

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 11, 2025

MR MIKE ALVARADO
PRESIDENT
MARK ONE II LLC
2001 PROENERGY BLVD
SEDALIA MO 65301-2470

Re: Draft Federal Operating Permit and Acid Rain Permit Approval and Public Notice Authorization
Initial Issuance
Permit Number: O4692
Mark One II, LLC
Mark One II
Angleton, Brazoria County
Regulated Entity Number: RN111112082
Customer Reference Number: CN606089159

Dear Mr. Alvarado,

The executive director has completed the technical review of your application as required by the Texas Clean Air Act (TCAA) § 382.0517, as codified in the Texas Health and Safety Code, and has determined that the above-referenced application is administratively complete on October 28, 2024. This letter provides notice of the following:

- instructions describing how to **publish notice** for the draft permit; and
- the executive director's proposed final action is to submit a draft federal operating permit (FOP) and acid rain permit, which serves as a proposed permit, to the U.S. Environmental Protection Agency (EPA) for **EPA review** to run concurrently with the public notice comment period, unless public comments are received or the executive director grants a hearing request. If EPA review is not concurrent, the EPA review period shall begin no earlier than the close of the public comment period or date of the hearing.

The Form OP-ACPS (Application Compliance Plan and Schedule) submitted with the permit application is still valid for all applicable requirements in the attached draft operating permit, including new source review authorizations. If the Form OP-ACPS is no longer correct for any reason, please submit updated Form OP-ACPS, including an updated compliance plan to Ms. Anugraha Renny, Air Permits Division. This updated compliance plan must be approved by the Texas Commission Environmental Quality (TCEQ) and added to the FOP before publication.

Public Notice

The TCEQ has prepared a draft permit for your final review and approval. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

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You are now required to publish notice for the draft permit. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Instructions for Public Notice
- Public Notice Checklist
- Notice for Newspaper Publication and Sign Posting
- Affidavit of Publication for Air Permitting (Form TCEQ-20479) and Alternative Language Affidavit of Publication for Air Permitting (Form TCEQ-20480)

Please note that it is **very important** that you follow **all** directions in the enclosed instructions. If you do not, you may be required to republish the notice. A common mistake is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

A "Public Notice Checklist" is enclosed which notes the time limitations for each step of the public notice process. This checklist should be used as a tool in conjunction with the enclosed, detailed instructions.

EPA Review

In accordance with Title 30 Texas Administrative Code § 122.350 (30 TAC § 122.350), the procedural requirements of 30 TAC § 122.320 of this title (relating to Public Notice), 30 TAC § 122.322 of this title (relating to Bilingual Public Notice), and the requirements for EPA review under this section may run concurrently. However, if any person submits comments, or the executive director grants a hearing request, the requirement for EPA review may not run concurrently with the period for public notice. If comments are received, the executive director will submit the comments, responses, to the comments a proposed permit and a statement of basis to the EPA and shall restart the 45-day EPA review.

If the EPA does not file an objection to a proposed FOP and acid rain permit, or the objection is resolved, the TCEQ will issue the FOP and acid rain permit. Any person affected by the decision of the TCEQ, including the applicant, may petition the EPA in accordance with TCAA § 382.0563, as codified in the Texas Health and Safety Code, and 30 TAC § 122.360 within 60 days of the expiration of the EPA's 45-day review period. The petition shall be based only on objections to the permit raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period, or the grounds for such objections arose after the public comment period. Additional requirements for the content and formatting of petitions are specified in Title 40 Code of Federal Regulations Part 70 (40 CFR § 70.12).

The EPA may only object to the issuance of any proposed permit that is not in compliance with the applicable requirements or the requirements of this chapter. The 60-day public petition period will begin on the day after the last day of the EPA review period. Public petitions should be submitted to the TCEQ, the applicant and the EPA. Instructions on submitting a public petition to the EPA are available at the EPA website:

<https://www.epa.gov/title-v-operating-permits/title-v-petitions>

Public petitions should be submitted to the TCEQ at the following address:

Texas Commission Environmental Quality
Attn: Mr. Samuel Short, Deputy Director
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711-3087

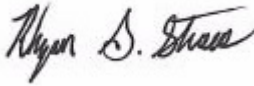
The TCEQ will make the draft FOP and acid rain permit, the statement of basis, FOP and acid rain permit application, compliance certification, and if applicable, the compliance plan and monitoring reports

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available to the public, EPA, and to the affected states and local programs as needed. If you do not comply with **all** requirements described in the instructions, further processing of your application may be suspended and your application voided, or the agency may take other action.

