

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

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ENVIR. APPEALS BOARD

April 29, 2010

U.S. Environmental Protection Agency
Environmental Appeals Board
c/o Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

Attention: Clerk of the Board

Re: EAB 08-01; PSD Permit No. 15487, Issued 2/3/10 by Bay Area Air Quality Management District, San Francisco, CA; Russell City Energy Center

Subject: Support for California Pilots Association Petition for Review dated 3/18/10

The Department of Transportation, Division of Aeronautics (Division) is responsible for fostering and promoting aviation safety in the State of California, which accounts for more than 10 percent of the nation's pilots and fleet of based aircraft. We are committed to ensuring the future viability, safety and development of general aviation airports and their facilities as part of a national air transportation system.

We are writing in support of the California Pilots Association's (CALPILOTS) petition regarding the Russell City Energy Center in Hayward, CA. The Division concurs with their concerns and those of the California Energy Commission Staff Assessment outlined in their 2007 recommendation to not approve the Russell City Energy Center (RCEC).

The Division is concerned that the location of the RCEC along with the associated exhaust plumes may significantly impact aircraft operating to and from the Hayward Executive Airport, located approximately 1 mile away from the proposed location. Given the fact that the Federal Aviation Administration is conducting further studies to evaluate how exhaust plumes effect aviation safety and expects to have it completed later this year, we respectfully request that you do not approve the PSD Permit No. 15487 at this time and that you hear the petition brought before you by CALPILOTS.

Thank you for your consideration in this matter.

Sincerely,

GARY CATHEY, Chief
Division of Aeronautics