

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

\_\_\_\_\_  
In re: )  
)  
)

Avenal Power Center, LLC )

PSD Permit No. SJ 08-01 )  
\_\_\_\_\_)

PSD Appeal Nos. 11-02, 11-03,  
11-04 & 11-05

NOTICE OF FILING OF CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD

Notice is hereby provided of the filing of the Certified Index to the Administrative Record for the Prevention of Significant Deterioration permit issued to Avenal Power Center, LLC, which is the subject of the above-captioned petition for review.

Date: July 6, 2011

Respectfully submitted,



Brian L. Doster  
Air and Radiation Law Office  
Office of General Counsel (MC 2344-A)  
Environmental Protection Agency  
1200 Pennsylvania Ave. N.W.  
Washington, DC 20460  
Telephone: (202) 564-1932  
Facsimile: (202) 564-5603  
Email: [Doster.Brian@epa.gov](mailto:Doster.Brian@epa.gov)

Julie Walters  
Office of Regional Counsel  
EPA Region 9 (MC ORC-2)  
75 Hawthorne St.  
San Francisco, CA 94105  
Telephone: (415) 972-3892  
Facsimile: (415) 947-3570  
Email: [Walters.Julie@epa.gov](mailto:Walters.Julie@epa.gov)

## CERTIFICATE OF SERVICE

I hereby certify that copies of the attached Notice and the Certified Index to the Administrative Record were served on the following persons by U.S. Mail and electronic mail (to the extent an email is provided below).

Ingrid Brostrom  
Center on Race, Poverty & the Environment  
47 Kearning St., Ste. 804  
San Francisco, CA 94108  
[ibrostrom@crpe-ej.org](mailto:ibrostrom@crpe-ej.org)

Bradley Angel  
Greenaction for Health & Environmental Justice  
703 Market St., Ste. 501  
San Francisco, CA 94103  
[greenaction@greenaction.org](mailto:greenaction@greenaction.org)

April Rose Sommer  
P.O. Box 6937  
Moraga, CA 94570  
[AprilSommerLaw@yahoo.com](mailto:AprilSommerLaw@yahoo.com)

Jeff Holmstead  
Bracewell and Guiliani, LLC  
2000 K Street NW, Ste. 500  
Washington, DC 20006  
[jeff.holmstead@bgllp.com](mailto:jeff.holmstead@bgllp.com)  
(counsel for Avenal Power Center, LLC)

Laura Baker  
Center on Race, Poverty & the Environment  
1302 Jefferson St., Ste. 2  
Delano, CA 93215

Paul Cort  
George Torgun  
Earthjustice  
426 17<sup>th</sup> St., 5<sup>th</sup> Floor  
Oakland, CA 94612  
[pcort@earthjustice.org](mailto:pcort@earthjustice.org)  
[gtorgun@earthjustice.org](mailto:gtorgun@earthjustice.org)

Avenal Power Center, LLC  
500 Dallas Street, Level 31  
Houston, TX 77002



Brian L. Doster

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

In re:

Avenal Power Center, LLC

PSD Permit No. SJ 08-01

PSD Appeal Nos. 11-02, 11-03,  
11-04 & 11-05

CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD

I, Scott Mathias, am the Acting Director of the Air Quality Policy Division of the Office of Air Quality Planning and Standards within the Office of Air and Radiation of the U.S. Environmental Protection Agency ("EPA").

I certify that the attached index lists the documents constituting the administrative record required by 40 C.F.R. 124.18 for EPA's final Prevention of Significant Deterioration permit issued to Avenal Power Center, LLC, which is the subject of the above-captioned petitions for review.

In witness whereof, I have signed my name this 5<sup>th</sup> day of July, 2011 at Research Triangle Park, North Carolina.



Scott Mathias  
Office of Air Quality Planning and Standards  
U.S. Environmental Protection Agency

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## ADMINISTRATIVE RECORD INDEX

