TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

EXAMPLE A

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN AIR PERMIT (NORI)

PROPOSED AIR QUALITY PERMIT NUMBER 21394 AND PSDTX1720

APPLICATION RW Miller Power, LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for:
Amendment of Permit 21394
Issuance of Prevention of Significant Deterioration (PSD) Permit PSDTX1720

This application would authorize modification of the RW Miller Electric Generation Facility located at 2217 Farm-to-Market Road 3137, Palo Pinto, Palo Pinto County, Texas 76484 This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. https://gisweb.tceq.texas.gov/LocationMapper/?marker=-98.310088,32.658481&level=13. The facility will emit the following contaminants: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide.

This application was submitted to the TCEQ on August 11, 2026. The application will be available for viewing and copying at the TCEQ central office, the TCEQ Dallas/Fort Worth regional office, and the Boyce Ditto Public Library, 2300 Southeast Martin Luther King Jr Street, Mineral Wells, Palo Pinto County, Texas beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review in the Dallas/Fort Worth regional office of the TCEQ. The application, including any updates, is available electronically at the following webpage: https://www.tceq.texas.gov/permitting/air/airpermit-applications-notices

The executive director has determined the application is administratively complete and will conduct a technical review of the application.

PUBLIC COMMENT. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application and the executive director will prepare a response to those comments.

PUBLIC MEETING. You may request a public meeting to the Office of the Chief Clerk at the address below. The purpose of a public meeting is to provide the opportunity to submit comments or ask questions about the application. A public meeting about the application will be held if the executive director determines that there is a significant degree of public interest in the application, if requested by an interested person, or if requested by a local legislator. A public meeting is not a contested case hearing.

After technical review of the application is complete, the executive director may prepare a draft permit and will issue a preliminary decision on the application. If a draft Air Quality Permit is prepared, a Notice of Application and Preliminary Decision is required and it will then be published and mailed to those who made comments, submitted hearing requests or are on the mailing list for this application and will contain the final deadline for submitting public comments.

OPPORTUNITY FOR A CONTESTED CASE HEARING You may request a contested case hearing if you are a person who may be affected by emissions of air contaminants from the facility. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, and daytime phone number; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing"; (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; (6) a description of how you use the property which may be impacted by the facility; and (7) a list of all disputed issues of fact that you submit during the comment period. If

the request is made by a group or an association, one or more members who have standing to request a hearing must be identified by name and physical address. The interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns.

A contested case hearing may currently be requested until 30 days after the mailing of the response to comments for this application. Note, if the applicant makes changes to its representations prior to the application being deemed technically complete that result in emission levels that are less than PSD thresholds, then the deadline to submit a request for a contested case hearing will be 30 days after the last publication of the NORI. In such cases, this NORI may be your only opportunity to request a contested case hearing. If a request is timely filed, the deadline for requesting a contested case hearing will be extended to 30 days after the mailing of the response to comments.

If a hearing request is timely filed, following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for contested case hearing to the Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requester submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material air quality concerns submitted during the comment period.** Issues such as property values, noise, traffic safety, and zoning are outside of the Commission's jurisdiction to address in this proceeding.

MAILING LIST. In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices for this specific application by sending a written request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/, 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. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040. You can also view our website for public participation opportunities at www.tceq.texas.gov/goto/participation.

Further information may also be obtained from RW Miller Power, LLC, 2217 Farm-to-Market Road 3137, Palo Pinto, Palo Pinto County, Texas 76484, or by calling Mr. Craig Eckberg, Sr. Director, Environmental Services, NRG Texas Power LLC, at (713) 537-2028.

Notice Issuance Date: August 14, 2026