STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT

IN THE MATTER OF:
THE APPLICATION OF YUCCA GROWTH INFRASTRUCTURE, LLC FOR AN AIR QUALITY PERMIT, NO. NSR 10883

AQB 26-57(P)

AMENDED NOTICE OF PUBLIC HEARING

The New Mexico Environment Department ("Department" or "NMED") announces a hybrid public hearing to take evidence on the application for an air quality construction permit for a facility located in Doña Ana County pursuant to the New Mexico Air Quality Control Act, NMSA 1978 Sections 74-2-1 through 74-2-17 ("Act"), and regulations within Part 20.2.72 NMAC. The permit application to be considered in this hearing pertains to the YGI Microgrid as submitted by Yucca Growth Infrastructure, LLC ("Yucca").

This Amended Notice of Public Hearing is provided pursuant to the Hearing Officer's July 29, 2026, Amended Scheduling Order and the provisions of 20.1.4.200 NMAC. Additionally, this Amended Notice of Public Hearing supersedes and serves to retract the initial the Notice of Public Hearing. The English language version of which was published in the Albuquerque Journal on July 17, 2026, and Las Cruces Sun on July 17, 2026, and the Spanish language version was published in the Las Cruces Sun on July 17, 2026, and in the Albuquerque Journal on July 18, 2026.

A copy of the Amended Scheduling Order, as well as all other filings in this matter may be obtained on the Department's website at the following location: go to https://www.env.nm.gov/opf/docketed-matters/; scroll to and select "Environment Department Cabinet Secretary"; then scroll to and select "AQB 26-57(P): Yucca Growth Infrastructure, LLC – YGI Microgrid."

Brief Description of Permit Application:
Yucca has submitted a New Source Review permit application No. NSR 10883 to construct the YGI Microgrid which would consist of Bloom Energy Solid Oxide Fuel Cells ("SOFC") to generate 2,462 MW to power a nearby data center. Yucca's application requests that the YGI Microgrid be permitted to operate as Title V major source under the Act and Part 20.2.72 NMAC, and that it may operate continuously (8,760 hours per year). The YGI Microgrid is a new facility that intends to be located at latitude and longitude decimal degrees: 31.8183, -106.6792 Datum: WGS 84. To aid in locating this facility, the approximate location is 3.6 miles South of Santa Teresa in Doña Ana County, NM.

An electronic version of the permit application, its revisions, the Department's Draft Permit, the Department's Statement of Basis, as well as other previous materials and notices may be reviewed on the Department's website at the following location: go to https://www.env.nm.gov/public-notices/; scroll to and select Doña Ana County; then find and select the header labeled "Yucca Growth Infrastructure, LLC — YGI Microgrid." If an individual is unable to obtain a copy of the draft permit at the above website or is seeking additional information, they may contact:

Julia Kuhn
Permits Section
Air Quality Bureau
New Mexico Environment Department
525 Camino de los Marquez, Suite 1A
Santa Fe, New Mexico 87505-1816
(505) 476-4300

Applicant Contact Information:
Yucca Growth Infrastructure, LLC
600 Congress Ave, Suite 15041, Austin, TX 78701
(336) 339-2363
notices@borderplexdigital.com

Hearing Date, Time, and Location:
The hearing will begin at 9:00 a.m. on September 14, 2026, and will be conducted on consecutive days as needed or continued upon order of the Hearing Officer. The hearing will be conducted both virtually via Webex (see the link posted online in the Department's Calendar at https://www.env.nm.gov/events-calendar/) and in person at the following physical location in Sunland Park in Doña Ana County, New Mexico: Sunland Park Multi-Generational Center, 4700 McNutt Road, Sunland Park, New Mexico 88063. The hearing will have Spanish interpreters available on Webex.

Providing Non-Technical or General Public Comment:
The Hearing Officer will accept non-technical or general public comment in writing prior to the beginning of the hearing or in writing or verbally while the hearing record is open. Members of the public who wish to provide non-technical or general comment are encouraged to submit their comments in writing by using NMED's Public Comment Portal, including relevant evidence, data, views, arguments, written statements in lieu of oral testimony at the hearing, or public comment. Access the Public Comment Portal via a link on the Department's docketed matters web page www.env.nm.gov/opf/docketed-matters/. Look under the Environment Department Cabinet Secretary dropdown for "AQB 26-57(P): Yucca Growth Infrastructure, LLC — YGI Microgrid". The direct link to the Public Comment Portal is http://nmed.commentinput.com.