### AVENAL ENERGY PROJECT PSD PERMIT (SJ 08-01) Docket No. EPA-R09-OAR-2009-0438

Index #	Record Section or Item	Date of Item	FDMS ID#*
	<b>I. PSD Permit Application and Related Documents</b>		
	<ul style="list-style-type: none"> <li>▪ Application submitted by Sierra Research, Inc. (SRI) to EPA</li> </ul>	(for this application package, items 1-17, dates in this column reflect the date submitted to EPA)	
1.	<ul style="list-style-type: none"> <li>○ Application Submission Letter from Sierra Research to EPA</li> </ul>	2/15/2008	0003.1
2.	<ul style="list-style-type: none"> <li>○ Application Submission Letter from Avenal to EPA</li> </ul>	2/15/2008	0007 0149
3.	<ul style="list-style-type: none"> <li>○ PSD Application Cover Page</li> </ul>	2/15/2008	0007.1
4.	<ul style="list-style-type: none"> <li>○ 2.0 Project Description and Engineering</li> </ul>	2/15/2008	0055
5.	<ul style="list-style-type: none"> <li>○ 6.2 Air Quality</li> </ul>	2/15/2008	0008
6.	<ul style="list-style-type: none"> <li>○ Appendices 6.2: Air Quality                             <ul style="list-style-type: none"> <li>▪ 6.2-1 Emissions and Operating Parameters</li> <li>▪ 6.2-2 Modeling Analysis</li> <li>▪ 6.2-3 Construction Phase Impacts</li> <li>▪ 6.2-4 Best Available Control Technology Analysis</li> <li>▪ 6.2-5 Offset Requirements</li> <li>▪ 6.2-6 Cumulative Impacts Analysis</li> </ul> </li> </ul>	2/15/2008	0014
7.	<ul style="list-style-type: none"> <li>○ 6.4 Agriculture and Soils</li> </ul>	2/15/2008	0009
8.	<ul style="list-style-type: none"> <li>○ 6.6 Biological Resources</li> </ul>	2/15/2008	0010
9.	<ul style="list-style-type: none"> <li>▪ Appendix 6.6-1</li> </ul>	2/15/2008	0056
10.	<ul style="list-style-type: none"> <li>▪ Appendix 6.6-2</li> </ul>	2/15/2008	0057
11.	<ul style="list-style-type: none"> <li>▪ Appendix 6.6-3</li> </ul>	2/15/2008	0058
12.	<ul style="list-style-type: none"> <li>▪ Appendix 6.6-4</li> </ul>	2/15/2008	0059
13.	<ul style="list-style-type: none"> <li>▪ Appendix 6.6-5</li> </ul>	2/15/2008	0060

\* FDMS docket ID numbers are provided for reference purposes only. Due to a recent modification to the FDMS system, documents with ID numbers containing a decimal (i.e. 003.1) are now displayed as “attachments” under the docket entry identified by the number in front of the decimal point.

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
14.	○ 6.9 Land Use	2/15/2008	0011
15.	○ 6.10 Socioeconomics	2/15/2008	0012
16.	○ 6.16 Public Health	2/15/2008	0013
17.	○ 6.16 Appendix 6.16-1: Health Risk Assessment	2/15/2008	0015
18.	▪ PSD Application Information Sheet	undated	0003
19.	▪ Email Transmittal from EPA to AEP of Region 9 PSD Permit Application Guidelines	2/22/2008	N/A
20.	▪ EPA – Region 9 PSD Permit Application Guidelines	10/30/2007	N/A
21.	▪ Email from EPA to E. Walther – Provides Initial Observations of PSD Application	3/7/2008	0066
22.	▪ Email Transmittal (03/11/2008) from EPA to Avenal/Sierra Research - Telephone Call Summary, including email thread (03/07/2008, 03/10/2008)	3/11/2008	0150
23.	▪ Email Transmittal (03-11-2008) from EPA to Avenal/Sierra Research – PSD review for PM (non-criteria pollutant)	3/11/2008	N/A
24.	▪ Email Transmittal (03/11/2008) from EPA to Avenal/Sierra Research – ESA and Additional Impacts	3/11/2008	N/A
25.	▪ Letter from Avenal/Sierra Research to EPA – Additional information re PSD Permit Application	3/13/2008	0067
26.	▪ Email from EPA to Avenal – Request for Additional Information	3/14/2008	0068
27.	▪ Letter from Avenal/Sierra Research to EPA – Additional information re PSD Permit Application	3/17/2008	0069
28.	▪ Letter from EPA to Avenal – Administrative Completeness Letter	3/19/2008	0070
29.	▪ Email Transmittal (03/20/2008) from AEP to EPA of Avenal – LLC Agreement and Responsible Official	3/20/2008	0151
30.	▪ Attachment to 03/20/2008 Avenal email – LLC Agreement	undated	0152
31.	▪ Attachment to 03/20/2008 Avenal email – Responsible Official cover letter	2/15/2008	0153
32.	▪ Email Transmittal (03/20/2008) from EPA to Avenal/Sierra Research – “Heads Up” List of clarification items	3/20/2008	N/A
33.	▪ Email Transmittal (03/26/2008) from Avenal/Sierra Research to EPA - SJVAPCD Forms	3/26/2008	0154
34.	▪ Attachment (2/14/2008) to Transmittal of 03/26/2008 SJVAPCD Forms	3/26/2008 (date submitted to EPA)	0155
35.	▪ Letter from EPA to Avenal – Requests Additional Information (Batch 1 Request for Clarification)	3/31/2008	0071
36.	▪ Letter from Avenal to EPA – Response to EPA Comments Batch #1 on PSD Application	4/10/2008	0072

