



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

Publication of Class I Legal Ad for the WV Division of Air Quality (2 of 2)

1 message

Mink, Stephanie R <stephanie.r.mink@wv.gov>
To: Southern WV Legals <swvlegals@hdmallc.com>
Cc: Jerry Williams <jerry.williams@wv.gov>

Fri, Jun 27, 2025 at 3:25 PM

Please publish the information below as a Class I legal advertisement (one time only) in the Wednesday, July 9, 2025 issue of the *The Williamson Daily News*. Please let me know that this has been received and will be published as requested. If this notice cannot be published on July 9 please advise prior to publication so that we can change the comment date within the notice. This is the second of two notices to be published in the July 9 edition. Thank you.

Send the invoice for payment and affidavit of publication to:

Stephanie Mink

Stephanie.R.Mink@wv.gov **

WV Department of Environmental Protection

DIVISION OF AIR QUALITY

601- 57th Street

Charleston, WV 25304

****To expedite payments for legal notices we are asking that all invoices and affidavits be emailed to the requestor. Any invoices which are mailed to the office are subject to delays. Thank you for your assistance.**

AIR QUALITY PERMIT NOTICE

Notice of Intent to Approve

On March 26, 2025, TransGas Development Systems, LLC applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a permit to construct an off grid power generation facility (Adams Fork Data Center Energy Campus) located at [2002 Twisted Gun Road, Wharnccliffe, Mingo County WV](#) at latitude 37.59372 and longitude -81.95491. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-3715.

The following potential emissions will be authorized by this permit action: Volatile Organic Compounds, 117.93 tons per year (TPY); Nitrogen Oxides, 194.30 TPY; Carbon Monoxide, 205.62 TPY; Sulfur Dioxide, 9.93 TPY; Total Particulate Matter, 215.17 TPY; Particulate Matter less than 10 microns in diameter, 192.26 TPY; Particulate Matter less than 2.5 microns in diameter, 188.03 TPY; Total Hazardous Air Pollutants, 0.87 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on Friday, August 8, 2025. A public meeting may be held if the Director of the DAQ determines that significant public interest has been

expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed construction will meet all state and federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Jerry Williams
WV Department of Environmental Protection
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304
Telephone: 304-926-0499, ext. 41214
Email: jerry.williams@wv.gov

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

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



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

Application Complete - TransGas; Adams Fork 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 (R13-3715) 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



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

Ad Number 235082

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 \$ 43.00

Commencing On: 04/09/2025

Ending On: 04/09/2025

Given under my hand this day 04/09/2025

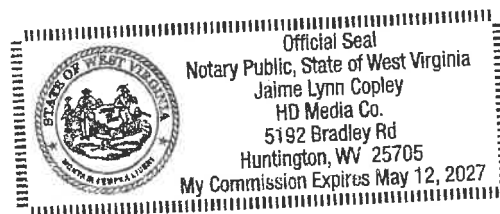
Sworn to and subscribed before me 04/09/2025
at Williamson, Mingo County, West Virginia

[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 Data Center Energy Campus located on Twisted Gun Road near Wharnciffe in Mingo County, West Virginia. The latitude and longitude coordinates are: 37.593717 and 81.954906.

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 which includes fugitives of 0.31 tpy, PM of 215.17 tpy which includes fugitives of 28.64 tpy, PM10 of 192.26 which includes fugitives of 5.73 tpy, PM2.5 of 188.03 tpy which includes fugitives of 1.50 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 9th day of April 2025.

By:
TransGas Development
Systems, LLC
Adam Victor
President
630 First Avenue,
Suite 300
New York, New York
10016 3799

LH-235082

04-09-2025

Acc.Id: 66275
Name: POTESA &
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: 87.0
Order ID: HC 235082
TFN: C
TFN cycle:
Rep: EQUEEN
Status: CF
Source: EM
Paytype: BI
Rate: LG
Cost EXC 43.00
GST:
Tax: 0.00
Total Charge: 43.00
Printed on: 04/02/2025 16:26:35
Printed by: EQUEEN



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

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

Patrick E. Ward <PEWard@potesta.com>

Tue, Apr 22, 2025 at 9:50 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 is the affidavit of publication as requested below.

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]



235082.pdf

243K



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

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

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 - Adams Fork
Permit Application R13-3715
Plant ID No. 059-00134**

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. 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.

**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

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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

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 Data Center Energy Campus**Facility ID: 059-00134****Application No. R13-3715**

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.

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Stephanie Mink

Environmental Resources Associate

West Virginia Department of Environmental Protection

Division of Air Quality, Title V & NSR Permitting

601 57th Street SE

3/28/25, 7:00 AM

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

Charleston, WV 25304

Phone: 304-926-0499 x41281