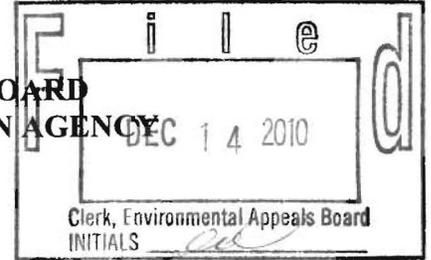


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_)  
In re: )  
\_\_\_\_\_)  
Russell City Energy Center, LLC ) PSD Appeal Nos. 10-01, 10-02, 10-03,  
\_\_\_\_\_) 10-04 & 10-05  
PSD Permit No. 15487 )  
\_\_\_\_\_)

**ORDER GRANTING REQUESTS TO FILE RESPONSES TO  
MOTIONS FOR RECONSIDERATION**

On December 3, 2010, the Environmental Appeals Board issued an Order Establishing Deadline for Filing Responses to Motions for Reconsideration and/or Clarification and Stay in the above-captioned matter. This order required any party wishing to file a response to a motion for reconsideration filed by the Chabot-Las Positas Community College District (“College District”) to do so by December 10, 2010.

On December 10, 2010, Mr. Robert Sarvey and the CALifornians for Renewable Energy, Inc.(“CARE”) filed motions requesting leave to file responses to the College District’s motion for reconsideration. *See* Motion for Mr. Sarvey to File a Response Brief to College District Petition for Reconsideration; CARE’s Motion Requesting Leave to File a Response Brief. While it was the Board’s intention that any such response be filed by December 10, because the Board’s order required that “any party wishing to file a response brief to submit such motion” by the December 10 deadline, the Board will treat these motions as timely.

The Board grants the motions. Any response must be submitted on or before **Wednesday, December 15, 2010**. The response must be limited to the specific issues raised in

the College District's motion for reconsideration. Any such filed response may not exceed five pages.<sup>1</sup>

So ordered.

Date: 12/13/10

ENVIRONMENTAL APPEALS BOARD



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Edward E. Reich  
Environmental Appeals Judge

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<sup>1</sup> Neither Mr. Sarvey's nor CARE's petition is involved in this reconsideration proceeding and any attempt to raise issues in their own petitions would be untimely. Further, since neither is the permit issuer nor the permittee, the Board has set a page limit that reflects their tangential role in this reconsideration proceeding.

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Granting Requests to File Responses to Motions for Reconsideration in the matter of Russell City Energy Center, PSD Appeal Nos. 10-01, 10-02, 10-03, 10-04, and 10-05, were sent to the following persons in the manner indicated:

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Dated: 12/14/10

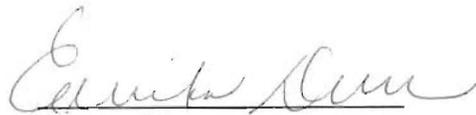
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