

US EPA ARCHIVE DOCUMENT

PUBLIC NOTICE

APEX Bethel Energy Center

ANNOUNCEMENT OF PROPOSED PERMIT AND PUBLIC HEARING, AND REQUEST FOR PUBLIC COMMENT OF PROPOSED CLEAN AIR ACT GREENHOUSE GAS PREVENTION OF SIGNIFICANT DETERIORATION PRECONSTRUCTION PERMIT

Public Comment Period December 26, 2013 to January 27, 2014

The United States Environmental Protection Agency (EPA) provides notice of and requests public comments on the EPA's proposed action relating to the Prevention of Significant Deterioration (PSD) permit application for the Apex Bethel Energy Center, Anderson County, Texas. If finalized, the permit would regulate greenhouse gas (GHG) pollutant emissions associated with installation of a Compressed Air Energy Storage (CAES) facility with the PSD regulation (40 CFR 52.21). The proposed construction will occur in the town of Palestine, which is located at the Intersection of County Rd. 2504 and FM 2706, Tennessee Colony, Texas 75861

Under the provisions of 40 CFR 52.21 (except paragraph (a)(1)), EPA Region 6 implements a greenhouse gas PSD Federal Implementation Plan (FIP) for Texas. *See 40 CFR 52.2305*. As the proposed project will result in increased greenhouse gas emissions for a facility described at 40 CFR 52.21(b)(49)(v), EPA concludes that the application is subject to PSD review for the pollutant GHG emissions. The construction of the Energy Center project is covered by the draft permit and is composed of the following emissions sources: combustion turbine emissions, and emergency generator and process fugitives.

Any interested individual may submit written comments on EPA's proposed PSD permit for the energy center project. All comments must be received in writing by January 27, 2014 or postmarked by January 27, 2014 to Bonnie Braganza at one of the following addresses:

EPA Contact: Bonnie Braganza

Phone Number: (214) 665-7340

E-mail: braganza.bonnie@epa.gov

U.S. Mail: Bonnie Braganza
Air Permits Section (6PD-R)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202

EPA will consider and respond to all comments in making the final decision regarding the issuing of the permit. Similar comments may be grouped together in the response, and the EPA will not respond to individual commenters directly.

Additionally, all comments will be included in the administrative record without change, and may be made available to the public, including any personal information provided, unless the comments includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Thus, CBI or other protected information should be clearly identified as such, and should not be submitted through email. Emails sent directly to the EPA will capture your email address automatically and will be included as part of the public comment. *Please note that an email or postal address must be provided with your comments if you wish to receive responses to comments submitted during the public comment period and direct notification of EPA's final decision regarding the permit.*

An extension of the 30-day comment period may be granted if the request for an extension adequately demonstrates why additional time is required to prepare comments.

Public Hearing: If EPA determines that there is a significant amount of public interest in the draft permit, the EPA has the right to hold a public hearing. Any request for a public hearing must be received by the EPA either by email or U.S. mail by January 17, 2014, and must state the nature of the issues proposed to be raised in the hearing. Attendance at the public hearing is not required in order to submit written comments. **If the EPA determines that there is significant public interest**, a public hearing will be held on January 28, 2014 from 5:30 p.m. to 7:30 p.m. at the following location:

Anderson County Court House
703 N. Mallard Street Rm 103A
Palestine TX 75801
(903)723-7406

If a public hearing is held, the public comment period shall automatically be extended to the close of the public hearing. The EPA maintains the right to cancel a public hearing if no request for a public hearing is received by January 17, 2013, or the EPA determines that there is not a significant interest. **If the public hearing is cancelled**, notification of the cancellation will be posted by January 22, 2014 on the EPA's Website <http://yosemite.epa.gov/r6/Apermit.nsf/AirP>. Individuals may also call the EPA at the contact number listed above to determine if the public hearing has been cancelled.

Permit Documents: EPA's draft permit, EPA's preliminary determination and statement of basis, Apex Bethel's permit application and supporting documentation, and comments received from the public, other government agencies, and the applicant during the public comment period become part of the administrative record for the permit. In addition, all data submitted by the applicant is available as a part of the administrative record. The public can access the administrative record at the following locations (Please call in advance for available viewing times):

Palestine Memorial Library
2000 South Loop Suite 256
Palestine, TX 75801
Phone: (903) 729-2121

EPA Region 6 Office

1445 Ross Avenue, Suite 1200

Dallas, TX 75202

Phone: (214) 665-7200

Final Determination: A final decision to issue a permit or to deny the application for the permit shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has submitted written comments or requested notice of the final permit decision, provided the EPA has adequate contact information.