Thank you for your cooperation in this matter. If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300. If you have any other questions, please contact Ms. Anugraha Renny at (512) 239-1297.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhyar S. Stone".

Rhyar Stone, Manager
Operating Permits Section
Air Permits Division
Texas Commission on Environmental Quality

cc: Mr. Edward Rapier, Senior Environmental Engineer, ProEnergy Services, LLC, Sedalia
Director, Environmental Health, Brazoria County Health Department, Angleton
Air Section Manager, Region 12 - Houston

Project Number: 37237

Public Notice Checklist

Notice of Draft Federal Operating Permit and Acid Rain Permit (Title V Notice)

The following tasks must be completed for public notice. If publication in an alternative language is required, please complete the tasks for both the English and alternative language publications. Detailed instructions are included in the "Instructions for Public Notice" section of this package.

| |
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| Within 30 calendar days after date of this letter |
| <p>Publish <i>Notice of Draft Federal Operating Permit and Acid Rain Permit</i> in "public notice" section of newspaper. Review for accuracy prior to publishing.</p> <p>Provide copy of complete application, including any subsequent revisions, statement of basis, and the draft permit at a public place for review and copying. Keep them there for duration of the designated comment period.</p> <p>Prepare signs.</p> |
| First day of newspaper publication |
| <p>Review published newspaper notice for accuracy.</p> <p>Post signs and keep them up for duration of the designated comment period.</p> <p>Ensure copy of complete application, including any subsequent revisions, statement of basis, and the draft permit are at the public place.</p> |
| Within 2 business days after date of publication |
| <p>Fax proof of publication to Ms. Anugraha Renny in Air Permits Division at 512-239-1400 or send it by e-mail to Anugraha.Renny@tceq.texas.gov.</p> |
| Within 10 business days after date of publication |
| <p>Proof of publication showing publication date and newspaper name should be emailed to PROOFS@tceq.texas.gov or mailed to:</p> <p>Texas Commission on Environmental Quality Office of the Chief Clerk, MC-105 Attn: Notice Team P.O. Box 13087 Austin, Texas 78711-3087</p> <p>Mail photocopies of proof of publication showing publication date and newspaper name to TCEQ Regional Office and each local program with jurisdiction over your site.</p> |
| Within 30 calendar days after date of publication |
| <p>The affidavit of publication for air permitting and alternative language affidavit of publication for air permitting (if applicable) should be emailed to PROOFS@tceq.texas.gov or mailed to:</p> <p>Texas Commission on Environmental Quality Office of the Chief Clerk, MC-105 Attn: Notice Team P.O. Box 13087 Austin, Texas 78711-3087</p> <p>Mail photocopies of affidavits to Ms. Anugraha Renny in Air Permits Division or send it by e-mail to Anugraha.Renny@tceq.texas.gov.</p> |
| Within 10 business days after end of the designated comment period |
| <p>Public Notice Verification Form and Form OP-CRO1 should be emailed to PROOFS@tceq.texas.gov or mailed to:</p> <p>Texas Commission on Environmental Quality Office of the Chief Clerk, MC-105 Attn: Notice Team P.O. Box 13087 Austin, Texas 78711-3087</p> <p>Mail photocopies of Public Notice Verification Form and Form OP-CRO1 to Ms. Anugraha Renny in Air Permits Division or send it by e-mail to Anugraha.Renny@tceq.texas.gov.</p> |

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Instructions for Public Notice For Federal Operating Permit and Acid Rain Permit

Notice of Draft Federal Operation Permit and Acid Rain Permit

We have completed the technical review of your application and have prepared a draft federal operating permit (FOP) and acid rain permit for public notice. The draft FOP and statement of basis are available at the Texas Commission on Environmental Quality (TCEQ or Commission) Website:

www.tceq.texas.gov/goto/tvnotice

You must comply with the following instructions:

Draft Permit Review

The draft FOP and acid rain permit is available for your final review and approval. During technical review of the application, the permit reviewer coordinated with you or your technical contact to address and resolve any outstanding issues. Contact the permit reviewer listed in the cover letter immediately if you have any questions related to the draft FOP and acid rain permit.

Notice Review

Included in the notice is all of the information which the commission believes is necessary to effectuate compliance with applicable public notice requirements. Please read it carefully and notify the permit reviewer listed in the cover letter immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed *Notice of Draft Federal Operating Permit and Acid Rain Permit* **as soon as practical but no later than 30 calendar days** after the date on the cover letter with these instructions.
- You must publish the enclosed *Notice of Draft Federal Operating Permit and Acid Rain Permit*, at your expense, in the public notice section of one issue of a newspaper of general circulation in the municipality in which the site or proposed site is located, or the municipality nearest to the location of the site or proposed site.
- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

Alternative Language Notice

In certain circumstances, an applicant for an FOP and acid rain permit must complete notice in alternative languages.

