

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**AMENDED NOTICE OF HEARING**  
*(To change hearing time.)*  
**SOUTHERN POWER COMPANY**  
**SOAH Docket No. 582-16-5762**  
**TCEQ Docket No. 2016-1285-AIR**  
**Proposed Permit Nos. 121917 and PSDTX1422**

## APPLICATION.

Southern Power Company, P.O. Box 2641, Birmingham, Alabama 35202-2641, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit 121917 and Prevention of Significant Deterioration (PSD) Air Quality Permit PSDTX1422, which would authorize construction of the Jackson County Generating Facility at the property which is south of Lundquist Road at the intersection of Texas County Road 710 and Lundquist Road, Ganado, Jackson County, Texas 77962. This application was submitted to the TCEQ on July 14, 2014. The proposed facility will emit the following air contaminants in a significant amount: organic compounds, carbon monoxide, nitrogen oxides, and particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less. In addition, the facility will emit the following air contaminants: sulfur dioxide and sulfuric acid.

The degree of PSD increment predicted to be consumed by the proposed facility and other increment-consuming sources in the area is as follows:

PM<sub>10</sub>

Maximum Averaging Time	Maximum Increment Consumed ( $\mu\text{g}/\text{m}^3$ )	Allowable Increment ( $\mu\text{g}/\text{m}^3$ )
24-hour	7.9	30
Annual	1.5	17

PM<sub>2.5</sub>

Maximum Averaging Time	Maximum Increment Consumed ( $\mu\text{g}/\text{m}^3$ )	Allowable Increment ( $\mu\text{g}/\text{m}^3$ )
24-hour	8	9
Annual	1.5	4

The Executive Director has determined that the emissions of air contaminants from the proposed facility which are subject to PSD review will not violate any state or federal air

quality regulations and will not have any significant adverse impact on soils, vegetation, or visibility. All air contaminants have been evaluated, and “best available control technology” will be used for the control of these contaminants.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The permit application, executive director’s preliminary decision, draft permit, and the executive director’s preliminary determination summary and executive director’s air quality analysis, are available for viewing and copying at the TCEQ central office, the TCEQ Corpus Christi regional office, and at the Jackson County Memorial Library, 411 North Wells Street, Edna, Jackson County, Texas. The facility’s compliance file, if any exists, is available for public review at the TCEQ Corpus Christi Regional Office, NRC Building Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility’s general location. The online map is not part of the application or the notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.101111&lng=-96.51&zoom=13&type=r>. For the exact location, refer to the application.

#### **DIRECT REFERRAL.**

The Notice of Application and Preliminary Decision was published on February 17, 2016. On August 3, 2016, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

#### **CONTESTED CASE HEARING.**

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

**1:00 p.m. – October 3, 2016**  
**William P. Clements Building**  
**300 West 15th Street, 4th Floor**  
**Austin, Texas 78701**

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 116, Subchapters A and B; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

To request to be a party, you must attend the hearing and show you would be affected by the application in a way not common to the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

## **MAILING LIST.**

You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

## **AGENCY CONTACTS AND INFORMATION.**

Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comments](http://www.tceq.texas.gov/goto/comments), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application, the permitting process, or the contested case hearing process, please call the Public Education Program toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information regarding the TCEQ may be obtained electronically at <http://www.tceq.texas.gov>

## **INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information regarding the TCEQ can be found at <http://www.tceq.texas.gov/>.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Further information may also be obtained from Southern Power Company at the address stated above or by calling Ms. Kelli McCullough, Environmental Engineer at 205-257-6720.

Issued: August 25, 2016



Bridget C. Bohac, Chief Clerk  
Texas Commission on Environmental Quality