



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

ENVIRONMENTAL APPEALS BOARD

JUN 26 2006

Ms. Nancy J. Marvel  
Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105

Re: Knauf Insulation  
Permit Number: NSR 4 -4 -4, SAC 03-01  
Appeal Number: PSD 06-04

Dear Ms. Marvel:

Enclosed is a petition dated June 10, 2006 (received by the Environmental Appeals Board (the "Board") on June 19, 2006), filed by Joy Louise Newcom, asking the Board to review a PSD determination by U.S. Environmental Protection Agency, Region 9.

To assist the Board in deciding whether the matters raised by Petitioner should be reviewed, please have your staff prepare a response that addresses Petitioner's contentions and whether Petitioner has satisfied the requirements for obtaining review under 40 C.F.R. Section 124.19.

Response Seeking Summary Disposition. If you believe that the petition in its entirety may be appropriate for summary disposition, either because the Board does not have jurisdiction to consider the petition, the appeal is untimely, Petitioner lacks standing to file an appeal, or none of the issues raised in the petition were preserved for review, please file a response to that effect by no later than July 11, 2006. Please include relevant portions of the administrative record with your response.

File an original (signed in blue ink) and five copies of these materials with the Board (at the address shown below) by the date specified above, and send a copy to Petitioner, with a certificate of service showing the date and method of service. Petitioner shall have 10 days from the date of service of a response seeking summary disposition to file a reply with the Board.

If the Board determines that summary disposition is appropriate, the Board will issue an order to that effect. If the Board determines that summary disposition is not appropriate, or that the issue of summary disposition should be reserved until after a response to the merits of the

petition is filed, the Board will issue an order directing that a response to the merits of the petition be filed within 15 days of the Board's order.

Response not Seeking Summary Disposition. If you do not file a response seeking summary disposition, please file a response to the merits of the petition by not later than July 26, 2006. Please include with your response relevant portions of the administrative record, together with a certified index of the entire administrative record.

File an original (signed in blue ink) and five copies of these materials with the Board, and send a copy to petitioner, with a certificate of service showing the date and method of service.

### **Environmental Appeals Board's Mailing Address**

**All documents** that are sent through the U.S. Postal Service (Except by Express Mail) **MUST be addressed to the Environmental Appeals Board's mailing address which is:**

U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board 1103B  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-0001

Documents that are sent to the Environmental Appeals Board's hand-delivery address (below) through the U.S. Postal Service (except by Express Mail) will be returned to the sender and shall not be considered as filed.

### **Hand Delivery Address**

Documents that are **hand-carried** in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) **MUST be delivered to:**

U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board  
1341 G Street NW, Suite 600  
Washington, D.C. 20005

Documents that are hand-carried may be delivered to the Clerk of the Board from 8:30 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:30 p.m., Monday through Friday (excluding federal holidays).

### **Filing Requirements**

**IMPORTANT:** All documents, including the materials due July 11, 2006 and July 26, 2006, must reference the appeal number. In addition, any envelope or other packaging

containing documents sent to the address, as prescribed above, must bear a complete and accurate return address in the upper left hand corner. The envelope or packaging must also clearly state the case name and case identifier in the lower left hand corner.

No further briefing will be allowed except by order of the Board.

A copy of this letter is being sent to the petitioner as notification of these filing requirements.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eurika Durr".

Eurika Durr  
Clerk of the Board

Enclosure

cc: w/o encl: Joy Louise Newcom  
3702 Fujiyama Way  
Redding, CA 96001

w/encl: Jack Broadbent, Director  
Air Division  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105

