

EXHIBIT B

1 RICHARD E. WINNIE [68048]
County Counsel
2 BRIAN E. WASHINGTON [146807]
Assistant County Counsel
3 By: Andrew J. Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorney for County of Alameda

7
8 BEFORE THE ENVIRONMENTAL PROTECTION APPEALS BOARD
9 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
10 WASHINGTON, D.C.

11
12 In re:

13 Russell City Energy Center,
14

PSD Appeal No. 08-01

Motion for Leave to File Amicus Brief

15
16 Pursuant to 40 C.F.R. § 22.11(b), the County of Alameda ("the County") moves the
17 Environmental Appeals Board ("EAB") for leave in the above-referenced matter to file an amicus
18 brief, attached as Exhibit A to the instant motion.

19 **I. Standard of Review**

20 Title 40 C.F.R. § 22.11(b) provides that "[a]ny person who is not a party to a proceeding
21 may move for leave to file a non-party brief." Such motions must (1) identify the interest of the
22 applicant and (2) explain the relevance of the brief to the proceeding. Id. In addition, motions
23 for leave to file an amicus brief are subject to the requirements of the Consolidated Rules of
24 Practice, as if the movant were a party. Id.

25 **II. Interest of the Applicant and Relevance of the Brief to the Proceeding**

26 The Russell City Energy Center ("Russell City") is a proposed 600 MW natural gas-fired
27 power plant to be constructed in Alameda County on land annexed by the City of Hayward from
28 the County. Despite the annexation of the site, the property remains within the jurisdiction of the

COUNTY OF ALAMEDA'S MOTION FOR LEAVE TO FILE AMICUS BRIEF, PSD APPEAL No. 08-01

1 County's Redevelopment Agency. In addition, the Russell City site is located nearby the
2 unincorporated communities of San Lorenzo, Cherryland and Castro Valley, which receive
3 municipal services directly from the County.

4 As the EAB may be aware from the prior briefing in this appeal, the County has taken
5 issue with the California Energy Commission's ("CEC") noticing of the County and its agencies
6 as it relates to the Russell City. The County's concerns with the CEC's noticing was the subject
7 of a series of administrative petitions, and an ultimately unsuccessful writ petition before the
8 California Supreme Court. See Order Denying Petitions for Intervention and Denying Petitions
9 for Reconsideration, Etc., *In re Amendment to Application for Certification of the Russell City*
10 *Energy Center Project*, Proceeding No. 01-AFC-7C (Cal. Energy Comm'n Nov. 7, 2007) *aff'd*
11 *sub. nom, County of Alameda v. State Energy Resources Conservation & Development*
12 *Comm'n* (Cal. Sup. Ct. No. S158875), 2008 Cal. LEXIS 227 (Cal. Sup. Ct. Jan 3, 2008)
13 (hereinafter "CEC Reconsideration Order").

14 The County never took an official position on the Russell City amendment application.
15 Instead, the County contended it did not receive adequate and legally required notice that would
16 have allowed it to review the Russell City amendment application before the CEC. The CEC
17 ultimately disagreed with the County's legal position, finding that notice had been sent to some
18 County agencies, and that to the extent that notice fell short of the CEC's legal obligation to
19 notice the County, that the level of public concern coupled with the actual knowledge of some
20 County employees cured any legal defects in the notice. See CEC Reconsideration Order.

21 The County has no intention of re-litigating the CEC's notice to the County. The
22 County's review of the briefing and transcript of the April 13, 2008 status conference in the
23 instant permit appeal indicates, however, that unlike the CEC's notice to the County, the Bay
24 Area Air Quality Management District ("BAAQMD") does not appear to have sent *any* notice to
25 the County concerning the PSD permit at issue here, let alone notice to County entities with a
26 legal entitlement to notice. The lack of notice from BAAQMD to the County prejudiced the
27 County's ability to conduct a thorough review of Russell City's potential air quality impacts and
28 the proposed mitigation. Given the County's inability to thoroughly review of the PSD permit, it

1 does not purport to join in any of the substantive issues raised in Mr. Simpson's appeal.
2 Instead, the County offers the EAB by way of an amicus brief further information and legal
3 argument on the deficiency of noticing procedures for this particular PSD permit, and to inform
4 the EAB that the County would fully participate and comment on this matter should the permit
5 process be re-opened as a result of Mr. Simpson's appeal.

6 The County's interest in Mr. Simpson's appeal is not the simple elevation of form over
7 substance. The County has recently demonstrated its serious concern with the potential air
8 quality impacts of thermal power plants in another CEC licensing proceeding involving a project
9 to be located nearby the Russell City site. The County intervened that proceeding, involving the
10 proposed Eastshore Energy Center (CEC Docket No. 06-AFC-6), and hired an air emissions
11 modeling expert to present evidence concerning flaws in the modeling methodology and
12 problems with the proposed mitigation. See Prehearing Conference Statement (attached as
13 Exhibit B). In addition, the County presented testimony from an official at its Public Health
14 Department who spoke about the environmental justice problems resulting from the disparate
15 air pollution impacts on the health outcomes and mortality rates among minority and low-income
16 populations in the local area. See December 4, 2007 email re: Additional Witnesses (attached
17 as Exhibit C). Although the CEC and PSD permit processes are procedurally different, the EAB
18 can expect the same level of County involvement should the EAB order the Russell City PSD
19 permit process re-opened.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

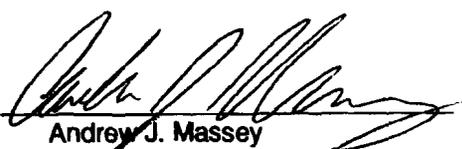
28 ///

1 These concerns amply demonstrate the County's significant interest in the instant appeal
2 by County resident Rob Simpson. In addition, the County's amicus brief will provide important
3 additional information and legal argument on the noticing of the PSD permit for Russell City.
4 The County respectfully requests the EAB grant the motion for leave to file an amicus brief, and
5 file the attached amicus brief in the docket for this proceeding.

6 DATED: April 21, 2008

RICHARD E. WINNIE, County Counsel in
and for the County of Alameda, State of
California

BRIAN E. WASHINGTON
Assistant County Counsel

By 
Andrew J. Massey
Associate County Counsel

Attorneys for County of Alameda

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 RICHARD E. WINNIE [68048]
County Counsel
2 BRIAN E. WASHINGTON [146807]
Assistant County Counsel
3 By: Andrew J. Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorney for County of Alameda

7
8 BEFORE THE ENVIRONMENTAL PROTECTION APPEALS BOARD
9 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
10 WASHINGTON, D.C.

11
12 In re:

13
14 Russell City Energy Center,

PSD Appeal No. 08-01

Declaration of Andrew J. Massey in
Support of Motion for Leave to File
Amicus Brief

15
16
17 I, Andrew J. Massey, declare:

18 1. I am an Associate County Counsel in the Office of the County Counsel for Alameda
19 County, attorneys of record for the County of Alameda.

20 2. Exhibit A to my declaration is a true and correct copy of the Amicus Brief of the
21 County of Alameda prepared by me.

22 3. Exhibit B to my declaration is a true and correct copy of the "Prehearing Conference
23 Statement" I drafted and filed in the California Energy Commission thermal power plant
24 certification proceeding for the proposed Eastshore Energy Center (Docket No. 06-AFC-6) ("the
25 Eastshore Proceeding")

26 4. Exhibit C to my declaration is a true and correct copy of the email I sent to the
27 California Energy Commission Hearing Officer assigned to the Eastshore Proceeding advising
28

DECLARATION OF ANDREW J. MASSEY IN SUPPORT OF MOTION FOR LEAVE, PSD APPEAL No. 08-01

1 that the County would present testimony on environmental justice matters from Alameda County
2 Department of Public Health's Dr. Sandra Witt.

3 I declare under penalty of perjury under the laws of the State of California that the
4 following is true and correct and within my personal knowledge.

5 DATED: April 21, 2008

RICHARD E. WINNIE, County Counsel in
and for the County of Alameda, State of
California

BRIAN E. WASHINGTON
Assistant County Counsel

By 
Andrew J. Massey
Associate County Counsel

Attorneys for County of Alameda

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit A

1 RICHARD E. WINNIE [68048]
County Counsel
2 BRIAN E. WASHINGTON [146807]
Assistant County Counsel
3 By: Andrew J. Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorney for County of Alameda

7
8
9 BEFORE THE ENVIRONMENTAL PROTECTION APPEALS BOARD
10 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
11 WASHINGTON, D.C.

12
13 In re:

14 Russell City Energy Center,
15
16

PSD Appeal No. 08-01

Amicus Brief of the County of Alameda

17
18 **I. Introduction**

19 The County of Alameda ("the County") has been involved in the California Energy
20 Commission's ("CEC") administrative certification proceedings for the proposed Russell City
21 Energy Center ("Russell City"). The County became involved in the Russell City proceedings
22 near their conclusion due to lack of statutorily-required notice from the CEC. The County
23 unsuccessfully litigated the notice issue before the CEC and the California Supreme Court.

24 The County has reviewed Rob Simpson's ("Simpson") appeal of the Russell City
25 Prevention of Significant Deterioration ("PSD") permit. From the County's review of the
26 pleadings and transcript of the April 13, 2008 status conference in this matter, it appears that
27 notice to Simpson and various government agencies, including the County, has emerged as a
28 significant threshold issue. The County believes that the Environmental Appeals Board ("EAB")

COUNTY OF ALAMEDA'S MOTION FOR LEAVE TO FILE AMICUS BRIEF, PSD APPEAL No. 08-01

1 may benefit from learning of the County's experience with notice of the PSD permit activities
2 from the Bay Area Air Quality Management District ("BAAQMD").

3 To date, the County has not received any notice of the Russell City PSD permit. From
4 the County's review of the regulations pertaining to PSD permits, it appears that notice should
5 have been sent to the County's Board of Supervisors. In providing this information on the lack
6 of notice and argument as to its legal significance, the County does not in turn take any position
7 with respect to the substance of Simpson's appeal.

8 Although the County shares Simpson's concern with thermal power plant air pollution
9 emissions, it never took a formal position on the Russell City amendment application before the
10 CEC because it did not receive timely notice allowing it to conduct a review of the proposal.
11 Similarly, the lack of notice from BAAQMD on the PSD permit has deprived the County of the
12 opportunity to consider its provisions as well. Had the County received timely notice of the PSD
13 permit, it would have provided comments, as demonstrated in its involvement in the CEC
14 proceedings for the proposed nearby Eastshore Energy Center. Moreover, should the EAB
15 consider re-opening the Russell City proceedings, the County would review the PSD permit and
16 provide timely comments.

17 **II. Background**

18 In January, 2006, the EPA and the BAAQMD entered into a delegation agreement
19 pursuant to 40 C.F.R. § 52.21 concerning the issuance and modification of federal PSD permits.
20 See U.S. EPA – Bay Area Air Quality Management District Agreement for Limited Delegation of
21 Authority to Issue and Modify Prevention of Significant Deterioration Permits Subject to 40 CFR
22 52.21 (attached as Exhibit 1) (hereinafter "the Delegation Agreement"). The Delegation
23 Agreement provides that BAAQMD "shall have primary responsibility for initial issuance or
24 administrative or minor modification of the PSD permit . . ." for facilities including Russell City.
25 (Delegation Agreement, at 2.)

26 As was described in the County's Motion for Leave to File an Amicus Brief, and
27 incorporated herein, Russell City is a proposed 600 MW natural gas-fired power plant to be
28 constructed in Alameda County on land annexed by the City of Hayward from the County.

1 Despite the annexation of the site, the property remains within the jurisdiction of the County's
2 Redevelopment Agency. In addition, the Russell City site is located nearby the unincorporated
3 communities of San Lorenzo, Cherryland and Castro Valley, which receive municipal services
4 directly from the County.

5 According to the Declaration of Weyman Lee, previously filed in this appeal on January
6 18, 2008, BAAQMD issued a Preliminary Determination of Compliance ("PDOC") and Draft PSD
7 Permit for Russell City on March 27, 2007. (See Decl. of Weyman Lee, at ¶12.) On April 2,
8 2007, BAAQMD issued a public notice of the issuance of the PDOC and draft PSD Permit,
9 which was in turn published in the Oakland Tribune on April 12, 2007. (Id.) In addition, on April
10 2, 2007, BAAQMD mailed notice of issuance of the PDOC and draft PSD Permit, along with a
11 copy of the document, to the CEC, EPA Region 9, "four local air quality regulatory agencies,"
12 the Point Reyes National Seashore, and the project applicant. (Id.) Mr. Lee does not indicate
13 that notice of the PDOC or draft PSD permit were sent to the County.

14 On June 19, 2007, BAAQMD issued a Final Determination of Compliance ("FDOC").
15 (Id., at ¶6.) Copies of this document were sent on June 27, 2007 to the CEC and other prior
16 recipients of the PDOC and draft PSD permit. (Id.) Mr. Lee does not indicate the FDOC was
17 sent to the County. On November 1, 2007, BAAQMD issued the final PSD permit for the
18 Project, following the CEC's issuance of a state certification of the Russell City project. (Id., at
19 ¶7.) The document that serves as the PSD Permit is the FDOC. (Id.) Also on November 1,
20 2007, BAAQMD mailed notice of issuance of the PSD permit to the CEC and the other prior
21 recipients of the PDOC and draft PSD permit. (Id.) Mr. Lee does not indicate the notice of
22 issuance of the PSD permit was sent to the County.

23 In a separate declaration, J. Mike Monasmith, a former Associate Public Advisor at the
24 CEC, explained that all documents received by the CEC are logged in the appropriate
25 proceeding's docket. (See Decl. of J. Mike Monasmith, at ¶13.) He further explained that "it is
26 the practice of the staff of the [CEC] to mail copies of all written materials that are filed in the
27 docket to all persons included on the *service list* for the proceeding." (Id.) (emphasis added).
28 No such service list is attached to Mr. Monasmith's declaration. Mr. Monasmith indicates that

1 the docket log for the Russell City proceeding reveals that the PDOC and FDOC were indeed
2 received and logged into the appropriate docket. (Id., at ¶14.) He does not indicate whether the
3 notice of issuance of the final PSD permit was received and logged into the Russell City docket,
4 nor does there appear on the attached docket log any such indication.

5 At no time during the course of events described in the declarations of Messrs. Lee and
6 Monasmith did the County ever receive notice or copies of the PDOC, draft PSD permit, FDOC,
7 or notice of issuance of the final PSD permit.

