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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 NOV - 2 PM 5:25
CHIEF CLERKS OFFICE
November 2, 2009

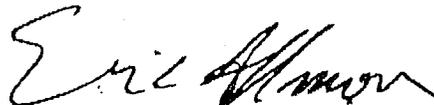
Ms. LaDonna Castañuela
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P. O. Box 13087
Austin, Texas 78711-3087

Re: Application of NRG Texas Power LLC for TPDES Permit No. WQ0002430000

Ms. Castañuela:

On April 27th 2009, Public Citizen, SEED Coalition, Sierra Club (Lone Star Chapter) and Robertson County: Our Land Our Lives submitted comments on the above-referenced application. RCOLOL additionally requested a hearing on the matter. RCOLOL's primary concerns with respect to the application regarded the increase in the Selenium limit in the permit, and the authorization of waste streams from Unit 3 of the facility. In response to comments, the Executive Director has lowered the Selenium limit to current levels. Additionally, the Executive Director of the Texas Commission on Environmental Quality has adopted the position that the draft permit does not authorize any discharge of waste produced by the operation of Limestone Unit 3. In consideration of this position adopted by the Executive Director, requestor Robertson County: Our Land Our Lives withdraws its request for a contested case hearing.

Respectfully Submitted,


Eric Allmon

CC: Mailing List

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that on November 2, 2009, an original and seven copies of the foregoing document was served upon the Chief Clerk of the Texas Commission on Environmental Quality, and true and correct copies of the forgoing was served on all parties listed below via hand delivery, facsimile transmission, email, or by deposit in the United States Mail.

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FOR THE CHIEF CLERK

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PROTESTANTS/INTERESTED PERSONS

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SARA BURGIN 512.469.0443

FROM: ERIC ALLMON 512.482.9346

RE: APPLICATION OF NRG TEXAS POWER LLC FOR TPDES PERMIT NO. WQ0002430000

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