- Public notice rules require the applicant to determine whether a bilingual program is required at either the elementary or middle school nearest to the facility or proposed facility location. Bilingual education programs are determined on a district-wide basis. When students who are required to attend either school are eligible to be enrolled in a bilingual education program, some alternative language notice is required (newspaper notice).
- Since the school district, and not the schools, must provide the bilingual education program, these programs do not have to be located at the elementary or middle schools nearest to the facility or proposed facility to trigger the alternative language notice requirement. Alternative language notice is required when students who would normally attend the nearest schools are eligible to be taught in a bilingual education program at a different location.
- If triggered, publications of alternative language notices must be made in a newspaper or publication printed primarily in each language taught in the bilingual education program. This notice is required if such a newspaper or publication exists in the municipality or the county where the facility is located or proposed to be located.
- The applicant must demonstrate a good faith effort to identify a newspaper or publication in the required language. If a newspaper or publication of general circulation published at least once a month in such language cannot be found, publishing in that language is not required, but signs must still be posted adjacent to each English language sign.
- The applicant has the burden to demonstrate compliance with these requirements. You must fill out the **Public Notice Verification Form (TCEQ-20244)** indicating your compliance with the requirements regarding publication in an alternative language. **This form is available at www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html.**
- It is suggested the applicant work with the local school district to do the following:
 - (a) determine if a bilingual program is required in the district;
 - (b) determine which language is required by the bilingual program;
 - (c) locate the nearest elementary and middle schools; and
 - (d) determine if any students attending either school are eligible to be enrolled in a bilingual educational program.
- **If you determine that you must meet the alternative language notice requirements, you are responsible for ensuring that the publication in the alternative language is complete and accurate in that language. Since the most common bilingual programs are in Spanish, TCEQ has provided the Spanish notice for your use, if applicable.**
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice at your own expense.

Public Comment Period

- The public comment period should last at least **30 calendar days**.
- The comment period will be longer if the last day of the public comment period ends on a weekend or a holiday. In this case, the comment period will end on the next business day.
- The comment period for the permit may lengthen depending on whether a notice and comment hearing is held. If a hearing is held, the comment period will be extended to the date of the hearing.

Sign Posting

- You must also post a sign in English and as applicable, in each alternative language, referencing the draft FOP and acid rain permit.
- Please read the sign template carefully and notify the permit reviewer listed in the cover letter immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information for the sign posting. You may not change the text of the sign without prior approval from the TCEQ.
- Signs must be in place on the first day of publication in a newspaper and must remain in place and be legible for the entire comment period or the end of a notice and comment hearing, if a hearing is granted.
- The sign placed at the site must be located at or near the site main entrance, provided that the sign is legible from the public street. If the sign would not be legible from the public street, then the sign shall be placed within ten feet of a property line paralleling a public street.
- The executive director may approve variations if you demonstrate that it is not practical to comply with the specific sign posting requirements. The executive director must approve variations before signs are posted.
- All lettering on the sign must be no less than 1-1/2" in height and in block printed capital lettering.
- The sign must be at least 18" wide and 28" tall, and consist of dark lettering on a white background.
- Alternative language signs are required if alternative notice is required, even if no newspaper can be found.
- Inspect each sign posting daily to ensure they are present and visible throughout the comment period.
- You must submit certification of sign posting within **10 business days** after the end of the public comment period by completing and submitting ***Public Notice Verification Form (TCEQ-20244)***.

Proof of Publication and Public Notice Verification

- Check the publication(s) to ensure that the notice(s) was accurately published.
- You must submit a copy of the **proof of publication** of each published notice which shows the complete notice that was published, date of publication, and the name of the newspaper to the Air Permits Division (APD) permit reviewer, **within 2 business days of publication**. Acceptable proofs of publication are 1) copies of the published notice or 2) the original newspaper clippings of the published notice. If you choose to submit copies of the published notice to the Office of the Chief Clerk, copies must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain original newspaper clippings or tear sheets of the notice for your records.
- You must submit proof of publication of each published notice which shows the complete notice that was published, date of publication, and the name of the newspaper to the Office of the Chief Clerk. In addition, send a copy to the TCEQ Regional Office and to each local program with jurisdiction over your site, within **10 business days** after the date of publication. You are encouraged to submit the affidavit with the proof of publication described above.

