

**Executive Summary – Enforcement Matter – Case No. 65153**  
**Luminant Generation Company LLC**  
**RN100673490**  
**Docket No. 2023-1738-IWD-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

IWD

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Lake Hubbard Steam Electric Station, 555 Barnes Bridge Road, Sunnyvale, Dallas County

**Type of Operation:**

Steam electric station

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Past Due Fees: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** August 8, 2025

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$16,650

**Amount Deferred for Expedited Settlement:** \$3,330

**Total Paid to General Revenue:** \$13,320

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** August 29, 2023

**Date(s) of NOE(s):** November 16, 2023

**Executive Summary – Enforcement Matter – Case No. 65153**  
**Luminant Generation Company LLC**  
**RN100673490**  
**Docket No. 2023-1738-IWD-E**

***Violation Information***

Failed to comply with permitted effluent limitations. Specifically, the total residual chlorine daily maximum concentration limit of 0.2 milligrams per liter ("mg/L") was exceeded during the monthly monitoring periods ending February 28, 2023 (0.41 mg/L), March 31, 2023 (0.225 mg/L), and June 30, 2023 (0.57 mg/L) [30 TEX. ADMIN. CODE § 305.121(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001245000, Effluent Limitations and Monitoring Requirements No. 1].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

By October 31, 2024, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations in TPDES Permit No. WQ0001245000.

**Technical Requirements:**

N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Samantha Smith, Enforcement Division, Enforcement Team 7, MC R-12, (512) 239-2099; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** James A. Burke, Manager and Officer, Luminant Generation Company LLC, 6555 Sierra Drive, Irving, Texas 75039

Renee Collins, Senior Director, Luminant Generation Company LLC, 6555 Sierra Drive, Irving, Texas 75039

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

|              |                 |             |                  |            |                |            |
|--------------|-----------------|-------------|------------------|------------|----------------|------------|
| <b>DATES</b> | <b>Assigned</b> | 27-Nov-2023 | <b>Screening</b> | 1-Dec-2023 | <b>EPA Due</b> | 5-Dec-2023 |
|              | <b>PCW</b>      | 8-May-2025  |                  |            |                |            |

## RESPONDENT/FACILITY INFORMATION

|                             |                                 |                           |       |  |  |
|-----------------------------|---------------------------------|---------------------------|-------|--|--|
| <b>Respondent</b>           | Luminant Generation Company LLC |                           |       |  |  |
| <b>Reg. Ent. Ref. No.</b>   | RN100673490                     |                           |       |  |  |
| <b>Facility/Site Region</b> | 4-Dallas/Fort Worth             | <b>Major/Minor Source</b> | Major |  |  |

## CASE INFORMATION

|                                        |                 |                              |                    |
|----------------------------------------|-----------------|------------------------------|--------------------|
| <b>Enf./Case ID No.</b>                | 65153           | <b>No. of Violations</b>     | 1                  |
| <b>Docket No.</b>                      | 2023-1738-IWD-E | <b>Order Type</b>            | 1660               |
| <b>Media Program(s)</b>                | Water Quality   | <b>Government/Non-Profit</b> | No                 |
| <b>Multi-Media</b>                     | 1500            | <b>Enf. Coordinator</b>      | Madison Stringer   |
|                                        |                 | <b>EC's Team</b>             | Enforcement Team 7 |
| <b>Admin. Penalty \$ Limit Minimum</b> | \$0             | <b>Maximum</b>               | \$25,000           |

## Penalty Calculation Section

|                                                             |                   |          |
|-------------------------------------------------------------|-------------------|----------|
| <b>TOTAL BASE PENALTY (Sum of violation base penalties)</b> | <b>Subtotal 1</b> | \$15,000 |
|-------------------------------------------------------------|-------------------|----------|

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

|                           |              |                   |                                |         |
|---------------------------|--------------|-------------------|--------------------------------|---------|
| <b>Compliance History</b> | <b>21.0%</b> | <b>Adjustment</b> | <b>Subtotals 2, 3, &amp; 7</b> | \$3,150 |
|---------------------------|--------------|-------------------|--------------------------------|---------|

Notes: Enhancement for one order containing a denial of liability and one month of self-reported effluent violations, and reduction for two letters of intended audits and one audit with a disclosure of violations.

|                    |    |             |                    |                   |     |
|--------------------|----|-------------|--------------------|-------------------|-----|
| <b>Culpability</b> | No | <b>0.0%</b> | <b>Enhancement</b> | <b>Subtotal 4</b> | \$0 |
|--------------------|----|-------------|--------------------|-------------------|-----|

Notes: The Respondent does not meet the culpability criteria.