8 **III. Discussion**

9 The Delegation agreement provides that BAAQMD's PSD permit authority is subject to
10 the requirements of 40 C.F.R. § 52.21, which in subpart (q) incorporates the "applicable
11 procedures" of the Part 124.10 requirement that notice of PSD permit activities be sent to "chief
12 executives of the city and county where the major stationary source or major modification would
13 be located . . ." 40 C.F.R. § 124.10(c)(1)(vii). In Alameda County, a Board of Supervisors
14 exercises executive power over a county. Cal. Gov. Code § 23005; Charter of the County of
15 Alameda, § 4. Therefore, the County Board of Supervisors would be entitled to Part 124.10
16 notice of PSD permit activities.

17 During the April 13, 2008 status conference, BAAQMD Assistant General Counsel
18 Alexander Crockett ("Crockett") explained that BAAQMD does not send notice pursuant to 40
19 C.F.R. § 124.10 of the draft PSD permit, PDOC, FDOC or notice of final issuance of the PSD
20 permit. (Transcript of April 13, 2008 Status Conference for *In re: Russell City Energy Center*,
21 PSD Appeal No. 08-01 (hereinafter "T.R."), at 29:4-21.) Instead, BAAQMD would "rely on the
22 CEC to do the publication . . . And we sent the – the draft PSD permit and PDOC to the Energy
23 Commission, and then have them sent [sic] it out . . ." (Id., at 29:4-8.) Crockett goes on to
24 explain that:

25 I believe we were proceeding under the assumption that because
26 [the CEC's] outreach efforts are so broad, that all interested
27 parties would be swept up in that, and so we've essentially relied
28 on the breadth of their process to satisfy the requirements of

1 124.10 for notifying these – this large group of interested or
2 potentially interest parties.

3 (*Id.*, at 32:13-21.)

4 By “process,” Crockett undoubtedly refers to the practice of the CEC, as described by
5 Mr. Monasmith, by which materials logged into the docket for the proceeding are in turn mailed
6 out to all persons and entities on the *service* list. Unfortunately, BAAQMD has not provided the
7 EAB with a copy of the service list. Instead, BAAQMD has provided copies of mailing lists
8 attached to the Declaration of Richard C. Ratliff. None of these mailing lists are the service list.
9 Instead, the three attached mailing lists are compiled as part of the CEC’s outreach efforts and
10 obligation under California’s Warren-Alquist Act to provide notice of the proposed thermal power
11 plant to affected landowners, school facilities, and interested government agencies.¹

12 The service list is the list used for legal service of process, and is attached to the instant
13 brief as Exhibit 2. The service list is much shorter than the mailing lists attached to Mr. Ratliff’s
14 declaration. Notably, it does not include the County or any of its agencies. Therefore, if the
15 mailing of the PDOC, draft PSD permit, FDOC, and notice of final issuance of the PSD permit
16 proceeded according to the practice described by Mr. Monasmith in his declaration, it would not
17 have been sent to the chief executive of the County as required by 40 C.F.R. § 124.10 because
18 the County Board of Supervisors does not appear on the service list.

19 Perhaps anticipating this problem, BAAQMD argues in its Response to Petitioner’s
20 Opposition to Request for Summary Dismissal that entities and individuals that did not avail
21 themselves of the CEC’s certification process in turn affirmatively waived their right to notice of
22 the federal PSD permit. (See Response, at 6.) This argument is flawed for two reasons. The
23 argument reads an “opt-in” standard to the federal notice regulation, where the actual language
24

25 ¹ The County’s contention that it was a so-called interested government agency entitled to notice under
26 the Warren-Alquist Act was the subject of a prior series of petitions and ultimately unsuccessful writ
27 petition to the California Supreme Court. *See* Order Denying Petitions for Intervention and Denying
28 Petitions for Reconsideration, Etc., *In re Amendment to Application for Certification of the Russell City
Energy Center Project*, Proceeding No. 01-AFC-7C (Cal. Energy Comm’n Nov. 7, 2007) *aff’d sub. nom.*,
County of Alameda v. State Energy Resources Conservation & Development Comm’n (Cal. Sup. Ct. No.
S158875), 2008 Cal. LEXIS 227 (Cal. Sup. Ct. Jan 3, 2008).

1 of the regulation uses an "opt-out" standard. See 40 C.F.R. § 124.10(c)(1) ("any person
2 otherwise entitled to receive notice under this paragraph . . . may waive his or her rights to
3 receive notice for any classes and categories of permits.") Subpart (c)(1) clearly indicates that
4 persons and entities identified in the regulation are "entitled" to notice, unless they *affirmatively*
5 waive their right to notice. BAAQMD has not presented any evidence that the County (or indeed
6 any other individual or entity) *affirmatively* waived notice of the federal PSD permit activities.

7 BAAQMD relies upon the perhaps common sense idea that any individual or entity that
8 did not express an interest in the overall certification process for Russell City would not
9 reasonably have any interest in the federal PSD permit. (Response, at 6.) Even assuming,
10 *arguendo*, that argument has merit, the mailing lists submitted by Mr. Ratliff as attachments to
11 his declaration do not indicate the County Board of Supervisors ever received notice of the CEC
12 process. Instead, the mailing lists suggest that notice was allegedly sent to several County and
13 County-affiliated agencies. Those notices informed County agencies of the CEC's process, but
14 did not contain information about the PSD permit. In addition, those notices were not sent to the
15 legally-required recipient, the Board of Supervisors. Thus the CEC's noticing of the County fell
16 far short of BAAQMD's requirement to notify the Board of Supervisors of the federal PSD
17 permit.

18 It is important to note that the County in no way alleges that the actions of BAAQMD or
19 the CEC were in any way designed to *intentionally* deny the County notice of the federal PSD
20 permit activities. Instead, it is more likely that BAAQMD sent the PDOC, draft PSD permit,
21 FDOC and final notice of issuance of the PSD permit to the CEC believing those documents
22 would have been sent to the long list of individuals and agencies on the CEC's various mailing
23 lists.² In turn, the CEC had no reason to know of BAAQMD's legal responsibility to send notice
24 of the PSD permit activities to the County Board of Supervisors as the CEC had no involvement
25 with the issuance of the PSD permit. Though most likely unintentional, BAAQMD's failure to
26

27
28 ² Crockett's comments at the April 13, 2008 status conference seem to confirm this belief. (T.R., at 32:13-21.)

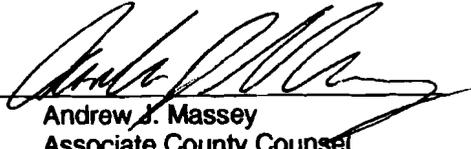
1 provide the County with notice of the PSD permit activities has deprived the County of a
2 meaningful opportunity to review and comment upon the PSD permit for Russell City.

3 The County trusts the above information and legal discussion will be of use to the EAB in
4 its review of Simpson's appeal of the Russell City PSD permit. The County will of course
5 provide whatever supplemental information or legal discussion the EAB may need in its review
6 of Simpson's appeal, and it appreciates the opportunity to participate in this proceeding.

7 DATED: April 21, 2008

RICHARD E. WINNIE, County Counsel in
and for the County of Alameda, State of
California

BRIAN E. WASHINGTON
Assistant County Counsel

11 By 
12 Andrew J. Massey
13 Associate County Counsel

14 Attorneys for County of Alameda

15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 RICHARD E. WINNIE [68048]
County Counsel
2 BRIAN E. WASHINGTON [146807]
Assistant County Counsel
3 By: Andrew J. Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorney for County of Alameda

7
8 BEFORE THE ENVIRONMENTAL PROTECTION APPEALS BOARD
9 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
10 WASHINGTON, D.C.

11
12 In re:

13
14 Russell City Energy Center,

PSD Appeal No. 08-01

Declaration of Andrew J. Massey in
Support of Amicus Brief

15
16 I, Andrew J. Massey, declare:

17 1. I am an Associate County Counsel in the Office of the County Counsel for Alameda
18 County, attorneys of record for the County of Alameda.

19 2. Exhibit 1 to my declaration is a true and correct copy of a document entitled "U.S.
20 EPA – Bay Area Air Quality Management District Agreement for Limited Delegation of Authority
21 to Issue and Modify Prevention of Significant Deterioration Permits Subject to 40 CFR 52.21"
22 that I downloaded and printed from the Environmental Protection Agency Region 9 website on
23 April 17, 2008 from the URL: [http://www.epa.gov/region09/air/permit/pdf/ba-psd-re-delegation-
24 jan06-signed.pdf](http://www.epa.gov/region09/air/permit/pdf/ba-psd-re-delegation-jan06-signed.pdf).

25 3. Exhibit 2 to my declaration is a true and correct copy of the a document entitled
26 "Docket No. 01-AFC-7C Proof of Service (Revised 7/6/07)" that I downloaded and printed from
27 the California Energy Commission Website for the Russell City Energy Center on April 17, 2008
28

DECLARATION OF ANDREW J. MASSEY IN SUPPORT OF AMICUS BRIEF, PSD APPEAL No. 08-01

1 from the URL:

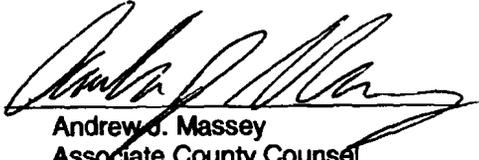
2 http://www.energy.ca.gov/sitingcases/russellcity_amendment/RUSSELLCITY_POS.PDF

3 I declare under penalty of perjury under the laws of the State of California that the
4 following is true and correct and within my personal knowledge.

5 DATED: April 21, 2008

RICHARD E. WINNIE, County Counsel in
and for the County of Alameda, State of
California

BRIAN E. WASHINGTON
Assistant County Counsel

6
7
8
9
10 By 

Andrew J. Massey
Associate County Counsel

11
12 Attorneys for County of Alameda
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit 1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3801

January 24, 2006

Mr. Jack Broadbent
Air Pollution Control Officer
Bay Area AQMD
939 Ellis Street
San Francisco, CA 94109-7799

RE: PSD Re-delegation Agreement

Dear Mr. Broadbent:

EPA appreciates the efforts of your staff to work with us in amending your Prevention of Significant Deterioration (PSD) Delegation agreement between the District and EPA. Under the amended delegation agreement, the District is responsible for the PSD permitting of two new facilities—Ameresco Half Moon Bay LLC and ConocoPhillips - San Francisco Refinery, in addition to the nine power plant projects listed in the previous delegation agreement. I am pleased to enclose a signed copy of the revised PSD delegation agreement. The agreement is effective immediately.

Please contact Laura Yannayon at (415) 972-3534 if you have any other questions related to this matter.

Thank you, Jack!

Sincerely,

Deborah Jordan
Deborah Jordan
Director, Air Division

Enclosure

cc: Brian C. Bungert, Bay Area Air Quality Management District, w/enclosure
Catherine Witherspoon, Executive Officer, California Air Resources Board w/enclosure

U.S. EPA - Bay Area Air Quality Management District
Agreement for Limited Delegation of Authority to Issue and Modify Prevention of
Significant Deterioration Permits Subject to 40 CFR 52.21

The undersigned, on behalf of the Bay Area Air Quality Management District (District) and the United States Environmental Protection Agency (EPA), hereby agree to the limited delegation of authority for the initial issuance or "administrative" or "minor" modification¹ of the Prevention of Significant Deterioration (PSD) permits identified below, subject to the terms and conditions of this agreement. This limited delegation is executed pursuant to 40 CFR 52.21(u), Delegation of Authority.

I. BACKGROUND RECITALS

1. EPA had delegated authority to implement the federal PSD regulations at 40 CFR 52.21 for all sources and modifications to the District on April 23, 1986. On December 31, 2002, EPA finalized revisions to the regulations at 40 CFR 52.21, which became effective on March 3, 2003. 67 FR 80186. The revisions to 40 CFR 52.21 did not significantly alter those portions of 40 CFR 52.21 that concern the issuance of permits for newly constructed "greenfield" sources. See *id.* at 80187.
2. The District may need to revise its local regulations to fully implement the federal regulations at 40 CFR 52.21, effective March 3, 2003. Accordingly, on March 3, 2003,

¹ The terms "administrative" and "minor" modifications are defined the same as in the EPA memorandum entitled "Revised Draft Policy on Permit Modifications and Extensions" July 5, 1985, by Darryl Tyler, Director, Control Programs Development Division of US EPA Office of Air quality Planning and Standards.

EPA withdrew the delegation of PSD authority from the District. See 68 FR 19371 (April, 21, 2003).

3. Because the federal regulations concerning permit issuance for new sources were not significantly altered effective March 3, 2003, existing District regulations continue to allow the District to implement 40 CFR 52.21 pursuant to a delegation agreement to issue the initial PSD permit(s), or an administrative or minor modification of a PSD permit(s). EPA has determined that District Regulation 2, Rule 2 generally meets the requirements of 40 CFR 52.21; therefore, District permits issued in accordance with the provisions of Regulation 2, Rule 2 will be deemed to meet federal PSD permit requirements pursuant to the provisions of this delegation agreement.

II. APPLICABILITY

1. Pursuant to this delegation, the District shall have primary responsibility for initial issuance or administrative or minor modification of the PSD permit(s) identified below:

Facility:

- a. Delta Energy Center
 - b. Los Medanos Energy Center
 - c. Metcalf Energy Center
 - d. East Altamont Energy Center
 - e. Tesla Power Plant
 - f. Russell City Energy Center
 - g. Delta Power Plant
 - h. Potrero Power Plant
 - i. Ameresco Half Moon Bay LLC
 - j. ConocoPhillips - San Francisco Refinery
2. Permitting History for Delta Energy Center (Delta #12095). The District issued a Preliminary Determination of Compliance (PDOC) on August 12, 1999. Subsequently,

the District issued the Final Determination of Compliance (FDOC) on October 22, 1999. The Prevention of Significant (PSD)/Authority to Construct (ATC) was issued on March 28, 2000. The Title IV/V permit was issued on March 19, 2003 and reissued on November 12, 2003. The Permit to Operate was issued on January 8, 2003, and modified on November 14, 2003.

