



Williams, Jerry <jerry.williams@wv.gov>

Application Complete - TransGas; Adams Fork Harless Data Center Energy Campus

1 message

Williams, Jerry <jerry.williams@wv.gov>

Wed, Jun 4, 2025 at 12:33 PM

To: Adam Victor <adam@tgds.com>

Cc: "Adam Victor, Jr." <avj@adamsforkenergy.com>, "Patrick E. Ward" <PEWard@potesta.com>, Joseph R Kessler <joseph.r.kessler@wv.gov>

Your application (R13-3714) for an off-grid power generation facility was received by the Division of Air Quality on March 26, 2025 and assigned to the writer for review. A revised application was received on May 14, 2025. Upon review of said application, it has been determined that the application is complete and, therefore, the statutory review period **(90 days)** commenced on June 4, 2025.

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination. **Please note that any additional information requests may pause the statutory review clock.**

Should you have any questions, please contact me at jerry.williams@wv.gov.

**Jerry Williams, P.E.***Engineer, Division of Air Quality*

WV Department of Environmental Protection

601 57th Street SE, Charleston, WV 25304

Phone 304-414-1214**Web** dep.wv.gov **Email** jerry.williams@wv.gov



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
(304) 926-0475

Harold D. Ward, Cabinet Secretary
dep.wv.gov

May 9, 2025

Mr. Adam Victor
President
TransGas Development Systems, LLC
adam@tgds.com

Re: Confidential Business Information
TransGas Development Systems, LLC
Permit Numbers: R13-3714, 3715
Facility ID Numbers: 059-00133, 059-00134

Mr. Victor:

On May 2, 2025, the Office of the General Counsel (OGC) received from TransGas Development Systems, LLC (TransGas) a letter proposing that TransGas revise its CBI claim in Permit Applications R13-3714/3715 to cover only the company names for the engine and control systems designers and manufacturers, including the engine model number which would identify the engine company. The remaining, currently claimed CBI, would be removed from the CBI request.

The Office of Legal Services has determined that a permit application so submitted would be in compliance with the requirements governing the submission of CBI under 45CSR31 and 45CSR31b.

Sincerely,

Laura M. Crowder

Digitally signed by: Laura M. Crowder
DN: CN = Laura M. Crowder email = Laura.M.
Crowder@wv.gov C = US O = WV DEP OU =
DAQ
Date: 2025.05.09 12:31:00 -04'00'

Laura M. Crowder
Director, Division of Air Quality

cc: Adam Victor, Jr., avj@adamsforkewvergy.com
Patrick Ward, peward@potesta.com

Promoting a healthy environment.



May 2, 2025

Mr. Jason Wandling, General Counsel
WV Department of Environmental Protection Office of General Counsel
601 57th Street, SE
Charleston, West Virginia 25304

RE: Confidential Business Information
TransGas Development Systems, LLC
Facility I.D. Numbers 059-00133 and 059-00134

Dear Mr. Wandling:

TransGas Development Systems, LLC (TransGas) offers the following response to your agency's request dated April 28, 2025. The agency's letter requests that we further address the confidential business information (CBI) claim contained in the permit applications for the above sites.

To facilitate the review of the permit applications, TransGas is proposing to revise the CBI claim to cover the company names for the engine and control systems designers and manufacturers. This will include the engine model number which would identify the engine company. The remaining, currently claimed CBI, will be removed from our CBI request.

We hope that this revised CBI request is acceptable. If it is acceptable, we will submit another set of permit applications (confidential and redacted) reflecting this change.

Sincerely,

TRANSGAS DEVELOPMENT SYSTEMS, LLC

A handwritten signature in blue ink, appearing to read "Adam Victor", written over the company name.

Adam Victor
President

cc: Patrick Ward, Potesta & Associates, Inc.



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
(304) 926-0475

Harold D. Ward, Cabinet Secretary
dep.wv.gov

April 28, 2025

Mr. Adam Victor
President
TransGas Development Systems, LLC
adam@tgds.com

Re: Confidential Business Information
TransGas Development Systems, LLC
Permit Numbers: R13-3714, 3715
Facility ID Numbers: 059-00133, 059-00134

Mr. Victor:

On March 26, 2025, TransGas Development Systems, LLC (TransGas) submitted air permit applications (R13-3714 and 3715) that contained information claimed as confidential business information (CBI). Redacted copies of the permit application were provided that have been made available for public review. As you are aware, the Division of Air Quality (DAQ) has received a public comment concerning the proposed project, which has specifically requested release of the information that has been redacted in the public version of the applications. This written request for release of information currently redacted has triggered a review of the CBI claims by the DEP's Office of the General Counsel (OGC). This review is governed by the applicable WV Legislative Rules 45CSR31, 31a, and 31b. At this time, the review has determined that some of the information claimed as CBI, specifically data concerning the RICE units and associated control devices, may not qualify for such designation as it falls under the definition of "Types and Amounts of Air Pollutants Discharged" as excluded under §45-31-6 and defined under §45-31-2.4 (and further defined under 45CSR31b). There is also some concern that the claimed CBI may not meet the eligibility requirements under §45-31-4.1(b) and 4.1(c).