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
37.	▪ Email Transmittal from EPA to Avenal/Sierra Research – Heads up on PM (vs. PM <sub>10</sub> ) & Batch #2	5/22/2008	N/A
38.	▪ Email from EPA to Avenal – Requests Additional Information re Startup/Shut Down	6/6/2008	0073
39.	▪ Avenal - Acid Rain Permit Application Submittal with attachment dated 7/16/2008	7/28/2008	0156
40.	▪ EPA – Avenal Map of Project Location	9/2008	0157
41.	▪ Email Transmittal (10/15/2008) from Avenal to EPA - Possible updates to Sections 2.0 and 6.6	10/15/2008	0158
42.	○ Referenced in Email (10/15/2008) – Supplement to AFC (specifically, section 3.0 Bio Resources)	3/27/2008	0159
43.	○ Referenced in Email (10/15/2008) – Response to CEC Data Requests #1-74 (specifically #10, 33-35)	6/24/2008	0160
44.	○ Referenced in Email (10/15/2008) – Response to CEC Data Requests #75-94 (Specifically #83-88, Supplemental Disturbance Information)	9/24/2008	0161
45.	○ List of 5 other documents attached to email (10/15/2008) located elsewhere in Administrative Record	undated	N/A
46.	▪ EPA – Meeting with Applicant - Agenda	11/17/2008	0167
47.	▪ Email transmittal (12/01/2008) from EPA to Avenal - Other EPA permits and Avenal working draft approach	12/1/2008	0162
48.	▪ Attachment to 12/01/2008 email transmittal - Table of working permit draft approach	12/1/2008	0163
49.	▪ Email from EPA to Avenal dated 2/23/2009 re Avenal: Status and Follow-up	2/23/2009	0074
50.	▪ Email from Avenal to EPA – Submits to EPA Additional Info requested 2/23/09	3/11/2009	0075
51.	▪ Avenal to EPA – Additional Impacts Analysis (Visibility Impairment)	3/11/2009	0075.1
52.	▪ Transmittal Letter from Avenal to EPA re Corrected Avenal Supplemental BACT Analysis with attached corrected page (including CD)	10/16/2009	0164
53.	▪ Corrected Avenal Supplemental BACT (CD)	10/16/2009	CD Available in Office Only
54.	▪ EPA Meeting with Applicant – Meeting Agenda	2/23/2010	0165
55.	▪ Email Cover Transmittal on behalf of Avenal to EPA for Modeling Protocol	5/5/2010	0045.1
56.	○ Transmittal Letter from Avenal to SJVAPCD - Protocol	8/14/2007	0166
57.	○ Air Dispersion Modeling and Health Risk Assessment Protocol	8/2007	0045
58.	▪ Letter from Avenal/Sierra Research to EPA re Info to Support Finalization of PSD Permit	5/11/2010	0046

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
59.	▪ Transmittal Letter from Avenal/Sierra Research to EPA – Digital Modeling Files for 1hr- NO2 NAAQS	5/13/2010	0047
60.	○ Digital Modeling Files for 1-Hr NO2 NAAQS	5/13/2010	In Office Only
61.	▪ Email Transmittal Letter from Avenal to EPA – Supplemental NO2 Air Quality Impact Analysis	5/14/2010	0197
62.	○ Transmittal Letter from Avenal to EPA	5/14/2010	0120
63.	○ Supplemental NO2 Air Quality Impact Analysis	5/13/2010	0121
64.	▪ Transmittal Letter from EPA to Avenal – EPA Comments on Supp. NO2 AQIA	6/15/2010	0048
65.	○ Attachment A: EPA Comments on Supplemental NO2 AQIA	6/15/2010	0048.1
66.	▪ Letter from Avenal to EPA – Additional Info re NO2 Analysis	6/28/2010	0053
67.	○ Attachments to 06/28/10 Avenal Letter re NO2 Analysis	6/28/2010	0054
68.	▪ Letter from Avenal to EPA and U.S.DOF – re NO2 1-hr NAAQS	7/13/2010	0077
69.	▪ Memo from Sierra Research to EPA re NO2 1-hr NAAQS	7/13/2010	0077
70.	▪ Email Transmittal Letter of EPA Letter to Avenal	8/12/2010	0078.1
71.	▪ Letter from EPA to Avenal – re NO2 1-hr NAAQS	8/12/2010	0078
72.	▪ Letter from Avenal to EPA – Response to EPA’s 8/12/10 Letter re NO2 1-hr NAAQS	8/17/2010	0080
73.	▪ Letter from Avenal to EPA – Additional Info for 1-hr NO2 Modeling Analysis (including attached response to EPA comments)	9/13/2010	0082
74.	▪ Attachment to Letter from Avenal to EPA - Additional Info for 1-hr NO2 Modeling Analysis	9/13/2010	0083
	<b>II. Endangered Species Act (ESA) Section 7 Consultation Related Documents</b>		
75.	▪ Letter from Avenal to USFWS – Transmittal of Letter to EPA requesting initiation of ESA Section 7 formal consultation	5/12/2008	0061
76.	▪ TRC – EPA - Consultation Initiation Package	5/12/2008	In Office Only
77.	▪ Letter from EPA to USFWS – Request for initiation of ESA Section 7 formal consultation	7/10/2008	0049
78.	▪ Letter from Avenal to USFWS – Re migratory buffer request	8/15/2008	0062
79.	▪ Migratory Buffer (DWG)	8/15/2008	N/A
80.	▪ Letter from USFWS to EPA – Response to formal consultation request under ESA Section 7	9/8/2008	0050
81.	▪ Letter from Avenal to EPA – Response to USFWS’s 9/2/2008 letter to EPA (including attachment and	10/1/2008	0063

