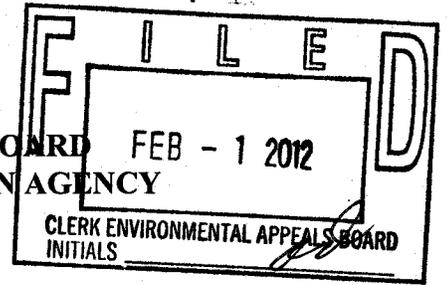


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: )  
)

Palmdale Hybrid Power Plant, )

PSD Appeal No. 11-07

PSD Permit No. SJ 08-01 )  
)

ORDER LIFTING STAY AND ESTABLISHING BRIEFING SCHEDULE

On November 17, 2011, Rob Simpson petitioned the Environmental Appeals Board ("Board") for review of a Prevention of Significant Deterioration ("PSD") permit issued by EPA Region 9 ("Region") to the City of Palmdale ("Permittee") to construct and operate the proposed Palmdale Hybrid Power Plant. The Board requested that the Region and the Permittee submit responses to the Petition no later than December 13, 2011. By order dated December 9, 2011, the Board stayed this matter until February 7, 2012, to allow the parties time to pursue settlement through the Board's pilot ADR program. *See* Order Granting Permittee Leave to Participate and Staying Proceedings to Allow All Parties to Participate in Pilot ADR Program (Dec. 9, 2011). After attempting ADR, the parties have been unable to resolve this matter.

Upon the recommendation of the Settlement Judge in the ADR process, the stay in this matter is hereby lifted. The Region and the Permittee shall now have until February 17, 2012 to file their respective responses to the Petition.<sup>1</sup>

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: FEB - 1 2012

By:



Kathie A. Stein

Environmental Appeals Judge

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<sup>1</sup> Documents are "filed" with the Board on the date they are received.

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Order Lifting Stay and Establishing Briefing Schedule* in the matter of *Palmdale Hybrid Power Plant*, PSD Appeal No. 11-07, were sent to the following persons in the manner indicated:

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Secretary

Date: FEB - 1 2012