

**TCEQ AIR QUALITY PERMIT NUMBERS 166032, GHGPSDTX210, and PSDTX1598  
TCEQ DOCKET NUMBER 2023-0164-AIR**

|                               |          |                              |
|-------------------------------|----------|------------------------------|
| <b>APPLICATION BY</b>         | <b>§</b> | <b>BEFORE THE TEXAS</b>      |
| <b>ENTERGY TEXAS, INC.</b>    | <b>§</b> | <b>COMMISSION ON</b>         |
| <b>ORANGE COUNTY ADVANCED</b> | <b>§</b> | <b>ENVIRONMENTAL QUALITY</b> |
| <b>POWER STATION</b>          | <b>§</b> |                              |
| <b>ORANGE, ORANGE COUNTY</b>  |          |                              |

**EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS**

**I. INTRODUCTION**

The Executive Director of the Texas Commission on Environmental Quality (commission or TCEQ) files this response (Response) to the requests for a contested case hearing submitted by persons listed herein regarding the above-referenced matter. The Texas Clean Air Act (TCAA), Texas Health & Safety Code (THSC) § 382.056(n), requires the commission to consider hearing requests in accordance with the procedures provided in TEX. WATER CODE (TWC) § 5.556.<sup>1</sup> This statute is implemented through the rules in 30 TEX. ADMIN. CODE (TAC) Chapter 55, Subchapter F.

A map showing the location of the proposed plant is included with this Response and has been provided to all hearing requesters listed on the mailing list for this application. In addition, the final draft of the special conditions, the emission sources - maximum allowable emission rates, the air quality analysis modeling audit (containing the health effects review), the compliance history report, and the construction permit source analysis and technical review by the Executive Director’s staff have been filed as backup material for the commissioners’ agenda. The Executive Director’s Response to Public Comment (RTC), which was mailed by the chief clerk to all persons on the mailing list, is on file with the chief clerk for the commission’s consideration.

**II. PLANT DESCRIPTION**

Entergy Texas, Inc. (Entergy or Applicant) has applied to the TCEQ for a New Source Review Authorization under Texas Clean Air Act (TCAA) § 382.0518. This will authorize the construction of a new facility that may emit air contaminants.

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<sup>1</sup> Statutes cited in this response may be viewed online at [www.statutes.legis.state.tx.us](http://www.statutes.legis.state.tx.us). Relevant statutes are found primarily in the thsc and the twc. The rules in the TAC may be viewed online at [www.sos.state.tx.us/tac/index.shtml](http://www.sos.state.tx.us/tac/index.shtml), or follow the “Rules” link on the TCEQ website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

This permit, if issued, will authorize the Applicant to construct the Orange County Advanced Power Station. The plant is to be located at 1000 Power House Road, Orange, Orange County, Texas 77630. Contaminants authorized under this permit include carbon monoxide (CO), organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less (PM<sub>10</sub> and PM<sub>2.5</sub>, respectively), sulfuric acid mist, greenhouse gases (GHGs), nitrogen oxides (NO<sub>x</sub>), hazardous air pollutants (HAPs), sulfur dioxide (SO<sub>2</sub>), aqueous ammonia (NH<sub>3</sub>), and hydrogen (H).

### III. PROCEDURAL BACKGROUND

Before work is begun on the construction of a new facility that may emit air contaminants, the person planning the construction must obtain a permit from the commission. This permit application is for an initial issuance of Air Quality Permit Numbers 166032, GHGPSDTX210, and PSDTX1598.

The permit application was received on July 29, 2021 and declared administratively complete on August 04, 2021. The Notice of Receipt and Intent to Obtain an Air Quality Permit (first public notice) for this permit application was published in English on August 14, 2021, in the *Orange Leader*, and in Spanish on August 15, 2021 in *El Perico*. The Notice of Application and Preliminary Decision for an Air Quality Permit (second public notice) was published on June 29, 2022, in English in the *Orange Leader* and in Spanish on June 29, 2022, in *El Perico*. A public meeting was held on August 1, 2022 at Lamar State College Orange, Student Center, 407 Green Avenue, Orange, Texas 77630. The notice of public meeting was mailed to persons on the mailing list on July 1, 2022. The public comment period ended on August 1, 2022. Because this application was received after September 1, 2015, it is subject to the procedural requirements of and rules implementing Senate Bill 709 (84th Legislature, 2015).

The Sierra Club submitted a hearing request on behalf of itself, Environmental Integrity Project, Air Alliance Houston, Environment Texas, Clean Energy Fund of Texas, Inc., Texas Campaign for the Environment, and Port Arthur Community Action Network (collectively, Sierra Club). In addition to this submission, Sierra Club also submitted a hearing request on behalf of 465 members in the Orange County area. All these requests failed to list an address. These requests only included a name, city, state, and zip code. One of the submitted requests was for Ms. Ellen Buchanan. After Sierra Club submitted these requests, Ms. Buchanan submitted her name and address personally.

The Executive Director's RTC was filed with the Chief Clerk's Office on November 29, 2022 and mailed to all interested persons on December 6, 2022, including to those who asked to be placed on the mailing list for this application and those who submitted comments or requests for a contested case hearing. The cover letter attached to the RTC included information about making requests for a contested case hearing or for reconsideration of the Executive Director's decision. The letter also explained that hearing requestors should specify any of the Executive Director's responses to comments they dispute and the factual basis of the dispute, in addition to listing any disputed issues of law or policy. The time for requests for reconsideration and hearing requests ended on January 5, 2022. During this 30-day period, the TCEQ did not receive any additional contested case hearing requests or requests for reconsideration.