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
	enclosure)		
82.	▪ Letter from Avenal to CEC – Supplemental Information re migratory buffer with attachment	10/6/2008	0189
83.	▪ Letter from EPA to USFWS – Submittal of Additional Info for Request for Formal Consult under ESA Section 7	10/22/2008	0051
84.	▪ Transmittal Letter from USFWS to EPA including Draft Biological Opinion	7/1/2009	0052
85.	▪ Email from Avenal to EPA – Provides Comments re Draft Biological Opinion	7/14/2009	0064
86.	▪ Meeting Overview (7/22/09) EPA/AVENAL teleconference to Discuss Avenal’s Comments on Draft BO	7/22/2009	0065
87.	▪ Email Transmittal (10/22/2009) from EPA to USFWS - Comments on USFWS Draft Biological Opinion	10/22/2009	0190
88.	○ Attachment to 10/22/2009 Transmittal from EPA to USFWS (memorandum dated 10/22/2009 and attached table)	10/22/2009	0190.1
89.	▪ Email Transmittal (12/22/2009) with email thread (12/02/2009) Prep for 12/23/3009 Teleconference Meeting with USFWS, EPA, Avenal	12/22/2009	0191
90.	○ Attachment to 12/22/2009 Transmittal - Avenal Redline of Draft Biological Opinion	12/2/2009	191.1
91.	○ Attachment to 12/22/2009 Transmittal - EPA Update of Summary Table dated 10/22/2009 of Comments on Draft Biological Opinion	12/22/2009	191.2
92.	▪ EPA – Teleconference Meeting Overview with USFWS, EPA and Avenal to Discuss Draft BO	12/23/2009	0174
93.	▪ USFWS to EPA – Biological Opinion	8/9/2010	0079 0085
94.	▪ Letter from Avenal to EPA – Inclusion of BO in PSD Permit Application	8/16/2010	0186
95.	▪ Letter from EPA to Avenal (09/01/2010) – Final Biological Opinion	9/1/2010	0081
96.	▪ Letter from Avenal (09/27/2010) to EPA – Addendum to PSD Permit, including BO (Attachment 8/9/2010 Biological Opinion omitted -- see Index No. 95 above and Docket ID #0085 for BO)	9/27/2010	0175
	<b>III. Federal Land Manager/Class I/Air Quality Modeling Related Documents</b>		
97.	• Email from M. McCorison to E. Walther dated 11/21/2007 re Avenal Class I Impact Analysis with attached email messages dated 11/21/07 and 11/13/07	11/21/2007	0187
98.	• Email from D. Morse to E. Walther dated 11/21/2007	11/21/2007	0188



Index #	Record Section or Item	Date of Item	FDMS ID#*
	re Avenal Class I Impact Analysis with attached email messages dated 11/13/07		
	<b>IV. Proposed Permit and Related Documents</b>		
99.	▪ First Public Notice	6/16/2009	0002
100.	▪ Statement of Basis and AAQIR	6/2009	0004
101.	▪ Proposed Permit	6/2009	0001
	▪ Second Public Notice – 9/30/09 Public Info Meeting and 10/1/09 Public Hearing		
102.	○ English version	8/27/2009	0005
103.	○ Spanish version	8/27/2009	0005
	▪ Newspaper Text of Second Public Notice – 9/30/09 Public Info Meeting and 10/1/09 Public Hearing - Avenal Chimes		
104.	○ English version	8/27/2009	0141
105.	○ Spanish version	8/27/2009	0141.1
	▪ Newspaper Text of Second Public Notice – 9/30/09 Public Info Meeting and 10/1/09 Public Hearing – Fresno Bee		
106.	○ English version	8/29/2009	0142
107.	○ Spanish version	8/29/2009	0142.1
108.	▪ Clarification for Aug. 29 Public Notification	8/29/2009	0006
	▪ Third Public Notice –10/15/09 Public Hearing		
109.	○ English version	9/9/2009	0016
110.	○ Spanish version	9/9/2009	0017
	▪ Newspaper Text of Third Public Notice –10/15/09 Public Hearing – Vida en el Valle		
111.	○ Spanish version	9/9/2009	0017
	▪ Newspaper Text of Third Public Notice –10/15/09 Public Hearing – Avenal Chimes		
112.	○ English version	9/10/2009	In Office Only (Non-standard size)
113.	○ Spanish version	9/10/2009	In Office Only (Non-standard size)
	▪ Supplemental Statement of Basis		
114.	○ English version	3/2011	0088 0143
115.	○ Spanish version	3/2011	0089 0144
116.	▪ EPA - Letter from Lisa Jackson to Gina McCarthy re Avenal Delegation 03/01/2011	3/1/2011	0091
117.	▪ EPA – Avenal Procedural Rule Memo EPA - Delegation of PSD Permit Authority to Assistant Administrator	3/3/2011	0092
	▪ Newspaper Text of Supplemental Public Notice –		