- You must submit the **publisher's affidavit** to the TCEQ Office of the Chief Clerk and TCEQ APD permit reviewer within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number. Please ensure that the publisher's affidavit(s) you send to the TCEQ Office of the Chief Clerk have all blanks filled in correctly.
- You must submit the **Public Notice Verification Form (TCEQ-20244)** to the Office of the Chief Clerk and submit a copy of this form to the APD permit reviewer, within **10 business days** of the end of the designated public comment period. You must use this form to verify that you have met sign posting requirements and alternative language notice requirements, as applicable. It is also used to verify that you placed a copy of the application, the statement of basis, and draft permit in a public place in the county in which the site is located or proposed to be located. **This form is available at** www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html.
- You must submit a completed *Form OP-CRO1* (Certification by Responsible Official), signed by the Responsible Official or Duly Authorized Representative, that verifies the truth and accuracy of all public notice documentation submitted. You must submit this form to the Office of the Chief Clerk and a copy of this form to the APD permit reviewer, within **10 business days** of the end of the designated public comment period.
- The **publisher's affidavit(s), Public Notice Verification Form, Form OP-CRO1**, and an **acceptable proof of publication of the published notice** must be emailed to PROOFS@tceq.texas.gov or mailed to:

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

- A copy of the **publisher's affidavit(s), Public Notice Verification Form, and Form OP-CRO1** must be emailed to Anugraha.Renny@tceq.texas.gov or be mailed to:

Texas Commission on Environmental Quality
Air Permits Division, MC-163
Attn: Ms. Anugraha Renny
P.O. Box 13087
Austin, Texas 78711-3087

Failure to Publish, Submit Proof of Publication and Certification of Public Notice

- You must meet all publication requirements. **If you fail to publish the notice, post signs, meet alternative language notice requirements, or submit proof of publication and public notice certification on time, the TCEQ may suspend further processing of your application or take other actions.**

Application in a Public Place

- You must provide a copy of the complete application, including any subsequent revisions, the statement of basis, and the draft permit, at a public place for review and copying by the public. The draft permit and statement of basis may be accessed at the link noted previously in this document. This place must be in the county in which the site is located or proposed to be located as required by 30 TAC § 122.320(b).
- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).

- The complete application must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place until the end of the comment period.
- If the application is submitted to the TCEQ with information marked as "CONFIDENTIAL," you are required to indicate which specific portions of the application are not being made available to the public. These portions of the applications must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the Texas Commission on Environmental Quality, Public Information Coordinator, MC-197, P.O. Box 13087, Austin, Texas 78711-3087."

General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the Notice of Draft Federal Operating Permit and Acid Rain Permit.

If you have questions or need assistance regarding this notice, please contact the permit reviewer listed in the cover letter or the Office of the Chief Clerk at (512) 239-3300.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Notice of Draft Federal Operating Permit and Acid Rain Permit

Draft Permit No.: O4692

Application and Draft Permit. Mark One II, LLC, 2001 ProEnergy Blvd, Sedalia, MO 65301-2470, has applied to the Texas Commission on Environmental Quality (TCEQ) for an initial issuance of Federal Operating Permit and Acid Rain Permit (herein referred to as Permit) No. O4692, Application No. 37237, to authorize operation of the Mark One II, a Fossil Fuel Electric Power Generation facility. The area addressed by the application is located at 24444 County Road 48 in Angleton, Brazoria County, Texas 77515. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to the application. You can find an electronic map of the facility at: <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.431111,29.228611&level=13>. This application was received by TCEQ on October 3, 2024.

The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code § 122.10 (30 TAC § 122.10). The draft permit, if approved, will codify the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of the application and has made a preliminary decision to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; the TCEQ Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452; and the Angleton Branch Library, 401 E Cedar St, Angleton, Texas 77515-4652, beginning the first day of publication of this notice. The draft permit and statement of basis are available at the TCEQ Website: www.tceq.texas.gov/goto/tvnotice. The application, including any updates, is available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/air/airpermit-applications-notices>.

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

Public Comment/Notice and Comment Hearing. Any person may submit written comments on the draft permit. Comments relating to the accuracy, completeness, and appropriateness of the permit conditions may result in changes to the draft permit.