At this time the OGC is requesting further justification (beyond that which is given on the CBI cover document) that the information noted above and claimed as CBI is not defined as "Types and Amounts of Air Pollutants Discharged" and also does not conflict with the eligibility requirements under §45-31-4.1(b) and 4.1(c). Please note that no information will be released without both TransGas having a full opportunity to justify the claims of CBI and the opportunity to have a full consultation with the WVDEP over this matter.

Please provide a written response within fifteen (15) days of receipt of this request to facilitate the continued review of Permit Applications R13-3714 and 3715.

Sincerely,



Jason Wandling
WVDEP General Counsel

cc: Adam Victor, Jr., avj@adamsforkewvergy.com
Patrick Ward, peward@potesta.com



WEST VIRGINIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
DIVISION OF AIR QUALITY

601 57th Street, SE
Charleston, WV 25304
(304) 926-0475
www.dep.wv.gov/daq

**APPLICATION FOR NSR PERMIT
AND
TITLE V PERMIT REVISION
(OPTIONAL)**

PLEASE CHECK ALL THAT APPLY TO **NSR (45CSR13)** (IF KNOWN):

- ☒ **CONSTRUCTION** ☐ **MODIFICATION** ☐ **RELOCATION**
☐ **CLASS I ADMINISTRATIVE UPDATE** ☐ **TEMPORARY**
☐ **CLASS II ADMINISTRATIVE UPDATE** ☐ **AFTER-THE-FACT**

PLEASE CHECK TYPE OF **45CSR30 (TITLE V)** REVISION (IF ANY):

- ☐ **ADMINISTRATIVE AMENDMENT** ☐ **MINOR MODIFICATION**
☐ **SIGNIFICANT MODIFICATION**

IF ANY BOX ABOVE IS CHECKED, INCLUDE TITLE V REVISION INFORMATION AS **ATTACHMENT S** TO THIS APPLICATION

FOR TITLE V FACILITIES ONLY: Please refer to "Title V Revision Guidance" in order to determine your Title V Revision options (Appendix A, "Title V Permit Revision Flowchart") and ability to operate with the changes requested in this Permit Application.

Section I. General

1. Name of applicant (as registered with the WV Secretary of State's Office): TransGas Development Systems, LLC		2. Federal Employer ID No. (FEIN): 20343110	
3. Name of facility (if different from above): Adams Fork Harless Data Center Energy Campus		4. The applicant is the: <input type="checkbox"/> OWNER <input type="checkbox"/> OPERATOR <input checked="" type="checkbox"/> BOTH	
5A. Applicant's mailing address: 630 First Avenue, Suite 30C New York, New York 10016-3799		5B. Facility's present physical address: 22 Mine Road Holden, WV 25670	
6. West Virginia Business Registration. Is the applicant a resident of the State of West Virginia? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ⇒ If YES , provide a copy of the Certificate of Incorporation/Organization/Limited Partnership (one page) including any name change amendments or other Business Registration Certificate as Attachment A . ⇒ If NO , provide a copy of the Certificate of Authority/Authority of L.L.C./Registration (one page) including any name change amendments or other Business Certificate as Attachment A .			
7. If applicant is a subsidiary corporation, please provide the name of parent corporation: No			
8. Does the applicant own, lease, have an option to buy or otherwise have control of the <i>proposed site</i> ? <input type="checkbox"/> YES <input type="checkbox"/> NO ⇒ If YES , please explain: Applicant has an option on the site with the current owner. ⇒ If NO , you are not eligible for a permit for this source.			
9. Type of plant or facility (stationary source) to be constructed, modified, relocated, administratively updated or temporarily permitted (e.g., coal preparation plant, primary crusher, etc.): Off-grid Power Generation		10. North American Industry Classification System (NAICS) code for the facility: 221112	
11A. DAQ Plant ID No. (for existing facilities only): New Facility		11B. List all current 45CSR13 and 45CSR30 (Title V) permit numbers associated with this process (for existing facilities only): New Facility	

All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.

