

Comments on the Los Medanos Title V and Acid Rain Permit

Thank you for the opportunity to comment on the Title V and acid rain permit Application number 10470 for the Los Medanos Energy Center facility ID. Number B1866. Attached as exhibit 1 are two letters from your Public Records department promising a complete report on the Notices of Violations and subsequent enforcement activities associated with them. At this time it is impossible to comment on your application and I am formally requesting that the approval of the application be postponed until such time as your records department informs me of the nature and extent of the violations that have occurred at this facility. After many contacts with your agency I am extremely disappointed that you have not responded to my request in a timely manner forcing me to request further delays in the processing of this permit.

Thank you,

Robert Sarvey
501 W. Grantline Rd
Tracy, Ca. 95376
(209) 835-7162

Exhibit 1



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

July 17, 2003

Robert Sarvey
501 W. Grantline Road
Tracy, CA 95376

**Subject: Public Records Act Requests # 03-07-49 & 50
Pending NOV's for Delta Center and Los Medanos**

Dear Mr. Sarvey:

This letter responds to your request for records.

The Notice of Violations are still under investigation by the District. Pursuant to the State of California Government Code, Section 6254, Subdivision (f), records of complaints to or investigations by a local governmental agency for law enforcement purposes are exempt from the Public Records Act disclosure requirement.

I assure you that once the District enforcement action is completed, the associated public record will be forwarded to you at the earliest possible opportunity.

If you have further questions, please contact me at (415) 749-4784.

Sincerely,

A handwritten signature in black ink that reads "Rochelle Henderson".

Rochelle Henderson
Public Records Coordinator



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

September 4, 2003

Robert Sarvey
501 W. Grantline Road
Tracy, CA 95376

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Pending NOV's for Delta Center and Los Medanos

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Rochelle Henderson
Public Records Coordinator