STATE OF CALIFORNIA — THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

DOCKET
01-AFC-7C
DATE MAR 0 9 2009
RECD. MAR 0 9 2009

March 9, 2009

Mr. Rob Simpson
27126 Grandview Avenue
Hayward, Ca 94542-2324

RE: RUSSELL CITY ENERGY CENTER (01-AFC-7C) - COMPLIANCE WITH CONDITION OF CERTIFICATION AQ-SC6

Dear Mr. Simpson,

You have inquired by electronic mail as to whether the Russell City Energy Center project (RCEC) has complied with the Energy Commission's condition of certification (COC) AQ-SC6. Specifically, you inquired as to whether RCEC has provided the Energy Commission with a revised permit.

If you are referring to the federal Prevention of Significant Deterioration (PSD) permit, which is currently being re-issued following the previous remand, it is our understanding that the federal PSD permit has not yet become final. When it becomes final, COC AQ-SC6 would appear to require that RCEC file such with the Energy Commission. In reality, the air district typically provides staff with the permit, and staff therefore expects to receive it from the air district. The air district has already provided Energy Commission staff with the proposed PSD permit, which has been issued for public comment.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

K. W. Bell

Kevin W. Bell
Staff Counsel

cc: Jack Caswell, Compliance Program Manager
Mary Dyas, Compliance Project Manager