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
	4/12/11 Public Hearing – Fresno Bee		
118.	○ English version	3/4/2011	N/A
119.	○ Spanish version	3/4/2011	N/A
120.	▪ Errata Notice for EPA website (English and Spanish)	3/7/2011	0146
	▪ Supplemental Public Notice (Corrected) – 4/12/11 Public Hearing		
121.	○ English version	3/7/2011	0093 0147
122.	○ Spanish version	3/7/2011	0094 0147.1
	▪ Newspaper Text of Supplemental Public Notice (Corrected) – 4/12/11 Public Hearing – Vida en el Valle		
123.	○ Spanish version	3/9/2011	N/A
	▪ Newspaper Text of Supplemental Public Notice (Corrected) – 4/12/11 Public Hearing – Avenal Chimes		
124.	○ English version	3/10/2011	N/A
125.	○ Spanish version	3/10/2011	N/A
126.	▪ Errata Notice for mailing (English and Spanish)	3/10/2011	0095 0148
	▪ Newspaper Text of Supplemental Public Notice (Corrected) and Errata Notice – 4/12/11 Public Hearing -Fresno Bee		
127.	○ English version	3/11/2011	N/A
128.	○ Spanish version	3/11/2011	N/A
129.	○ Errata Notice – English and Spanish	3/11/2011	N/A
	▪ Public Hearing Handouts		
130.	▪ Public Involvement Process (English and Spanish)	10/2009	N/A
131.	▪ Summary of the Proposed Permit (English and Spanish)	10/2009	N/A
132.	▪ Overview of Avenal PSD Permit Presentation	10/2009	N/A
133.	▪ Other Agency Contacts (English)	10/2009	N/A
134.	▪ How to Comment (English and Spanish)	4/12/2011	N/A
135.	▪ What We’re Taking Comments On (English and Spanish)	4/12/2011	N/A
136.	▪ Hearing Agenda (English and Spanish)	4/12/2011	N/A
137.	▪ Other Agency Contacts (English)	4/12/2011	N/A
	<b>V. Public Comments</b>		
138.	▪ Comments from Greenaction (email)	6/17/2009	0076.1
139.	▪ Comments from Ruthie Gilmore, USC (email)	6/17/2009	0176 0176.1
140.	▪ Comments from CRPE/Ingrid Brostrom (email)	7/1/2009	0177 0177.1
141.	▪ Comments from Rob Simpson (email with previous	7/2/2009	0178

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
	email discussion thread deleted; attachment included)		0178.1
142.	▪ Comments from Sierra Research (U.S. Mail)	7/15/2009	0028.1
143.	▪ Comments from Greenaction (email)	8/13/2009	0179 0179.1
144.	▪ Comments from the City of Coalinga (U.S. Mail)	8/19/2009	0021.1
145.	▪ Comments from Greenaction (email)	8/28/2009	0180 0180.1
146.	▪ Comments from Kings County Economic Development Corporation (U.S. Mail)	8/31/2009	0022.1
147.	▪ Comments from County of Kings Board of Supervisors (U.S. Mail)	9/1/2009	0025.1
148.	▪ Comments from the City of Avenal (U.S. Mail)	9/3/2009	0023
149.	▪ Comments from State Assemblyman Danny Gilmore (U.S. Mail)	9/30/2009	0024.1
150.	▪ Transcript from First Public Hearing	10/1/2009	0018
151.	▪ Comments from CRPE with attachment (U.S. Mail and email)	10/14/2009	0027.1
152.	▪ Transcript from Second Public Hearing	10/15/2009	0037
	▪ Comments from Earthjustice (U.S. Mail)		
153.	○ Comment Letter	10/15/2009	0019.1
154.	○ Exhibits	10/15/2009	0019.1
155.	▪ Comments from Greenaction (email)	10/15/2009	0026.1
156.	▪ Comments from Pacific Environment (U.S. Mail)	10/15/2009	0020.1
	▪ Letter from Avenal to EPA – Documents for EPA’s Response to Comments (U.S. Mail)		
157.	○ Transmittal Letter with attached letter dated 10/14/2009 and index of documents	10/15/2009	0029.1
158.	○ Exhibits	10/15/2009	0029.1
	▪ Comments from Rob Simpson (email)		
159.	○ Comment Letter	10/15/2009	0030.1
160.	○ Exhibit – CEC Evidentiary Hearing Transcript	10/15/2009 (for this set of exhibits, dates in this column reflect the date submitted to EPA)	0030.2
161.	○ Exhibit A – Email from Doug Kirk re Russell City (1/17/2009)	10/15/2009	0030.5
162.	○ Exhibit B – Letter from Anthony Iton re Russell City (1/21/2009)	10/15/2009	0030.6
163.	○ Exhibit C – Email from Maureen Barrett re Russell City (1/9/2009)	10/15/2009	0030.7
164.	○ Exhibit D - Statement to BAAQMD from Diane Zuliani (1/21/2009)	10/15/2009	0030.8
165.	○ Exhibit E - Email from Michael Perlmutter re	10/15/2009	0030.9

