Sunsites Unit No. 7 Homeowners Association, Inc.
c/o David R. Ruozi, Sr., President
P.O. Box 792 Pearce, AZ 85625
(520) 368-2571 druozi@centurytel.net

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105

Dear Sir or Madam:

Re: Freedom of Information Act Request
Apache Generating Station, Cochise, AZ

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I hereby request copies (electronic records acceptable) of all records pertaining to the Apache Generating Station, Cochise, AZ, owned/operated by AEPCO, Inc., and/or Arizona G&T Cooperatives.

The address of Apache Generating Station is 3525 N. U.S. Highway 191, Cochise, Arizona 85606. The headquarters of AEPCO, Inc., is 1000 S. Highway 80, Benson, Arizona 85602

The records to be produced should include, but are not limited to, the following:

1. The effects of the power plant operation on local air quality;
2. The effects of the plant operation on local ground water and runoff water quality;
3. Studies, testing, monitoring or evaluation of the containment ponds used on the site for settlement of ash, evaporation, cooling, etc.;
4. Reports on contents or chemical composition of materials introduced into or found in the containment ponds on the site;
5. Any EPA regulation, guidelines or requirements for operation or maintenance of the containment ponds on the site;
6. Studies or reports evaluating the useful or anticipated lifespan of containment ponds on the site;

7. Plans for deactivation, decommissioning, drainage, replacement, repair or rehabilitation of the containment ponds or other environmentally contaminated or compromised areas located on the plant site;
8. Plant compliance with laws, regulations or requirements concerning coal receipt, storage and use on the site, including containment of coal dust or other airborne particulates;
9. Plant compliance with laws, regulations or requirements concerning collection and storage of waste materials on site and transportation of such materials offsite for disposal;
10. Emergency plans for occurrences such as flooding, spills, leaks or breaches of the containment ponds;
11. Permits issued to power plant or its operator or parent entities related to environmental or pollution issues;
12. Citations or violation notices issued to plant operator or parent entities related to environmental issues;
13. Agreements, contracts, consent decrees or orders entered between EPA and power plant operator or parent entities;
14. Documentation relating to or discussing plant's proximity to neighboring residential or agricultural properties;
15. Fines, fees, settlements, damage awards or other payments made by the plant operator or its parent entities related to environmental pollution or contamination or injury therefrom.

I am requesting these records on behalf of the property owners/members of Sunsites Unit No. 7 Homeowners Association, Inc., of which I am currently President. The Sunsites Unit No. 7 subdivision is located north of Dragoon Road, bordering North Cochise Stronghold Road on the west and the property of the subject power generating station on the north and east. The above referenced containment ponds are located immediately north of the Sunsites Unit No. 7 with the generating station itself immidetately to the east.

I request a waiver of fees for this request because my interest in the records is not commercial, and disclosure of the information will contribute significantly to public understanding of the operations or activities of the government with regard to operation of the Apache Generating Station immediately adjacent to property that is presently zoned by Cochise County, AZ, for single family residences. Any environmental pollution originating at the generating station or from its associated structures or facilities could

have disastrous effects on the health and property interests of property owners within the Sunsites subdivision and surrounding areas. I am aware that the containment ponds have been identified by the EPA as "high hazard potential" coal waste dumps (Coal Combustion Residue (CCR) Surface Impoundments with High Hazard Potential Ratings).

I will expect a response within 20 working days as provided by law. If my request is denied in whole or in part, I expect a detailed justification for withholding the records. I also request any segregable portions that are not exempt to be disclosed.

Thank you for your prompt attention to this matter.

Very truly yours,

David R. Ruozi, Sr.
President, Sunsites Unit No. 7 Homeowners Association