



west virginia department of environmental protection

Division of Air Quality
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Harold D. Ward, Cabinet Secretary
dep.wv.gov

Final Determination

Application No.:	R13-3714
Facility ID No.	059-00133
Name of Applicant:	TransGas Development Systems, LLC
Name of Facility:	Adams Fork Harless Data Center Energy Campus
Location of Facility:	Holden, Mingo County
Latitude/Longitude:	37.75302 / -82.11905
Application Type:	Construction
Complete Date:	June 4, 2025
Public Notice Date:	July 9, 2025
Public Meeting Date:	August 18, 2025 (Virtual) September 18, 2025 (In-person)
Engineer:	Jerry Williams

BACKGROUND INFORMATION

On July 9, 2025, the West Virginia Department of Environmental Protection - Division of Air Quality (DAQ) provided notice of an open comment period for Permit Number R13-3714 for the construction and operation of an off-grid power generation facility proposed to be located off of 22 Mine Road near Holden in Mingo County, WV. At that time, the Draft Permit and Engineering Evaluation/ Fact Sheet (EE/FS) were made available for the public for review. The permit application had previously been made available for public review and remained so during

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the public comment period. The permit application was received on March 26, 2025, and a revised application was received on May 14, 2025. The permit applicant published a Class I legal advertisement notice of application on April 9, 2025 in the *Williamson Daily News*.

As required by 45 CSR 13, the DAQ's legal advertisement was published in the *Williamson Daily News* on July 9, 2025, which began a 30-day public comment period that was scheduled to end at 5:00 P.M. on August 8, 2025. A notification regarding this 30-day comment period was also made available on DEP's website. As a result of this public notice, the DAQ received requests to conduct a public meeting regarding this permitting action. The DAQ reviewed the requests for the public meeting and made the decision to hold a virtual public meeting at 6:00 p.m. on Monday, August 18, 2025 to provide information on the proposed facility.

At the time a decision was needed on whether to hold a public meeting, the DAQ had received only three comments from residents within one hour of the proposed locations, with some requesters located in Colorado, North Carolina, New York, Ohio, Pennsylvania, California, Washington, and Oregon. The overwhelming majority of comments came from individuals located north of Interstate 64 (approximately 1 hour and 45 minutes from Wharnccliffe). Given that the public interest was largely regional, a virtual format was selected to ensure the broadest and most practical opportunity for participation.

While the DAQ certainly understands internet/broadband access and connectivity issues in rural areas, the virtual platform that was used included a telephone dial-in option, allowing individuals without internet access to participate using a standard landline or mobile phone. The DAQ also stressed that written comments may also be submitted via email or regular mail and are given the same consideration as those presented during the meeting. The purpose of the public meeting was to provide information on the proposed permitting actions and to accept official public comments. The DAQ extended the public comment period through August 22, 2025, and citizens were encouraged to contact agency staff at any time during this period with questions, concerns, or to submit comments.

This approach is consistent with the WVDEP's Public Engagement Guidelines, which call for flexible and accessible participation methods based on the specifics of each project. Since 2020, the DAQ has successfully conducted numerous virtual public hearings across the state, including in rural areas, using this model to facilitate timely and effective public involvement. Based on all relevant factors, the WVDEP believes that its decision to hold a virtual public meeting for the TransGas permitting actions to be appropriate.

DAQ staff members provided a presentation and answered questions before taking comments from the public about TransGas Development Systems LLC's Adams Fork Harless Data Center Energy Campus (Draft Permit R13-3714), and TransGas Development Systems LLC's Adams Fork Data Center Energy Campus (Draft Permit R13-3715). This virtual platform also allowed the ability for those without internet access to register and participate by telephone.

Due to the public meeting being scheduled after the end of the original 30-day public comment period, the comment period was extended and ended at 5:00 P.M. on August 22, 2025.

It was brought to the attention of the DAQ during the virtual public meeting that some individuals could not register for the public meeting due to not having a Google account and

requested an additional extension to the public comment period. The DAQ investigated this claim and determined that individuals registered early in the process and throughout the process who did not have Google accounts. Additionally, the DAQ received no telephone calls or emails from the general public that this was a problem between the time that the public meeting registration was announced and the day of the public meeting.