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
	Russell City (1/22/09)		
166.	○ Exhibit H – Email from Mathias Kiel re Russell City (1/22/09)	10/15/2009	0030.10
167.	○ Exhibit I - Letter to BAAQMD from D. Weiss re Russell City (1/23/2009)	10/15/2009	0030.11
168.	○ Exhibit J – Letter to BAAQMD from Bayview Hunters Point Comm. Advocates re Russell City (2/4/2009)	10/15/2009	0030.12
169.	○ Exhibit K – Letter to BBAQMD from Golden Gate University School of Law re Russell City (2/5/2009)	10/15/2009	0030.13
170.	○ Exhibit L – Comments from CARE and Rob Simpson re Russell City (2/5/2009)	10/15/2009	0030.14
171.	○ Exhibit M – Letter to BAAQMD from CBE re Russell City (2/6/2009)	10/15/2009	0030.15
172.	○ Exhibit N – Letter to BAAQMD from Pete Stark re Russell City (2/6/2009)	10/15/2009	0030.16
173.	○ Exhibit O – Letter from Timothy K. Devine et al. to BAAQMD re Russell City	10/15/2009	0030.17
174.	○ Exhibit P - Comments from Robert Sarvey re Russell City with attachments	10/15/2009	0030.18
175.	○ Exhibit Q – Objection to Fossil Fuel Fired Power Plants (petition)	10/15/2009	0030.19
176.	○ Exhibit R - Letter to BAAQMD from Ohlone Audubon re Russell City (12/27/2008)	10/15/2009	0030.20
177.	○ Exhibit S - Letter to BAAQMD from EBCNPS re Russell City (2/6/2009)	10/15/2009	0030.21
178.	○ Exhibit T –NRDC, Sierra Club Petition (7/15/2008)	10/15/2009	0030.22
179.	○ Exhibit U – Letter to Earthjustice from EPA re 2/10/09 Petition	10/15/2009	0030.23
180.	○ Exhibit V – Energy Efficiency, Innovation, and Job Creation in CA paper	10/15/2009	0030.24
181.	○ Exhibit W – Avenal Testimony	10/15/2009	0030.25
182.	○ Exhibit X – Email to BAAQMD from Citizens Against Pollution re Russell City (4/30/2009)	10/15/2009	0030.26
183.	○ Exhibit Y – Article on carbon dioxide and air pollution mortality, Mark Jacobson	10/15/2009	0030.27
184.	○ Exhibit Z – Paper on urban CO2 domes, M. Jacobson	10/15/2009	0030.28
185.	○ Exhibit AA – Article on Natural Gas Power Plants, Robert Freehling	10/15/2009	0030.29
186.	○ Exhibit BB – Memorandum to Sierra Club CA from Energy-Climate Committee, Sierra Club CA	10/15/2009	0030.30
187.	○ Exhibit CC – Letter from Pacific Environment to CEC re Avenal (6/8/2009)	10/15/2009	0030.31

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
188.	○ Exhibit DD – Letter from Sierra Club to BAAQMD re Russell City (1/22/2009)	10/15/2009	0030.32
189.	○ Exhibit EE – Appeal of Decision; Rebuttal Testimony from Rob Simpson	10/15/2009	0030.33
190.	○ Exhibit FF - CEC Preliminary Staff Assessment/Staff Report	10/15/2009	0030.4
191.	▪ Written Comment from Donna Curty (public hearing)	10/15/2009	0031.1
192.	▪ Written Comment from E. L. Ivans (public hearing)	10/15/2009	0032.1
193.	▪ Written Comment from Nick Ivans (public hearing)	10/15/2009	0033.1
194.	▪ Written Comment from Cheryl Taylor (public hearing)	10/15/2009	0034.1
195.	▪ Written Comment from Jeanne Tillotson (public hearing)	10/15/2009	0035.1
196.	▪ Written Comment from Cheryl Tuttle (public hearing)	10/15/2009	0036.1
197.	▪ Comments from Jim Costa, U.S. House of Representatives (U.S. Mail)	10/29/2009	0124
198.	▪ Comment from Arthur Unger (1) (email)	3/10/2011	138.1
199.	▪ Comment from Arthur Unger (2) (email)	4/5/2011	138.2
200.	▪ Email Transmittal from Georgia Dept. of Natural Resources	4/5/2011	0101 0132
201.	○ Written Comment Letter from Georgia Dept. of Natural Resources to EPA	4/5/2011	0101 0133
202.	▪ Transcript from Third Public Hearing	4/12/2011	0098 0140
203.	▪ Written Comment from Jianne Tillotson (received at public hearing)	4/12/2011	0139
204.	▪ Comment from Bianca Aranda (email)	4/12/2011	0136
205.	▪ Comment from Miguel Ayala (email)	4/12/2011	0136.1
206.	▪ Comment from Leonel Campos (email)	4/12/2011	0136.2
207.	▪ Comment from Jose Castro (email)	4/12/2011	0136.3
208.	▪ Comment from Helen Chavarria Palmer (email)	4/12/2011	0136.4
209.	▪ Comment from Fred Jones/Jose Cruz (email)	4/12/2011	0137
210.	▪ Comment from Antony Lopez (email)	4/12/2011	0138.3
211.	▪ Comment from Francisco Lopez (email)	4/12/2011	0137.2
212.	▪ Comment from Leticia Lopez (email)	4/12/2011	0137.3
213.	▪ Comment from Alicia Solorio (email)	4/12/2011	0116.1
214.	▪ Email Transmittal Letter from CRPE to EPA	4/12/2011	0104 0129
215.	○ Written Comment Letter from CRPE to EPA (email)	4/12/2011	0104 0130
216.	▪ Email Transmittal Letter from EarthJustice to EPA	4/12/2011	0103 0131
217.	○ Written Comment Letter from EarthJustice to EPA	4/12/2011	0103 0133.1
218.	▪ Email Transmittal Letter from SC DHEC to EPA	4/12/2011	0102