|                                                      |                   |          |
|------------------------------------------------------|-------------------|----------|
| <b>Good Faith Effort to Comply Total Adjustments</b> | <b>Subtotal 5</b> | -\$1,500 |
|------------------------------------------------------|-------------------|----------|

|                         |             |                     |                   |     |
|-------------------------|-------------|---------------------|-------------------|-----|
| <b>Economic Benefit</b> | <b>0.0%</b> | <b>Enhancement*</b> | <b>Subtotal 6</b> | \$0 |
|-------------------------|-------------|---------------------|-------------------|-----|

Total EB Amounts \$418  
Estimated Cost of Compliance \$5,000  
\*Capped at the Total EB \$ Amount

|                             |                       |          |
|-----------------------------|-----------------------|----------|
| <b>SUM OF SUBTOTALS 1-7</b> | <b>Final Subtotal</b> | \$16,650 |
|-----------------------------|-----------------------|----------|

|                                             |             |                   |     |
|---------------------------------------------|-------------|-------------------|-----|
| <b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b> | <b>0.0%</b> | <b>Adjustment</b> | \$0 |
|---------------------------------------------|-------------|-------------------|-----|

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

|                             |          |
|-----------------------------|----------|
| <b>Final Penalty Amount</b> | \$16,650 |
|-----------------------------|----------|

|                                   |                               |          |
|-----------------------------------|-------------------------------|----------|
| <b>STATUTORY LIMIT ADJUSTMENT</b> | <b>Final Assessed Penalty</b> | \$16,650 |
|-----------------------------------|-------------------------------|----------|

|                 |              |                  |                   |          |
|-----------------|--------------|------------------|-------------------|----------|
| <b>DEFERRAL</b> | <b>20.0%</b> | <b>Reduction</b> | <b>Adjustment</b> | -\$3,330 |
|-----------------|--------------|------------------|-------------------|----------|

Reduces the Final Assessed Penalty by the indicated percentage.

Notes:

Deferral offered for expedited settlement.

|                        |          |
|------------------------|----------|
| <b>PAYABLE PENALTY</b> | \$13,320 |
|------------------------|----------|

|                                |                                 |                   |                 |            |
|--------------------------------|---------------------------------|-------------------|-----------------|------------|
| <b>Screening Date</b>          | 1-Dec-2023                      | <b>Docket No.</b> | 2023-1738-IWD-E | <b>PCW</b> |
| <b>Respondent</b>              | Luminant Generation Company LLC |                   |                 |            |
| <b>Case ID No.</b>             | 65153                           |                   |                 |            |
| <b>Reg. Ent. Reference No.</b> | RN100673490                     |                   |                 |            |
| <b>Media</b>                   | Water Quality                   |                   |                 |            |
| <b>Enf. Coordinator</b>        | Madison Stringer                |                   |                 |            |

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

## Compliance History Worksheet

### >> Compliance History Site Enhancement (Subtotal 2)

| Component                     | Number of...                                                                                                                                                                                                                           | Number | Adjust. |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------|
| NOVs                          | Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )                                                                            | 1      | 5%      |
|                               | Other written NOVs                                                                                                                                                                                                                     | 0      | 0%      |
| Orders                        | Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )                                                                                                                      | 1      | 20%     |
|                               | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 0      | 0%      |
| Judgments and Consent Decrees | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )                               | 0      | 0%      |
|                               | Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government                                        | 0      | 0%      |
| Convictions                   | Any criminal convictions of this state or the federal government ( <i>number of counts</i> )                                                                                                                                           | 0      | 0%      |
| Emissions                     | Chronic excessive emissions events ( <i>number of events</i> )                                                                                                                                                                         | 0      | 0%      |
| Audits                        | Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )     | 2      | -2%     |
|                               | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )                                                | 1      | -2%     |
| Other                         | Environmental management systems in place for one year or more                                                                                                                                                                         | No     | 0%      |
|                               | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program                                                                                                                        | No     | 0%      |
|                               | Participation in a voluntary pollution reduction program                                                                                                                                                                               | No     | 0%      |
|                               | Early compliance with, or offer of a product that meets future state or federal government environmental requirements                                                                                                                  | No     | 0%      |

**Adjustment Percentage (Subtotal 2)** 21%

### >> Repeat Violator (Subtotal 3)

No

**Adjustment Percentage (Subtotal 3)** 0%

### >> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

**Adjustment Percentage (Subtotal 7)** 0%

### >> Compliance History Summary

**Compliance History Notes**

Enhancement for one order containing a denial of liability and one month of self-reported effluent violations, and reduction for two letters of intended audits and one audit with a disclosure of violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 21%