A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment hearing. The purpose of the notice and comment hearing is to provide an additional opportunity to submit comments on the draft permit. The permit may be changed based on comments pertaining to whether the permit provides for compliance with 30 TAC Chapter 122 (examples may include that the permit does not contain all applicable requirements or the public notice procedures were not satisfied). The TCEQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper notice. The hearing request must include the basis for the request, including a description of how the person may be affected by the emission of air pollutants from the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify how the preliminary decision to issue or deny the permit is inappropriate. All reasonably ascertainable issues must be raised and all reasonably available arguments must be submitted by the end of the public comment period. If a notice and comment hearing is granted, all individuals that submitted written comments or a hearing request will receive written notice of the hearing. This notice will identify the date, time, and location for the hearing.

Written public comments and/or requests for a notice and comment hearing should be submitted to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/

and be received within 30 days after the date of newspaper publication of this notice. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted public comments, a hearing request, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For more information about the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040. You can also view our website for public participation opportunities at www.tceq.texas.gov/goto/participation.

Further information may also be obtained for Mark One II, LLC by calling Mr. Edward Rapier at (737) 781-3708.

Notice Issuance Date: June 11, 2025

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

AVISO DE UN PERMISO FEDERAL PARA OPERACIÓN PRELIMINAR Y DE PERMISO PRELIMINAR DE LLUVIA ÁCIDA

Permiso Preliminar Número: O4692

SOLICITUD Y PERMISO PRELIMINAR. Mark One II, LLC, 2001 ProEnergy Blvd, Sedalia, MO 65301-2470, ha presentado una solicitud ante la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) para la expedición inicial de un Permiso Federal de Operación y de Permiso Preliminar de Lluvia Ácida(en adelante denominado como Permiso) núm. O4692, Solicitud núm. 37237, para autorizar la operación de Mark One II, un Fossil Fuel Electric Power Generation instalación. El área a la cual se refiere la solicitud está ubicada en 24444 Carretera del Condado 48 en la ciudad de Angleton, Condado de Brazoria, Texas 77515. Este enlace a un mapa electrónico de la ubicación general del sitio o la instalación es proporcionado como una cortesía y no es parte de la solicitud o el aviso. Para la ubicación exacta, consulte la solicitud. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.431111,29.228611&level=13> Esta solicitud fue recibida por la TCEQ el 3 de octubre de 2024.

El propósito de un Permiso Federal de Operación es mejorar el acatamiento general con las normas que gobiernan el control de la contaminación atmosférica, claramente definiendo todos los requisitos aplicables como están definidos en el Título 30 del Código Administrativo de Texas § 122.10 (30 TAC § 122.10, por sus siglas en inglés). El permiso preliminar, si es aprobado, codificará las condiciones bajo las cuales el área debe operar. El permiso no autorizará construcción nueva. El director ejecutivo ha concluido la revisión técnica de la solicitud y ha hecho una decisión preliminar para preparar el permiso preliminar para la revisión y comentario público. El director ejecutivo de la TCEQ recomienda la expedición de este permiso preliminar. La solicitud de permiso, la declaración de base y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina Central de la TCEQ, 12100 Park 35 Circle, Building (Edificio) E, First Floor (primer Piso), Austin, Texas 78753, y en La Oficina Regional de la TCEQ en Houston, 5425 Polk Street, Suite H, Houston, Texas 77023-1452; y en la Angleton Branch Library, 401 E Cedar St, Angleton, Texas 77515-4652 empezando el primer día de la publicación de este aviso. El permiso preliminar y la declaración de base están disponibles en el sitio de la TCEQ: www.tceq.texas.gov/goto/tvnotice. La solicitud (cualquier actualización inclusive) está disponible electrónicamente en la siguiente página web: <https://www.tceq.texas.gov/permitting/air/airpermit-applications-notices>.

En la oficina central y la oficina regional también puede revisar y copiar documentos pertinentes para el permiso preliminar, así como los permisos para la Evaluación de Nuevas Fuentes que han sido incorporados por referencia. Cualquier persona que tengan dificultades obteniendo estos materiales debido a restricciones para viajar pueden comunicarse con la sala de archivos de la Oficina Central al teléfono (512) 239-2900.

COMENTARIOS/NOTIFICACIÓN PÚBLICA Y AUDIENCIA. Cualquier persona puede entregar comentarios públicos sobre el permiso preliminar. Comentarios relacionados a la exactitud, lo completo, y lo apropiado de las condiciones del permiso pueden resultar en cambios al permiso preliminar.