3. **Permitting History for Los Medanos Energy Center (Los Medanos #11866).** The District issued a PDOC on March 18, 1999. Subsequently, the District issued the FDOC on June 10, 1999. The PSD/Authority to Construct was issued on September 10, 1999 and the Authority to Construct was superseded on July 2, 2001. The Title IV/V permit was issued on September 1, 2001 and modified on January 13, 2004. The District Permit to Operate was issued on May 19, 2002.
4. **Permitting History for Metcalf Energy Center (Metcalf # 12183).** The District issued the FDOC on August 24, 2000. The final PSD permit was issued on May 4, 2001. The Authority to Construct was issued on February 13, 2002 and a modification was granted on September 10, 2002.
5. **Permitting History for East Altamont Energy Center (East Altamont # 13050).** The District issued a PDOC on April 12, 2002. Subsequently, the District issued the FDOC on July 10, 2002. The Western Area Power Administration (WAPA) formally requested that US Fish and Wildlife (US FWS) initiate formal Section 7 consultation on February 11, 2002. The Authority to Construct has not been issued as of May 7, 2004.
6. **Permitting History for Tesla Power Plant (Tesla # 13424).** The District issued a PDOC on August 6, 2002. Subsequently, the District issued the FDOC on January 22, 2003.

The EPA formally requested that US FWS initiate formal Section 7 consultation on February 21, 2002. The final PSD permit is not issued because of a delay in the issuance of the Biological Opinion associated with Section 7 process. The California Energy Commission conducted an Evidentiary Hearing from September 8 to September 12, 2003. The Commissioners have not made a final determination as of May 7, 2004.

7. **Permitting History for Russell City Energy Center (Russell City # 13161).** The District issued a PDOC on October 25, 2001. Subsequently, the District issued the FDOC in March 2002 and an Authority to Construct on May 14, 2003. The EPA formally requested that US FWS initiate formal Section 7 consultation on March 11, 2002. The final PSD permit has not been issued because of a delay in the issuance of the Biological Assessment associated with the Endangered Species Act Section 7 process.
8. **Permitting History for Delta Power Plant (Delta #18, Unit 8).** The District issued a FDOC on February 2, 2001. The final PSD permit and Authority to Construct were issued on July 24, 2001. The Permit to Operate has not yet been issued as of May 7, 2004.
9. **Permitting History for Potrero Power Plant (Potrero #26, Unit 7).** The FDOC was issued on December 12, 2001. On July 25, 2003, Mirant of California (owner of the Potrero Power Plant) revised their application (#7951) to include a cooling tower system and reduce the annual hours of operation. A draft Biological Opinion and Incidental Take Statement were provide to EPA and the Army Corps of Engineers on April 2, 2003. NOAA Fisheries received comments on the draft Biological Opinion from EPA on May 6, 2003. The comments pertained to a revised description of EPA's federal action regarding the issuance of the air quality permit. EPA comments also stated that the Corps

has agreed to place all terms and conditions contained in the Incidental Take Statement of the April 2, 2003, draft Biological Opinion, in the Corps Section 404 Clean Water Act and in any Rivers and Harbor Act permits. The amended PDOC has not been issued as of May 7, 2004.

10. Proposed permit for Ameresco Half Moon Bay LLC (Plant # 17040). Ameresco is proposing a landfill gas-to-energy facility at the Ox Mountain Landfill located in Half Moon Bay. The applicant proposes to burn landfill gas in spark ignited lean burn reciprocating internal combustion engines. The engine-driven generators will recover energy from landfill gas in the form of electricity.

11. Proposed permit for ConocoPhillips - San Francisco Refinery (Plant # 16).

ConocoPhillips is proposing the "Rodeo Clean Fuels Expansion Project," which will increase capacity of hydrocracking, deisobutanizing, reforming, and sulfur recovery units. The project will include construction of a new hydrogen plant, a new flare, a new furnace for hydrocracking and two new tanks.

12. To allow the District to continue to issue initial PSD permits and/or process

administrative and minor modifications to the PSD permit(s) for Delta Energy, Los Medanos, Metcalf, East Altamont, Tesla, Russell City, Delta Power, Potrero, Ameresco and ConocoPhillips, EPA and the District have agreed to this delegation of PSD authority to issue initial permits or make administrative or minor modifications. If any of the facilities subject to this agreement requests a permit modification to incorporate conditions for a plantwide applicability limit, as provided in 40 CFR 52.21(aa), EPA shall process and issue any applications for a permit modification. EPA may review the PSD

permit to ensure that the District's implementation of this agreement is consistent with federal regulations (40 CFR 52.21).

13. The District shall send to EPA a copy of all public notices required by 40 CFR 124.

III. GENERAL CONDITIONS:

1. The District shall request and follow EPA guidance on any matter involving the interpretation of Sections 160-169 of the Clean Air Act or 40 CFR 52.21, relating to the PSD permits for Delta Energy, Los Medanos, Metcalf, East Altamont, Tesla, Russell City, Delta Power, Potrero, Amerecco and ConocoPhillips.
2. The District shall issue PSD permits under this Agreement in accordance with the PSD elements of the District's Regulation 2, Rule 2 and 40 CFR 52.21 as amended on December 31, 2002. Elements of Regulation 2, Rule 2 relating to state law requirements inconsistent with the Clean Air Act and 40 CFR 52.21 and 124, including, but not limited to, elements of Regulation 2, Rule 2 relating to the California Environmental Quality Act, shall not apply to PSD permits under this Agreement.
3. This delegation agreement may be amended at any time by the formal written agreement of both the District and the EPA, including amendment to add, change, or remove conditions or terms of this agreement.
4. If the U.S. EPA determines that the District is not administering the PSD permit identified in this agreement in accordance with the terms and conditions of this limited delegation, the requirements of 40 CFR 52.21, 40 CFR 124, or the Clean Air Act, this delegation, after consultation with the District, may be revoked in whole or in part. Any

such revocation shall be effective as of the date specified in a Notice of Revocation to the District.

5. If the District determines that administering the permits identified in this agreement in accordance with the terms and conditions of this agreement, the requirements of 40 CFR 52.21, 40 CFR 124, or the Clean Air Act conflicts with State or local law, or exceeds the District's authority or resources to fully and satisfactorily carry out such responsibilities, the District after consultation with EPA, may remand administration of these permits to EPA. Any such remand shall be effective as of the date specified in a Notice of Remand to EPA.
6. The permit appeal provisions of 40 CFR 124, including subpart C thereof, pertaining to the Environmental Appeals Board (EAB), shall apply to all appeals to the Administrator on permits and modifications to permits issued by the District under this delegation. For purposes of implementing the federal permit appeal provisions under this delegation, if there is a public comment requesting a change in a draft preliminary determination or draft permit conditions, the final permit issued by the District shall contain a statement that for Federal PSD purposes and in accordance with 40 CFR 124.15 and 124.19, (1) the effective date of the permit shall be 30 days after the date of the final decision by the District to issue, modify, or revoke and reissue the permit; and (2) if an appeal is made to the EAB through the Administrator, the effective date of the permit shall be suspended until such time as the appeal is resolved. The District shall inform EPA Region IX in accordance with conditions of this delegation when there is public comment requesting a change in the preliminary determination or in a draft permit condition. Failure by the

District to comply with the terms of this paragraph shall render the subject permit invalid for Federal PSD purposes.

7. Pursuant to the provisions of 40 CFR 52.21(u)(2), the District shall consult with the appropriate State or local agency primarily responsible for managing land use prior to making any determinations under this Agreement.
8. Nothing in this agreement shall prohibit EPA from enforcing the PSD provisions of the Clean Air Act, the PSD regulations or any PSD permit issued by the District pursuant to this agreement. In the event that the District is unwilling or unable to enforce a provision of this delegation with respect to a source subject to the PSD regulations, the District will immediately notify the Air Division Director. Failure to notify the Air Division Director does not preclude EPA from exercising its enforcement authority.
9. This limited delegation of PSD authority becomes effective upon the date of the signatures of both parties to this Agreement.

Date 1/5/06


Jack P. Broadbent
Executive Officer/APCO
Bay Area Air Quality Management District

Date 1/20/06


Deborah Jordan
Director, Air Division
U.S. EPA, Region IX

Exhibit 2

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA**

**Amendment to the APPLICATION
FOR CERTIFICATION OF THE
RUSSELL ENERGY CENTER
POWER PLANT PROJECT**

**Docket No. 01-AFC-7C
PROOF OF SERVICE
(Revised 7/6/07)**

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

**CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 01-AFC-7C
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us**

APPLICANT

Michael A. Argentine, PE
Director, Project Development
Calpine Corporation
104 Woodmere Road
Folsom, CA 95630
margentine@calpine.com

Marianna Isaacs,
Administrative Manager
Calpine Corporation
3875 Hopyard Road, Suite. 345
Pleasanton, CA 94588
misaacs@calpine.com

COUNSEL FOR APPLICANT

Gregg L. Wheatland, Esq.
Ellison, Schneider & Harris L.L.P.
2015 H Street
Sacramento, CA 95814-3109
glw@eslawfirm.com

CONSULTANT TO APPLICANT

Doug Davy, Senior Project Manager
CH2M HILL
2485 Natomas Park Drive, Suite 600
Sacramento, CA 95833
ddavy@ch2m.com

INTERESTED AGENCIES

Larry Tong
East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605-0381
Ltong@ebparks.org

Weyman Lee, PE
Bay Area AQMD
939 Ellis Street
San Francisco, CA 94109
weyman@baaqmd.gov

Mark Taylor, Field Supervisor
East Bay Regional Park District
3050 West Winton Avenue.
Hayward, CA 94545
hayward@ebparks.org

*Alex Ameri, P.E.
Deputy Director of Public Works
777 B Street
Hayward, CA 94541-5007
Alex.Ameri@hayward-ca.gov

Larry Tobias
CA. Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630
LTobias@caiso.com

Bob Nishimura
Bay Area AQMD.
939 Ellis Street
San Francisco, CA 94109
bnishimura@baaqmd.gov

Electricity Oversight Board
770 L Street, Suite 1250
Sacramento, CA 95814
esaltmarsh@eob.ca.gov

INTERESTED PARTICIPANTS

CURE c/o Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
mdjoseph@adamsbroadwell.com

Paul N. Haavik
25087 Eden Avenue
Hayward, CA 94545
lindampaulh@msn.com

Parker Ventures, LLC
c/o Reneon & Roberts
Ten Almaden Boulevard, Suite 550
San Jose , CA 95113

ENERGY COMMISSION

JEFFREY D. BYRON
Associate Member
jbyron@energy.state.ca.us

JOHN L. GEESMAN
Presiding Member
jgeesman@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Lance Shaw
Project Manager
lshaw@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

Public Adviser
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Marci Errecart, declare that on July 18, 2007, I deposited copies of the attached: RUSSELL CITY AMENDMENT NO. 1 ENERGY COMMISSION STAFF ERRATA TO STAFF ASSESSMENT PART 1 AND 2 in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Original signed by: _____

Marci Errecart

Exhibit B

1 RICHARD E. WINNIE [68048]
County Counsel
2 Brian Washington [146807]
Assistant County Counsel
3 By: Andrew Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorneys for County of Alameda

7
8 STATE OF CALIFORNIA
State Energy Resources
9 Conservation And Development Commission

10 In the Matter of:

Docket No.: 06-AFC-6

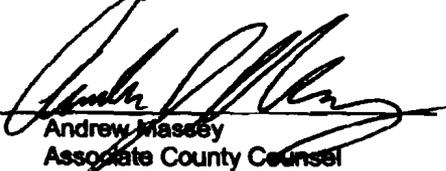
11 PREHEARING CONFERENCE
STATEMENT

12 APPLICATION FOR CERTIFICATION FOR
THE EASTSHORE ENERGY CENTER

13
14
15
16
17
18
19
20 DATED: November 19, 2007

RICHARD E. WINNIE, County Counsel in
and for the County of Alameda, State of
California

21
22 BRIAN E. WASHINGTON,
Assistant County Counsel

23
24
25 By 
Andrew Massey
Associate County Counsel

26
27 Attorneys for County of Alameda

1 RICHARD E. WINNIE [68048]
County Counsel
2 Brian Washington [146807]
Assistant County Counsel
3 By: Andrew Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorneys for County of Alameda

7
8 STATE OF CALIFORNIA
9 State Energy Resources
10 Conservation And Development Commission

11 In the Matter of:

Docket No.: 06-AFC-6

12 PREHEARING CONFERENCE
13 STATEMENT

14 APPLICATION FOR CERTIFICATION FOR
THE EASTSHORE ENERGY CENTER

15 PREHEARING CONFERENCE STATEMENT BY COUNTY OF ALAMEDA

16 In an order dated October 16, 2007, the California Energy Commission's committee
17 overseeing the Eastshore Energy Center ("Eastshore") case directed parties to file a prehearing
18 conference statement for the November 26, 2007 prehearing conference. The Order stated that
19 the Prehearing Conference Statements must be filed no later than 5:00 p.m. on November 19,
20 2007. This document is the County of Alameda's ("the County") Prehearing Conference
21 Statement.

22 1. The topic areas that are complete and ready to proceed to evidentiary hearing.

23 All topic areas, with exception to the land use issue identified in response no. 2 below,
24 are complete and ready to proceed to evidentiary hearings.

25 2. Topic Areas that are not complete and not yet ready to proceed to evidentiary
26 hearing, and the reasons therefore.

27 In the area of land use, the County does not believe that the Committee has received
28 any information regarding the potential impact of Eastshore on the Alameda County

1 Redevelopment Agency's redevelopment efforts in the vicinity of the proposed facility site. The
2 County is concerned that the construction of the Eastshore plant may limit the Redevelopment
3 Agency's ability to implement its plans for redeveloping the areas in the immediate vicinity of the
4 Eastshore plant as its construction may lead to depressed property values. Notwithstanding the
5 need for further study of this issue, the County will present some evidence and testimony in this
6 regard at the Evidentiary Hearing.

7 **3. The topic areas that remain disputed and require adjudication, and the precise**
8 **nature of the dispute for each topic**

9 **A. Air Quality**

10 The County has several concerns and reservations regarding the adequacy of the air
11 quality analysis, including, but not limited to the following:

- 12 • Use of emission reduction credits to offset PM₁₀ emissions do not mitigate local air
13 quality concerns. Use of emission credits older than approximately 5 years is
14 inadequate to mitigation of more modern impacts;
- 15 • Use of average emission values in determining air quality impacts do not adequately
16 address worst case impacts or potential health effects;
- 17 • Use of average emission values in calculating cancer rates do not adequately address
18 worst-case impacts;
- 19 • The effects of several key pollutants, such as PM_{2.5}, fine particulates and acrolein, were
20 not adequately addressed in the proceedings;
- 21 • Specific mitigation of partial funding of voluntary replacement of fireplaces in local area
22 does not adequately guarantee appropriate reductions in PM₁₀ emissions;
- 23 • Concerns and reservations about methodology and input data set numbers for
24 calculations of local pollutant concentrations.