### >> Final Compliance History Adjustment

**Final Adjustment Percentage \*capped at 100%** 21%

|                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------|------------------------------------------------------------------------------------|
| <b>Screening Date</b>                                                                                          | 1-Dec-2023                                                                                                                                                                                                                                                                                                                                 | <b>Docket No.</b>                    | 2023-1738-IWD-E             | <b>PCW</b>                                                                         |
| <b>Respondent</b>                                                                                              | Luminant Generation Company LLC                                                                                                                                                                                                                                                                                                            | Policy Revision 5 (January 28, 2021) |                             |                                                                                    |
| <b>Case ID No.</b>                                                                                             | 65153                                                                                                                                                                                                                                                                                                                                      | PCW Revision February 11, 2021       |                             |                                                                                    |
| <b>Reg. Ent. Reference No.</b>                                                                                 | RN100673490                                                                                                                                                                                                                                                                                                                                |                                      |                             |                                                                                    |
| <b>Media</b>                                                                                                   | Water Quality                                                                                                                                                                                                                                                                                                                              |                                      |                             |                                                                                    |
| <b>Enf. Coordinator</b>                                                                                        | Madison Stringer                                                                                                                                                                                                                                                                                                                           |                                      |                             |                                                                                    |
| <b>Violation Number</b>                                                                                        | 1                                                                                                                                                                                                                                                                                                                                          |                                      |                             |                                                                                    |
| <b>Rule Cite(s)</b>                                                                                            | 30 Tex. Admin. Code § 305.121(1), Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001245000, Effluent Limitations and Monitoring Requirements No. 1                                                                                                                               |                                      |                             |                                                                                    |
| <b>Violation Description</b>                                                                                   | Failed to comply with permitted effluent limitations. Specifically, the total residual chlorine daily maximum concentration limit of 0.2 milligrams per liter ("mg/L") was exceeded during the monthly monitoring periods ending February 28, 2023 (0.41 mg/L), March 31, 2023 (0.225 mg/L), and June 30, 2023 (0.57 mg/L).                |                                      |                             |                                                                                    |
| <b>Base Penalty</b>                                                                                            |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | \$25,000                                                                           |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
| OR                                                                                                             | Harm                                                                                                                                                                                                                                                                                                                                       |                                      |                             |                                                                                    |
|                                                                                                                | Release                                                                                                                                                                                                                                                                                                                                    | Major                                | Moderate                    | Minor                                                                              |
|                                                                                                                | Actual                                                                                                                                                                                                                                                                                                                                     |                                      |                             | x                                                                                  |
|                                                                                                                | Potential                                                                                                                                                                                                                                                                                                                                  |                                      |                             |                                                                                    |
|                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | <b>Percent</b> <span style="border: 1px solid blue; padding: 0 10px;">30.0%</span> |
| <b>&gt;&gt; Programmatic Matrix</b>                                                                            |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
|                                                                                                                | Falsification                                                                                                                                                                                                                                                                                                                              | Major                                | Moderate                    | Minor                                                                              |
|                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
|                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | <b>Percent</b> <span style="border: 1px solid blue; padding: 0 10px;">0.0%</span>  |
| Matrix Notes                                                                                                   | Total residual chlorine was evaluated to determine whether the discharged amounts of pollutants exceeded protective levels. Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation. |                                      |                             |                                                                                    |
| <b>Adjustment</b>                                                                                              |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | \$17,500                                                                           |
|                                                                                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | \$7,500                                                                            |
| <b>Violation Events</b>                                                                                        |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
| Number of Violation Events                                                                                     |                                                                                                                                                                                                                                                                                                                                            | 2                                    | 89 Number of violation days |                                                                                    |
|                                                                                                                | daily                                                                                                                                                                                                                                                                                                                                      |                                      |                             |                                                                                    |
|                                                                                                                | weekly                                                                                                                                                                                                                                                                                                                                     |                                      |                             |                                                                                    |
|                                                                                                                | monthly                                                                                                                                                                                                                                                                                                                                    |                                      |                             |                                                                                    |
|                                                                                                                | quarterly                                                                                                                                                                                                                                                                                                                                  | x                                    |                             |                                                                                    |
|                                                                                                                | semiannual                                                                                                                                                                                                                                                                                                                                 |                                      |                             |                                                                                    |
|                                                                                                                | annual                                                                                                                                                                                                                                                                                                                                     |                                      |                             |                                                                                    |
|                                                                                                                | single event                                                                                                                                                                                                                                                                                                                               |                                      |                             |                                                                                    |
| <b>Violation Base Penalty</b>                                                                                  |                                                                                                                                                                                                                                                                                                                                            | \$15,000                             |                             |                                                                                    |
| Two quarterly events are recommended for the quarters containing the months of February, March, and June 2023. |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
| <b>Good Faith Efforts to Comply</b>                                                                            |                                                                                                                                                                                                                                                                                                                                            | <b>10.0%</b>                         | Reduction                   | \$1,500                                                                            |
| Before NOE/NOV    NOE/NOV to EDRP/Settlement Offer                                                             |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
|                                                                                                                | Extraordinary                                                                                                                                                                                                                                                                                                                              |                                      |                             |                                                                                    |
|                                                                                                                | Ordinary                                                                                                                                                                                                                                                                                                                                   | x                                    |                             |                                                                                    |
|                                                                                                                | N/A                                                                                                                                                                                                                                                                                                                                        |                                      |                             |                                                                                    |
| Notes                                                                                                          | The Respondent achieved compliance by October 31, 2024.                                                                                                                                                                                                                                                                                    |                                      |                             |                                                                                    |
| <b>Violation Subtotal</b>                                                                                      |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | \$13,500                                                                           |
| <b>Economic Benefit (EB) for this violation</b>                                                                |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
| <b>Statutory Limit Test</b>                                                                                    |                                                                                                                                                                                                                                                                                                                                            |                                      |                             |                                                                                    |
| <b>Estimated EB Amount</b>                                                                                     | \$418                                                                                                                                                                                                                                                                                                                                      | <b>Violation Final Penalty Total</b> | \$16,650                    |                                                                                    |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>                                             |                                                                                                                                                                                                                                                                                                                                            |                                      |                             | \$16,650                                                                           |