Una persona que podría ser afectada por la emisión de contaminantes atmosféricos del área del sitio del permiso puede solicitar una audiencia de aviso y comentarios. El propósito de la audiencia de notificación y comentarios es para proporcionar la oportunidad para entregar comentarios sobre el permiso preliminar. El permiso puede ser cambiado en base a si los comentarios relacionados con el permiso permiten el cumplimiento con el Título 30 del Código Administrativo de Texas, Capítulo 122 (ejemplos pueden incluir que el permiso no tiene todos los requisitos aplicables que correspondan o que no se cumplieron los procedimientos de aviso público). La TCEQ puede otorgar una audiencia de aviso y comentarios con respecto a esta solicitud si una petición por escrito es presentada dentro de los treinta días después de la publicación del anuncio en el diario. La solicitud de audiencia debe incluir la base de la solicitud, incluyendo una descripción de como la persona puede ser afectada por la emisión de contaminantes atmosféricos del área de la solicitud. La solicitud también debería especificar las condiciones del permiso borrador que son inapropiados o especificar como la decisión preliminar para expedir o denegar el permiso es inapropiado. Todos los asuntos razonablemente verificables deben ser planteados y todos los argumentos razonablemente disponibles deben ser entregados a no más tardar al final del período de comentarios públicos. Si se concede una audiencia de aviso y comentario, todos los individuos que presentaron comentarios por escrito o una solicitud de audiencia recibirán confirmación por escrito de la audiencia. Esta confirmación indicará la fecha, hora y lugar de la audiencia.

Comentarios públicos por escrito y/o peticiones para una audiencia de aviso y comentarios deberían ser presentados a la Comisión de Calidad Ambiental (TCEQ), Oficina del Secretario Oficial (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087, o por internet al www14.tceq.texas.gov/epic/eComment/, dentro de treinta días después de la fecha de publicación en el periódico de este aviso. Si se comunica electrónicamente con la TCEQ, favor de notar que su correo electrónico, tal como su dirección de correo doméstico, formarán parte del archivo público de la agencia.

Un aviso de la acción final propuesta que incluye una respuesta a los comentarios y denotando cualquier cambio al permiso preliminar, será enviado a todas las personas que hayan presentado comentarios públicos, una solicitud de audiencia o que hayan solicitado ser incluidos en la lista de correo. Este envío de correo también proveerá instrucciones para hacer peticiones públicas a la Agencia de Protección Ambiental (EPA, por sus siglas en inglés), para solicitar que la EPA se oponga a la expedición del permiso preliminar. Después de recibir una solicitud, la EPA solamente podrá objetar a la expedición de un permiso que no cumple con los requisitos aplicables o los requisitos del 30 TAC Capítulo 122.

LISTA PARA ENVÍO DE CORREO. Aparte de entregar comentarios públicos, usted puede solicitar ser incluido en una lista para envío de correo con respecto a esta solicitud al enviar su petición a la Oficina del Secretario Oficial (Office of Chief Clerk) a la dirección antes mencionada. Los que se encuentran en la lista para envío de correo recibirán copias de avisos públicos futuros (si hay) para esta solicitud enviados por correo por el Secretario Oficial.