25 **B. Traffic and Transportation**

26 The Eastshore Energy Center ("EEC") does not comply with laws, ordinances,
27 regulations, and standards ("LORS") regarding safe operations at the Hayward Executive
28

1 Airport, relative to the Alameda County Airport Land Use Commission's ("ALUC") Airport Land
2 Use Policies.

3 The ALUC is mandated by State Law (PUC Article 3.5, State Aeronautics Act, §
4 21661.5, § 21670 et seq., and Government Code § 65302.3) to protect the public health, safety,
5 and welfare by promoting orderly expansion of airports and adoption of land use measure by
6 local public agencies to minimize exposure to excessive noise and safety hazards near airports.
7 The Alameda County ALUC passed Resolution 02-2007 recommending an alternate site for the
8 EEC at a location outside the Airport Influence Area ("AIA") for the Hayward Executive Airport.

9 Of particular concern is the proximity of the nearby, recently approved Russell City Energy
10 Center ("RCEC") project and the cumulative impacts associated with both the RCEC and the
11 EEC on Hayward Executive Airport operations. Specifically, the approval of the EEC at its
12 currently proposed site would include the following operational characteristics and potential
13 impacts that cannot be mitigated adequately to ensure pilot safety and the safety of those on the
14 ground:

- 15 • The EEC project would be located 1 mile from the Hayward Executive Airport in its
16 Southwest quadrant, and within the Airport Influence Area (AIA) for the airport as defined
17 by the ALUC.
- 18 • The recently approved (September 26, 2007) RCEC project would be located
19 approximately 1.5 miles from the Hayward Executive Airport in its Southwest quadrant,
20 and within the Airport Influence Area for the airport as defined by the ALUC.
- 21 • BOTH power plants would generate invisible high-velocity, high-heat thermal plumes in
22 the Hayward Airport airspace.
- 23 • California Energy Commission ("CEC") Staff have published a Final Staff Assessment
24 ("FSA") on potential impacts to Hayward Airport operations which concluded that the
25 thermal plumes from the towers will disturb airspace stability to 500 feet above ground
26 level ("AGL") for the EEC, and above 1,000 feet AGL for the RCEC project. The thermal
27 plumes for both power plants – and the EEC in particular – present a specific hazard to
28 helicopters flying at lower altitudes than fixed-wing aircraft.

- 1 • The 2002 Hayward Airport Master Plan forecasts an increase in total general aviation
2 operations (fixed-wing and helicopter aircraft) of approximately 3,350 flights per year, or
3 280 flights per month between 2010 and 2020 over current operation levels.
- 4 • The expected increase in flight operations for the Hayward Airport will result in an
5 increase in aircraft overflight of the thermal plumes to be generated by the EEC and
6 RCEC.
- 7 • The airspace in the vicinity of the Hayward Airport is already restricted due to
 - 8 ○ Noise Abatement Flight Procedures to the north and east of the airport
 - 9 ○ The National Security Notice to Airman (NOTAM) that will go into effect for the
10 RCEC facility warning pilots to avoid overflights of power plants
 - 11 ○ The location of two major airports nearby (Oakland International and San
12 Francisco International) that share airspace over Hayward.
- 13 • The Federal Aviation Administration (FAA) recommends against the approval of the EEC
14 based on the same restricted airspace considerations listed here.

15 Therefore, it is the County's assertion that the cumulative impact of the presence of two power
16 plants within 1 and 1.5 miles in the southwest quadrant of the Hayward Executive Airport
17 airspace would present an unmitigable series of hazards to safe aircraft operations which will
18 pose an unacceptable level of risk to people on the ground and in the air.

19
20 C. Land Use

21 The Eastshore Energy Center (EEC) does not comply with laws, ordinances,
22 regulations, and standards (LORS) regarding safe operations at the Hayward Executive Airport,
23 relative to the Alameda County Airport Land Use Commission's (ALUC) Airport Land Use
24 Policies.

25
26 D. Socioeconomic Issues

27 When considered in conjunction with the Russell City Energy Center to be constructed
28 down the street from the proposed Eastshore facility site, the Eastshore plant imposes an unfair

1 burden on residents, students, and businesses in the nearby affected area. The County does
2 not believe that a single area should have to shoulder the burden of two power plants.

- 3 4. **The identity of each witness sponsored by each party; the topic area(s) which**
4 **each witness will present; a brief summary of the testimony to be offered by**
5 **each witness; qualifications of each witness; and the time required to present**
6 **direct testimony by each witness;**

6 At this time, the County is able to identify the witnesses who follow. The County reserves
7 the right to modify this list depending on the representations of the Staff, the applicant, and
8 intervening parties during the course of the Prehearing Conference. Please be advised that the
9 County will make every effort to provide written testimony well in advance of the Evidentiary
10 Hearing; however, the County is unlikely to have all written testimony available at the
11 Prehearing Conference.

- 12 • Dr. Paolo Zannetti, QEP, President, EnviroComp Consulting, Inc., on the topic of air
13 quality impacts. This witness is familiar and experienced with the models used for the
14 air quality analysis, and has strong reservations about the data set used for input to the
15 models. Dr. Zannetti's qualifications may be found at the end of this document. It is
16 estimated that the expected testimony and examination would last approximately 30
17 minutes.
- 18 • Dave Needle, Commissioner, Alameda County Airport Land Use Commission ("ALUC"),
19 on the topic of land use, as well as traffic and transportation, as it relates to the Hayward
20 Executive Airport located adjacent to the proposed Eastshore facility site. Mr. Needle's
21 qualifications may be found at the end of this document. It is estimated that the
22 expected testimony and examination would last approximately 20 minutes.
- 23 • Larry Berlin, Aviation Consultant, on the topic of traffic and transportation, as it relates to
24 the Hayward Executive Airport located adjacent to the proposed Eastshore facility site.
- 25 Mr. Berlin holds the following credentials:
- 26 ○ Is an FAA-certified "Gold Seal" (highest rating) Flight Instructor
 - 27 ○ Is an FAA-certified Ground Instructor – Advanced and Instruments
- 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- o Retired after working for 32 years for the Port of Oakland in Airport Operations; North Field Manager since 1996.

It is estimated that the expected testimony and examination would last approximately 60 minutes.

- Eileen Dalton, Redevelopment Director, Alameda County Redevelopment Agency, on the topic of the potential negative impact of the EEC on the County's redevelopment efforts. Ms. Dalton will apprise the Committee of the nature and extent of the County Redevelopment Agency's redevelopment plans, and the impact the Eastshore plant may have on those plans. Ms. Dalton's qualifications may be found at the end of this document. It is estimated that the expected testimony and examination would last approximately 20 minutes.
- Gail Steele, Member, Alameda County Board of Supervisors, on the topic of the socioeconomic impact of Eastshore on the community. Supervisor Steele's qualifications may be found at the end of this document. It is estimated that the expected testimony and examination would last approximately 15 minutes.

5. Topic areas upon which a party desires to cross-examine witnesses, a summary of the scope of such cross-examination, and the time desired for such cross-examination.

The County requests the opportunity to cross-examine all witnesses giving testimony on land use, traffic and transportation, air quality, and socioeconomic issues.

6. A list identifying exhibits and declarations that each party intends to offer into evidence and the technical topics to which they apply.

The County has identified the exhibits below that it intends to offer into evidence. The County reserves the right to amend this list prior to the Evidentiary Hearing.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>Exhibit</u>	<u>Topic Area</u>
1. Alameda County ALUC Resolutions: <ul style="list-style-type: none">• 01-2007 – Russell City Energy Center (RCEC), adopted August 15, 2007• 02-2007 Eastshore Energy Center (EEC), adopted October 17, 2007.	Land Use; Traffic and Transportation
2. County Redevelopment Agency redevelopment plans and maps (Due to holiday vacation schedules, the County will be unable to identify or provide specific documents at the time of the Prehearing Conference. The County will update this list in the form of a supplement prior to the Evidentiary Hearing).	Land Use
3. Alameda County Airport Land Use Commission (ALUC) staff reports from the following meetings: <ul style="list-style-type: none">• July 18, 2007 – Russell City Energy Center (RCEC)• August 15, 2007 - RCEC• September 19, 2007 – Eastshore Energy Center (EEC)• October 17, 2007 - (EEC)	Land Use; Traffic and Transportation
4. <u>Email Correspondence dated August 15, 2007 from Joanne Gardiner</u> regarding comparison with Blythe Airport and Hayward Airport and similar plume issues from power plants near both airports.	Land Use; Traffic and Transportation
5. <u>Email Correspondence dated August 15, 2007 from Cindy Horvath to members of the ALUC</u> documenting official comments from Dave Needle, ALUC Commissioner. These were officially entered into the record at the August 15, 2007 ALUC meeting.	Land Use; Traffic and Transportation

1	<u>Exhibit</u>	<u>Topic Area</u>
2	6. <u>Correspondence from Joe Rodriguez, Supervisor, Environmental Planning and Compliance Section, FAA dated October 9, 2007 to Bill Pfanner, CEC Project Manager.</u> Letter states that the cumulative impacts to aviation and airport operations at the Hayward Executive Airport are significant, and proposed mitigations unreasonable and unattainable.	Land Use; Traffic and Transportation
3		
4		
5		
6		
7		
8	7. <u>Correspondence from Gary Cathay, Chief, Office of Airports, Caltrans Division of Aeronautics dated November 1, 2007 to James Adams, CEC Staff.</u> Letter reiterates and elaborates on CEC staff concerns regarding potential impacts of thermal plumes on low-level flights.	Land Use; Traffic and Transportation
9		
10		
11		
12		
13	8. <u>CEC Final Staff Assessment (FSA) – Land Use, November 9, 2007.</u> Testimony of Shaelyn Strattan and Jim Adams.	Land Use; Traffic and Transportation
14		
15		
16	9. <u>CEC Final Staff Assessment (FSA) – Traffic and Transportation, November 9, 2007.</u> Testimony of Shaelyn Strattan and Jim Adams.	Land Use; Traffic and Transportation
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		

7. Proposals for briefing deadlines, vacation schedules, and other scheduling matters.

The County is presently aware of the Prehearing Conference set for November 26, 2007, and the Evidentiary Hearing set for December 17 and 18, 2007. Representatives for the County will be available for both sets of hearings, with the exception of Cindy Horvath, who will be unavailable for the public comment period for the Prehearing Conference. The County will have other representatives present in Ms. Horvath's absence and do not require any accommodation at this time.

The County is concerned that the present two-day schedule for the Evidentiary Hearing may not be sufficient to accommodate its needs given the intervention of several new parties. If the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

new parties' petitions to intervene are granted, the County requests the Committee consider extending the Evidentiary Hearing beyond the existing two days.

The County would request at a minimum two weeks for any supplemental briefing, the time running from the date of availability of transcripts.

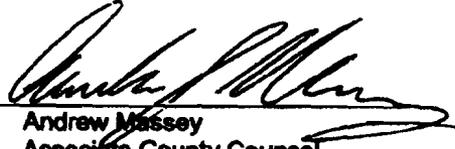
8. For all topics, the parties shall review the proposed Conditions of Certification listed in the Final Staff Assessment (FSA) for enforceability, comprehension, and consistency with the evidence, and submit any proposed modifications.

The County's proposed modifications, if any, will be set forth in testimony or supplied through additional exhibits filed during the Evidentiary Hearing.

DATED: November 19, 2007

RICHARD E. WINNIE, County Counsel in and for the County of Alameda, State of California

BRIAN E. WASHINGTON, Assistant County Counsel

By 
Andrew Massey
Associate County Counsel

Attorneys for County of Alameda

CURRICULUM VITAE
OF
PAOLO ZANNETTI
PRESIDENT, ENVIROCOMP CONSULTING, INC.



Email: zannetti@envirocomp.com

Phone: (510) 490-3438

Fax: (510) 490-3357

Cell: (510) 220-8014

Postal Address:

EnviroComp Consulting, Inc.
2298 Ocaso Camino
Fremont, CA 94539 (USA)

Personal Web page: <http://www.envirocomp.org/html/meetus/zannetti.htm>

EDUCATION AND TITLES

- *Qualified Environmental Professional (QEP)*, Institute of Professional Environmental Practice (IPEP) www.ipep.org
Certificate #029440029 (2/1994) – Recertified on 7/2007
 - *Doctoral Degree in Physics*, University of Padua, Italy (12/1970)
www.unipd.it
 - *Diploma of Maturita' Scientifica*, Scientific Lyceum Ippolito Nievo, Padua, Italy (7/1965)
-
-

PROFESSIONAL EXPERIENCE

- **President, EnviroComp Consulting, Inc. (4/2001 – present)**
www.envirocomp.com
 - *President and Founder, EnviroComp Institute (10/1996-present)*
www.envirocomp.org
 - *Regional Coordinator for the Institute of Professional Environmental Practice (IPEP) in the San Francisco Bay Area (9/1997- present);*
www.ipep.org
 - *Visiting Professor, Wessex Institute of Technology, Southampton, UK (1991-present);* www.wessex.ac.uk
 - *Visiting Professor, Polytechnic University of Bari-Taranto, Italy (1999 – present)*
www.poliba.it/Taranto/TARAS_1.htm
 - *Peer-Reviewer, Kuwait Institute of Scientific Research, Kuwait. Wessex Institute of Technology, Southampton, UK (2002-present);*
<http://www.kisr.edu.kw/>
- **Principal Scientist, Exponent, Inc., Menlo Park, California (11/1991-4/2001)**
www.exponent.com
 - *Instructor, University Extension, University of California, Berkeley (10/1992-7/1997);* www.unex.berkeley.edu:4243
- **Department Manager, AeroVironment, Inc., Pasadena/Monrovia, California (10/1979-11/1991)**
www.aerovironment.com
 - *Consultant, IBM Semea, Milan, Italy (1-10/1991; on leave of absence from AeroVironment)*
 - *Head, Environmental Sciences, IBM Scientific Center, Bergen, Norway and Leader, Environmental Sciences Activities of IBM Europe (3-12/1990; on leave of absence from AeroVironment)*
 - *Consultant, Research Center of the Italian National Electric Power Company (CRTN/ENEL), Milan, Italy. (3-10/1984; on leave of absence from AeroVironment)*
 - *Project Manager, Kuwait Institute for Scientific Research (KISR), Kuwait*

(2/1982-2/1984; on leave of absence from AeroVironment);
www.kjsr.edu.kw

- **Researcher, IBM Scientific Center, Venice, Italy (8/1971-10/1979)**
 - *Visiting Scientist*, Department of Statistics, Stanford University, California (1/1978-3/1979; on assignment from IBM Italy)
 - *Visiting Scientist*, IBM Scientific Center, Palo Alto, California (1/1978-3/1979; on assignment from IBM Italy)
 - *Assistant Professor*, Department of Civil Engineering, University of Padua, Italy (1974-78); www.unipd.it
 - **Systems Analyst, UNIVAC/Sperry Rand, Milano, Italy (3-7/1971)**
-

EDITORIAL RESPONSIBILITY

- Editor of the Book Series “Environmental Sciences and Environmental Computing”
www.envirocomp.org/csec
- Editor and co-Author of the Book Series “Air Quality Modeling - Theories, Methodologies, Computational Techniques, and Available Databases and Software”
www.envirocomp.org/aqm
- Member of the Editorial Board of “Environmental Forensics” (AEHS) (2003-present)
- Founder and President (since 1996) of the EnviroComp Institute - The International Institute of Environmental Sciences and Environmental Computing (www.envirocomp.org)
- Founder and Editor-in-Chief (1986-93) of the quarterly journal *Environmental Software*, published by Computational Mechanics Publications since June 1986 and by Elsevier Applied Science since September 1991. Currently Founding Editor.
- Founder and Director of the biennial ENVIROSOFT Conference - Computer Techniques in Environmental Studies (conferences have been held every two years since 1986).
- Founder and Co-Director of the first two AIR POLLUTION Conferences - Computer Techniques in Environmental Studies (1993-94). Currently Member of the Conference Board.