#### **IV. THE EVALUATION PROCESS FOR HEARING REQUESTS**

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the commission's consideration of hearing requests. Senate Bill 709 revised the requirements for submitting public comment and the commission's consideration of hearing requests. The evaluation process for hearing requests is as follows:

##### **A. Response to Requests**

The Executive Director, the Public Interest Counsel, and the Applicant may each submit written responses to hearing requests. 30 TAC § 55.209(d).

Responses to hearing requests must specifically address:

- 1) whether the requestor is an affected person;
- 2) which issues raised in the hearing request are disputed;
- 3) whether the dispute involves questions of fact or of law;
- 4) whether the issues were raised during the public comment period;
- 5) whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director's Response to Comment;
- 6) whether the issues are relevant and material to the decision on the application; and
- 7) a maximum expected duration for the contested case hearing.

30 TAC § 55.209(e).

##### **B. Hearing Request Requirements**

In order for the commission to consider a hearing request, the commission must first determine whether the request meets certain requirements:

Affected persons may request a contested case hearing. The request must be made in writing and timely filed with the chief clerk. The request must be based only on the requestor's timely comments and may not be based on an issue that was raised solely in a public comment that was withdrawn by the requestor prior to the filing of the Executive Director's Response to Comment.

30 TAC § 55.201(c).

A hearing request must substantially comply with the following:

- 1) give the name, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
- 2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
- 3) request a contested case hearing;
- 4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the Executive Director's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and
- 5) provide any other information specified in the public notice of application.

30 TAC § 55.201(d).

### **C. Requirement that Requestor be an Affected Person/"Affected Person" Status**

In order to grant a contested case hearing, the commission must determine that a requestor is an "affected" person. Section 55.203 sets out who may be considered an affected person.

- a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.
- b) Except as provided by 30 TAC § 55.103, governmental entities, including local governments and public agencies with authority under state law over issues raised by the application may be considered affected persons.
- c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
  - 1) whether the interest claimed is one protected by the law under which the application will be considered;

- 2) distance restrictions or other limitations imposed by law on the affected interest;
- 3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- 4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
- 5) likely impact of the regulated activity on use of the impacted natural resource by the person;
- 6) for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application which were not withdrawn; and
- 7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TAC § 55.203.

In regard specifically to air quality permits, the activity the commission regulates is the emissions of air contaminants into the atmosphere. Any person who plans to construct or modify a facility that may emit air contaminants must receive authorization from the commission. Commission rules also include a general prohibition against causing a nuisance. Further, for air quality permits, distance from the proposed facility is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a facility.

Additionally, this application is for registration for the Standard Permit for Concrete Batch Plants. Hearing requests on a concrete batch plant standard permit are subject to the requirements in TCAA § 382.058(c), which states that "only those persons actually residing in a permanent residence within 440 yards of the proposed plant may request a hearing...as a person who may be affected."

For applications filed on or after September 1, 2015, 30 TAC § 55.201(d) allows the commission to consider, to the extent consistent with case law:

- 1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
- 2) the analysis and opinions of the Executive Director; and
- 3) any other expert reports, affidavits, opinions, or data submitted by the Executive Director, the applicant, or hearing requestor.

#### **D. Referral to the State Office of Administrative Hearings**

"When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to SOAH for a hearing." 30 TAC § 50.115(b). The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- 1) involves a disputed question of fact or a mixed question of law and fact;
- 2) was raised during the public comment period by an affected person whose hearing request is granted; and
- 3) is relevant and material to the decision on the application.

30 TAC § 50.115(c).

## V. ANALYSIS OF THE HEARING REQUESTS

The Executive Director has analyzed the hearing requests to determine whether they comply with commission rules, if the requestors qualify as affected persons, what issues may be referred for a contested case hearing, and what is the appropriate length of the hearing.

### A. Individual Requestors

#### 1. Individuals that did not meet the requirements of 30 TAC § 55.201

The Executive Director reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a requestor is an affected person, and recommends the commission find that the persons listed in Attachment A are not affected persons.

The requestors listed in Attachment A each submitted a hearing request as part of a timely filed comment. The hearing requests were nearly identical form letters submitted by Sierra Club. While these hearing requests were in writing, all except for one requestor failed to provide the required contact information. Based on the lack of required contact information, the Executive Director recommends that the commission find that the requestors listed in Attachment A are not affected persons based on the criteria in 30 TAC § 55.201.

#### 2. Ellen Buchanan

The Executive Director reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a requestor is an affected person, and recommends the commission find that Ellen Buchanan is not an affected person.

Ms. Buchanan submitted a hearing request during the comment period as part of a timely filed comment. The hearing request was the same identical form letter as the hearing requests submitted by the persons listed in Attachment A. The hearing request was in writing, provided the required contact information, and included issues that are the basis of her hearing request. In her hearing request, Ms. Buchanan expressed concern that emissions from the proposed plant may harm the nearby community and negatively affect the environment. Ms. Buchanan also expressed concern about the opportunity to review the permit. However, the hearing request did not describe any likely impact of the regulated activity on Ms. Buchanan's health and safety or on the use of her property. Therefore, Ms. Buchanan did not raise a personal justiciable interest.