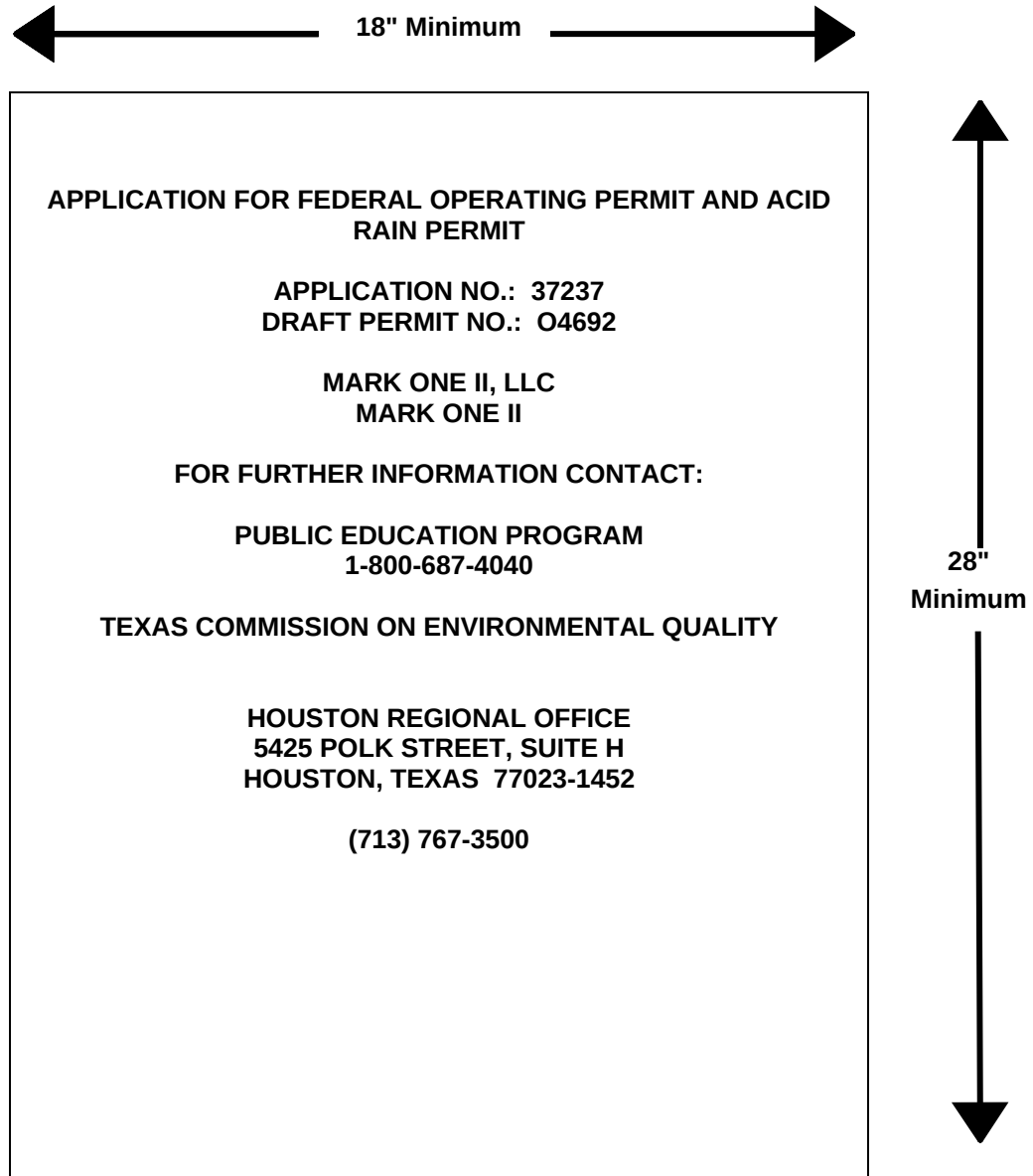
INFORMACIÓN. Para más información sobre el proceso de tramitación de permisos, favor de llamar al Programa de Educación pública de la TCEQ sin costo al 1-800-687-4040, o bien visitar su sitio web, www.tceq.texas.gov/goto/pep. Para información en español, favor de llamar al 1-800-687-4040. También es posible consultar oportunidades de participación pública en nuestro sitio web, www.tceq.texas.gov/goto/participation.

Puede obtener más información sobre Mark One II, LLC llamando a Mr. Edward Rapier al teléfono (737) 781-3708.

Fecha de Expedición: 11 de junio de 2025

Public Notice Example Sign Posting

Sign(s) must be in place on the date of publication of the newspaper notice and must remain in place and be legible throughout the public comment period. Note - The information shown is an **example only**. It is your responsibility to verify that the appropriate information pertaining to **your application** is accurate. Each sign placed at the **area addressed in the FOP application** must be located at or near the site main entrance, provided that the sign is legible from the public street. If the sign would not be legible from the public street, then the sign shall be placed within 10 feet of a property line paralleling a public street.