- Associate Editor/Member of the Editorial Board, *Atmospheric Environment*, published by Pergamon Press (1987-1999).
 - Member of the Editorial Board, *Ecological Modeling*, published by Elsevier Applied Science (since 1992).
 - Member of the Editorial Board, *ENVIRONews*, published by FiatLux Publications (1993-1998); www.envirocomp.org/html/news/flpub.htm
-

MEMBERSHIPS

- Member, International Scientific Advisory Committee, AIR POLLUTION Conference Cycle, Wessex Institute of Technology, UK. (since 2000)
- Member of the "SATURN Specialist Group" (<http://aix.meng.auth.gr/lhtee/saturn.html>), subproject of EUROTRAC-2 (<http://www.gsf.de/eurotrac>) dealing with urban air pollution (since 1998)
- San Francisco Bay Area Regional Coordinator for the Institute of Professional Environmental Practice (IPEP) (since 1997)
- Athens 2004 Committee (1997-2000)
- Reviewer group for the Center for Indoor Air Research (CIAR), 1995-1999.
- International Scientific Advisory Committee, Environmental Engineering and Management Conference, Barcelona, Spain. October 1998.
- International Scientific Advisory Committee, Environmental Engineering, Education and Training Conference (EET96), Southampton, UK, April 1996.
- Scientific Advisory Board, International Congress on Modelling and Simulation (MODSIM 93 and MODSIM 95), Modeling and Simulation Society of Australia Inc.
- International Federation for Information Processing (IFIP), Working Group WG 5.11 (Computers and Environment), (1992-1997)
- ISATA Programme Committee (1992-1994)
- Scientific Committee of the Technological Consortium THETIS (Venice, Italy), (1991)
- Board of Directors, MONDOMETANO, published by RES Editrice srl. (1989-92).
- European Association for the Science of Air Pollution (EURASAP), (1987-94)

- EPA-ASRL pool for the review of U.S. Environmental Protection Agency publications, (1987-96)
 - American Meteorological Society (AMS) (1978-1985)
 - Air and Waste Management Association (AWMA), since 1978 (originally Air Pollution Control Association, APCA)
-

MISCELLANEA

- Italian Citizen by birth. U.S. Citizen since 1989.
 - Languages: English, Italian, French, plus understanding of Spanish
-

HONORS

- Medal award from Computational Mechanics, Ashurst, England, in recognition of contribution to the development of Environmental Modeling (11/1994)
 - Plaque award from the South Coast Air Quality Management District, in recognition of contribution to the Toxic Symposium at Caltech, Pasadena, California (7/1986)
-

PUBLICATIONS

Books

- B.23 Zannetti, P., D. Al-Ajmi, and S. Al-Rashied, Eds. (2007) AMBIENT AIR POLLUTION. Published by The Arab School for Science and Technology (ASST) and The EnviroComp Institute. (www.envirocomp.org/asst)
- B.22 Zannetti, P., Ed. (2005) Air Quality Modeling - Theories, Methodologies, Computational Techniques, and Available Databases and Software. Vol II – Advanced Topics. Book Series published by the EnviroComp Institute and the Air & Waste Management Association. (www.envirocomp.org/aqm)
- B.21 Zannetti, P., Ed. (2004) Environmental Sciences and Environmental Computing, Vol II. Electronic book (on CD-ROM), The EnviroComp Institute (www.envirocomp.org/csec)
- B.20 Zannetti, P., Ed. (2003) Air Quality Modeling - Theories, Methodologies, Computational Techniques, and Available Databases and Software. Vol I – Fundamentals. Book Series published by the EnviroComp Institute and the Air &

Waste Management Association. (www.envirocomp.org/aqm)

- B.19 C. A. Brebbia and P. Zannetti, Eds. (2002) *Development and Application of Computer Techniques to Environmental Studies IX*. WIT Press (www.witpress.com).
- B.18 Ibarra-Berastegi, G., C.A. Brebbia, and P. Zannetti, Eds. (2000) *Development and Application of Computer Techniques to Environmental Studies VIII*. WIT Press (www.witpress.com).
- B.17 Zannetti, P. and Y.Q. Zhang, Eds. (1998) *Environmental Sciences and Environmental Computing, Vol I. Electronic book (on CD-ROM)*, FiatLux Publications and EnviroComp Institute (www.envirocomp.org/esec)
- B.16 Pepper, D.W., C.A. Brebbia, and P. Zannetti, Eds. (1998) *Development and Application of Computer Techniques to Environmental Studies. Proceedings of the ENVIROSOFT 98 Conference, Las Vegas, Nevada, November*. WIT Press - Computational Mechanics Publications, Southampton.
- B.15 Zannetti, P., Ed. (1996) *ENVIRONMENTAL MODELING - Computer Methods and Software for Simulating Environmental Pollution and its Adverse Effects - Volume III*. Computational Mechanics Publications, Southampton.
- B.14 Zannetti, P. and C. Brebbia, Eds. (1996) *Development and Application of Computer Techniques to Environmental Studies VI*. Proceedings of the ENVIROSOFT 96 Conference, Como, Italy, September. Computational Mechanics Publications, Southampton.
- B.13 Zannetti, P., Ed. (1994) *Pollution Modeling*. Volume I of the Proceedings of the ENVIROSOFT 94 Conference, San Francisco, November. Computational Mechanics Publications, Southampton.
- B.12 Zannetti, P., Ed. (1994) *Environmental Systems*. Volume II of the Proceedings of the ENVIROSOFT 94 Conference, San Francisco, November. Computational Mechanics Publications, Southampton.
- B.11 Baldasano, J.M., C.A. Brebbia, H. Power, and P. Zannetti, Eds. (1994) *Computer Simulation*. Volume 1 of the Proceedings of the Second International AIR POLLUTION Conference, Barcelona, Spain, September 1994. Computational Mechanics Publications, Southampton.
- B.10 Baldasano, J.M., C.A. Brebbia, H. Power, and P. Zannetti, Eds. (1994) *Pollution Control and Monitoring*. Volume 2 of the Proceedings of the Second International AIR POLLUTION Conference, Barcelona, Spain, September 1994. Computational Mechanics Publications, Southampton.
- B.9 Zannetti, P., Ed. (1994) *ENVIRONMENTAL MODELING - Computer Methods and Software for Simulating Environmental Pollution and its Adverse Effects - Volume*

II. Computational Mechanics Publications, Southampton.

- B.8 Zannetti, P., C.A. Brebbia, J.E. Garcia Gardea and G. Ayala Milian, Eds. (1993) *Air Pollution*. First International Conference on Air Pollution, Monterrey, Mexico, February. Computational Mechanics Publications, Southampton, and Elsevier Science Publishers, London.
- B.7 Zannetti, P., Ed. (1993) *ENVIRONMENTAL MODELING - Computer Methods and Software for Simulating Environmental Pollution and its Adverse Effects - Volume I*. Computational Mechanics Publications, Southampton, and Elsevier Science Publishers, London.
- B.6 Zannetti, P., Ed. (1992): *Computer Techniques in Environmental Studies IV*. Proceedings of the Fourth International Conference ENVIROSOFT 92. Computational Mechanics Publications, Southampton, and Elsevier Applied Science, London.
- B.5 Melli, P. and P. Zannetti, Eds. (1992): *Environmental Modelling*. Computational Mechanics Publications, Southampton, and Elsevier Applied Science, London.
- B.4 Zannetti, P. (1990): *Air Pollution Modeling - Theories, Computational Methods and Available Software*. Computational Mechanics Publications, Southampton, and Van Nostrand Reinhold, New York. 450 pp.
(<http://www.amazon.com/Pollution-Modeling-Theories-Computational-Available/dp/0442308051>)
- B.3 Zannetti, P., Ed. (1990): *Computer Techniques in Environmental Studies III*. Proceedings of the Third International Conference ENVIROSOFT 90. Computational Mechanics Publications, Southampton, U.K.
- B.2 Zannetti, P., Ed. (1988): *Computer Techniques in Environmental Studies*. ENVIROSOFT 88 - Second International Conference, Porto Carras, Greece, September. Ashurst, United Kingdom: Computational Mechanics Publications.
- B.1 Zannetti, P., Ed. (1986): *ENVIROSOFT 86*. Proceedings of the International Conference on Development and Application of Computer Techniques to Environmental Studies, Los Angeles, USA, November 1986. Ashurst, United Kingdom: Computational Mechanics Publications.

Book Chapters

- BC.14 Freedman, F. and P. Zannetti. 2007. Global Warming and Climate Change: State of the Science. Chapter 5 of AMBIENT AIR POLLUTION (P. Zannetti, D. Al-Ajmi, and S. Al-Rashied, Editors). Published by The Arab School for Science and Technology (ASST) and The EnviroComp Institute
(<http://www.envirocomp.org/>)
- BC.13 Daly, A. and P. Zannetti. 2007. Air Pollution Modeling – An Overview. Chapter 2

of AMBIENT AIR POLLUTION (P. Zannetti, D. Al-Ajmi, and S. Al-Rashied, Editors). Published by The Arab School for Science and Technology (ASST) and The EnviroComp Institute. (<http://www.envirocomp.org/asst>)

- BC.12 Daly, A. and P. Zannetti. 2007. An Introduction to Air Pollution – Definitions, Classifications, and History. Chapter 1 of AMBIENT AIR POLLUTION (P. Zannetti, D. Al-Ajmi, and S. Al-Rashied, Editors). Published by The Arab School for Science and Technology (ASST) and The EnviroComp Institute (<http://www.envirocomp.org/asst>)
- BC.11 Byun, Daewon W., Avraham Lacser, Robert Yamartino, and Paolo Zannetti (2005) Eulerian Dispersion Models. Chapter 10 of AIR QUALITY MODELING - Theories, Methodologies, Computational Techniques, and Available Databases and Software. Vol. I - Fundamentals (P. Zannetti, Editor). Published by The EnviroComp Institute and the Air & Waste Management Association. (www.envirocomp.org/aqm)
- BC.10 Zannetti, P. (2004) Air Pollution Dispersion Modeling. Section 16.6 of The CRC Handbook of Mechanical Engineering, Second Edition, Eds., Kreith, F. and D. Yogi Goswami. CRC Press.
- BC.9 Calamari, D., K. Jones, K. Kannan, A. Lecloux, M. Olsson, M. Thurman, P. Zannetti (2000) Monitoring as an Indicator of Persistence and Long-Range Transport. Chapter 6 of Evaluation of Persistence and Long-Range Transport of Organic Chemicals in the Environment, Edited by G. Klecka et al. – SETAC Press (www.setac.org).
- BC.8 Zannetti, P. (1998) Air Pollution Dispersion Modeling. Section 16.6 of The CRC Handbook of Mechanical Engineering, Ed., Kreith, F. CRC Press
- BC.7 Zannetti, P. (1996) Environmental Modeling: Today and Tomorrow. Chapter 1 of ENVIRONMENTAL MODELING - Computer Methods and Software for Simulating Environmental Pollution and its Adverse Effects - Volume III, Zannetti, P., Ed., Computational Mechanics Publications, Southampton.
- BC.6 Zannetti, P. (1994) Introduction to Environmental Modeling. Chapter 1 of ENVIRONMENTAL MODELING - Computer Methods and Software for Simulating Environmental Pollution and its Adverse Effects - Volume II, Zannetti, P., Ed., Computational Mechanics Publications, Southampton.
- BC.5 Zannetti, P. (1993) Introduction and Overview. Chapter 1 of ENVIRONMENTAL MODELING - Computer Methods and Software for Simulating Environmental Pollution and its Adverse Effects - Volume I, Zannetti, P., Ed., Computational Mechanics Publications, Southampton, and Elsevier Science Publishers, London.
- BC.4 Zannetti, P. (1993) Numerical Simulation Modeling of Air Pollution: An Overview. Section of Ecological Physical Chemistry, Bonati, L., U. Cosentino, M. Lasagni, G. Moro, D. Pitea, and A. Schiraldi, Eds., Elsevier Science Publishers, London. Also

published in *Air Pollution*, Zannetti, P., C.A. Brebbia, J.E. Garcia Gardea and G. Ayala Milian, Eds. (1993), First International Conference on Air Pollution, Monterrey, Mexico, February. Computational Mechanics Publications, Southampton, and Elsevier Science Publishers, London.

