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Sierra Club's Attorneys

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING**

IN THE MATTER OF: ) Docket No. 09-2801  
MEDICINE BOW FUEL & POWER, )  
LLC AIR PERMIT CT-5873 )

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**SIERRA CLUB'S REVISED EXHIBIT LIST**

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**EXHIBITS**

1. **Exhibit 1** Jason Lillegraven's Declaration of Standing.
2. **Exhibit 2** Martha Martinez del Rio's Declaration of Standing.
3. **Exhibit 3** Memorandum from John S. Seitz (October 21, 1997).

4. **Exhibit 4** *In re Louisville Gas & Electric Co.*, Order Responding to Issues raise in April 28, 2008 and March 2, 2008 Petitions, and Denying in part and Granting in Part Requests For Objection to Permit (August 12, 2009) (“Trimble”).
5. **Exhibit 5** Memorandum from Stephen D. Page (April 5, 2005)
6. **Exhibit 6** Letter from Stephen Johnson to Paul Cort (Jan. 14, 2009).
7. **Exhibit 7** Letter from Lisa Jackson to Paul Cort (April 24, 2009).
8. **Exhibit 8** Wyoming’s Interstate Transport Declaration (Dec. 11. 2006).
9. **Exhibit 9** *BP Products North America, Inc.*, Order Responding to Petitioner’s Request that the Administrator Object to Issuance of State Operating Permit, Permit No. 089-254880—453 (Oct. 16, 2009) (“*In re BP Products*”).
10. **Exhibit 10** EPA Memorandum from Terrell E. Hunt and John S. Seitz to Regional Counsels, *Guidance on Limiting Potential to Emit in New Source Permitting* (June 13, 1989).
11. **Exhibit 11** EPA Memorandum from Steven Riva to William O’Sullivan, *Accounting for Emergency Generators in the Estimate of Potential to Emit* (Feb. 14, 2006) (“Riva Memo”).
12. **Exhibit 12** EPA Memorandum from John B. Rasnic to Linda M. Murphy, *Automatic or Blanket Exemptions for Excess Emissions During Startup, and Shutdowns Under PSD* (Jan. 28, 1993)
13. **Exhibit 13** EPA Memorandum from Steven A. Herman and Robert Perciasepe to Regional Administrators, *State Implementation Plans (SIPs): Policy*

*Regarding Excess Emissions During Malfunctions, Startup, and Shutdown*

(September 20, 1999) (“Herman Memo”)

14. **Exhibit 14** EPA Enforcement Alert, Volume 2, Number 9, October 1999.
15. **Exhibit 15** EPA, July 28, 1987, Letter Concerning Best Available Control Technology (BACT) Determinations.
16. **Exhibit 16** “Preferred and Alternative Methods for Estimating Fugitive Emissions from Equipment Leaks,” Final Report, November 1996.
17. **Exhibit 17** MARAMA Model Rule for Enhanced LDAR.
18. **Exhibit 18** “Protocol for Equipment Leak Emission Estimates,” pp 1 to 2-55.
19. **Exhibit 19** EPA, AP 42, Fifth Edition Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources, (Jan. 1995).
20. **Exhibit 20** Medicine Bow Response to Sierra Club’s Request for Admissions (August 19, 2009).
21. **Exhibit 21** Southcoast Air Quality Management District, BACT, BARCT Rule.
22. **Exhibit 22** Texas Commission on Environmental Quality, publication RG-360 # Revised # January 2006
23. **Exhibit 23** RTP Environmental Associations, letter, Feb. 28, 2007.
24. **Exhibit 24** EPA letter announcing settlement with Chevron, August 23, 2000.

25. **Exhibit 25** Southcoast Air Quality Management District, Reg 11/Rule 1173, available at <http://www.aqmd.gov/rules/reg/reg11/r1173.pdf>

26. **Exhibit 26** Bay Area Air Quality Management District, Reg 8/Rule 18, available at <http://www.baaqmd.gov/Divisions/Planning-and-Research/Rules-and-Regulations.aspx>

27. **Exhibit 27** Decision In the Matter of a Permit Application (AP-5873) from Medicine Bow Fuel & Power, LLC to Construct an Underground Coal Mine and Industrial Gasification and Liquefaction Plant to be Known as the Medicine Bow IGL Plant.

28. **Exhibit 28:** Revised Application for Medicine Bow Facility (AR 78-1 to 78-382); excerpts to be provided at trial due to size.

