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Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, TX 78711

Re: Public Citizen Comments on Proposed Air Quality Permit No. 178585, GHGPSDTX247, PSDTX1658

Public Citizen appreciates the opportunity to provide these comments. We would welcome the opportunity to discuss our recommendations further. Please contact Kamil Cook at kcook@citizen.org, 512-477-1155.

I request a public meeting regarding the proposed Air Quality Standard Permit, No. 178585.

Demographic and pollution data shows a vulnerable community that should not face additional pollution.

Using the Environmental Justice Screen Tool (EJSCREEN) of the U.S. Environmental Protection Agency (EPA), we see a demographic profile of a potentially vulnerable community.¹ Within one mile of the existing footprint of the Bastrop Energy Center (BEC), we see:

- 884 people in 231 households
- 29% low income
- 59% Hispanic
- 19% with less than a high school education
- \$27,537 per capita income
- 50% aged 18 or less and aged 65 and up

The EJ Indices for this community put it at the 77th percentile nationwide for fine particulate matter (PM2.5) pollution and 73rd percentile nationwide for ozone pollution. This community is already bearing more than its fair share of air pollution.

Additionally, as my previous comment noted, this is a majority Hispanic and Spanish-speaking community. 59% of the people within a mile of the plant are Hispanic and likely speak Spanish at home. A public hearing should provide an onsite translator, and all printed documents in English should also be provided in Spanish.

¹ See attached EJSCREEN reports based on a one-mile buffer around the facility.



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Location of Public Posting

We have questions about whether the public posting of notice was adequately placed. It was placed in the Bastrop Public Library approximately 17 miles from the site of the plant. There are many public locations much closer to the plant (within 3 miles) where a posting could have been publicly placed. We believe that this public posting could have been much closer to the location of the plant while still being publicly accessible. This process should restart with proper notice posting.

Potential to Push Travis County and Surrounding Areas into Ozone Nonattainment

We are concerned that this and other plants in the process of receiving permits (namely the SL Energy Power Plant 1 which is planned for constructions less than 50 miles East of downtown Austin), risk pushing Travis County and surrounding areas into ozone nonattainment of National Ambient Air Quality Standards (NAAQS) for the region. Currently, Travis County and surrounding counties are dangerously close to falling into nonattainment. We fear the cumulative effects impacts of the BEC and other plants could finally push nearby counties into nonattainment.

Data retrieved from EPA.gov for 2024 show that first max 8hr for both air monitors in Travis County indicate parts per million is well above EPA air quality standards.² In 2023, the first, second, and third max 8hr for both Travis County monitors also showed parts per million well above EPA air quality standards. Lastly, in 2022, the first, second, third, and fourth max for monitor 2 (the closer of the two monitors to the Bastrop Energy Center) were in violation of EPA air quality standards. With this recent history, it's possible and perhaps likely that the BEC's expansion could tip the area into nonattainment.

2024:

First Max 8hr	Second Max 8hr	Third Max 8hr	Fourth Max 8hr	Days 8hr Max >STD	Required Days 8hr	Valid Days 8hr	Percent Days 8hr	First Max 1hr	Second Max 1hr	Days 1hr Max >STD	Est Days 1hr Max >STD	Required Days 1hr	Valid Days 1hr	Missing Days 1hr	Exc Events	Monitor Number	Site ID	Address	City	County	State	EPA Region
0.078	0.077	0.07	0.07	2	275	245	89	0.089	0.083	0	0	275	242	3	None	2	484530014	3824 North Hills Drive	Austin	Travis	TX	06
0.081	0.069	0.068	0.068	1	275	242	88	0.095	0.077	0	0	275	236	4	None	1	484530020	12200 Lime Creek Rd	Leander	Travis	TX	06

² From <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>, the following values were entered: Pollutant: Ozone; Year: 2024, 2023, 2022; Geographic Area: Travis County; Exceptional Events: Excluded.



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2023:

First Max 8hr	Second Max 8hr	Third Max 8hr	Fourth Max 8hr	Days 8hr Max >STD	Required Days 8hr	Valid Days 8hr	Percent Days 8hr	First Max 1hr	Second Max 1hr	Days 1hr Max >STD	Est Days 1hr Max >STD	Required Days 1hr	Valid Days 1hr	Missing Days 1hr	Exc Events	Monitor Number	Site ID	Address	City	County	State	EPA Region
0.076	0.076	0.075	0.074	10	275	262	95	0.085	0.084	0	0	275	265	8	None	2	484530014	3824 North Hills Drive	Austin	Travis	TX	06
0.076	0.075	0.073	0.07	3	275	219	80	0.083	0.082	0	0	275	224	10	None	1	484530020	12200 Lime Creek Rd	Leander	Travis	TX	06

2022:

First Max 8hr	Second Max 8hr	Third Max 8hr	Fourth Max 8hr	Days 8hr Max >STD	Required Days 8hr	Valid Days 8hr	Percent Days 8hr	First Max 1hr	Second Max 1hr	Days 1hr Max >STD	Est Days 1hr Max >STD	Required Days 1hr	Valid Days 1hr	Missing Days 1hr	Exc Events	Monitor Number	Site ID	Address	City	County	State	EPA Region
0.079	0.076	0.075	0.073	6	275	255	93	0.088	0.087	0	0	275	257	6	None	2	484530014	3824 North Hills Drive	Austin	Travis	TX	06
0.068	0.067	0.066	0.066	0	275	270	98	0.077	0.076	0	0	275	270	3	None	1	484530020	12200 Lime Creek Rd	Leander	Travis	TX	06

The BEC expansion proposes an increase of 718.50 tons per year of Nitrogen Oxides (NOx) and 19.10 tons per year of Volatile Organic Compounds (VOCs), both chemical precursors to ground level ozone formation.³ Once ground level ozone is created, it travels in large plumes that can stay in areas for days to weeks. The expansion will contribute to the formation of ground level ozone in Bastrop and Travis counties.

The additional simple cycle combustion turbines that this permit seeks to build are modeled as “peaker” turbines intended to run when the grid is most in need of energy. Often, ground level ozone forms on the hottest summer days when energy from sunlight triggers a chemical reaction between abundant NOx and VOCs. These simple cycle turbines could exacerbate the region’s ozone problem and push the entire region into ozone noncompliance.

Conclusion

Again, we appreciate the opportunity to provide these comments. If you wish to discuss the issues raised, please contact Kamil Cook at kcook@citizen.org, 512-477-1155.

Respectfully,

Kamil Cook

³ Data gathered from the Texas Commission on Environmental Quality Pending Applications: New Source Review Permits page here: <https://www.tceq.texas.gov/assets/public/permitting/air/reports/applications/nsr-pending-permits.html>.