- BC.3 Zannetti, P. (1992) Particle Modeling and its Application for Simulating Air Pollution Phenomena. Chapter 11 of *Environmental Modelling*, Melli, P. and P. Zannetti, Eds., Computational Mechanics Publications, Southampton, and Elsevier Applied Science, London.
- BC.2 Zannetti, P. (1989): Simulating Short-Term, Short-Range Air Quality Dispersion Phenomena. Chapter V of *Library of Environmental Control Technology*, Volume 2, Air Pollution Control, P.N. Cheremisinoff, Ed., Houston, Texas: Gulf Publishing.
- BC.1 Zannetti, P., G. Carboni and A. Ceriani (1986): AVACTA II model simulations of worst-case air pollution scenarios in Northern Italy. Section of *Air Pollution Modeling and Its Application*, C. De Wispelaere, F. A. Schiermeider and N. V. Gillani, Eds., Plenum Press, New York.
-

Journal articles

- JA.24 Liberti, L., Michele Notarnicola, Roberto Primerano, and Paolo Zannetti (2006) Air Pollution from a Large Steel Factory: Polycyclic Aromatic Hydrocarbon Emissions from Coke-Oven Batteries. ISSN 1047-3289 J. Air & Waste Manage. Assoc. 56:255-260.
- JA.23 Zannetti, P. (1996) Modeling Danger – Computer Simulations Analyze Pollution Effects, Forecast Problems. *Contingency Magazine*, March/April, pp 73-75.
- JA.22 Boybeyi Z., S. Raman and P. Zannetti (1995): Numerical Investigation of Possible Role of Local Meteorology in Bophal Gas Accident. *Atmospheric Environment (Urban Atmosphere)*, Vol. 29, No. 4, pp 479-496.
- JA.21 Zannetti, P., I. Tombach, S. Cvencek and W. Balson (1993): Calculation of visual range improvements from SO₂ emission controls - II. An application to the Eastern United States. *Atmospheric Environment*, 27A:1479-1490.
- JA.20 Zannetti, P., I. Tombach and W. Balson (1990): Calculation of visual range improvements from SO₂ emission controls - I. Semi-empirical methodology. *Atmospheric Environment*, 24A:2361-2368.
- JA.19 Zannetti, P., I.H. Tombach, and S. Cvencek (1989): An analysis of visual range in the eastern United States under different meteorological regimes. *Journal of the Air & Waste Management Association*, 39:200-203.

- JA.18 Brusasca, G., G. Tinarelli, D. Anfossi, P. Zannetti (1987): Particle modeling simulation of atmospheric dispersion using the MC-LAGPAR package. *Environmental Software*, 2(3):151-158.
- JA.17 Zannetti, P. (1986b): A new mixed segment-puff approach for dispersion modeling. *Atmospheric Environment*, 20(6):1121-1130.
- JA.16 Zannetti, P. (1986a): Monte-Carlo simulation of auto- and cross-correlated turbulent velocity fluctuations (MC-LAGPAR II model). *Environmental Software*, 1(1):26-30.
- JA.15 Tirabassi, T., M. Tagliazucca and P. Zannetti (1986): KAPPA-G, a non-Gaussian plume dispersion model: description and evaluation against tracer measurements. *Journal of the Air Pollution Control Association*, 36:592-596.
- JA.14 Zannetti, P. (1984): New Monte Carlo scheme for simulating Lagrangian particle diffusion with wind shear effects. *Applied Mathematical Modeling*, 8:188-192.
- JA.13 Zannetti, P. (1982): Il "Controlled Trading" negli Stati Uniti [Controlled Trading of pollution emissions in the US]. *Note di Informatica*, 1:71-83. IBM Italia (also in *Inquinamento*, 25(7/8):61-64, Etas Kompass, 1983).
- JA.12 Zannetti, P. (1981b): Scommessa con il sole [Solar Challenger]. *Scienza e Vita Nuova*, 3(7):16-21, Rusconi Editore.
- JA.11 Zannetti, P. (1982a): E' la anidride carbonica nella almosfera uno dei futuri maggiori pericoli per l' umanita'?[Is the increase of atmospheric CO₂ one of the most serious future problems for the human beings?]. *Inquinamento*, 24(3):59-62, Etas Kompass.
- JA.10 Zannetti, P. (1981a): An improved puff algorithm for plume dispersion simulation. *Journal of Applied Meteorology*, 20(10):1203-1211.
- JA.9 Zannetti, P. (1980-81): Problemi energetici ed ambientali negli USA. [Energy and environmental problems in the US] *Inquinamento*, 22(12):65-69 and 23(1):63-66, Etas Kompass.
- JA.8 Finzi, G., P. Zannetti, G. Fronza and S. Rinaldi (1979): Real time prediction of SO₂ concentration in the Venetian Lagoon area. *Atmospheric Environment*, 13:1249-1255.
- JA.7 Runca, E., P. Zannetti and P. Melli (1978): A computer-oriented emissions inventory procedure for urban and industrial sources. *Journal of the Air Pollution Control Association*, 28(6):584-588.
- JA.6 Zannetti, P. (1977): Metodiche adottate nell'analisi dei dati misurati nelle reti di monitoraggio dell'area veneziana. [Analysis of atmospheric monitored data in the

Venitian region] Tavola Rotonda su "La gestione operativa di una rete di monitoraggio dell'inquinamento atmosferico," Venice, Italy, June 1976. Annex to *Inquinamento*, 19(6), Etas Kompass.

- JA.5 Zannetti, P., P. Melli and E. Runca (1977): Meteorological factors affecting SO₂-pollution level in Venice. *Atmospheric Environment*, 11:605-616.
- JA.4 Zannetti, P. (1977): Stabilita' atmosferica e livelli di SO₂ in Venezia: limiti del modello gaussiano. [Atmospheric stability and SO₂ levels in Venice - the limitations of the Gaussian model] *Inquinamento*, 19(3):49-53, Etas Kompass.
- JA.3 Runca, E., and P. Zannetti (1976): Applicazione di un metodo per il censimento degli scarichi gassosi di origine industriale nell'area Veneziana. [A method based on optical reading for the inventory of air pollution emissions in the Venetian area] *Inquinamento*, 18(11):13-17, Etas Kompass.
- JA.2 Runca, E., P. Melli and P. Zannetti (1976): Computation of long-term average SO₂ concentration in the Venetian area. *Applied Mathematical Modeling*, 1:9-15.
- JA.1 Zannetti, P., and E. Runca (1975): Validita' della applicazione di un modello gaussiano di tipo climatologico nell'area veneziana. [Validity of the climatological Gaussian model in the Venetian area] *Inquinamento*, 17(5):9-13, Etas Kompass.
-

Proceedings (papers presented by the underlined author)

- P.49 Mongia, R., W. Qin, J. Belanger, A. Reza, and P. Zannetti (2002) Effect of exhaust stack geometry on the amount of liquid condensate during plant start-up. Paper #453000 in the Proceedings of the AWMA (Air & Waste Management Association) 95th Annual Conference, Baltimore, Maryland, June 23-27, 2002.
- P.48 Zannetti, P. (2000) Environmental data, software, information, and resources on the Internet – a review. Keynote address in the Proceedings of ENVIROSOFT 2000, June, Bilbao, Spain. [Published as: Ibarra-Berastegi, G., C.A. Brebbia, and P. Zannetti (2000) Development and Application of Computer Techniques to Environmental Studies VIII. WIT Press (www.witpress.com)]
- P.47 Zannetti, P. and R. Sire (1999) MONTECARLO - A New, Fully-Integrated PC Software for the 3D Simulation and Visualization of Air Pollution Dispersion Using Monte Carlo Lagrangian Particle (MCLP) Techniques. AIR POLLUTION 99, Stanford, California, July. WIT Publications, Ashurst, UK.
- P.46 Canepa, E., C.F. Ratto, and P. Zannetti (1999) Calibration of the dispersion code SAFE AIR using a release in nocturnal low wind conditions. AIR POLLUTION 99, Stanford, California, July. WIT Publications, Ashurst, UK.
- P.45 Canepa, E., F. C. Ratto, and P. Zannetti (1998) Calibration of the dispersion code

- SAFE_AIR against measurements in a complex coastal area. AIR POLLUTION 98, Genova, Italy, September. Computational Mechanics Publications, Ashurst, UK.
- P.44 Jackson, J. and P. Zannetti (1997) Design of a Supplemental Control Program for SO₂ Episodes in the Region of Ilo, Peru. Proceedings of AIR POLLUTION 97, Bologna, Italy, September. Computational Mechanics Publications, Southampton, UK.
- P.43 Fox, D., K. McDonald, P. Zannetti, and Z. Nejedley (1997) Impact of north-western emission changes on visibility in the Rocky Mountains parks. Air & Waste Management Association 90th Annual Meeting & Exhibition. Toronto, Canada, June.
- P.42 Zannetti, P. (1996) Environmental Modeling - The Next Generation (keynote address). Proceedings of ENVIROSOFT 96 - Development and Application of Computer Techniques to Environmental Studies VI. Como, Italy, September.
- P.41 Zannetti, P. (1995) Environmental Modeling - Past, Present and Future (keynote address). Proceedings of MODSIM 95 - International Congress on Modelling and Simulation 1995. University of Newcastle, Newcastle, New South Wales, Australia, November.
- P.40 Hansen, D.A., P. Zannetti, J.M. Hales (1995) Design of a Framework for the Next Generation of Air Quality Modeling System. Proceedings of AIR POLLUTION 95, Porto Carras, Greece. Computational Mechanics Publications, Southampton, UK, September.
- P.39 Zannetti, P. (1995) Is Virtual Reality the Future of Air Pollution Modelling? (keynote address). Proceedings of AIR POLLUTION 95, Porto Carras, Greece. Computational Mechanics Publications, Southampton, UK, September
- P.38 Zannetti, P. (1994) Computer Modeling of Air Pollution: Science, Art, or Fiction? Special keynote address in *Computer Simulation*, Volume 1 of the Proceedings of the Second International AIR POLLUTION Conference, Barcelona, Spain, September 1994, Baldasano, J.M., C.A. Brebbia, H. Power, and P. Zannetti, Eds., Computational Mechanics Publications, Southampton.
- P.37 Boybeyi, Z., S. Raman, and P. Zannetti (1993): A coupled model applied to the Bophal gas accident. International Conference on Sustainable Development Strategies and Global/Regional/Local Impacts on Atmospheric Composition and Climate. Indian Institute of Technology, New Delhi, India, January.
- P.36 Zannetti, P., and I. Tombach (1989): Intercomparison of numerical techniques for the simulation of visibility improvements from SO₂ emission controls in the eastern United States. AWMA/EPA International Specialty Conference on Visibility and Fine Particles. Estes Park, Colorado, October.

- P.35 Zannetti, P. (1989): Can we continue to apply dispersion models without a proper linkage with meteorological models? Paper 89-43.1, presented at the 82nd Annual AWMA Meeting, Anaheim, California, June.
- P.34 Brusasca, G., G. Tinarelli, J. Moussafir, P. Biscay, P. Zannetti and D. Anfossi (1988): Development of a portable FORTRAN 77 code for Monte Carlo particle modeling of atmospheric diffusion (MCLAGPAR II) - Validation against analytical solutions and tracer experiments. ENVIROSOFT 88 Computer techniques in environmental studies. 2nd International Conference Porto Carras, Greece, September. Computational Mechanics Publications, Southampton.
- P.33 Zannetti, P., I. Tombach, and S. Cvencek (1988): Semi-empirical analysis of the potential visibility improvements from SO₂ emission controls in the eastern United States. Proceedings of the 81st Annual Air Pollution Control Association Meeting, Dallas, Texas, June 19-24.
- P.32 Brusasca, G., G. Tinarelli, P. Zannetti and D. Anfossi (1986): Monte-Carlo simulation of plume dispersion in homogeneous and non-homogeneous turbulence. ENVIROSOFT 86, Newport Beach, California, November.
- P.31 Tirabassi, T., M. Tagliazuca and P. Zannetti (1986b): A non-Gaussian climatological model for air quality simulations. ENVIROSOFT 86, Newport Beach, California, November.
- P.30 Tirabassi, T., M. Tagliazuca and P. Zannetti (1986a): Evaluation and sensitivity of a model of dispersion in turbulent shear flow. WMO Conference on Air Pollution Modeling and its Application, Leningrad, USSR, May.
- P.29 Zannetti, P. (1985): Air pollution modeling R&D in Italy and Kuwait. Air Pollution Control Association 78th Annual Meeting and Exhibition, Detroit, Michigan, June.
- P.28 Zannetti, P., G. Carboni and A. Ceriani (1985): AVACTA II model simulations of worst-case air pollution scenarios in Northern Italy. 15th International Technical Meeting on Air Pollution Modeling and Its Application. NATO/CCMS, St. Louis, Missouri, April.
- P.27 Tirabassi, T., M. Tagliazuca and P. Zannetti (1984): Evaluation of a dispersion model based on a nonGaussian analytical solution in turbulent shear flow. DOE/AMS Model Evaluation Workshop, Kiawah Island, South Carolina, October.
- P.26 Zannetti, P., and N. Al-Madani (1983b): Simulation of transformation, buoyancy and removal processes by Lagrangian particle methods. 14th ITM Meeting on Air Pollution Modeling and Its Application. NATO/CCMS, Copenhagen, Denmark, September.
- P.25 Zannetti, P., and N. Al-Madani (1983a): Numerical simulations of Lagrangian

particle diffusion by Monte-Carlo techniques. VIth World Congress on Air Quality (IUAPPA), Paris, May.

