

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

In re Russell City Energy Center)	PSD Appeal No. 10-04
Russell City Energy Company, LLC)	Robert Sarvey Motion for
PSD Permit Application No. 15487)	Official Notice of Relevant
)	EPA Documents

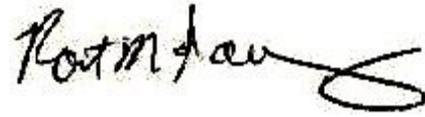
MOTION FOR OFFICIAL NOTICE OF EPA MEMORANDUMS DATED APRIL 1,
2010 AND JUNE 29, 2010

On April 1, 2010 the EPA issued a memorandum entitled, “Applicability of the Federal Prevention of Significant Deterioration Permit Requirements to New and Revised National Ambient Air Quality Standards.”¹ On June 29, 2010 the EPA issued a second memorandum entitled, “Guidance Concerning the Implementation of the 1-hour NO₂ NAAQS for the Prevention of Significant Deterioration Program.”² Petitioner Robert Sarvey requests that the Board take official notice of these memorandums as they are relevant documents in the Board’s deliberations in the Russell City Energy Center PSD Permit Appeal Number 10-04. Petitioner raised the issue of the new NO₂ standard in his petition filed on March 22, 2010 on page 16 and 17 and the documents are relevant to petitioner’s position on the new NO₂ standard.

¹ <http://www.epa.gov/nsr/documents/20100629no2guidance.pdf>

² <http://epa.gov/Region7/air/nsr/nsrmemos/appwno2.pdf>

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert Sarvey". The signature is fluid and cursive, with a long, sweeping tail that loops back under the main text.

Robert Sarvey
501 W. Grantline RD
Tracy, Ca. 95375
209 835-7162

Certificate of Service

I, Robert Sarvey , certify that copies of the foregoing Robert Sarvey's "Motion for Official Notice of Relevant EPA Documents," IN EAB PETITION 10-04 were e-filed with the Board's CDX system and served by email on the following persons, this 16th day of July , 2010:

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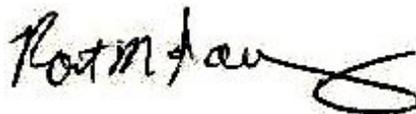
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I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on July 16, 2010, at Tracy, California.



Robert Sarvey