Based on the address provided, the Executive Director determined that Ms. Buchanan resides approximately 35 miles from the proposed location of the plant. For air authorizations, distance from the proposed plant is particularly relevant to the issue

of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Buchanan's address relative to the location of the terminal, her health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Ellen Buchanan is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ellen Buchanan raised the following issues:

**Issue 1:** Whether the proposed plant will negatively affect air quality.

**Issue 2:** Whether the proposed plant will negatively affect human health.

**Issue 3:** Whether the permit application was available for review to understand the proposed project.

## **B. Groups and Associations**

In addition to the requirements in 30 TAC § 55.201 and 30 TAC § 55.203, requests for a contested case hearing by a group or association, on an application filed on or after September 1, 2015, must meet the requirements in 30 TAC § 55.205(b). Specifically: (1) the group or association must have submitted timely comments on the application; (2) the request must identify, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right; (3) the interests the group or association seeks to protect must be germane to the organization's purpose; and (4) the claim asserted or the relief requested may not require the participation of the individual members in the case.

### **1. Sierra Club**

*(1) Whether the group or association submitted timely comments on the application.*

Joshua Smith, Staff Attorney with the Sierra Club, submitted a hearing request on behalf of Sierra Club, Environmental Integrity Project, Air Alliance Houston, Environment Texas, Clean Energy Fund of Texas, Inc., Texas Campaign for the Environment, and Port Arthur Community Action Network during the comment period. The issues raised in Sierra Club's hearing request were raised in the group's timely comments. The Executive Director recommends that the commission find that Gunter Clean Air has met this requirement for associational standing.

*(2) Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.*

Sierra Club's hearing request states the hearing request is being submitted "on behalf of the nearly 30,000 members in Texas - including the approximately 465 members and supporters who live, work, and recreate in or around Orange County, Texas." Sierra Club did not name a member who would have standing to request a contested case hearing in their own right. Accordingly, the Executive Director recommends that the commission find that Sierra Club has not met this requirement for associational standing.

*(3) Whether the interests the group or association seeks to protect are germane to the organization's purpose.*

The hearing request submitted by Sierra Club does not provide information regarding the organization's purpose. Therefore, the Executive Director recommends that the commission find that Sierra Club has not met this requirement for associational standing.

*(4) Whether the claim asserted or the relief requested requires the participation of the individual members in the case.*

The relief requested by Sierra Club does not require the participation of any individual member of Sierra Club. Thus, the Executive Director has determined that Sierra Club has met this requirement for associational standing.

Because Sierra Club did not meet all four requirements for associational standing, the Executive Director recommends the commission find that Sierra Club is not an affected person.

In Sierra Club's hearing request, it raised the following issues:

**Issue 1:** Whether the proposed plant will negatively affect air quality.

**Issue 2:** Whether the proposed plant will negatively affect human health.

**Issue 3:** Whether the permit application was available for review to understand the proposed project.

### **C. Whether Issues Raised are Referable to SOAH for a Contested Case Hearing**

The Executive Director has analyzed issues raised in accordance with the regulatory criteria. The issues discussed were raised during the public comment period and addressed in the RTC. None of the issues were withdrawn. For applications submitted on or after September 1, 2015, only those issues raised in a timely comment by a requester whose request is granted may be referred.<sup>2</sup> The issues raised for this application and the ED's analysis and recommendations follow.

1) Whether the proposed plant will negatively affect air quality.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachment A as well as Ellen Buchanan and Sierra Club who the Executive Director recommends are not affected persons.

2) Whether the proposed plant will negatively affect human health.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachment A as well as Ellen Buchanan and Sierra Club who the Executive Director recommends are not affected persons.

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<sup>2</sup> Tx. Govt. Code § 2003.047(e-1); 30 TAC § 55.211(c)(2)(A)(ii).



- 3) Whether the permit application was available for review to understand the proposed project.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachment A as well as Ellen Buchanan and Sierra Club who the Executive Director recommends are not affected persons.

## VI. CONCLUSION

The Executive Director respectfully recommends the commission:

- 1) Find all hearing requests in this matter were timely filed; and
- 2) Find that all hearing requestors are not affected persons as a matter of law and deny their hearing requests.
- 3) If referred to SOAH, first refer the matter to Alternative Dispute Resolution for a reasonable period.
- 4) If referred to SOAH, the Executive Director recommends 180 days be the duration of the hearing.
- 5) If referred to SOAH, refer the following issues as identified by the Executive Director:

**Issue 1:** Whether the proposed plant will negatively affect air quality.

**Issue 2:** Whether the proposed plant will negatively affect human health.

**Issue 3:** Whether the permit application was available for review to understand the proposed project.

Respectfully submitted,

Texas Commission on Environmental Quality

Erin E. Chancellor, Interim Executive Director

Charmaine Backens, Acting Director  
Office of Legal Services

Guy Henry, Acting Deputy Director  
Environmental Law Division



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Contessa N. Gay, Staff Attorney  
Environmental Law Division  
State Bar Number 24107318  
MC-173, P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-6033  
Fax: (512) 239-5938

REPRESENTING THE  
EXECUTIVE DIRECTOR OF THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

ATTACHMENT A  
HEARING REQUESTORS

**ATTACHMENT A  
ENTERGY TEXAS, INC.  
TCEQ DOCKET NO. 2023-0164-AIR; PERMIT NOS. 166032,  
GHGPSDTX210, PSDTX1598**

HEARING REQUESTORS:

