

Melinda Jones

am submitting this comment in opposition to granting the air quality permit for Project Jupiter's proposed fuel cell microgrid at this time. I want to be clear: I am not opposed to AI development or to economic growth in southern New Mexico. I support innovation. However, I am deeply concerned that this permit process is being used to work around existing air quality protections rather than comply with them. The area around Santa Teresa and Sunland Park already exceeds federal ozone standards (Oilandgaswatch) — meaning this community is already breathing air that does not meet the law. Environmental advocates have noted the legacy of environmental injustice and pollution that communities in this area already bear. (CleanTechnica) Adding a major new emissions source on top of an already overburdened airshed is not acceptable, regardless of whether the technology is slightly cleaner than what was proposed before. While the developers note that the fuel cell system would reduce nitrous oxide emissions by about 92% compared to the previous gas turbine plans, the project would still emit approximately 10.1 million tons of greenhouse gases per year. That is not a clean energy solution — it is a fossil fuel facility at unprecedented scale. Experts have called this project "likely to be one of the most expensive fossil-fueled power generation projects in history," and the technology has never been deployed at anything close to this scale. Switching the power system design mid-permitting — after 7,000 public comments were already submitted on the previous application — and restarting the clock should not be used as a strategy to avoid accountability. The public deserves a full and fair review of what is actually being proposed, not a rushed approval of an unproven technology at gigawatt scale. I urge NMED to deny this permit until the developers can demonstrate that the project will not worsen air quality in a region already out of attainment with federal standards.

The public should be given an additional 60 days to review and comment on the air quality permit so community members can participate equitably.

If the permit is not denied, a public hearing needs to be held in Santa Teresa, in both English and Spanish, with an option to participate virtually.

Approving this permit would be government-sponsored environmental racism as residents of Doña Ana County are already disproportionately impacted by environmental pollution.

Thank you for accepting public comment on this important decision.