

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## EXAMPLE A

### NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR AIR QUALITY PERMITS

AIR QUALITY PERMIT NUMBERS 92156, 98073, PSDTX1646, PSDTX1648, GHGPSDTX242, and GHGPSDTX243

**APPLICATION AND PRELIMINARY DECISION.** Southwestern Public Service Company, 790 South Buchanan Street, Amarillo, Texas 79101-2510, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to State Air Quality Permits 92156 and 98073, issuance of Prevention of Significant Deterioration (PSD) Air Quality Permits PSDTX1646 and PSDTX1648, and issuance of Greenhouse Gas (GHG) PSD Air Quality Permits GHGPSDTX242 and GHGPSDTX243 for emissions of GHGs, which would authorize modification to the Jones Station Power Plant located at 5721 East Farm to Market Road 3020, Lubbock, Lubbock County, Texas 79404. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. The existing facility will emit the following air contaminants in a significant amount: carbon monoxide, greenhouse gases (ghg), nitrogen oxides, organic compounds 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: hazardous air pollutants and sulfur dioxide.

A full PSD increment analysis was not required because the predicted impact of all pollutants subject to PSD increment review were below the significant impact level for each pollutant.

This applications were submitted to the TCEQ on August 22, 2024. The executive director has determined that the emissions of air contaminants from the existing 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 executive director has completed the technical reviews of the applications and prepared the draft permits which, if approved, would establish the conditions under which the facility must operate. The permit applications, executive director's preliminary decision, draft permits, and the executive director's preliminary determination summaries and executive director's air quality analysis, will be available for viewing and copying at the TCEQ central office, the TCEQ Lubbock regional office, and at the George & Helen Mahon Public Library, 1306 9th Street, Lubbock, Lubbock County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas. The application, including any updates, is available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/air/airpermit-applications-notices>.

**INFORMATION AVAILABLE ONLINE.** These documents are accessible through the Commission's Web site at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid): the executive director's preliminary decision which includes the draft permits, the executive director's preliminary determination summaries, air quality analysis, and, once

available, the executive director's response to comments and the final decision on these applications. Access the Commissioners' Integrated Database (CID) using the above link and enter the permit numbers for these applications. The public location mentioned above, the George & Helen Mahon Public Library, provides public access to the internet. 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=-101.739722,33.524166&level=13>.

**PUBLIC COMMENT/PUBLIC MEETING.** You may submit public comments or 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 comment or to ask questions about the applications. The TCEQ will hold a public meeting if the executive director determines that there is a significant degree of public interest in the applications, if requested by an interested person, or if requested by a local legislator. A public meeting is not a contested case hearing. **You may submit additional written public comments within 30 days of the date of newspaper publication of this notice in the manner set forth in the AGENCY CONTACTS AND INFORMATION paragraph below.**

After the deadline for public comment, the executive director will consider the comments and prepare a response to all relevant and material or significant public comment. **The response to comments, along with the executive director's decision on the applications, will be mailed to everyone who submitted public comments or is on a mailing list for these applications. The mailing will also provide instructions for requesting a contested case hearing or reconsideration of the executive director's decision.**

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** You may request a contested case hearing regarding the portions of the applications for State Air Quality Permit Numbers 92156 and 98073 and for PSD Air Quality Permit Numbers PSDTX1646 and PSDTX1648. There is no opportunity to request a contested case hearing regarding the portion of the application for GHG PSD Air Quality Permit Numbers GHGPSDTX242 and GHGPSDTX243. A contested case hearing is a legal proceeding similar to a civil trial in a state district court. A person who may be affected by emissions of air contaminants, other than GHGs, from the facility is entitled to request a hearing. A contested case hearing request must include the following: (1) your name (or for a group or association, an official representative), mailing address, 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 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 applications/permits which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 30 days following this notice to the Office of the Chief Clerk, at the address provided in the information section below.

A contested case hearing will only be granted based on disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decisions on the applications. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. Issues that are not submitted in public comments may not be considered during a hearing.

**EXECUTIVE DIRECTOR ACTION.** The executive director may issue final approval of the applications for the portion of the applications for GHG PSD Air Quality Permits GHGPSDTX242 and GHGPSDTX243. If a timely contested case hearing request is not received or if all timely contested case hearing requests are withdrawn regarding State Air Quality Permit Numbers 92156 and 98073 and for PSD Air Quality Permit Numbers PSDTX1646 and PSDTX1648, the executive director may issue final approval of the

applications. The response to comments, along with the executive director's decision on the applications will be mailed to everyone who submitted public comments or is on a mailing list for these applications, and will be posted electronically to the CID. If any timely hearing requests are received and not withdrawn, the executive director will not issue final approval of the State Air Quality Permit Numbers 92156 and 98073 and for PSD Air Quality Permit Numbers PSDTX1646 and PSDTX1648 and will forward the applications and requests to the Commissioners for their consideration at a scheduled commission meeting.

**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/comment](http://www.tceq.texas.gov/goto/comment), 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](http://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](http://www.tceq.texas.gov/goto/participation).

Further information may also be obtained from Southwestern Public Service Company at the address stated above or by calling Ms. Valerie Litwinick, Environmental Analyst at (806) 513-1499.

Notice Issuance Date: December 8, 2025