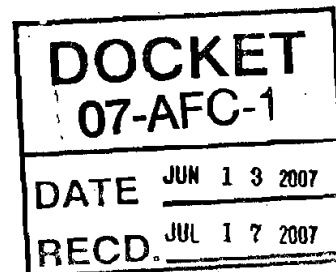




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

June 13, 2007

Jon B. Roberts  
City Manager  
City of Victorville  
14343 Civic Drive  
P.O. Box 5001  
Victorville, CA 92393-5001



**Subject: Application Completeness Determination for Victorville II Prevention of Significant Deterioration Permit Application**

Dear Mr. Roberts:

We are writing in response to your PSD permit application for an Environmental Protection Agency Prevention of Significant Deterioration (PSD) Approval to Construct a 563 megawatt power plant in the City of Victorville. We received your initial application on May 8, 2007 and your update on June 22, 2007, which together would cover the pollutants NO<sub>x</sub>, CO, and PM<sub>2.5</sub>.

We have reviewed your application and determined that it is administratively complete. However, this notification of completeness does not imply that the EPA agrees with any analyses, conclusions, or positions contained in the application. In addition, we may need supplemental information on one or more parts of the application before we can issue a proposed permit. If you submit new information indicating a significant change in the project design, ambient impact or emissions, or if you request a suspension in the processing of the application, this determination of completeness may be revised.

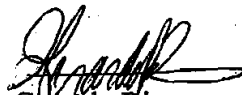
We are drafting a proposed determination, which will include an Ambient Air Quality Impact Report and proposed permit. When we issue our proposed decision, we will publish a public notice that sets a public comment period that will last at least 30 days.

Please be advised that at anytime anyone may have full access to the application materials and other information you provide to us in connection with this permit action. Therefore, we are informing you of your rights to claim business confidentiality under 40 CFR 2, Subpart B for any part of or all of the information you provide us. If you do not make a claim of confidentiality for any of this material within 15 days of the date you receive this letter you will have waived your right to do so. Please note that the facility name and

address may not be claimed as confidential. If you wish to claim confidentiality, you must substantiate your claim. Your substantiation must address the points enumerated in the attachment to this letter, in accordance with 40 CFR 2.204(e).

If you have any questions concerning a claim of confidentiality or the review of your application, please contact Ed Pike at (415) 972-3970 or [pike.ed@epa.gov](mailto:pike.ed@epa.gov); or call me at (415) 972-3974 or [rios.gerardo@epa.gov](mailto:rios.gerardo@epa.gov).

Sincerely,



Gerardo Rios  
Chief, Permits Office  
Air Division

**Attachment**

cc: Allan DeSalvio, MDAQMD (via email)  
John Kessler, CEC (via email)  
Sara Head, ENSR (via email)  
Tom Barnett, Inland Energy (via email)  
Jon B. Roberts, City Manager, City of Victorville (via email)

ATTACHMENT

INSTRUCTIONS FOR CLAIMING CONFIDENTIALITY

- A. Pursuant to 40 CFR 2.204(e), your claim must address these points:
- i. The portions of the information alleged to be entitled to confidential treatment;
  - ii. The period of time for which confidential treatment is desired by the business (e.g., until the occurrence of a specific event, or permanently);
  - iii. The purpose for which the information was furnished to EPA and the appropriate date of submission, if known;
  - iv. Whether a business confidentiality claim accompanied the information when it was received by EPA;
  - v. Measures taken by you to guard against the undesired disclosure of the information to others;
  - vi. The extent to which the information has been disclosed to others and the precautions taken in connection therewith;
  - vii. Pertinent confidentiality determinations, if any, by EPA or other Federal agencies, and a copy of any such determination or reference to it, if available;
  - viii. Whether you assert that disclosure of this information would be likely to result in substantial harmful effects on your business's competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial; and an explanation of the casual relationship between disclosure and such harmful effect, and
  - ix. Whether you assert that the information is voluntarily submitted information and if so, whether any disclosure of the information would tend to lessen the availability to EPA of similar information in the future. "Voluntarily submitted information" is defined in 40 CFR Section 2.201(i) as business information in EPA's possession.
    - a) The submission of which EPA has no statutory or contractual authority to require; and
    - b) The submission of which was not prescribed by statute or regulation as a condition of obtaining some benefit (or avoiding some disadvantage) under a regulatory program of general applicability, including such regulatory programs as permit, licensing, registration, or certification programs, but excluding programs concerned solely or primarily with the award

or administration by EPA of contracts or grants.

- B. We will disclose information covered by your claim only to the extent provided for in 40 CFR Part 2, Subpart B Confidentiality of Business Information. Please address your claim and substantiation of confidentiality to the staff person mentioned in the letter at EPA Region 9 (AIR-3), 75 Hawthorne Street, San Francisco, CA 94105.