Joan Cunningham  
San Antonio, TX 78209

Sarah Frazier  
Houston, TX 77006

Maricela Carmona  
Frisco, TX 75033

Delaina Foster  
Houston, TX 77024

Kathryn Davidson  
Austin, TX 78731

Evangeline Caridas  
Houston, TX 77080

Clara Boyer  
Dallas, TX 75206

L. Kifer  
Harker Heights, TX 76548

Jeff Dravis  
Houston, TX 77005

Victoria Scharen  
Port Isabel, TX 78578

Craig Nazor  
Austin, TX 78758

Jessie Wheat  
Krugerville, TX 76227

Richard Willing  
Terlingua, TX 79852

Joe Samples  
West Lake Hills, TX 78746

Maury Jacob  
Bryan, TX 77801

Lisa Johnson  
San Antonio, TX 78240

Chris Nicolosi  
Houston, TX 77062

Joyce Kelly  
Venus, TX 76084

Paul Gonin  
Georgetown, TX 78633

Jeanne Jordan  
Carrollton, TX 75007

Thomas Moore  
Houston tx, TX 77084

Frank Blake  
Houston, TX 77006

John Beard  
Port Arthur, TX 77640

Joyce Bowman  
Beaumont, TX 77706

Sahand Naghavi  
Houston, TX 77019

Ellen Isaly  
Dallas, TX 75228

Cristina Gonzalez  
El Paso, TX 79912

Pam Webster  
CAMPBELL, TX 75422

Beverly Hoff  
Pflugerville, TX 78660

Sara Wood  
Houston, TX 77095

Charles C Hill  
Houston, TX 77019

David Stokes  
Austin, TX 78726

Kate Mathis  
Kyle, TX 78640

Tim Duda  
San Antonio, TX, USA, TX 78209

Bonnie Clements  
Houston, TX 77092

Michael Chitty  
Austin, TX 78731

Sandy Schmidt  
Fischer, TX 78623

Steven Smith  
Pflugerville, TX 78660

Houston, TX 77005

Jeannie Coggins  
Fort Worth, TX 76133

Zack Brown  
McKinney, TX 75070

Nicole Ray  
Austin, TX 78745

Marianne Poythress  
Laguna Vista, TX 78578

Gordon Bourland  
Arlington, TX 76016

Debra Greenberg  
Lewisville, TX 75067

Dave Cortez  
Austin, TX 78745

Carol Vincent  
Kerrville, TX 78028

Ruth Reid  
Corpus Christi, TX 78414

Brian Voris  
LAREDO, TX 78043

Linda Carr  
Wichita Falls, TX 76308

Kate Smith  
Austin, TX 78727

Carol Grimm  
San Marcos, TX 78666

Jack Kirfman  
Austin, TX 78717

Jonathan Davis  
Houston, TX 77080

Bill King  
Austin, TX 78756

Susan Hernandez  
Brookshire, TX 77423

Emily Hausler  
Dripping Springs, TX 78620

Lauren Spear  
Alpine, TX 79830

Tracey Bonner  
Arlington, TX 76014

Karen Sterling  
Cedar Creek, TX 78612

Jan E. Vaughan  
Seguin, TX 78155

Mark Goodman  
Dallas, TX 75248

Diane Castro  
Keller, TX 76248

Robert Rinker  
Grand Prairie, TX 75052

T Logan  
Marble Falls, TX 78654

April Lauper  
Houston, TX 77055

L. Fielder  
Carrollton, TX 75006

Thomas Crofts  
San Antonio, TX 78209

Ashley Bull  
Dallas, TX 75214

Terry Sailer  
Pattison, TX 77423

Linda Moore  
Wimberley, TX 78676

Emmalyn Terracciano  
San Antonio, TX 78216

George (Buzz) Avery  
Austin, TX 98663

San Antonio, TX 78264

Rose Gomez  
San Antonio, TX 78264

Martin Pesaresi  
San Antonio, TX 78213

Carrie Schweitzer  
Dallas, TX 75214

Michael Earney  
Utopia, TX 78884

James Klein  
Corpus Christi, TX 78411

Michael Dubrick  
Highland Village, TX 75077

Tria Shaffer  
Leander, TX 78641

Sandra La Mont  
Orange, TX 77360

Brian Schill  
San Antonio, TX 78231

Analisa Crandall  
Adkins, TX 78101

Jack Balsley  
Pipe Creek, TX 78063

Phil Curry  
Austin, TX 78757

Jane & Ben Garrett  
Heath, TX 75032

Catherine Bass  
Rising Star, TX 76471

Margaret Duran  
CORPUS CHRISTI, TX 78413

Pete Whelan  
Lewisville, TX 75077

Sandy Spann Leissler  
ARLINGTON, TX 76001

Gilberto Lopez  
Austin, TX 78736

Diane Duesterhoeft  
San Antonio, TX 78228

Barbara Burton  
Kerrville, TX 78028

Virginia Gutierrez  
Universal City, TX 78148

Catherine Bass  
Rising Star, TX 76471

Kathleen Wilson  
Houston, TX 77077

Alan Holt  
Manchaca, TX 78652

Nara Wood  
Leonard, TX 75452

Herman Rhein  
South Padre Island, TX 78597

Sue Batchelor  
Bryan, TX 77802

Richard Pressman  
San Antonio, TX 78230

Susan Lippman  
Austin, TX 78748

Manning Mpinduzi-Mott  
Houston, TX 77021

Debbie Mcbride  
Houston, TX 77098

Kelly Epstein  
Spring, TX 77379

Ray C. Telfair Li, Ph.D.  
Whitehouse, TX 75791

Rachael Jett  
McKinney, TX 75070

David Bell  
Lago Vista, TX 78645

Kathryn Johnson  