Ad Number 235088

Affidavit of Legal Publication and Posting

STATE OF WEST VIRGINIA

COUNTY OF Mingo, TO-WIT

I Elisha Queen, Classified Advertising

Representative of the The Williamson Daily News, a newspaper

published in the county of Mingo, West Virginia, hereby

certify that the annexed publication was inserted in said

newspaper _____

The cost of publishing said annexed advertisement

as aforesaid was \$ 42.50

Commencing On: 04/09/2025

Ending On: 04/09/2025

Given under my hand this day 04/09/2025

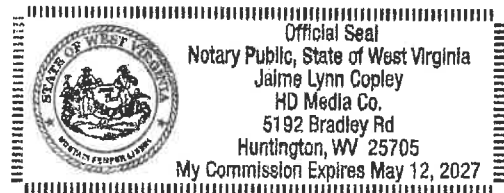
Sworn to and subscribed before me 04/09/2025
at Williamson, Mingo County, West Virginia

[Signature]

Notary Public of, in and for Mingo County, West Virginia

MY COMMISSION EXPIRES: May 12, 2027

Elisha Queen



**AIR QUALITY
PERMIT NOTICE****Notice of Application**

Notice is given that TransGas Development Systems, LLC has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a Construction Permit for the Adams Fork Harless Data Center Energy Campus located on 22 Mine Road near Holden in Mingo County, West Virginia. The latitude and longitude coordinates are: 37.753020 and 82.119050.

The applicant estimates the potential to discharge the following Regulated Air Pollutants will be: NOx of 194.30 tons per year (tpy), SO2 of 9.93 tpy, CO of 205.62 tpy, VOC of 117.66 tpy which includes fugitives of 0.31 tpy, PM of 193.69 tpy which includes fugitives of 7.16 tpy, PM10 of 187.96 tpy which includes fugitives of 1.43 tpy, PM2.5 of 186.91 tpy which includes fugitives of 0.38 tpy, and total HAPs of 0.87 tpy.

Startup of operations is planned to begin on or about the 1st day of January 2027. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice. Written comments will also be received via email at DEP.AirQualityPermitting@WV.gov.

Any questions regarding this permit application should be directed to the DAQ at (304) 926-0499, Extension 41281, during normal business hours.

Dated this the 9th day of April 2025.

By:
TransGas Development
Systems, LLC
Adam Victor
President
630 First Avenue,
Suite 30C
New York, New York
10016 3799

**LH-235088
04-09:2025**

Acc.Id: 66275
Name: POTEITA &
ASSOCIATES
Phone: 304-342-1400
Address: 7012 MACCORKLE AVE
SE
City: CHARLESTON
State: WV
Postcode: 25304
Class: 9010 Legal Notices
Edition: WDN
Start: 04/09/2025
Stop: 04/09/2025
Issues: 1
Units: 86.0
Order ID: HC 235088
TFN: C
TFN cycle:
Rep: EQUEEN
Status: CF
Source: EM
Paytype: BI
Rate: LG
Cost EXC
GST: 42.50
Tax: 0.00
Total Charge: 42.50
Printed on: 04/02/2025 16:31:44
Printed by: EQUEEN



Williams, Jerry <jerry.williams@wv.gov>

WV DAQ Permit Application Incomplete for TransGas Development Systems, LLC - Harless

Patrick E. Ward <PEWard@potesta.com>

Tue, Apr 22, 2025 at 9:47 AM

To: "Williams, Jerry" <jerry.williams@wv.gov>

Cc: Joseph R Kessler <joseph.r.kessler@wv.gov>, Adam Victor <adam@tgds.com>, "Adam Victor, Jr." <avj@adamsforkenergy.com>, "Ronald R. Potesta" <RRPotesta@potesta.com>, "Rhonda L. Henson" <rlhenson@potesta.com>

Attached are the two items requested in the below email: the affidavit of publication and the corrected PDF Page 5.

Regards,

Patrick Ward

Potesta & Associates, Inc.

[7012 MacCorkle Avenue, S.E.](#)

[Charleston, West Virginia 25304](#)

Ph: (304) 342-1400

Direct: (304) 414-4751

Fax: (304) 343-9031

This electronic communication and its attachments contain confidential information. The recommendations and/or design data included herein are provided as a matter of convenience and should not be used for final design or ultimate decision making. Rely only on the final hardcopy materials bearing the consultant's original signature and seal. If you have received this information in error, please notify the sender immediately.

