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OCT 27 2026
Luis Lopez (OPF)

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 10833

AQB 26-57(P)

NEW MEXICO ENVIRONMENT DEPARTMENT AIR QUALITY BUREAU'S NOTICE OF FILING OF ADMINISTRATIVE RECORD SUPPLEMENT AS OF OCTOBER 26, 2026

The New Mexico Environment Department Air Quality Bureau ("Bureau"), pursuant to oral direction from Judge Browning during the October 15, 2026 status conference for regular updates and the New Mexico Environment Department's Permit Procedures at 20.1.4.200(A)(2) NMAC, notifies the parties that supplements to the Administrative Record, including the Administrative Record Index, regarding the new source review application of Yucca Growth Infrastructure, LLC for an air quality construction permit has been filed with the Hearing Clerk and served on the parties in the above captioned matter. The Administrative Record filed represents the documents compiled and indexed by the Bureau as of October 26, 2026.

On August 25, 2026, the documents that had been compiled and indexed by the Bureau as of the morning of August 24, 2026, which are Bates Nos. Administrative Record NSR 10833_000001 to 010493, were posted by the Bureau to the applicable part of the Department's public notices page, which can be found here: https://www.env.nm.gov/public-notices/, and directly available here: https://www.env.nm.gov/public-notices/yucca-growth-infrastructure-llc-ygi-microgrid/. Those documents were included in the Bureau's October 9, 2026, filing along with additional documents that have been compiled and indexed by the Bureau as of the morning of October 9, 2026 [Dkt. Nos. 101-105], which are Bates Nos. Administrative Record NSR 10833_

010494-011977. The supplement to the Administrative Record as of October 21, 2026, filed the next day as [Dkt. Nos. 119-121], contained documents that were compiled and indexed by the Bureau as Bates Nos. Administrative Record NSR 10833_011978-012225. This supplement to the Administrative Record now contains documents that have been compiled and indexed by the Bureau as Bates Nos. Administrative Record NSR 10833_012226-012288.

The Administrative Record is not static or self-generating; it continues to develop as the Bureau completes its review and as relevant materials are generated, which the Bureau must then identify and compile often near the conclusion of the public hearing process. See 20.1.4.7(A)(2) NMAC (definition of administrative record for public hearings); 20.2.72.207(D) NMAC (definition of administrative record for air quality construction permits). This supplement reflects the Bureau's compilation of documentation for filing as of this update and may not include every responsive item currently in existence. It should not be understood as a representation of the status, progress, or conclusions of the Bureau's ongoing technical review, which proceeds independently of the identification, collection, and compilation of materials for the Administrative Record. Thus, the Bureau reserves the right to supplement the Administrative Record up to the day of the administrative public hearing on the pending air quality permit. See 20.1.4.200(A)(2) NMAC (stating the Bureau must deliver the administrative record to the Hearing Clerk no later than the start of the administrative public hearing on the pending air quality permit).

Filed: October 27, 2026

Respectfully Submitted,

ROBLES, RAEL & ANAYA, P.C.

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Counsel for the Bureau

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *New Mexico Environment Department Air Quality Bureau's Notice of Filing of Administrative Record Supplement as of October 26, 2026* was electronically filed and sent via electronic mail on this 27th day of October 2026 to the following:

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New Mexico Department of Justice

Should the Hearing Clerk require a paper original, Robles, Rael, and Anaya, P.C. shall promptly provide the document upon request.

/s/Kelsea E. Sona
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