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
			0134
219.	○ Written Comment Letter from SC DHEC to EPA	4/12/2011	0102 0134.1
220.	▪ Email Transmittal Letter from UARG to EPA	4/12/2011	0100 0135
221.	○ Written Comment Letter from UARG to EPA	4/12/2011	0100 0135.1
222.	▪ Email Transmittal from Avenal to EPA re Avenal Comments on EPA's SSB	4/12/2011	0128
223.	▪ Letter from Avenal (via Downey Brand) to EPA re Avenal Comments on EPA's SSB	4/12/2011	0099 0127
224.	○ Attachments from Avenal to EPA re Avenal Comments on EPA's SSB	4/12/2011	0099 And CD - In office
225.	▪ Email Transmittal Letter from Rob Simpson via April Rose Sommer to EPA	4/13/2011	0105.2
226.	○ Written Comment Letter from Rob Simpson via April Rose Sommer to EPA	4/13/2011	0105.1
	<b>VI. Other Correspondence / Miscellaneous Documents</b>		
227.	US Census Bureau, 2000 Data, Summary File 3 (3 files)	2000	N/A
228.	California Breathing Report (California Department of Public Health): The Burden of Asthma: A Surveillance Report (2007)	2007	N/A
229.	Investigation of Birth Defects and Community Exposures in Kettleman City, California, California EPA and California Department of Public Health, December 2010	2010	N/A
230.	Kings County Community Health Status Report 2008-2009	2008-2009	N/A
231.	California Health Interview Survey Data	2007	N/A
232.	California Environmental Health Tracking Program Information (3 files)	Printed 5/25/2011	N/A
233.	HRSA Data re: Professional Health Shortage Areas	Printed 5/25/2011	N/A
234.	CEPAM: 2009 Almanac - Standard Emissions Tool, Emission Projections by Summary Category, Base Year: 2008 (page updated April 13, 2009)	Printed 5/25/2011	N/A
235.	CEC Report CEC-700-2009-004 - Committee Guidance on Fulfilling California Environmental Quality Act Responsibilities for GHG Impacts in Power Plant Siting Applications	3/2009	N/A
236.	Kings County Community Development Agency: Recirculated Portions of Draft Subsequent Environmental Impact Report	5/2009	N/A
237.	CT DEP Kleen Energy Permit, 104-0131	6/15/2009	N/A
238.	CT DEP Kleen Energy Permit, 104-0133	6/15/2009	N/A
239.	Email from Rob Simpson to EPA – Permit process clarification request	6/27/2009	N/A
240.	Email from EPA to Rob Simpson – Response to questions about permit process	7/6/2009	N/A

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
241.	Email from Greenaction to EPA - Confirm receipt of EPA renoticing	7/14/2009	N/A
242.	Transcript from Kettleman City Listening Session (English)	8/12/2009	0038
243.	Transcript from Kettleman City Listening Session (Bilingual)	8/12/2009	0039
244.	Transcript from Kettleman City Listening Session (Spanish)	8/12/2009	0040
245.	Letter from Avenal to EPA – re Earthjustice comments	11/16/2009	0194
246.	CEC Consultant Report: Framework for Evaluating GHG Implications of Natural Gas-Fired Power Plants in CA	12/2009	N/A
247.	Letter from Avenal to EPA – Notice of Intent to Sue EPA	12/21/2009	0041
248.	Complaint against Lisa P. Jackson, USEPA, with two attachments	3/9/10	0042 0043
249.	Letter from Earthjustice to EPA – NO2 1-Hr NAAQS	4/21/2010	0044
250.	Letter from EPA OCR to Bradley Angel/Greenaction re Greenaction’s Title VI complaint	8/6/2010	0126
251.	Virginia DEQ - PSD Permit for Warren County Power Station (Dominion Power)	12/21/2010	N/A
252.	Declaration by EPA Assistant Administrator Regina McCarthy filed in U.S. District Court for District of Columbia	1/31/2011	0192
253.	Email dated 2/17/2011 from CDPH-EHIB to EPA concerning Kettleman City Asthma Rates	2/17/2011	0193
254.	Email Transmittal Letter from Sierra Club to EPA re Avenal Power Plant	2/25/2011	0122
255.	Letter from Sierra Club re Avenal Power Plant	2/25/2011	0090 0123
256.	Excerpts from Transcript of Meeting between Administrator Jackson and Regional Administrator Blumenfeld with members of the Central Valley Air Quality Coalition	3/23/2011	0125
257.	EPA (S. Rivera) Memo to File - Final Permit Requirements – Selected Background Information	5/26/2011	0198
	<b>VII. Final PSD Permit and Related Documents</b>		
258.	▪ Cover Letter from EPA to Avenal	5/27/2011	0171
259.	▪ Final PSD Permit (clean version)	5/27/2011	0169
260.	▪ Final PSD Permit (red-lined unofficial version)	5/27/2011	0168
261.	▪ Response to Public Comments	5/27/2011	0170
262.	• Public Announcement of Final PSD Permit Decision (English)	5/27/2011	0172
263.	• Public Announcement of Final PSD Permit Decision (Spanish)	5/27/2011	0173
	<b>VIII. California Energy Commission (CEC) Related Documents</b>		
264.	• CEC – Preliminary Staff Assessment	2/2/2009	N/A
265.	• CEC – Data Adequacy Worksheet - Socioeconomics	2/26/2008	N/A
266.	• CEC – Data Adequacy Worksheet – Biological	2/26/2008	N/A

