

## DOCKETED

<b>Docket Number:</b>	08-AFC-06
<b>Project Title:</b>	Willow Pass Generating Station
<b>TN #:</b>	205836
<b>Document Title:</b>	James B. MacDonald Comments: The continued gassing of Pittsburg's children. (Auschwitz-Birkenau)
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*Comment Received From: James B. MacDonald*

*Submitted On: 8/26/2015*

*Docket Number: 08-AFC-06*

## **The continued gassing of Pittsburg's children. (Auschwitz-Birkenau)**

To: California Energy Commission

Docket Number 08-AFC-06

Reason: The continued gassing of Pittsburg's children. (Auschwitz-Birkenau)

Additional comments to: DEIR, EIR, NEPA and Environmental Justice Studies. Include the following statements, questions and exhibits in the administrative record OF ANY AND ALL LOCAL, STATE AND FEDERAL AGENCY INVOLVED IN REGULATION OR SITING OF THIS PROJECT. Respond in writing in accordance with the California Environmental Quality Act (CEQA) to all comments and questions presented. Failure to answer in writing as required by law is denial of my rights to participate in this proceeding and a denial of due process. Use of discriminatory State and Federal laws is a denial of my right to participate in this proceeding in a meaningful manner and a denial of due process under the law as granted to all Citizens of the United States of America by our Constitution and The Declaration of Independence.

The Pittsburg Unified School District still has the following outstanding complaint about CEC's continued attacks on the health and welfare of Pittsburg's children. CEC's proceedings are illegal and in violation of CEQA. Pittsburg Unified School District's OCR Complaint 4/17/00 <http://www.calfree.com/OCRDelta.html>

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Dear Administrator Browner,

This letter is to request your assistance in the investigation of the attached complaint by the Pittsburg Unified School District board of trustees, Joe Hawkins a disabled individual, and myself, Mike Boyd President of Californians for Renewable Energy, Inc. (CARE).

We wish to process this complaint through the EPA Office of Civil Rights for violations of Title VI by the California Energy Commission (CEC), Bay Area Air Quality Management District (BAAQMD), and the California Air Resources Board (CARB), in their approval of the Pittsburg District Energy Facility CEC docket 98-AFC-1 and the Delta Energy Center CEC docket 98-AFC-3. We wish to process this complaint through the Office of Environmental Justice for discriminatory effects resulting from the review of and over site by EPA Region IX Air Division, and additionally for the review of the PSD permit for the Delta Energy Center by the EPA Environmental Appeals Board (EAB) docket PSD99-76.

Low-income children and minority populations in the community of Pittsburg Contra Costa County California already experience disparate impacts from criteria air pollutants in comparison to surrounding counties. These two projects will further inflict disparate impacts from criteria pollutants in the form of particulate matter, NOx, and Toxic Air Contaminants (TACs). Contra Costa County low income and minority populations already suffer elevated levels of occurrences of asthma, and breast cancer, along with increased human mortality attributable to particulate matter exposure. The community of Pittsburg's low-income children and minority populations experience these effects disparately in comparison to non-minority non-low income populations within Contra Costa County and in the

surrounding counties.

No mitigation for impacts from these projects will be received by the Pittsburg Unified School District to mitigate the effects that school children, predominantly low income and minority, will experience as a result of these projects. The remedy we seek is to prohibit the development of these projects without local mitigation and local emission offsets. We seek the recognition by the CEC, BAAQMD, and CARB of their responsibility to identify disparately impacted low income and minority populations like Pittsburg's, and provide for appropriate mitigation and alternatives pursuant to Federal law, and we seek the requirement that this be made part of their certified regulatory programs. Thank you for your assistance in this matter.