

WEST VIRGINIA AIR QUALITY BOARD

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AIR QUALITY BOARD

Susan Shelton Perry

Appellant,

v.

Appeal No. 25-03-AQB

DIRECTOR, DIVISION OF AIR QUALITY,

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Appellee.

**APPEAL OF THE DECISION OF THE AIR QUALITY DIVISION REGARDING TRANSGAS
PERMITS R13-3714 and R 13-3715**

1. Appellant is a lifelong resident of Logan County, West Virginia, who believes that she would be adversely affected by an increase in pollution levels caused by microgrid projects covered by the two air quality permits recently granted for microgrids in Mingo County, West Virginia.
2. Appellant believes that the information withheld under the confidential business exception would be necessary to have an independent expert evaluate the claims made by TransGas regarding air quality and emissions. Without that information, any opinion would be speculative.
3. Appellant and other members of the community have raised myriad concerns during the Public Hearings and Public Comment period that are outside the jurisdiction of the Air Quality section of the Department of Environmental Protection, including issues related to air pollution, water pollution, noise pollution, light pollution, common law nuisance, habitat destruction, effects on the tourist industry in the area, proximity to Gilbert area schools. It is obvious that the fragmented nature of the process currently in place makes no allowance for a hearing on many of these issues.

Microgrids are a new phenomenon in West Virginia, and the process set up in law and in legislative rules is simply inadequate to address the concerns of residents and to protect the environment. Please see the Questions and Answers from the Public Comment period to get an idea of the variety of concerns raised.

Therefore, the Appellant requests the following relief:

1. That the approval of Permits R13-3714 and R13-3715 be reversed and held in abeyance until the unredacted application and supplemental documents be provided to the public and a new Public Comment period be granted;
2. That the approval of Permits R13-3714 and R13-3715 be reversed and held in abeyance for a period of 120 days to permit Appellant to seek a review by the Circuit Court.

Respectfully submitted,

A handwritten signature in cursive script, reading "Susan Shelton Perry", is written over a horizontal line.

Susan Shelton Perry

PO Box 112

Logan, WV. 25601

Appellant reserves the right to amend this Notice of Appeal by leave of the Board and for good cause shown.

Dated this 31st day of October, 2025..



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