*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
	Resources		
267.	• CEC – Data Adequacy Worksheet – Public Health	2/27/2008	N/A
268.	• CEC – Data Adequacy Worksheet – Land Use	3/1/2008	N/A
269.	• CEC – Data Adequacy Worksheet – Air Quality	3/10/2008	N/A
270.	• CEC – Data Adequacy Worksheet - Soils	3/11/2008	N/A
271.	• Transmittal from Avenal to CEC – Supplement to the AFC	3/27/2008	N/A
272.	• Final Staff Assessment for 08-AFC-1	6/2009	N/A
273.	• CEC – Final Commission Decision	12/2009	0185
	<b>IX. Preliminary Determination of Compliance (PDOC) / Final Determination of Compliance (FDOC) Related Documents (San Joaquin Valley Air Pollution Control District or SJVAPCD)</b>		
274.	• Avenal to SJVAPCD – ATC Application	2/14/2008	N/A
275.	• SJVAPCS – ERC Certificates	3/3/2008	N/A
	• Transmittal of PDOC from SJVAPCD to CEC		N/A
276.	○ Submittal letter	7/11/2008	N/A
277.	○ Preliminary Determination of Compliance (PDOC) – Public Package	7/11/2008	0181
278.	• Email from SJVAPCD to EPA – PDOC correction to NOx Offset section	7/14/2008	N/A
279.	• CEC Comments/District Responses to PDOC	8/12/2008	N/A
280.	• CURE Comments on PDOC	8/14/2008	N/A
281.	• EPA Comments	8/15/2008	0182
282.	• Public Comments/District Responses to PDOC	8/18/2008	N/A
283.	• Transmittal Letter from SJVAPCD to Avenal of FDOC	10/30/2008	N/A
284.	○ Email Transmittal from SJVAPCD to EPA on FDOC and Comments and Responses	11/4/2008	0183
285.	○ Attachment to 11/04/2008 Transmittal – SJVAPCD Final Determination of Compliance (FDOC)	10/30/2008	0183.1
286.	○ Attachment to 11/04/2008 Transmittal - SJVAPCD Kings-Tulare Interpollutant Analysis	11/4/2008	N/A
287.	○ Attachment to 11/04/2008 Transmittal - SJVAPCD FDOC for Avenal	11/4/2008	N/A
288.	○ Attachment to 11/04/2008 Transmittal - SJVAPCD Response to EPA Comments	11/4/2008	0184
289.	○ Attachment to 11/04/2008 Transmittal - SJVAPCD Response to CEC Comments	11/4/2008	N/A
290.	○ Attachment to 11/04/2008 Transmittal - SJVAPCD Response to CURE Comments	11/4/2008	N/A
291.	○ Attachment to 11/04/2008 Transmittal - SJVAPCD PM10 Interpollutant Offset Ratio Analysis	11/4/2008	N/A



*Avenal Energy Project – Administrative Record Index*

<b>Index #</b>	<b>Record Section or Item</b>	<b>Date of Item</b>	<b>FDMS ID#*</b>
292.	<ul style="list-style-type: none"> <li>Letter from SJVAPCD to CEC – Interpollutant Offset Ratio Development</li> </ul>	5/27/2009	N/A
293.	<ul style="list-style-type: none"> <li>Email Transmittal of PDOC, FDOC and SOx:PM ratio from Avenal to EPA</li> </ul>	9/1/2009	N/A
294.	<ul style="list-style-type: none"> <li>Email Transmittal of AAQA Modeling from Avenal to EPA (1 of 2)</li> </ul>	9/15/2009	N/A
295.	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>AAQA Modeling</li> </ul> </li> </ul>	9/15/2009	N/A
296.	<ul style="list-style-type: none"> <li>Email Transmittal of AAQA Modeling from Avenal to EPA (2 of 2)</li> </ul>	9/15/2009	N/A
297.	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>Toxics Modeling</li> </ul> </li> </ul>	9/15/2009	N/A
	<b>X. Administrative Amendment to PSD Permit</b>		
<b>NOTE: In this Section X only, FDMS ID # Refers to Docket No. <u>EPA-R09-OAR-2011-0559</u></b>			
299.	Cover Letter - EPA to Avenal Power Center	6/21/2011	0003
300.	Final Amended PSD Permit	6/21/2011	0002
301.	Final Amended PSD Permit (unofficial red-lined version)	6/21/2011	0001
302.	Email Transmittal of Amended PSD Permit to Applicant	6/22/2011	N/A