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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 18, 2024

MR SHAUN BARRETT
PLANT MANAGER
HAYS ENERGY LLC
1601 FRANCES HARRIS LN
SAN MARCOS TX 78666-8967

Re: Effective Federal Operating Permit and Acid Rain Permit Approval
Renewal
Permit Number: O2079
Expiration Date: September 18, 2029
Hays Energy, LLC
Hays Energy Facility
San Marcos, Hays County
Regulated Entity Number: RN100211689
Customer Reference Number: CN600125611

Dear Mr. Barrett:

The effective federal operating permit (FOP) and acid rain permit for Hays Energy, LLC, Hays Energy Facility is enclosed. This FOP constitutes authority to operate the emission units identified in the FOP application.

All site operating permits are subject to public petition for 60 days following the expiration of the 45-day U.S. Environmental Protection Agency (EPA) review. The public petition period for the FOP extends from September 7, 2024 until November 5, 2024. If the EPA receives a valid petition and objects to the above-referenced permit, you will be notified promptly by the Texas Commission on Environmental Quality (TCEQ).

It should be noted that from the date of this letter Hays Energy, LLC, Hays Energy Facility must operate in accordance with the requirements of Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122) and the FOP. Some of the terms and conditions contained in the FOP include recordkeeping conditions, reporting conditions (which includes deviation reporting), and compliance certification conditions. All reports, along with any questions regarding the reports, shall be forwarded to the Texas Commission on Environmental Quality, Austin Regional Office, 12100 Park 35 Circle, Building A, Room 179, Austin, Texas 78753-1808.

Consistent with 30 TAC Chapter 122, Subchapter C, the permit holder shall submit an application to the Air Permits Division (APD) for a revision to an FOP for those activities at a site which change, add, or remove one or more FOP terms or conditions. The permit holder shall also submit an application to the APD for a revision to a permit to address the following: the adoption of an applicable requirement previously designated as federally enforceable only; the promulgation of a new applicable requirement; the adoption of a new state-only requirement; or a change in a state-only designation.

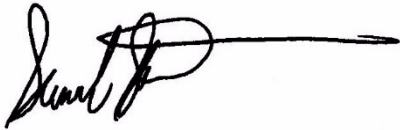
Consistent with 30 TAC §122.133 and 30 TAC §122.134, a complete renewal application must be submitted to the agency no later than six months, but no earlier than 18 months, before the expiration of this permit.

Mr. Shaun Barrett
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Thank you again for your cooperation in this matter. If you have questions concerning the review or this notice, please contact Mr. John Walker at (512) 239-1277.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

A handwritten signature in black ink, appearing to read 'Samuel Short', followed by a long horizontal line extending to the right.

Samuel Short, Deputy Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

cc: Mr. Roderick Harger, Environmental Specialist, Luminant Generation Company LLC, Irving
Air Section Manager, Region 11 - Austin

Enclosure: Effective Permit

cc: Air Permit Section Chief, U.S. Environmental Protection Agency, Region 6, Dallas

Project Number: 35823