Frisco, TX 75034

James Talbot  
Austin, TX 78704

Jim Anderson  
Garland, TX 75044

Ryan Reed  
Houston, TX 77047

Steve Hess  
Dallas, TX 75201

Nada Chandler  
Houston, TX 77025

Kambra Allen  
Austin, TX 78749

Holly Thornell  
Port Arthur, TX 77640

Susan Myers  
San Antonio, TX 78209

Margaret Baker  
Rockport, TX 78382

Anne Caton  
Brenham, TX 77833

Marian Alexander  
Austin, TX 78731

Crystal Delgado  
El Paso, TX 79902

Julia Perry  
Tyler, TX 75708

Deann Darling  
Arlington, TX 76011

Martha Gorak  
Katy, TX 77450

Eugenia Schuler  
Kerrville, TX 78028

STEPHEN CRANE  
Paige, TX 78659

Sandra Bieri  
Austin, TX 78751

Jerrell Lambert  
Austin, TX 78748

Agnes M Klar  
San Antonio, TX 78207

Jane Jatinen  
Austin, TX 78733

James Schweitzer  
Galveston, TX 77551

Maryrose Cimino  
Dallas, TX 75287

Donna Brown  
Donna, TX 77550

Frank Wissler  
Spring Branch, TX 78070

Cheryl Smith  
Gorman, TX 76454

John Jumonville  
San Antonio, TX 78247

Christine Guldi  
Dallas, TX 75248

Kevin Rolfes  
Austin, TX 78737

Duncan Brown  
Canyon, TX 79015

Bruce Ross  
Katy, TX 77449

Laura Maverick  
Austin, TX 78723

Don Sawyer  
Conroe, TX 77302

Nikhil Batra  
Austin, TX 78704

Jona Morrison  
Portland, TX 78374

Sally Jacques  
Austin, TX 78745

Cheryl Watson  
Galveston, TX 77551

David McAninch  
Houston, TX 77006

Margaret Tatum  
Kerrville, TX 78028

Philip Lemessurier  
San Antonio, TX 78209

Pat Lastrapes  
Houston, TX 77089

Jan Smith  
New Braunfels, TX 78130

Bria Morse  
San Antonio, TX 78205

Nancy Latner  
DALLAS, TX 75230

Grace Holman  
Childress, TX 79201

Jill Robison  
Houston, TX 77077

Kathy Spera  
Tyler, TX 75706

Gregg Fletcher  
Frisco, TX 75034

Eric Scheihagen  
Dallas, TX 75229

Bonni Scudder  
Cedar Park, TX 78613

Steve Englander  
Austin, TX 78704

Ann Loera  
Kingwood, TX 77339

Al Braden  
Austin, TX 78731

Ricardo Rojas  
San Antonio, TX 78215

Madalynn Carey  
San Antonio, TX 78230

Rebecca Iles  
Beaumont, TX 77702

Frederick Stadelbauer  
Bee Cave, TX 78738

Sharon Cloninger  
Austin, TX 78757

John Boyd  
Boerne, TX 78015

Ivo Van Der Werff  
Houston, TX 77025

Stephen Grossman  
Wylie, TX 75098

Afton Martin  
Garland, TX 75044

Gary Barton  
Dallas, TX 75229

Bill Holt  
Austin, TX 78736

Eric Casey  
Plano, TX 75075

Michael Spencer  
TIOGA, TX 76271



Irene Martinez  
Round Rock, TX 78681

Steven G. Kellman  
Shavano Park, TX 78231

Linda Berger  
Fort Worth, TX 76137

Judy Haas  
Houston, TX 77084

Alice Nicholson  
Terrell, TX 75160

Joyce Overton  
Rowlett, TX 75088

Pat Perry  
Tyler, TX 75701

Victoria Smith  
Plano, TX 75025

Sarah Page  
Elgin, TX 78621

Fred Suhr  
McAllen, TX 78504

Darren Huff  
Round Rock, TX 78681

Julia Landress  
Ozona, TX 76943

Dash Hines  
Houston, TX 77074

Mary Laskowski  
SPRING, TX 77389

Michael Buescher  
Lewisville, TX 75077

Catherine Croom  
Bulverde, TX 78163

Christian Richer  
Corpus Christi, TX 78413

Carrie Watson  
Huntsville, TX 77340

Paul Bae  
Katy, TX 77494

Scott Mcclimans  
Houston, TX 77037

Linda Hahus  
San Antonio, TX 78245

Robert Beverly  
Orange, TX 77630

Dorothea Stoep  
Houston, TX 77079

Anne Kilgore  
Houston, TX 77009

Kurt Schultz  
Austin, TX 78704

Elizabeth Schaub  
Austin, TX 78705

Robert Hewes  
Fort Worth, TX 76110

Becky Wharton  
Bastrop, TX 78602

Patsy Goss  
Ennis, TX 75119

Sallie Delahoussaye  
Lockhart, TX 78644

Sylvia Duncan  
Plano, TX 75075

Pam Evans  
KEMP, TX 75143

Thomas Windberg  
Austin, TX 78745

Vincent Fonseca  
El Paso, TX 79930

Lisa Wegman  
Wichita Falls, TX 76310

Jose Choquehuanca  
Katy, TX 77494

Sue Simmons  
Port Arthur, TX 77642

Theodore Brazeau  
Donna, TX 78537

San Marcos, TX 78666

Dennis Jones  
Corpus Christi, TX 78413

Pamela Miller  
Tolar, TX 76476

Corpus Christi, TX 78413

Mary Adam  
Bryan, TX 77808

Douglas Rives  
Wheeler, TX 79096

Kevin Courtney  
Dallas, TX 75249

Andrew Lyall  
Corpus Christi, TX 78415

Karen Berning  
Fort Worth, TX 76107

Jim & Sally Galindo  