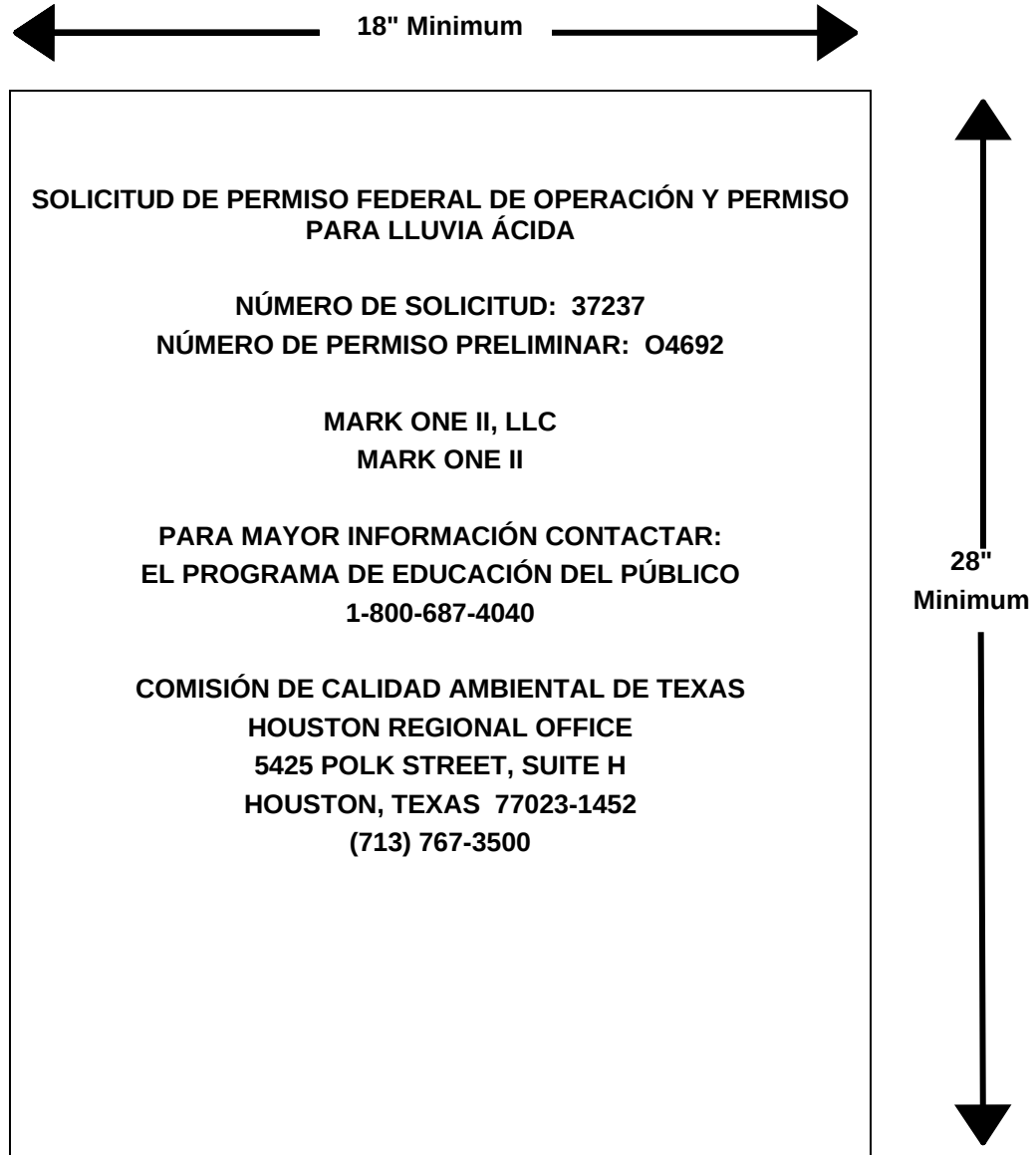
Sign(s) must be placed at whatever height above the ground is necessary for sign(s) to be 100% visible from the street.

WHITE BACKGROUND WITH BLACK LETTERS

All lettering must be no less than 1-1/2 inch block printed capitals.

Spanish Public Notice Example Sign Posting

Sign(s) must be in place on the date of publication of the newspaper notice and must remain in place and be legible throughout the public comment period. Note - The information shown is an **example only**. It is your responsibility to verify that the appropriate information pertaining to **your application** is accurate. Each sign placed at the **area addressed in the FOP application** must be located at or near the site main entrance, provided that the sign is legible from the public street. If the sign would not be legible from the public street, then the sign shall be placed within 10 feet of a property line paralleling a public street.



Sign(s) must be placed at whatever height above the ground is necessary for sign(s) to be 100% visible from the street.

WHITE BACKGROUND WITH BLACK LETTERS

All lettering must be no less than 1-1/2 inch block printed capitals.

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Mark One II, LLC
Permit No.: O4692
Notice of Draft Federal Operating Permit

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is (*Name of Person Representing Newspaper*)

the _____ of the _____
(*Title of Person Representing Newspaper*) (*Name of the Newspaper*)

that said newspaper is generally circulated in _____, Texas;
(*The **municipality or nearest municipality** in which the site or proposed site is located*)

that the enclosed notice was published in said newspaper on the following date(s):

(*newspaper representative's signature*)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

[Seal]

Print or Type Name of Notary Public

My Commission Expires

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Mark One II, LLC
Permit No.: O4692
Notice of Draft Federal Operating Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is (Name
of Person Representing Newspaper)

the _____ of the _____;
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in _____, Texas;
(The **municipality or county** in which the site or proposed site is located)

that the enclosed notice was published in said newspaper on the following date(s):

(Newspaper Representative's Signature)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

[Seal]

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires