



League of Women Voters of Montezuma County  
P.O. Box 1753  
Cortez, Colorado 81321  
March 17, 2009

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Mr. Joe Lapka (Air-3)  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105

Dear Mr. Lapka,

We are submitting comments to in response to the Environmental Protection Agency's (EPA) request for public input on the Region 9 addendum to the Statement of Basis for a construction permit which regulates the emission of air pollutants (Permit No AZP 04-01). The construction of the proposed Desert Rock Energy Project on trust lands of the Navajo Nation would be authorized by the above Prevention of Significant Deterioration (PSD) permit, AZP 04-01.

First, we are very concerned that the EPA has withdrawn its comments on carbon dioxide in the PSD permit. The EPA clearly has legal authority and the moral responsibility to regulate greenhouse gases, and the EPA should require reasonable controls on the 12.7 million tons/year of carbon dioxide emissions from the proposed project. This PSD permit should not be approved and issued until it addresses control of carbon dioxide emissions. If the EPA national rulemaking process for regulation of greenhouse gases has not yet advanced to a point where carbon dioxide regulatory requirements can be communicated to the Desert Rock Energy Company, then the atmosphere of the Four Corners, and the people and natural resources of the Four Corners area who so depend upon that atmosphere should be given the benefit of the doubt. In view of what we now know about climate change, and the recent recommendations of the Intergovernmental Panel on Climate Change, it should be a high priority with EPA to not allow another 12.7 million tons/year of carbon dioxide to enter the skies of the southwestern U.S.

Secondly, after reviewing the material EPA Region 9 has made available to the public on the web regarding the EPA handling of the Desert Rock PSD permit package, the PSD approval, the interaction with the EPA's Environmental Appeals Board, and the January 7, 2009 Notice of Partial Withdrawal of Permit--- our review concludes that the complexity and lack of transparency in EPA's processing is unfair to both sides of the Desert Rock

Energy Project and to the applicant for the PSD Permit and those who oppose it. President Obama in his first few weeks in office has promised transparency and clarity by the Federal Government. However, the EPA Region 9 handling of this PSD permit has been anything but transparent and clear. It is a contorted, overly legalistic, and far too lengthy a process. We request that EPA's work to date on the Desert Rock PSD permit be reviewed and completely reworked into a more straightforward channel, according to a timetable that allows the incorporating of new EPA regulatory policy on greenhouse gases. Emissions of carbon dioxide by Desert Rock in tremendous quantities are a major reality of this project, and the residents of the southwestern U.S. will fight sweeping this reality under the rug.

Jodi Foran

A handwritten signature in cursive script that reads "Jodi Foran". The signature is written in black ink and is positioned below the printed name.

President, League of Women Voters of Montezuma County, Cortez, Colorado  
Director-at-Large, League of Women Voters of Colorado Board