San Antonio, TX 78247

Deanna M Pena  
Houston, TX 77036

Mary Morris  
Georgetown, TX 78633

Beenda Perkins  
Sugar Land, TX 77479

Susan Derammelaere  
Arlington, TX 76016

Scott Swanson  
Austin, TX 78704

Michael Gray  
Mansfield, TX 76063

John Haller  
Brownsville, TX 78520

Melinda Fritsch  
Houston, TX 77084

Karen Smith  
Houston, TX 77018

Darlene Aksoy  
Coppell, TX 75019

Kathryn Melton  
Deer Park, TX 77536

Sabrina Eckles  
Lubbock, TX 79416

Carol Pennington  
Manchaca, TX 78652

Bill Maina  
Dallas, TX 75243

Andrew Katsetos  
Austin, TX 78704

Bryan Taylor  
Fort Worth, TX 76107

Jade Madrid  
Gardendale, TX 79758

Ellen Buchanan  
Kountze, TX 77625

Jacky Kusterer  
McKinney, TX 75071

Norman Williams  
Austin, TX 78748

Joy Clark  
Waco, TX 76705

Cameron Babberney  
Austin, TX 78756

Brian Dolenz  
Keller, TX 76248

Charlene Gagon  
Manchaca, TX 78652

Patricia Brooks  
Houston, TX 77074

Adele Murphy  
San Antonio, TX 78209

Rebecca Pollinzi  
Carrollton, TX 75007

Jan Casner  
Dallas, TX 75248

Donald Cramer  
Corpus Christi, TX 78412

Robert Stark  
Houston, TX 77062

Brad Youngblood  
Plano, TX 75074

Brad Hall  
Hunstville, TX 77320

Stuart Newberg  
Austin, TX 78731

Terry Richter  
Houston, TX 77068

Celestin Lorenzo  
Plano, TX 75023

Leah Mackay  
Houston, TX 77034

Lisa Stone  
Houston, TX 77096

Winston Kile  
Houston, TX 77096

Emma Goode-Deblanc  
Spring, TX 77381

Sherolyn Smith  
Weatherford, TX 76087

Kelly and Patricia Breazeale  
Dallas, TX 75770

Cheryl Carney  
San Antonio, TX 78201

T. Longoria  
San Antonio, TX 78253

Linda Hollar  
Dallas, TX 75234

Tim Milam  
Mission, TX 78572

Randee Hughes  
Fort Worth, TX 76177

Susan Nichols  
Kingwood, TX 77339

Alfonso Lopez  
San Antonio, TX 78237

David Burnett  
Ben Arnold, TX 76519

Debra Atlas  
Weslaco, TX 78596

L A Toner  
Fort Worth, TX 76109

San Antonio, TX 78212

Kristin Lewis  
Stafford, TX 77497

Sandra Green  
San Antonio, TX 78217

Mark Blandford  
Amarillo, TX 79124

Marie Sophia Vassilakidis  
Houston, TX 77057

Dodie Sweeney  
Alpine, TX 79831

Mary Kearney  
Bedford, TX 76022

Natasha Tuckett  
College Station, TX 77845

A Patterson  
Dallas, TX 75218

|   |   |
|---|---|
| DALLAS, TX 75218                                | Richard and Callie Clark<br>Houston, TX 77030 |
| Leslie O'Loughlin<br>Amarillo, TX 79106         | Marie-Anne Schiffmann<br>Rockwall, TX 75087   |
| Jon Pitt<br>Dallas, TX 75243                    | Allen McCreynolds<br>Longview, TX 75601       |
| Vivian Andrews-Burke<br>New Braunfels, TX 78130 | San Antonio, TX 78260                         |
| Joanne Zipay<br>Plano, TX 75074                 | Jennifer Holburn<br>Dallas, TX 75238          |
| Pam Pepperell<br>Houston, TX 77005              | A Patterson<br>Dallas, TX 75218               |
| Pam Pepperell<br>Houston, TX 77005              | Deyanira Duarte<br>Clute, TX 77531            |
| Barbara Welch<br>El Paso, TX 79922              | Greg Sells<br>Austin, TX 78741                |
| Kimberly Holborn<br>Grapevine, TX 76051         | Jennifer Koval<br>Boerne, TX 78006            |
| Robin Yates<br>Houston, TX 77059                | Janet Delaney<br>Austin, TX 78731             |
| Sabrina Cook<br>Missouri City, TX 77459         | Lolita Muhm<br>Brazoria, TX 77422             |
| Katharine Sommerfield<br>San Antonio, TX 78232  | Joyce Dixon<br>DALLAS, TX 75219               |
| Cindy Engel<br>Dallas, TX 75238                 | Sandra Woodall<br>San Antonio, TX 78212       |
| Joe Van Blargan<br>Dallas, TX 75214             | Carol Fly<br>Austin, TX 78727                 |
| James Bryson<br>Houston, TX 77015               | John Servello<br>Shady Shores, TX 76208       |
| Christina Gregory<br>Beaumont, TX 77706         | Sandra Varvel<br>El Paso, TX 79936            |
| Kaylynn Lyon<br>Georgetown, TX 78633            | Tanya Finney<br>El Paso, TX 79912             |
| Brant Kotch<br>Houston, TX 77024                | James O'Flaherty<br>Grapevine, TX 76051       |

Yolanda Torres  
Austin, TX 78723

Anne Way  
Jersey Village, TX 77040

Selene Perez  
San Antonio, TX 78251

Caryl Elver  
Houston, TX 77065

Robert Gilliland  
Austin, TX 78731

Houston, TX 77022

Vince Mendieta  
Austin, TX 78715

Clive O'Donoghue  
Longview, TX 75601

Linda Mundwiller  
Houston, TX 77024

Gerald Soliday  
Richardson, TX 75080

Diana Kalish  
San Antonio, TX 78232

George Staff  
Georgetown, TX 78626

Raul Rodriguez  
Houston, TX 77084

Jerry Mylius  
Austin, TX 78741

Terry Sailer  
Pattison, TX 77423

Spring, TX 77380

Andrea Gonzalez  
Brownsville, TX 78521

Ron Duke  
Hunt, TX 78024

William Forbes  
Nacogdoches, TX 75964

Dripping Springs, TX 78620

Karen Baum  
Palestine, TX 75801

Bulverde, TX 78163

Cindy Hoffman  
Austin, TX 78704

Machaca, TX 78652

Deborah Goodykoontz  
Houston, TX 77082

Peggy Brod  
Katy, TX 77450

Bonny Gatchel  
Grandview, TX 76050

Jennifer Yacio  
Arlington, TX 76012

Cathy Simmons  
Austin, TX 78722

Raymond Ings  
Plano, TX 75093

Edward Kern  
San Antonio, TX 78253

Paula Wyche  
Fort Worth, TX 76132

Chantal Eldridge  
Austin, TX 78739

Lynn Willhite  
Palestine, TX 75801

La Porte, TX 77571

Evelyn Adams  
McKinney, TX 75071

Frances Morgan  
El Paso, TX 79930

Amanda Gillespie  
Houston, TX 77095

Kathy Glass  
San Antonio, TX 78228

Jerry Morrisey  
San Antonio, TX 78259

Barbara Pettit  
Lubbock, TX 79416

Robert Barnes  
The Woodlands, TX 77381

Mary Hancock  
Fort Worth, TX 76118

Lowell Tacker  
San Antonio, TX 78209

Stephanie Haley  
Dallas, TX 75230

Sharla Enslie  
Austin, TX 78745

Cecil Philip  
LEWISVILLE, TX 75056

Melssa Lugo  
San Antonio, TX 78251

Greg Kay  
Cypress, TX 77433

Robert King  
Austin, TX 78739

Nyla Lenart  
Allen, TX 75013

Leslie Smith  
San Marcos, TX 78666

Hank Hammett  
Dallas, TX 75203

Kayla Pelton  
Waco, TX 76705

Roy Waley  
Austin, TX 78756

Kim Williams  
Houston, TX 77081

Taryn Geer  
Schertz, TX 78154

Blake O'Quinn  
Mt Pleasant, TX 75455

James Hollis  
League City, TX 77573

Marquita Tanner  
Corpus Christi, TX 78411

Andrew Watts  
Houston, TX 77025

Donna Brslik-Lumicao  
Houston, TX 77084

Tom Bray  
Austin, TX 78748

Garland Stevenson  
Telephone, TX 75488

Maryanne Delgado  
League City, Apt.328, TX 77573

Brian Leonard  
BRYAN, TX 77802

Alexander Grant  
Conroe, TX 77385

Sandra Stevenson  
Telephone, TX 75488

Claudia Richner  
Kerrville, TX 78028

Linda steward  
Pattison, TX 77466

Carolynn Snyder  
San Antonio, TX 78254

Carol Whalen  
Austin, TX 78730

Diane Moore  
Dallas, TX 75205

Jan Beauchamp  
Corsicana, TX 75110

Harmon Lisnow  
Austin, TX 78737

Lisa Yelenick  
Houston, TX 77095

Sarah Pacheco  
Austin, TX 78747

Maria Vela  
SAN ANTONIO, TX 78201

Jan Parham  
Wylie, TX 75098

Margarita Bach  
Euleess, TX 76039

Tanya Teneyuque  
Houston, TX 77004

Gloria Bertrand  
Houston, TX 77004

Diana Franta  
Pharr, TX 78577

Kylara Hunter  
Donna, TX 78537

James Evans  
Austin, TX 78737

Claudia Morgan  
Houston, TX 77006

Marce Walsh  
Houston, TX 77066

Susan Knabeschuh  
Beaumont, TX 77706

Jason Richter  
Houston, TX 77074

Angela Wilkinson  
Universl City, TX 78148

Gary Graham  
Plantersville, TX 77363

Nancy Hardwick  
Garden Ridge, TX 78266

Vernon Berger  
Austin, TX 78731

Patrick De La Garza Und Senkel  
McAllen, TX 78501

Dana Spottswood  
San Antonio, TX 78209

Mavis Belisle  
Dallas, TX 75233

James Deleon  
Plano, TX 75023

Chris Brunner  
Allen, TX 75002

Barbara Sargent  
El Paso, TX 79934

Jim Summers  
AUSTIN, TX 78748

Lynda Alvarez  
Arlington, TX 76013

Sue Holtz  
Garland, TX 75040

Erica Brown  
Dallas, TX 75287

Katherine Pickett  
Houston, TX 77094

Nancy Fullerton  
San Antonio, TX 78212

Joanna And Larry Vaughn  
Austin, TX 78702

Pamela Vangiessen  
Houston, TX 77009

James Baker  
San Marcos, TX 78666

Nicole Punday  
Frisco, TX 75035

Joseph Garfunkel  
Houston, TX 77086

Patricia Flynn-Williams  
Midland, TX 79706

Vincent Goetz  
Arlington, TX 76013

Zeoma Olszewski  
El Paso, TX 79924

John Jenicek  
San Antonio, TX 78250

Sarah Sudheer  
Austin, TX 78750

Rona Neuneker  
Austin, TX 78727

Denise Jones  
Conroe, TX 77305

Kenneth Walter  
Dallas, TX 75225

Steve Chelewski  
San Antonio, TX 78228

Rhona Richardson  
Katy, TX 77449

Diane Carmona  
Live Oak, TX 78233

