

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER

concerning the application by Wolf Hollow II Power, LLC for Air Quality Permit Nos. 175173 and PSDTX1636; TCEQ Docket No. 2024-1918-AIR.

On February 13, 2025, the Texas Commission on Environmental Quality (Commission) considered during its open meeting requests for hearing and reconsideration concerning the application by Wolf Hollow II Power, LLC (Applicant) for Air Quality Permit Nos. 175173 and PSDTX1636. The application seeks authorization to construct new power generation facilities that will expand the existing Wolf Hollow II Power Plant. The plant is located at 8787 Wolf Hollow Court, Granbury, Hood County, Texas.

The requests for hearing and reconsideration were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55. The Commission also considered the responses to the requests for hearing and reconsideration filed by the Executive Director, the Office of Public Interest Counsel, and the Applicant; requesters' timely replies; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that Shenice and Travis Copenhaver, Daniel Lakey, Karen Pearson, and Cheryl Shadden are affected persons and granted their requests for hearing. The Commission determined that the remaining hearing requests and requests for reconsideration be denied.

The Commission next determined whether the granted requests for hearing raised disputed issues of fact or mixed questions of fact and law that were raised by an affected person during the comment

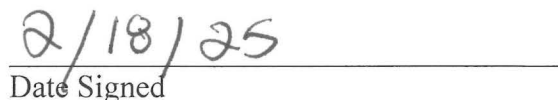
period, and that are relevant and material to the decision on the application. The Commission determined that the following issues met those requirements and directed that they be referred to the State Office of Administrative Hearings (SOAH) for a contested case hearing: 1) Whether the draft permit will be protective of the health of the requesters, their families, and their animals, livestock, and wildlife; and 2) Whether the draft permit will be protective of air quality. Finally, the Commission specified that the maximum duration of the contested case hearing shall be 180 days from the date of the preliminary hearing until the proposal for decision is issued by SOAH.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

- 1) The hearing requests of Shenice and Travis Copenhaver, Daniel Lakey, Karen Pearson, and Cheryl Shadden are hereby GRANTED;
- 2) The remaining hearing requests and requests for reconsideration are hereby DENIED;
- 3) The following issues are referred to SOAH for a contested case hearing on the application:
 - A) Whether the draft permit will be protective of the health of the requesters, their families, and their animals, livestock and wildlife; and
 - B) Whether the draft permit will be protective of air quality.
- 4) All issues not identified as being referred to SOAH in Ordering Provision No. 3 are hereby DENIED;
- 5) The maximum duration of the hearing is set at 180 days from the date of the preliminary hearing until the date the proposal for decision is issued by SOAH; and
- 6) If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY


For the Commission


Date Signed