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

In the Matter of:) Appeal No. PSD 11-07
)
PETITION FOR REVIEW RE:) **PERMITTEE’S REQUEST TO**
PALMDALE HYBRID POWER PLANT PSD) **PARTICIPATE IN PILOT ALTERNATIVE**
PERMIT) **DISPUTE RESOLUTION PROGRAM**
)
PSD Permit No. SE 09-01)
)
_____)
)

Permittee City of Palmdale (“the City”) by its counsel hereby respectfully requests to participate in the Environmental Appeals Board’s (“EAB”) pilot Alternative Dispute Resolution (“ADR”) program for the above-referenced matter. This request to participate is contingent upon EAB’s approval of the City’s Motion to Intervene, filed on December 5, 2011, and appearing in the EAB’s electronic docket for this matter as Docket Entry #11.

The City was notified via email on November 30, 2011 by Petitioner Rob Simpson of his interest in participating in the ADR program for this matter. Mr. Simpson’s email request also appears in the EAB’s electronic docket for this matter as Docket Entry #10.

EPA Region 9's request to participate in the ADR program appears in the EAB's electronic docket for this matter as Docket Entry #12.

DATED: December 7, 2011

Respectfully submitted,

/s/ Marc T. Campopiano

Marc T. Campopiano
LATHAM & WATKINS LLP
Counsel to Applicant

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

In the Matter of:)	Appeal No. PSD 11-07
)	
PETITION FOR REVIEW RE:)	CERTIFICATE OF SERVICE
PALMDALE HYBRID POWER PLANT PSD)	
PERMIT)	
)	(Revised December 2, 2011)
PSD Permit No. SE 09-01)	
)	
)	
_____)	

PETITIONER

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PALMDALE HYBRID POWER PROJECT PSD PERMIT
EAB Appeal No. PSD 11-07

PERMITTEE

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PALMDALE HYBRID POWER PROJECT PSD PERMIT
EAB Appeal No. PSD 11-07

DECLARATION OF SERVICE

I, Paul Kihm, declare that on December 7, 2011, I served and filed copies of the attached document to all parties identified on the Proof of Service List in the following manner:

**PERMITTEE'S REQUEST TO PARTICIPATE IN PILOT ALTERNATIVE DISPUTE
RESOLUTION PROGRAM**

For Service to Environmental Appeals Board

- Electronic transmission via CDX at <http://CDX.EPA.GOV>
- Transmission by depositing a copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
1341 G Street, N.W., Sixth Floor
Washington, D.C. 20005

- I certify that the attached document is an identical copy of the document electronically filed in this case with the Environmental Appeals Board on this date.

For Service to All Other Parties

- Transmission via electronic mail to all email addresses on the Proof of Service list; and
- by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 7, 2011, at Costa Mesa, California.



Paul Kihm