Jim Summers  
AUSTIN, TX 78748

Barbara Lavender  
Haslet, TX 76052

Steven Rosenberg  
El Paso, TX 79936

Rajesh Iyer  
Round Rock, TX 78681

Laurie Abshire  
Allen, TX 75002

Rick Becker  
Galveston, TX 77550

Mary Cato  
Arlington, TX 76012

Kathy Harrison  
Sugar Land, TX 77498

Benjamin Alpers  
Austin, TX 78721

Dorothea Theus  
Colleyville, TX 76034

Zach Myones  
Sugar Land, TX 77478

Evelyn Granahan  
Houston, TX 77059

Mark Daniels  
Galveston, TX 77550

Glyn Bailey  
Seabrook, TX 77586

Suzanne Ivy  
Paige, TX 78659

John Bridgest  
San Antonio, TX 78250

Jo Ann Duman  
Texarkana, TX 75503

Michael Dunson  
Belton, TX 76513

Suzanne O'Brien  
Dallas, TX 75228

Shaureece Park  
Denton, TX 76201

Edward Whitehead  
Austin, TX 78727

Jennie Barajas  
Helotes, TX 78023



**CERTIFICATE OF SERVICE**

On this 13<sup>th</sup> day of February 2023, a true and correct copy of the foregoing instrument was filed with the TCEQ's Office of the Chief Clerk, and served on all persons on the service list by the undersigned via deposit into the U.S. Mail, inter-agency mail, facsimile, electronic mail, or hand delivery.

*Contessa N. Gay*

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Contessa N. Gay, Staff Attorney  
Environmental Law Division

**SERVICE LIST**  
**ENTERGY TEXAS, INC.**  
**TCEQ DOCKET NO. 2023-0164-AIR; PERMIT NOS. 166032,**  
**GHGPSDTX210, PSDTX1598**

FOR THE CHIEF CLERK:

*via electronic filing*  
Laurie Gharis, Chief Clerk  
Texas Commission on Environmental  
Quality  
Office of Chief Clerk,  
P.O. Box 13087, MC-105  
Austin, Texas 78711-3087

John Beard, Jr.  
Port Arthur Community Action Network  
P.O. Box 1033  
Port Arthur, Texas 77641-1033

Mary C. Bernard  
Big Thicket Biosphere Reserve  
6725 Wedgewood Dr  
Lumberton, Texas 77657-7876  
[mary@btbiospherereserve.org](mailto:mary@btbiospherereserve.org)

FOR THE APPLICANT:

Jason Willis, Vice President Power Plant  
Operations  
Entergy Texas, Inc.  
10055 Grogans Mill Road  
The Woodlands, Texas 77380

Ellen Buchanan  
P.O. Box 1489  
Kountze, Texas 77625-1489  
[Ellen.Buchanan.92684885@p2a.co](mailto:Ellen.Buchanan.92684885@p2a.co)

Annisa White, Environmental Analyst  
Entergy Texas, Inc.  
10055 Grogans Mill Road  
The Woodlands, Texas 77380  
[awhite5@entergy.com](mailto:awhite5@entergy.com)

Ellen Buchanan  
1245 S Pine St  
Kountze, Texas 77625-7643  
[ellenbuchanan@sbcglobal.net](mailto:ellenbuchanan@sbcglobal.net)

FOR THE PUBLIC INTEREST COUNSEL:

Jennifer Jamison, Attorney  
Texas Commission on Environmental  
Quality  
Public Interest Counsel, MC-103  
P.O. Box 13087  
Austin, Texas 78711  
[jennifer.jamison@tceq.texas.gov](mailto:jennifer.jamison@tceq.texas.gov)

Colin Cox  
Environmental Integrity Project  
1206 San Antonio Street  
Austin, Texas 78701-1834  
[colincox@environmentalintegrity.org](mailto:colincox@environmentalintegrity.org)

Jordan Iglesias  
6808 Cruz St  
Austin, Texas 78741-3524

FOR THE EXTERNAL RELATIONS DIVISION:

Ryan Vise, Deputy Director  
Texas Commission on Environmental  
Quality  
External Relations Division  
Public Education Program, MC-108  
P.O. Box 13087  
Austin, Texas 78711  
[pep@tceq.texas.gov](mailto:pep@tceq.texas.gov)

Jeffrey Douglas Jacoby  
Texas Campaign for the Environment  
P.O. Box 42278  
Austin, Texas 78704-0038  
[jeffrey@texasenvironment.org](mailto:jeffrey@texasenvironment.org)

Emma Pabst  
Sierra Club  
6406 N Interstate 35  
Austin, Texas 78752-4352  
[emma.pabst@sierraclub.org](mailto:emma.pabst@sierraclub.org)

INTERESTED PERSONS:

Ariana Akbari  
108 1st Ave  
Nederland, Texas 77627-3365

Courtney Pedersen  
4040 Crow Rd.  
Beaumont, Texas 77706-7000  
[courtney.pedersen@beaumontenterprise.com](mailto:courtney.pedersen@beaumontenterprise.com)

Joshua Smith  
Sierra Club  
2101 Webster St, STE. 1300  
Oakland, California 94612-3011  
[joshua.smith@sierraclub.org](mailto:joshua.smith@sierraclub.org)

Terry D Stelly  
227 N 30th St  
Nederland, Texas 77627-7031  
[terrysmxd@aol.com](mailto:terrysmxd@aol.com)

Annisa White  
10055 Grogans Mill Rd  
The Woodlands, Texas 77380-1059  
[awhite5@entergy.com](mailto:awhite5@entergy.com)

Corey Williams  
Air Alliance Houston  
2520 Caroline St  
Houston, Texas 77004-1000  
[corey@airalliancehouston.org](mailto:corey@airalliancehouston.org)