- P.24 Wilbur, D.W., and P. Zannetti (1983): Field measurements and model validation of dispersion over water and at land/sea interface. Sixth Symposium on turbulence and Diffusion, Boston, Massachusetts, March.
- P.23 Zannetti, P. (1982): A new Monte-Carlo scheme for simulating Lagrangian particle diffusion with wind shear effects. 13th International Technical meeting on Air Pollution Modeling and Its Application. NATO/CCMS, Ile Des Embiez, France, September.
- P.22 Zannetti, P., D. Wilbur and G. Schacher (1982): Coastal atmospheric diffusion characterization from three-dimensional monitoring of SF₆ releases. 1st International Conference on Meteorology and Air/Sea Interaction in the Coastal Zone. The Hague, The Netherlands, May.
- P.21 Schacher, G., C. Fairall and P. Zannetti (1982): Comparison of stability classification methods for parameterizing coastal over-water dispersion. 1st International Conference on Meteorology and Air/Sea Interaction in the Coastal Zone, The Hague, The Netherlands, May.
- P.20 Zannetti, P. (1981): Some aspects of Monte Carlo type modeling of atmospheric turbulent diffusion. 7th Conference on Probability and Statistics in Atmospheric Sciences, American Meteorological Society, Monterey, California, November.
- P.19 Zannetti, P. (1980c): A new puff algorithm for non-stationary dispersion on complex terrain. 5th Symposium on Turbulence, Diffusion and Air Pollution, American Meteorological Society, Atlanta, Georgia, March.
- P.18 Zannetti, P. (1980b): A new Gaussian puff algorithm for nonhomogeneous nonstationary dispersion in complex terrain. 11th International Technical Meeting on Air Pollution Modeling and Its Application. NATO/CCMS, Amsterdam, The Netherlands, November.
- P.17 Zannetti, P. (1980a): A new puff model for an accurate nonstationary plume description in both transport and calm conditions. Symposium on Intermediate Range Atmospheric Transport Processes and Technology Assessment. Gatlinburg, Tennessee, October.
- P.16 Zannetti, P., and P. Switzer (1979b): The Kalman filtering method and its application to air pollution episode forecasting. Air Pollution Control Association Specialty Conference "Quality Assurance in Air Pollution Measurement," New Orleans, Louisiana, March. (Also: IBM Palo Alto Technical Report G320-3381; and Department of Statistics, Stanford University, Technical Report 22.)
- P.15 Zannetti, P., and P. Switzer (1979a): Some problems of validation and testing of

numerical air pollution models. 4th Symposium on Turbulence, Diffusion and Air Pollution, American Meteorological Society, Reno, Nevada, January. (Also: Technical Report 21, Department of Statistics, Stanford University.)

- P.14 Zannetti, P. (1978): Short-term, real-time control of air pollution episodes in Venice. 71st Air Pollution Control Association Annual Meeting, Houston, Texas, June. (Also: Technical Report G320-3371, IBM Scientific Center, Palo Alto, California).
- P.13 Runca, E., P. Zannetti and P. Melli (1978): Air quality management: Proposal for a computer oriented approach. International Symposium "Simulation '77," Montreux, Switzerland, June 1977.
- P.12 Finzi, G., G. Fronza, S. Rinaldi and P. Zannetti (1978): Modeling and forecast of the Dosage Population Product in Venice. IFAC Symposium on Environmental System Planning, Design and Control, Kyoto, Japan, August 1977.
- P.11 Zannetti, P., G. Finzi, G. Fronza and S. Rinaldi (1978): Time series analysis of Venice air quality data. IFAC Symposium on Environmental System Planning, Design and Control, Kyoto, Japan, August 1977.
- P.10 Zannetti, P. (1977b): Modeling and forecasting SO₂ air pollution levels: a statistical approach. Applied Numerical Modeling, International Conference, Southampton, England, July. (Presented by P. Melli)
- P.9 Zannetti, P. (1977a): Modelli statistici e loro possibilita' applicative per lo studio delle serie di misure meteorologiche e di SO₂ nell'area veneziana. [Statistical models and their application to meteorological and air quality time series in the Venetian area] Ambiente e Risorse, 4th Meeting, Bressanone, Italy, September 1976.
- P.8 Gambolati, G., P. Zannetti and P. Gatto (1977): A mixed finite difference-finite element approach to simulate unconfined flow in the Crescentino area. Seminar on Regional Groundwater Hydrology and Modeling, IBM Scientific Center, Venice, Italy, May 1976.
- P.7 Runca, E., P. Melli and P. Zannetti (1976): Computation of SO₂-long term concentration in the Venetian area. Mathematical Models for Environmental Problems, International Conference, Southampton, England, September 1975.
- P.6 Zannetti, P., P. Melli and E. Runca (1976): SO₂ in Venezia: analisi e prospettive. [SO₂ in Venice - analyses and future perspectives] Ambiente e Risorse 3rd Meeting, Bressanone, Italy, September 1975.
- P.5 Zannetti, P. (1976): Analisi delle serie temporali di misure della qualita dell'aria in Venezia: uno studio preliminare. [A preliminary study of meteorological and air quality time series in Venice] XIV Convegno Internazionale di Automazione e

Strumentazione, Automazione e Utilizzazione delle Risorse, FAST, Milano, Italy, November.

- P.4 Runca, E., P. Melli and P. Zannetti (1976b): An application of air pollution models to the Venetian area. Seminar on Air Pollution Modeling, IBM Scientific Center, Venice, Italy, November 1975.
- P.3 Runca, E., P. Melli and P. Zannetti (1976a): Simulation of SO₂ dispersion in the Venetian area. 6th International Technical Meeting, NATO/CCMS Expert Panel on Air Pollution Modeling, Frankfurt, W. Germany, September 1975.
- P.2 Zannetti, P., and E. Runca (1975): Studio dell'inquinamento atmosferico nell'area veneziana mediante l'uso di un modello di diffusione gaussiano. [Study of air quality in Venice using a Gaussian model] Ambiente e Risorse 2nd Meeting, Bressanone, Italy, September 1974.
- P.1 Zannetti, P., and E. Runca (1974): Meteorologia ed inquinamento nell'area veneziana. [Meteorology and air pollution in Venice] Sep/Pollution 74, Padova, Italy, June.

More than 200 Technical Reports

More than 50 Short Communications

OTHER PUBLISHING/EDITORIAL ACTIVITIES

- **Urban Air Pollution – Athens 2004 Air Quality**, an electronic book published by FiatLux Publications & The EnviroComp Institute (1998)
www.envirocomp.org/html/publish/CDROM/Athens/flyer.pdf
 - **EnviroNews**, a bimonthly environmental newsletter publisher by FiatLux Publications (1993-2000)
www.envirocomp.org/html/news/flpub.htm
-

UNPUBLISHED WORKS

Doctoral Degree Thesis

Zannetti, P. (1970) Riconoscimento a mezzo di elaboratore elettronico di caratteri numerici manoscritti. [Computer pattern recognition of handwritten digits] Relatori: Profs. L. Mezzetti and D. Toniolo. University of Padua, Faculty of Science (Physics).

Poster Papers

PP.1 Zannetti, P. (1986): AVACTA II: a new Gaussian dynamic model for the simulation of atmospheric dispersion, transformation and deposition phenomena. Poster paper, WMO Conference on Air Pollution Modeling and Its Application, Leningrad, USSR, May 1986.

Course Materials and Recent Seminars

- C.35 Zannetti (2006) Introduction to Air Pollution Modelling. Organised by Wessex Institute of Technology, Southampton, UK, 25-26 May 2006, Ashurst Lodge, Ashurst, Southampton. Topics: Air Pollution Problems and Phenomena, Air Pollution Meteorology, The Gaussian Plume Model, Segmented and Puff Model, Eulerian Models, Lagrangian Particle Models, Atmospheric Chemistry and Deposition, Long-range and Global Modelling.
- C 34 Zannetti (2005) Air Pollution Modeling of Accidental Releases - Science and Litigation. Presented at the Universidade Federal de Santa Maria, Brazil, 15 September 2005.
- C.33 Zannetti (2005) 1. Introduction to Air Pollution. 2. Introduction to Air Pollution Modeling. 3A. Air Pollution Case Studies. 3B. Global Issues. Workshop on Ambient Air Pollution, 5-9 February 2005. The Kuwait Foundation for the Advancement of Science (KFAS), Kuwait.

- C.32 Zannetti, P. (2004) Fluid Pollution Modeling. Engineering Faculty, Taranto, Italy. October 2004.
- C.31 Zannetti, P. (2003) Fluid Pollution Modeling. Engineering Faculty, Taranto, Italy. May 2003.
- C.30 Zannetti, P. (2002) Fluid Pollution Modeling. Engineering Faculty, Taranto, Italy. September 2002.
- C.29 Zannetti, P. (2001) Fluid Pollution Modeling. Engineering Faculty, Taranto, Italy. September 2001.
- C.28 Zannetti, P. (2001) Accidental Chemical Releases - Accident Reconstruction, Air Dispersion Modeling, Source Identification, and Allocation of Responsibility. Environmental Litigation: Advanced Forensics and Legal Strategies. April 4-5, San Francisco, CA.
- C.27 Zannetti, P. (2000) Fluid Pollution Modeling. Engineering Faculty, Taranto, Italy. October 9-12.
- C.26 Zannetti, P. (1999) Fluid Pollution Modeling. Engineering Faculty, Taranto, Italy. June 2-5.
- C.25 Zannetti, P. (1998): Air Pollution Modeling. Wessex Institute of Technology, Southampton, UK. April 1998.
- C.24 Zannetti, P. (1997): Air Dispersion Modeling and Meteorology. University of California, Berkeley Extension, July.
- C.23 Zannetti, P. (1997): Air Pollution Modeling. Wessex Institute of Technology, Southampton, UK. May 1997.
- C.22 Zannetti, P. (1997): Air Pollution. Wessex Institute of Technology, Southampton, UK. May 1997.
- C.21 Zannetti, P. (1996): Air Dispersion Modeling and Meteorology. University of California, Berkeley Extension, April/May.
- C.20 Zannetti, P. (1995): Air Dispersion Modeling and Meteorology. University of California, Berkeley Extension, March/April.
- C.19 Zannetti, P. (1994): Air Dispersion Modeling and Meteorology. University of California, Berkeley Extension, March.
- C.18 Zannetti, P. (1993): Air Dispersion Modeling and Meteorology. University of California, Berkeley Extension, March.

- C.17 Zannetti, P. (1993): Introduction to Air Pollution Modeling. Instituto Tecnologico y de Estudios Superiores de Monterrey, Mexico, 15 February.
- C.16 Zannetti, P. (1992): Air Pollution Modeling and Software. Computational Mechanics Institute, Ashurst (Southampton), England, September.
- C.15 Zannetti, P. (1990): Air Pollution Modeling and Software. Computational Mechanics Institute, Ashurst (Southampton), England, November.
- C.14 Zannetti, P. (1990): Computer Simulation using Particle Modeling. Computational Mechanics Institute, Ashurst (Southampton), England, November.
- C.13 Zannetti, P. (1990): Air Pollution Modeling. Department of Meteorology, University of Bergen, Norway. Fall 1990.
- C.12 Zannetti, P. (1989): Air Quality Modeling and Software. Computational Mechanics Institute, Ashurst (Southampton), England, April.
- C.11 Zannetti, P. (1989): Computer Simulation Using Particle Modeling. Computational Mechanics Institute, Ashurst (Southampton), England, April.
- C.10 Pielke, R., J. Seinfeld, I. Tombach, and P. Zannetti (1988): A Short Course on Air Pollution: Simulation Modeling and Measurement Strategies. Monrovia, California, March.
- C.9 Pielke, R., J. Seinfeld, I. Tombach, and P. Zannetti (1987): Air Pollution - Simulation Modeling and Measurement Strategies. AeroVironment, February.
- C.8 Zannetti, P. (1986): Air quality modeling and software. Computational Mechanics Institute, Ashurst (Southampton), England, June.
- C.7 Zannetti, P., J.C.R. Hunt and A.G. Robins (1985): Air Pollution Modeling Course. Computational Mechanics Centre, Ashurst (Southampton), England, September.
- C.6 Gopalakrishnan, T.C., and P. Zannetti (1983): Numerical Modeling Course. Kuwait Institute for Scientific Research, Kuwait, December.
- C.5 Zannetti, P., and J.C.R. Hunt (1983): Air Pollution Modeling Course. Computational Mechanics Centre, Ashurst (Southampton), England, May.
- C.4 Zannetti, P., and I. Tombach (1983): Air Pollution Course. Kuwait Institute for Scientific Research, Kuwait, January. (See also: Tombach, I. and P. Zannetti (1984) Air Pollution - Part I: Introduction to Air Pollution and Dispersion Modeling. Prepared for Kuwait Institute of Scientific Research, Kuwait, May 1984. AeroVironment Memorandum AV-M-84/533).
- C.3 Zannetti, P., G.I. Jenkins and D.J. Moore (1982): Air pollution modeling course. Computational Mechanics Centre, Southampton, England, May.

- C.2 Zannetti, P. (1980): A short course on air pollution modeling. Computational Mechanics Centre (Southampton), England, December.
- C.1 Zannetti, P. (1977): 1) Statistical models and their application to data collected in Venice. 2) Statistical programs application to meteorological and air quality data (Computer practical exercise). EURATOM CCM Courses, Modeling and Simulation of Ecological Processes, Ispra, Italy, October.
-

More than 80 Invited Lectures/Seminars

Eileen Dalton Marrama

7035 Hemlock Street · Oakland, CA 94611 · (510) 339-3855

Experience

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Redevelopment Manager (Contract), December 1997- Present

Manager responsible for program, policy, and fiscal management of the Alameda County portion of a joint City/County redevelopment project area. Staff to Redevelopment Citizens Advisory Committee and Merchant's Association. Developed successful Browfields Program grant, prepared Streetscape Master Plan and Underground Utility District, manage facade improvement program, and coordinate consultant work and contracts.

RIVERSIDE COUNTY ECONOMIC DEVELOPMENT AGENCY

Deputy Director, August 1996 - August 1997

Senior manager responsible for program, policy, and fiscal management of the Riverside County Redevelopment Agency. The Agency's ten project areas consist of 53,000 acres and \$6 million in annual tax increment and \$29 million in tax allocation bonds. Also responsible for developing and administering the county's economic development strategic plan including business retention, expansion and attraction, Enterprise Zone and Recycling Market Development Zone administration and marketing. Developed and implemented new Fast Track Permit Processing program for commercial and industrial development. Made written and oral presentation to the Riverside County Board of Supervisors, Planning Commission, other local elected boards and commissions and community groups.

RIVERSIDE COUNTY ECONOMIC DEVELOPMENT AGENCY

Senior and Principal Development Specialist, August 1993 - August 1996

Redevelopment and economic development manager for northwest Riverside County responsible for redevelopment, business attraction, expansion and retention. Successfully managed the adoption of an 11,000 acre post-AB1290 redevelopment project area expansion including formation and management of Project Area Committee. Project manager with responsibilities including all phases of redevelopment capital facilities project planning and budgeting; authorship and administration of Owner Participation Agreements and other legal agreements; negotiation of business incentives with eligible applicants; analysis of Agency policy and procedure; coordination of redevelopment and economic development projects with other local, state and federal agencies; presentations to and interaction with community groups on Agency activities and projects. Marketing and administration responsibilities for Enterprise Zone and Recycling Market Development Zone which includes coordination with multi-jurisdictional joint powers authority.

