

US EPA ARCHIVE DOCUMENT

PUBLIC NOTICE

Tenaska Brownsville Partners, LLC, Tenaska Brownsville Generating Station

ANNOUNCEMENT OF PROPOSED PERMIT AND REQUEST FOR PUBLIC COMMENT
DETERMINATION OF ADVERSE EFFECT PURSUANT TO SECTION 106 AND 110(f) OF THE
NATIONAL HISTORIC PRESERVATION ACT OF PROPOSED CLEAN AIR ACT GREENHOUSE
GAS PREVENTION OF SIGNIFICANT DETERIORATION PRECONSTRUCTION PERMIT

Permit Number: PSD-TS-1350-GHG

Public Comment Period December 5, 2014 to January 5, 2015

The United States Environmental Protection Agency (EPA) provides notice of and requests public comments on the EPA's determination of adverse effect and draft Memorandum of Agreement (MOA) to resolve adverse effects pursuant to the requirements of Section 106 of the National Historic Preservation Act (NHPA). EPA has proposed to approve a Prevention of Significant Deterioration (PSD) permit application for the Tenaska Brownsville Partners, LLC, Tenaska Brownsville Generating Station (TBGS) Project. If finalized, the permit would regulate greenhouse gas (GHG) pollutant emissions associated with the project to construct a new electric generating plant. The proposed construction will occur at a site at the northeast corner of State Highway 550 and Old Alice Road, Cameron County, Brownsville, TX 78575. Public notice of the proposed permit was provided on October 29, 2014, and the public comment period is now closed.

Pursuant to Section 106 of the NHPA, EPA has consulted with the Texas State Historic Preservation Officer, the Advisory Council on Historic Preservation (ACHP), the National Park Service (NPS), and the Secretary of the Interior to determine that issuance of the permit will have an adverse effect on properties listed on the National Register, namely the Palo Alto Battlefield National Historic Park, a National Historic Landmark. Further, in accordance with NHPA Section 110(f), EPA has notified the Secretary of the Interior through the National Historic Landmark division of the Intermountain Region of the NPS and the ACHP of the adverse effect determination.

In accordance with 36 CFR § 800.6(a)(4), EPA is now providing public notice of and requests comments on the EPA's adverse effect determination and the proposed Memorandum of Agreement to resolve the adverse effects. Any interested individual may submit written comments. All comments must be received in writing by January 5, 2015, or postmarked by January 5, 2015, to Melanie Magee at one of the following addresses:

EPA Contact: Melanie Magee

Phone Number: (214) 665-7161

E-mail: magee.melanie@epa.gov

U.S. Mail: Melanie Magee (6PD-R)
Air Permits Section
U.S. EPA Region 6

1445 Ross Avenue, Suite 1200
Dallas, TX 75202

EPA will consider and respond to all comments regarding EPA's NHPA responsibilities in making the final decision regarding the issuance 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 comment 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 a 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.

Related Documents: The Cultural Resource Assessment, EPA's Determination of Adverse Effect, the Draft Memorandum of Agreement and other NHPA supporting documents along with the EPA's preliminary permit determination and statement of basis, Tenaska Brownsville Partners, LLC'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 and the NHPA supporting documents at the following locations (please call in advance for available viewing times):

Brownsville Public Library

2600 Central Blvd.
Brownsville, TX 78520
956-548-1055

EPA Region 6 Office

1445 Ross Avenue, Suite 1200
Dallas, TX 75202
Phone: 214-665-7200

Final Determination: Comments received on EPA's determination of effect and the MOA will be shared with the NHPA consulting parties for consideration. A final decision to issue a permit or to deny the application for the permit shall be made after all comments have been considered. A final MOA will be executed prior to issuance of the permit. 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.