29. **Exhibit 29:** Order Responding to Petitioner's Request that the Administrator Object to the Issuance of a Title V Operating Permit (May 28, 2009).

30. **Exhibit 30:** EPA, Health and Environmental Impacts of SO<sub>2</sub>, available at <http://www.epa.gov/air/sulfurdioxide/health.html>

31. **Exhibit 31:** EPA, Particulate Matter, *available at* <http://www.epa.gov/particles/health.html>.

32. **Exhibit 32:** EPA's New Source Review Workshop Manual (Draft October 1990), Chapter A 1-28, Chapter B 1-75, Chapter C 24-53, Appendix C 1-7.

33. **Exhibit 33:** DEQ Application Analysis (AR 506-582).

34. **Exhibit 34:** Conditional Test Method (CTM) 039

Measurement Of PM<sub>2.5</sub> And PM<sub>10</sub> Emissions By Dilution Sampling (Constant Sampling Rate Procedures), available at <http://www.epa.gov/ttn/emc/ctm/ctm-039.pdf> (excerpt pages 1-4)

35. **Exhibit 35:** DKRW Letter to DEQ Response to Public Comment, October 14, 2008 (AR 1520-1531).

36. **Exhibit 36:** DKRW letter to DEQ, November 11, 2008 (AR 1485).

37. **Exhibit 37:** Highwood Generating Station, Great Falls, Montana<sup>1</sup>, Southern Montana Electric Cooperative Inc. Final EIS prepared in January 2007 (pages 1 - 46). Available at <http://www.deq.mt.gov/eis/HighwoodGeneratingStation/VolI/H%20-%20FEIS%20Vol.%20I%20-%20Chapter%204%20Environmental%20Consequences.pdf>

38. **Exhibit 38:** Ely Energy Center, Ely, Nevada. Sierra Pacific Resources. Appendix 9 – Air Quality Impact Analysis prepared in October 2007 (pages 1 - 51). Available at <http://ndep.nv.gov/bapc/download/ely/A9.pdf>

39. **Exhibit 39:** White Pine Energy Station, Ely, Nevada. White Pine Energy Associates/LS Power. Appendix 8 – Environmental Evaluation and Dispersion Modeling Files prepared in December 2006 (entire document). Available at <http://ndep.nv.gov/bapc/download/ls/app8.pdf>

40. **Exhibit 40:** Plant Washington, Sandersville, Georgia Power4Georgia, LLC. PSD Permit Application prepared in January 2008 (Chapter 5). Available at: <http://www.air.dnr.state.ga.us/airpermit/downloads/permits/psd/dockets/plantwashington/facilitydocs/30300051app.pdf>

41. **Exhibit 41:** Longleaf Energy Station, Hilton, Georgia. LS Power. PSD Permit Application prepared in November 2004 (Chapter 5). Available at: [http://www.air.dnr.state.ga.us/airpermit/downloads/permits/psd/dockets/longleaf/facilitydocs/Longleaf\\_PSD\\_Applic.pdf](http://www.air.dnr.state.ga.us/airpermit/downloads/permits/psd/dockets/longleaf/facilitydocs/Longleaf_PSD_Applic.pdf)

42. **Exhibit 42:** Hyperion Energy Center, Union County, South Dakota. Hyperion Refining LLC. PSD Permit Application prepared in December 2007 (Appendix E). Available at: [http://www.hyperionec.com/files/HEC\\_SD\\_PSD\\_App.pdf](http://www.hyperionec.com/files/HEC_SD_PSD_App.pdf)

43. **Exhibit 43:** Advanced Supercritical Pulverized Coal (ASCPC) Project, Essexville, Michigan. Consumers Energy. PSD Permit Application – Section 6 Ambient Impact Analysis. prepared in October 2007(entire document). Available at: <http://www.deq.state.mi.us/aps/downloads/permits/CFPP/2007/341-07/Section%206%20-%20Ambient%20Impact%20Analysis.pdf>

44. **Exhibit 44:** DEQ Permit No. CT-5873, issued March 4, 2009

45. **Exhibit 45:** Any documents, including exhibits and/or attachments thereto, filed with the EQC in this case by DEQ or Medicine Bow, which are not specifically listed here.

46. **Exhibit 46:** Any other exhibits needed for purposes of rebuttal, impeachment, or foundation.

Respectfully submitted this 3<sup>rd</sup> day of December, 2009.

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