RIVERSIDE COUNTY ECONOMIC DEVELOPMENT AGENCY

Development Specialist I/II/III, November 1988- August 1993

Responsible for coordinating Fast Track permit processing with all development related County agencies while serving as project liaison for developer. As staff to the Airport Land Use Commission, duties included review of all development related activities surrounding all public use airports in Riverside County, preparation and presentation of staff reports to Commission, and coordinated land use considerations with Planning Department. Conducted economic research, including preparation of specialized reports for County financial transactions, marketing and special events. Administered Mortgage Credit Certificate program for first-time homebuyers including interfacing with mortgage brokers and homebuyers, evaluation of applications, and management of program funds. Gained extensive knowledge of word processing, desk-top publishing, and spreadsheet software programs.

Education

UNIVERSITY OF CALIFORNIA, RIVERSIDE

Bachelor of Science, Business Administration - June 1988

Coursework in: Economics, Statistics, Finance, Accounting, Marketing



ALAMEDA COUNTY POSITIONS

- Board Committees: Social Services, Chair; Public Protection
- Alameda County Mental Health Advisory Board, 1973-80, 1990-present; Chair, 1979-80, Children's Advocacy Committee Chair, 1990-present
- Alameda Alliance for Health, Past Chair
- Alameda County Children's Memorial Grove and Flag Committee, Chair
- ICPC (Interagency Children's Policy Council)
- OUR KIDS, Founder, a collaborative project to help kids at risk in the Oakland/Hayward schools
- ABAG (Association of Bay Area Governments) Executive Committee
- ACTA (Alameda County Transportation Authority)
- ACTIA (Alameda County Transit Improvement Authority)
- EBRPD (East Bay Regional Parks District) Liaison Committee
- LAFCO (Local Agency Formation Commission), Past Chair
- JPA (Oakland-Alameda County Coliseum/Arena Joint Powers Authority), Past President

COMMUNITY INVOLVEMENT

- Eden Youth & Family Center Board of Directors, President, 2005-Present
- Hayward Volunteer Recognition Dinner Committee, Co-Chair
- Donated \$100,000 for scholarships for foster care children
- St. Rose Foundation Board of Directors

AWARDS

- Board Leadership Award, Western Region, Child Welfare League of America, 1998
- Civic Contribution Award, Oakland League of Women Voters, 1997
- Outstanding Elected Official, California Association of Library Trustees and Commissioners, 1993
- Legislator of the Year, Alameda County Democratic Party, 1993
- Salute to Women, for individual achievement, YWCA Oakland, 1993

- Humane Society Award, Hayward, Hayward Friends of Animals Humane Society, 1993
- John George Community Service Award, Alameda County Mental Health Contractors' Association, 1991
- Mayor's Award, City of Hayward, 1987
- James Mann Award, Lincoln Children's Center, 1986
- Outstanding Achievement Award, California Association of Mental Health, 1978

EMPLOYMENT

- Eden Youth Center, Hayward: founder, 1977 and Executive Director, 1979-92

EDUCATION

- Master of Public Administration, University of San Francisco, 1989
 - Bachelor of Arts, Sociology, University of California, Berkeley, 1959
-

Dave Needle

2981 Northwood Drive Alameda, CA 94501

(510) 522-7391

dave@davenmargo.com

Synopsis

Experienced system architect and project manager. Strengths in team management, hardware design, user interface design, embedded software, hardware and software prototyping, IP protection, design for manufacturing, and engineering and manufacturing test systems.

President (2001-present)

GSD Group, Inc.

Alameda, CA

GSD is an engineering services company with proven skills in the architecture, design, prototyping, and manufacturing setup for low-cost hardware and software products. The GSD staff includes senior hardware and software engineers, and calls on its industry contacts for documentation, mechanical, and other engineering needs.

I am the senior hardware engineer and architect. My skills include engineering team management, IP protection, digital ASIC design, FPGA design, PCB layout, micro controller software development, Visual Basic tools, and manufacturing test fixture design and development.

I am also experienced as an Expert Witness for IP protection.

Chairman, CTO (1996-2001)

Jovial Test Equipment, Inc.

Alameda, CA

Founded JTE in 1996 to develop test equipment and home automation products. Initial products included 2 and 8 wire cable testers, and telephone interface devices. Created technology for low-cost and high-performance TDR based cable testers. We sold the company to our largest customer, Harris Corporation.

Vice President (1993-1996)

The 3DO Company, Inc.

Redwood City, California

Joined 3DO as part of the sale of NTG to 3DO. I completed the transfer of the system knowledge to the 3DO engineering staff and then started the development of the next generation system. Additionally, I was responsible for protecting the intellectual property through patent grant.

Vice President (1989-1993)

New Technologies Group, Inc.

Palo Alto, California

Founded, along with two partners, to invent, make ready for manufacture, and license products for mass market consumer entertainment. Our high performance game system was the overwhelming leader at the time of its license to SMSG (later to become The 3DO Company). Soon after, NTG was purchased by The 3DO company.

Director of Hardware Engineering (1987-1989)

Epyx Inc.

Redwood City, California

Was Co-architect (with the software director) and leader of the 14 member hardware design team for the first color programmable hand-held game system. It was later sold to Atari who released it as the Lynx.

Principal Engineer (1986-1987)

Apple Computer, Inc.

Cupertino, California

One of 3 engineers in an 8 member team that created the architecture for, designed, built and tested 15 prototypes of a 5 MIPS RISC based low cost personal computer. The system had a complete multitasking OS, compilers, editors, graphics, and peripherals. The project was completed in less than 1 year.

Principal (1982-1984)

Software and Hardware Innovative Technologies

Alameda, California

My two partners and I provided hardware and software consulting services to companies developing computer controlled video products. We also designed and sold three arcade video games.

Architect/Team Leader (1978-1982)

Tandem Computers

Cupertino, California

I was the hardware architect and project leader for the first Tandem display terminal. I led the technical team through design and then pilot production.

Project Engineer (1974-1978)

Naval Air Rework Facility

Alameda, California

I was the leader of the development and support team for two types of automatic test equipment. The team consisted of 4 engineers and several technicians.

Engineer (1969-1974)

PRD Electronics

Syosset, New York

I designed computer controlled test equipment for the department of defense. I later transferred to site manager for the systems located aboard the USS Enterprise.

Education:

B.E.E. City College of New York, 1969

Community Involvement:

Commissioner - Alameda County Airport Land Use Commission, President - Fernside Homeowners Association, Chair - Oakland Airport Settlement Agreement Oversight Committee, Co-chair - City of Alameda Airport Operations Committee, Representative - Oakland Airport Master Plan Stakeholder Committee

Hobbies:

Golf, Quantum Physics, Turtles, Combat Robots

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
FOR THE EASTSHORE ENERGY CENTER
IN CITY OF HAYWARD
BY TIERRA ENERGY

Docket No. 06-AFC-6

PROOF OF SERVICE
(Revised 11/14/2007)

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

DOCKET	
06-AFC-6	
DATE	NOV 14 2007
RECD.	NOV 15 2007

APPLICANT

Greg Trewitt, Vice President
Tierra Energy
710 S. Pearl Street, Suite A
Denver, CO 80209
greg.trewitt@tierraenergy.com

Harry Rubin, Executive Vice President
RAMCO Generating Two
1769 Orvieto Drive
Roseville, CA 95661
hmrenergy@msn.com

COUNSEL FOR APPLICANT

APPLICANT'S CONSULTANTS

David A. Stein, PE
Vice President
CH2M HILL
155 Grand Avenue, Suite 1000
Oakland, CA 94612
dstein@ch2m.com

Jane Luckhardt, Esq.
Downey Brand Law Firm
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

INTERESTED AGENCIES

Jennifer Scholl
Senior Program Manager
CH2M HILL
610 Anacapa Street, Suite B5
Santa Barbara, CA 93101
jscholl@ch2m.com

Larry Tobias
CA Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630
ltobias@calso.com

Electricity Oversight Board
770 L Street, Suite 1250
Sacramento, CA 95814
esaltmarsh@eob.ca.gov

Greg Jones, City Manager
City of Hayward
777 B Street
Hayward, California 94541
greg.jones@hayward-ca.gov
michael.sweeney@hayward-ca.gov
maureen.conneely@hayward-ca.gov

INTERVENORS

Paul N. Haavik
25087 Eden Avenue
Hayward, CA 94545
lindampaul@men.com

James Sorensen, Director
Alameda County Development Agency
Att: Chris Bazar & Cindy Horvath
224 West Winton Ave., Rm 110
Hayward CA 94544
james.sorensen@acgov.org
chris.bazar@acgov.org
cindy.horvath@acgov.org

Richard Winnie, Esq.
Alameda County Counsel
Att: Andrew Massey, Esq.
1221 Oak Street, Rm 463
Oakland, CA 94612
richard.winnie@acgov.org
andrew.massey@acgov.org

ENERGY COMMISSION

Jeffrey D. Byron, Presiding Member
jbyron@energy.state.ca.us

John L. Geesman, Associate Member
geesman@energy.state.ca.us

Susan Geffer, Hearing Officer
sgeffer@energy.state.ca.us

Bill Pfanner, Project Manager
bpfanner@energy.state.ca.us

Caryn Holmes, Staff Counsel
cholmes@energy.state.ca.us

Public Adviser
pa@energy.state.ca.us

DECLARATION OF SERVICE

I, Dalia Liang, declare that on November 19, 2007, I deposited copies of the attached Proposition 53 in the United States mail at Oakland with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

DP

Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Dalia Liang
Signed by

Exhibit C

Massey, Andrew J., County Counsel

From: Massey, Andrew J., County Counsel

Sent: Tuesday, December 04, 2007 10:27 AM

To: 'docket@energy.state.ca.us'; 'greg.trewitt@tierraenergy.com'; 'dstein@ch2m.com'; 'jscholl@ch2m.com'; 'hmrenergy@msn.com'; 'ltobias@caiso.com'; 'greg.jones@hayward-ca.gov'; 'michael.sweeney@hayward-ca.gov'; 'Maureen.conneely@hayward-ca.gov'; 'david.rizk@hayward-ca.gov'; 'Diana.graves@pillsburylaw.com'; 'michael.hindus@pillsburylaw.com'; 'ron.vanbuskirk@pillsburylaw.com'; 'lindampaulh@msn.com'; 'james.sorensen@acgov.org'; 'chris.bazar@acgov.org'; 'cindy.horvath@acgov.org'; 'clofft@chabotcollege.edu'; 'ssperling@chabotcollege.edu'; 'jewellhargleroad@mac.com'; 'sizvha@aol.com'; 'wulf@vs-comm.com'; 'suzbarba@comcast.net'; 'Richard.winnie@acgov.org'; 'Andrew.massey@acgov.org'; 'ischulkind@lcwlegal.com'; 'myang@lcwlegal.com'; 'jbyron@energy.state.ca.us'; 'jgeesman@energy.state.ca.us'; 'sgefter@energy.state.ca.us'; 'bpfanner@energy.state.ca.us'; 'cholmes@energy.state.ca.us'; 'pao@energy.state.ca.us'; 'Jane Luckhardt'; 'Sarveybob@aol.com'

Cc: Washington, Brian, County Counsel

Subject: Eastshore Energy Center (06-AFC-6) - Additional Witness

Dear Ms. Getter and Parties,

Alameda County ("the County") wishes to inform the Eastshore Committee and fellow parties of its intent to name an expert witness on the topic of Environmental Justice, Dr. Sandra Witt, Deputy Director of Planning, Policy and Health Equity at the Alameda County Public Health Department. The County will include Dr. Witt's prefiled testimony in its December 7, 2007 filing.

As you know, the County had previously identified Supervisor Gail Steele as an expert witness on the issue of Environmental Justice. The County later elected to revise Supervisor Steele's role to have her speak in her capacity as a public official. The County believes that the Eastshore Committee would nevertheless still greatly benefit from expert testimony from the County on Environmental Justice, and offers Dr. Witt's testimony in this regard.

The County estimates that Dr. Witt would require only 10 minutes of scheduled time, and therefore does not believe that adding her as a witness will greatly impact the Evidentiary Hearing schedule.

Thank you for your consideration,

Andrew J. Massey
Associate County Counsel

Office of the County Counsel | 1221 Oak Street, Suite 450 | Oakland, California 94612

(510) 272-6700 | Direct line (510) 272-6732 | Teline x26732 | Fax No. (510) 272-5020

Email: andrew.massey@acgov.org | www.acgov.org

Confidentiality Notice: This electronic mail transmission may contain privileged and/or confidential information only for use by the intended recipient(s). Any usage, distribution, copying or disclosure by any other person, other than the intended recipient is strictly prohibited and may be subject to civil action and/or criminal penalties. If you received this transmission in error, please notify the sender by reply email or by telephone and delete the transmission.

4/17/2008

1 RICHARD E. WINNIE [68048]
County Counsel
2 BRIAN E. WASHINGTON [146807]
Assistant County Counsel
3 By: Andrew J. Massey [240995]
Associate County Counsel
4 Office of County Counsel, County of Alameda
1221 Oak Street, Suite 450
5 Oakland, California 94612
Telephone: (510) 272-6700
6 Attorney for County of Alameda

7
8 BEFORE THE ENVIRONMENTAL PROTECTION APPEALS BOARD
9 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
10 WASHINGTON, D.C.

11 In re:

PSD Appeal No. 08-01

PROOF OF SERVICE

12
13 Russell City Energy Center,
14

15 I, Dalia Liang, declare:

16 I am employed by the Office of the County Counsel - County of Alameda, State of
17 California, over the age of 18 years and not a party to the within action. My business address is
18 1221 Oak Street, Suite 450, Oakland, CA 94612-4296, which is located where the below
19 described service occurred.

20 I am readily familiar with the business practice at my place of business for collection and
21 processing of correspondence for mailing with the United States Postal Service. In the ordinary
22 course of business, correspondence collected is deposited with the United States Postal
23 Service the same day.

24 On this day, I placed copies of the document entitled "**Motion for Leave to File Amicus**
25 **Brief**" in sealed envelopes with fully pre-paid postage and address as follows, at a place for
26 collection and mailing following ordinary course of business:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PERSONS SERVED:

Alexander G. Crockett
Assistant General Counsel
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

Rob Simpson
27126 Grandview Avenue
Hayward, CA 94542

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge. This declaration is executed on April 22, 2008.



Dalia Liang