Upon receipt of further requests to conduct an in-person public meeting and to provide an additional extension to the public comment period, the DAQ held an additional public meeting to provide information, answer questions, and accept oral comments for the record for both permitting actions. This meeting was held on September 18, 2025 at the Larry Joe Harless Community Center in Gilbert. The DAQ published legal advertisements in the *Williamson Daily News* on September 3, 2025, *The Logan Banner* on September 3, 2025, and the *Mingo Messenger* on September 5, 2025 notifying the public of the September 18, 2025 meeting. This notification was also made available on DEP's website. The public meeting included DAQ staff engaging directly with the public for approximately 3.5 hours. The public comment period was extended again due to this additional public meeting and closed at 5:00 P.M. on September 19, 2025.

During the multiple public comment periods, the DAQ accepted comments on the preliminary determination to issue permit R13-3714 to TransGas Development Systems, LLC. Pursuant to §45-13-8.8, a "Response to Public Comments" document has been prepared which provides a response to all formal written comments submitted to the DAQ and oral comments/questions provided at the public meeting. All relevant documents will be placed on the DAQ Application Enhancer (AE) website and will be available directly under "Popular Searches" at the following location:

<https://dep.wv.gov/daq/permitting/Pages/NSR-Permit-Applications.aspx>

SUMMARY OF COMMENTS RECEIVED

From the date of TransGas Development Systems, LLC's notice of application (April 9, 2025) until the conclusion of the public comment period (September 19, 2025), the DAQ received 119 written comments, as well as oral comments presented at the August 18, 2025 and September 18, 2025 public meetings from various individuals and organizations concerning the proposed facility. This number is inclusive of multiple or duplicate comments made by the same individuals or organizations given as both submitted written comments and orally at the public meeting.

Most public comments were against the issuance of the permit. The supportive comments referenced the potential positive economic impacts of the proposed facility while many of the non-technical comments that were explicitly non-supportive expressed concern over the potential environmental or other detrimental impacts of the facility without providing a technical or regulatory basis for a reconsideration of the DAQ's preliminary determination. Specific technical and regulatory questions/comments were also submitted. Additional comments were given and questions asked during the public meetings.

The Response to Comment document was organized into 2 sections, a general response section and a specific response section. The General Response to Comments section defines issues over

which the DAQ has authority and by contrast, identifies those issues that are beyond the purview of the DAQ. The general response also describes the statutory basis for the issuance/denial of a permit, DAQ Compliance/Enforcement Procedures, details of the current status of the ambient air quality in Mingo County and how that is determined. The Specific Response to Comments section lists each relevant comment that was not addressed in the General Response to Comments section and that falls within the purview of the DAQ, and provides a response (if a response is required).

After conducting a thorough review of the comments, it was determined that no information was presented that showed the draft permit (or the permitting process) was inconsistent with a reasonable reading of the intent of 45 CSR 13 or §22-5-1, et. seq. However, to address specific concerns and to strengthen the efficacy of the permit, several additions/revisions to the draft permit and EE/FS were made (see below for a detailed list of these changes). It is noted that changes to a draft permit during the public notice period are common and a normal part of the permitting process.

CHANGES TO DRAFT PERMIT

As a result of comments received by the public during the public notice periods and verbal comments provided by telephone by the United States Environmental Protection Agency (USEPA), changes to the draft permit were made to address appropriate concerns where applicable. The substantive changes are given in tabular form below.

Additions/Revisions to Draft Permit R13-3714:

Permit Requirement	Substantive Revision/ Addition Description
Table 1.0	Revised Diesel Truck Unloading (UNLOAD) design capacity. The draft permit contained the design capacity under normal operations only and the value was designated this way. The value was revised and is now designated as “All Operating Modes”.
2.2	Inclusion of additional acronyms for CI, ICE, and SCR.
4.1.2	The permit condition has been strengthened by the inclusion of a requirement stipulating that a maximum of 114 out of 117 engines may operate concurrently, aligning with the original intent of the permit.
4.1.4	Addition of an hourly emission limit for benzene in each operating mode. This aligns with the additional permit condition to conduct an initial performance test for benzene to ensure compliance with the stated emission limits.
4.1.5	Addition of an annual emission limit for benzene. This is directly related to the change in permit condition 4.1.4 and to ensure compliance with the stated annual emission limits.