Verbal non-technical testimony or general comment will be accepted at the hearing while the record is open. Pursuant to the Amended Scheduling Order individuals intending to provide non-

technical verbal testimony or general public comment will be sworn in and allowed to submit comments throughout the first day of the hearing on September 14, 2026, and at various times throughout the hearing. Members of the public will have up to three (3) minutes to offer verbal non-technical testimony or general comment per individual, unless otherwise ordered by the Hearing Officer. The hearing will be conducted in accordance with the Environment Department Permitting Procedures, 20.1.4 NMAC, the procedures in Air Quality Construction Permits, 20.2.72 NMAC, and other applicable hearing procedures.

Entry of Appearance:
Any person who wishes to be a party in this proceeding must file with the Hearing Clerk at the address below an Entry of Appearance on or before August 24, 2026. A timely and complete Statement or Notice of Intent to Present Technical Testimony shall be considered an Entry of Appearance if the person filing such statement has not previously filed a separate Entry of Appearance.

Luis Lopez
Hearing Clerk
Office of Public Facilitation
New Mexico Environment Department
1190 St. France Drive
P.O. Box 5469
Santa Fe, New Mexico 87502
Luis.lopez@env.nm.gov

A person's failure to file a timely Statement of Intent or Entry of Appearance substantially complying with these requirements shall preclude the person from becoming a party but shall not preclude a person from presenting written or oral non-technical testimony or general public comments.

Statement of Intent to Present Technical Testimony:
Any person who intends to present technical evidence or technical testimony at the public hearing must file a Statement or Notice of Intent ("NOI") to Present Technical Testimony with the Hearing Clerk on or before August 24, 2026, and serve an electronic copy of the foregoing on all other parties. The NOI must be filed with the Hearing Clerk at the following email:

Luis Lopez
Hearing Clerk
Office of Public Facilitation
New Mexico Environment Department
Luis.lopez@env.nm.gov

The NOI to Present Technical Testimony shall: (i) identify the person filing the statement; (ii) state whether the person filing the statement supports or opposes the Draft Permit, Application, or Petition; (iii) identify each witness, including name, address, affiliation(s), and educational and

work background; (iv) estimate the length of the direct testimony of each witness; (v) identify all exhibits which are part of the Record Proper and, for exhibits not part of the Record Proper, attach a copy; (vi) list or make available all technical materials relied upon by each witness in making the statement of technical fact or opinion contained in his or her direct testimony; (vii) attach a complete narrative of the direct testimony of each witness, stating any opinion(s) to be offered by such witness, and an explanation of the basis for such opinion(s); and (vii) comport with provisions 20.1.2.200 NMAC and the Amended Scheduling Order. Unless otherwise ordered by the Hearing Officer, NOIs to Present Rebuttal Technical Testimony, if any, shall be filed on or before September 3, 2026, and comport with the same requirements as the preceding NOIs as described above.

Failure to file a timely and complete NOI will preclude a person from presenting technical evidence or testimony sought to be offered. All exhibits must be properly marked to be accepted, including the party name and exhibit number on the top or bottom of the exhibit, and include consecutively numbered pages.

Permit Hearing Procedures:
The public hearing, as well as all pre-hearing and post-hearing activity, will be conducted in accordance with the Permit Procedures of the Environment Department (20.1.4 NMAC), the Act, and applicable construction permit rules and regulations. The Permit Procedures may be accessed electronically at https://nmonesource.com/nmos/nmac/en/item/18058/index.do#t20c1p4 or by contacting the Hearing Clerk. The construction permit rules (20.2.72 NMAC) may be accessed electronically at https://nmonesource.com/nmos/nmac/en/item/18058/index.do#t20c2p72.

Notice of Non-Discrimination:
NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@env.nm.gov. You may also visit our website at https://www.env.nm.gov/non-employee-discrimination-complaint-page/ to learn how and where to file a complaint of discrimination.