I think David's list is so long that it's best just to hear what issues he would like us to focus on.

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Sent by EPA Wireless E-Mail Services

From: David.Bookbinder
Sent: 02/25/2009 12:56 PM EST
To: Richard Ossias
Cc: Bruce.Nilles@sierraclub.org
Subject: Coal plant permits

Rich:

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DB

[attachment "PSD Permits Expected by June 1 2009.doc" deleted by Bob Sussman/DC/USEPA/US]



Fw: Coal Plant Permits

Elliott Zenick, Brian Doster, James Havard,
Richard Ossias to: Carol Holmes, Patricia Embrey, Kevin
McLean

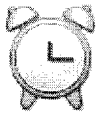
02/27/2009 01:49 PM

History: This message has been replied to.

See below. Beth asked that we keep the number of people in the room very small and have other interested people use the call-in (which Georgia said she'll provide). So that's why the invite reads as it does. I hope you'll be available to call in so that you'll be able to hear directly from them what they have to say.

----- Forwarded by Richard Ossias/DC/USEPA/US on 02/27/2009 04:47 PM -----

Coal Plant Permits



Mon 03/02/2009 4:00 PM - 4:45 PM

Attendance is for Richard Ossias

Chair: Bob Sussman/DC/USEPA/US
Sent By: Georgia Bednar/DC/USEPA/US
Location: 3407 ARN

Required: Beth Craig/DC/USEPA/US@EPA, bruce.nilles@seirraclub.org,
david.bookbinder@sierraclub.org, Richard Ossias/DC/USEPA/US@EPA, Steve
Page/RTP/USEPA/US@EPA

Description

Meeting: Coal Plant Permits
Time: 4 - 5 PM (ET)
Date: Monday, March 2, 2009
Location: 3407 ARN

EPA Attendees:
Bob Sussman
Steve Page
Richard Ossias

Sierra Club Attendees:
David Bookbinder
Bruce Nilles

Personal Notes

3/2 Power Plant permits

Sierra Club - meeting w/ Susman

Beth Craig, Bob Susman, Rich Ossias

Page on the phone

Miles & Book binder

Phone - Ann Wood

OGC - @ Keen, Jim, Elliott

Miles - 2001 Bush-Cheney Energy spurred coal plant
devel

35 active projects

non-CO₂ consequences

Short cuts taken

EAB has taken exception w/ what they are doing w/ Prairie State

more projects don't go through EAB

South Dakota mines Minerals Board - not ~~really~~ very
diligent

Weaknesses in air quality ~~monitoring~~ monitoring

MMU - warning

States not doing any monitoring PCAN

50 yr long term consequences

appeals to state

Regions not very involved

comment letters but they are ignored

R8 - T5 was big dev't

In ~~many~~ many states - not good Title V process

Section 167 orders - ~~the~~ Alaskan Commes

no formal process for EPA involvement unless
the Title V & PSD permits trend together

would like claim that in other states, plant is
built before EPA gets to Title V

more than just monitoring issues

Selected comments w/ selected facilities

will show us specific issues crying out for attention

~~no~~ uniformity of

Bruce - some Regions are commenting

no uniformity of ~~rigor~~ rigor to catch what they
are seeing

will ^{only} take a couple to send message

Iowa - Draft permit - claiming they have to do

no modeling

Class of permits going back for 112(g) permits
plants constructing w/o 112(g) permits?
MC judge said we need to get permits
Duke rec'd analysis + now is major source HAP
EPA not involved @ all

Big Stone - state has issued new draft permit
trying to use Title V to establish PSD limits

Part 2.5 - 1997 suprograde policy

not requiring modeling - get rid of Seitz memo
revoke Seitz memo - get rid of it so state take

Part 2.5 seriously

Comment on a few & send a message that resources

mercury MACT issue

could be done efficiently

no EPA views on what case-by-case MACT looks like

categories of issues

1. - Part 2.5 → MACT

2. = modeling - Reliant - not saying they need to do analysis

EPA scrutiny of modeling

3. Mercury 112g

4. Clean Fuels

RT Staff
Sulfur limits analysis

Bankrupt - litigating every proposed coal fired power plant in USA

PSD, Title V, water withdrawal, PUC

different places different groups work

MAPC in Nevada

Administrative process in many states is a joke

Missouri in particular is bad

Regions have not been encouraged to be involved

Some issues they can't raise like PM2.5

System - is economy affecting this

last yr - only 8 new plant proposals

slowing down

Xcel abandoned coal

Duke says no more coal after these 2

governors are trying to get
Sunbeam - originally 2100 MW
all by herself in state

Michigan Gov. Granholm

Atty general rejected

PSD increment allocation discretion

South Carolina - Pee Dee - Santee Cooper (state agency)

~~Gov~~ Commission approved it over governor's obj
Gov wants to go nuclear

people struggling to slow this down

Coal industry marketing

if we don't get this right, we'll never be able to
under impact of these plants

electricity demand is coming down

market? for clean energy

more of coal gets built

Michigan gov - said time out demand going down

Wolverine Rural Electric Coop

trying to get into wholesale market

Subsarn

Texas - capture + sequester CO₂ ?

CCS compatible ?

Tenaska says that they are going to but they
have submitted

Cash Creek - Aurora did a ~~CO2~~ CO2 BACI ~~analysis~~ analysis

Title V before EPA right now

Gas plant in California w/ CO2 (Russell City)

Edwards post (Pulco) netting

not included in enforcement case -

~~part~~ -

Several Title V petitions

except for Big Stone, EPA has not responded w/
funding

Kansas - have to see how work over last 3 yrs

go down the drain

Susman - will need to consider & reflect on this



Fw: Co2 BACT

Richard Ossias to: Elliott Zenick, Brian Doster, James Havard
Cc: Carol Holmes, Patricia Embrey

03/03/2009 09:55 AM

----- Forwarded by Richard Ossias/DC/USEPA/US on 03/03/2009 12:54 PM -----

From: Bruce.Nilles@sierraclub.org
To: Beth Craig/DC/USEPA/US@EPA, Richard Ossias/DC/USEPA/US@EPA, Bob
Sussman/DC/USEPA/US@EPA
Cc: David.Bookbinder@sierraclub.org
Date: 03/03/2009 12:02 PM
Subject: Co2 BACT

Dear Bob, Beth and Rich,

Thank you very much for taking the time to meet with David and me yesterday. At the meeting I mentioned the recent application filed in KY that included a co2 BACT analysis. I have attached that analysis for the ERORA Cash Creek IGCC project. This analysis includes CCS. It also finds natural gas is BACT for many of the auxiliary equipment. It does not, however, include analysis about efficiency - that is are there things they can do to increase the efficiency of the gasifiers etc to reduce fuel use, as well as assessment of non-fossil fuels, e.g. biomass, including biomass blending.

Warm regards,

Bruce Nilles, Director
Beyond Coal Campaign
Sierra Club
408 C Street NE
Washington, DC 20002
T: 202.675.7905
C: 608.712.9725
E: bruce.nilles@sierraclub.org



W: [www.sierraclub.org/coal CO2 BACT Analysis.pdf](http://www.sierraclub.org/coal_CO2_BACT_Analysis.pdf)