4.1.5	Addition of a footnote that states that only 114 of the 117 engines may operate at any one time. This was the intent of the permit condition, but the addition of this language strengthens the permit condition.
4.1.8	This permit condition was revised to also include aggregate annual fuel consumption for natural gas and diesel for all engines.
4.1.9	This permit condition was revised to remove confusion. The second sentence is redundant and was deleted. The first sentence already encompasses the requirements to maintain records of engine operating hours, fuel throughputs, and operational modes.
4.1.10	The permit condition was enhanced by the inclusion of language specifying that the optimal aqueous ammonia injection rate into each SCR unit is determined independently for each fuel type (natural gas/diesel). This addition clarifies and strengthens the original intent of the condition.
4.1.15	This permit condition was revised as the maximum annual throughput of the storage tanks included normal operations only and the value was designated this way. The value was revised and is now designated as "All Operating Modes".
4.2.1	The permit condition was revised to mandate continuous monitoring in place of daily monitoring, aligning with the original intent of section 4.1. The conditions enumerated in section 4.2.1 are already stipulated for continuous monitoring within section 4.1. Consequently, the term "daily" will be substituted with "continuous."
4.2.2	The permit condition regarding aggregate fuel consumption (natural gas/diesel) was revised from daily to hourly monitoring. This adjustment establishes a direct correlation with permit condition 4.1.8.
4.2.3	Addition of language to monitor the ammonia injection rate established in permit condition 4.1.10.
4.2.6	This permit condition was revised to align with permit condition 4.1.17. Fugitive particulate matter emissions associated with vehicle activities at the sites were included in both permit applications. The intent of permit condition 4.2.6 was to ensure that these potential fugitive particulate matter emissions are minimized, as such, the requirement to conduct daily visible inspections, and, if necessary to sweep and/or water the roads to minimize these potential emissions.

4.3.2	Addition of sentence to state that the permit condition included the NO _x emission limit established in § 60.4213(e) and the PM emission limit established in § 60.4213(f). This was the intent of the permit condition, but the addition of this language strengthens the permit condition.
4.3.3	Addition of an initial performance test for carbon monoxide emissions from the engines. 40 CFR 60 Subpart IIII requires initial and annual performance testing of nitrogen oxides and particulate matter. This regulation does not require the testing of carbon monoxide. However, due to the concern surrounding the technology that controls HAP emissions, which is the same technology that controls carbon monoxide, a permit condition has been added which will require TransGas to conduct an initial performance test to ensure compliance with the hourly carbon monoxide value present as part of the engine combustion found in permit condition 4.1.4.
4.3.4	Addition of an initial performance test for benzene emissions from the engines. 40 CFR 60 Subpart IIII requires initial and annual performance testing of nitrogen oxides and particulate matter. This regulation does not require the testing of hazardous air pollutants. However, due to the concern surrounding the HAP emission values when using AP-42, a permit condition has been added which will require TransGas to conduct an initial performance test to ensure compliance with the hourly benzene (HAP) value present as part of the engine combustion, as well as hourly emission values added to permit condition 4.1.4, in addition to the existing hourly emission value for total HAPs. Individual benzene (HAP) emission standards will also be added to permit condition 4.1.5. Benzene was selected for the performance testing as it is present in the highest percentage on a per HAP basis.
4.3.5	Addition of a permit condition to provide the ability for the permittee to seek a waiver from USEPA to not conduct performance testing on each individual engine. Discussions with the USEPA and DAQ C/E personnel confirm TransGas' ability to request the aforementioned testing waiver from the Administrator. This responsibility lies with TransGas and will be handled between the permittee and the USEPA. Until this waiver is granted, or unless it is, TransGas will be required to conduct the performance testing outlined in Section 4.3 of this permit. The requested language will be incorporated into this permit as a mechanism to potentially secure this performance testing waiver.
4.4.1	Revision of permit condition to replace “daily” with “continuous”

	to align with permit condition 4.2.1.
4.4.6	Addition of a permit condition to require recordkeeping of the optimal ammonia injection rate to each SCR when combusting either fuel (natural gas/diesel).
4.4.7	Addition of a permit condition to demonstrate compliance with permit conditions 4.1.11 and 4.3.2, the permittee shall keep records of the operating parameters established in permit condition 4.3.2 that will be monitored continuously to ensure the engines continue to meet the emission standards.
4.5.2	Revise the labeling system of the permit condition. Addition of 40 CFR §4214(g) to include regulatory language pertaining to notification submittals.
4.5.3	A permit condition was added to require TransGas' submission of engine performance testing results. This inclusion stems from the additional testing mandated for carbon monoxide and benzene. Existing performance testing requirements for nitrogen oxides and particulate matter had already been incorporated into the draft permit.

FINAL DETERMINATION

It is the determination of the writer, after consideration of all comments received, the available information continues to indicate that TransGas Development Systems, LLC's proposed facility, in accordance with the plans and specifications filed in Permit Application R13-3714 (and any revisions thereto), as enforced under final Permit Number R13-3714, will meet all applicable state and federal air quality rules and regulations.

Jerry Williams, P.E.
Engineer