[Quoted text hidden]

2 attachments

 **235088.pdf**
244K

 **Revised Application for NSR Permit (Page 1) (22-0132-003B).pdf**
213K



Williams, Jerry <jerry.williams@wv.gov>

WV DAQ Permit Application Incomplete for TransGas Development Systems, LLC - Harless

1 message

Williams, Jerry <jerry.williams@wv.gov>

Mon, Apr 21, 2025 at 10:59 AM

To: Adam Victor <adam@tgds.com>, "Adam Victor, Jr." <avj@adamsforkenergy.com>, "Patrick E. Ward" <PEWard@potesta.com>

Cc: Joseph R Kessler <joseph.r.kessler@wv.gov>

**RE: Application Status: Incomplete
TransGas Development Systems, LLC - Harless
Permit Application R13-3714
Plant ID No. 059-00133**

Dear Adam,

Your application for a 45 CSR 13 construction permit for a data center energy campus was received by this Division on March 26, 2025, and assigned to the writer for review. Upon initial review of said application, it has been determined that the application as submitted is incomplete based on the following items:

1. Page 5 of the pdf has the incorrect facility name and physical address.
2. Submit affidavit of publication for Class I legal advertisement.

Please address the above deficiencies in writing within fifteen (15) days of the receipt of this email. Application review will not commence until the application has been deemed to be technically complete. Failure to respond to this request in a timely manner may result in the denial of the application.

Should you have any questions, please reply to this email.

Thank you,
Jerry

**Jerry Williams, P.E.***Engineer, Division of Air Quality***WV Department of Environmental Protection**

601 57th Street SE, Charleston, WV 25304

Phone 304-926-0499, ext. 41214**Web** dep.wv.gov **Email** jerry.williams@wv.gov



Williams, Jerry <jerry.williams@wv.gov>

Applications R13-3714 and R13-3715

Patrick E. Ward <PEWard@potesta.com>

Thu, Apr 3, 2025 at 2:10 PM

To: "Jerry.Williams@wv.gov" <Jerry.Williams@wv.gov>

Cc: Adam Victor <adam@tgds.com>, "Adam Victor, Jr." <avj@adamsforkenergy.com>, "Ronald R. Potesta" <RRPotesta@potesta.com>, "Rhonda L. Henson" <rlhenson@potesta.com>

This email is to let you know the status of the fee payments and legal advertisements for the above applications. The application fees (\$2,000 each) were paid yesterday. The legal advertisements have been sent to the Williamson Daily Mail and will be published on April 9th. We will submit the affidavits of publications when we receive them from the newspaper.

Regards,

Patrick Ward

Potesta & Associates, Inc.

[7012 MacCorkle Avenue, S.E.](#)[Charleston, West Virginia 25304](#)

Ph: (304) 342-1400

Direct: (304) 414-4751

Fax: (304) 343-9031

This electronic communication and its attachments contain confidential information. The recommendations and/or design data included herein are provided as a matter of convenience and should not be used for final design or ultimate decision making. Rely only on the final hardcopy materials bearing the consultant's original signature and seal. If you have received this information in error, please notify the sender immediately.



Williams, Jerry <jerry.williams@wv.gov>

WV DAQ Permit Application Status for TransGas Development Systems LLC; Adams Fork Harless Data Center Energy Campus

1 message

Mink, Stephanie R <stephanie.r.mink@wv.gov>

Thu, Mar 27, 2025 at 12:26 PM

To: Adam Victor <adam@tgds.com>, avj@adamsforkenergy.com, "Patrick E. Ward" <PEWard@potesta.com>

Cc: Joseph R Kessler <joseph.r.kessler@wv.gov>, Jerry Williams <jerry.williams@wv.gov>, Casey M Samples <casey.m.samples@wv.gov>, Gregory L Null <gregory.l.null@wv.gov>, Barbara A Miles <barbara.a.miles@wv.gov>, Kathy M Sullivan <kathy.m.sullivan@wv.gov>

Application Status

TransGas Development Systems LLC; Adams Fork Harless Data Center Energy Campus**Facility ID: 059-00133****Application No. R13-3714**

Mr. Victor:

Your application for a Construction Permit for the Adams Fork Harless Data Center Energy Campus was received by this division on March 16, 2025, and was assigned to Jerry Williams.

It is noted in the Payment Report that payment will be received via phone. The permit engineer will contact you regarding the amount due. Once you have the amount that you owe from the engineer, you may contact the Accounts Receivable section at 304 926-0499 ext. 41195. The DEP accepts Visa and MasterCard only. Please have the Facility ID and Application Number available when calling.

Within 30 days, you should receive notification from Jerry Williams stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

Should you have any questions, please contact the assigned engineer, Jerry Williams, at 304-926-0499, extension 41214.

--

Stephanie Mink

Environmental Resources Associate

West Virginia Department of Environmental Protection

Division of Air Quality, Title V & NSR Permitting

601 57th Street SE

3/27/25, 12:44 PM

State of West Virginia Mail - WV DAQ Permit Application Status for TransGas Development Systems LLC; Adams Fork Harless Da...

Charleston, WV 25304

Phone: 304-926-0499 x41281