# Economic Benefit Worksheet

**Respondent** Luminant Generation Company LLC  
**Case ID No.** 65153  
**Reg. Ent. Reference No.** RN100673490  
**Media** Water Quality  
**Violation No.** 1

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Costs Saved | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|

## Delayed Costs

|                                                                                                                                                                                                                                                                                                                                |         |             |             |      |       |     |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------|-------------|------|-------|-----|-------|
| Equipment                                                                                                                                                                                                                                                                                                                      |         |             |             | 0.00 | \$0   | \$0 | \$0   |
| Buildings                                                                                                                                                                                                                                                                                                                      |         |             |             | 0.00 | \$0   | \$0 | \$0   |
| Other (as needed)                                                                                                                                                                                                                                                                                                              |         |             |             | 0.00 | \$0   | \$0 | \$0   |
| Engineering/Construction                                                                                                                                                                                                                                                                                                       |         |             |             | 0.00 | \$0   | \$0 | \$0   |
| Land                                                                                                                                                                                                                                                                                                                           |         |             |             | 0.00 | \$0   | n/a | \$0   |
| Record Keeping System                                                                                                                                                                                                                                                                                                          |         |             |             | 0.00 | \$0   | n/a | \$0   |
| Training/Sampling                                                                                                                                                                                                                                                                                                              |         |             |             | 0.00 | \$0   | n/a | \$0   |
| Remediation/Disposal                                                                                                                                                                                                                                                                                                           |         |             |             | 0.00 | \$0   | n/a | \$0   |
| Permit Costs                                                                                                                                                                                                                                                                                                                   |         |             |             | 0.00 | \$0   | n/a | \$0   |
| Other (as needed)                                                                                                                                                                                                                                                                                                              | \$5,000 | 28-Feb-2023 | 31-Oct-2024 | 1.67 | \$418 | n/a | \$418 |
| Notes for DELAYED costs<br>Estimated cost to determine the cause of noncompliance, make the necessary repairs/adjustments to the Facility, and achieve compliance with the permitted effluent limitations. The Date Required is the end date of the first month of noncompliance and the Final Date is the date of compliance. |         |             |             |      |       |     |       |

## Avoided Costs

### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/Equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance           |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs        |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Notes for AVOIDED costs       |  |  |  |      |     |     |     |

|                            |         |              |       |
|----------------------------|---------|--------------|-------|
| Approx. Cost of Compliance | \$5,000 | <b>TOTAL</b> | \$418 |
|----------------------------|---------|--------------|-------|



# Compliance History Report

Compliance History Report for CN603256413, RN100673490, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

**Customer, Respondent, or Owner/Operator:** CN603256413, Luminant Generation Company LLC **Classification:** SATISFACTORY **Rating:** 0.29

**Regulated Entity:** RN100673490, LAKE HUBBARD STEAM ELECTRIC STATION **Classification:** SATISFACTORY **Rating:** 1.92

**Complexity Points:** 17 **Repeat Violator:** NO

**CH Group:** 06 - Electric Power Generation

**Location:** 555 Barnes Bridge Road, Sunnyvale, Dallas County, Texas

**TCEQ Region:** REGION 04 - DFW METROPLEX

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER DB0249H

**AIR NEW SOURCE PERMITS** ACCOUNT NUMBER DB0249H

**AIR NEW SOURCE PERMITS** REGISTRATION 49380

**AIR NEW SOURCE PERMITS** REGISTRATION 120741

**AIR NEW SOURCE PERMITS** REGISTRATION 144871

**WASTEWATER** PERMIT WQ0001245000

**AIR EMISSIONS INVENTORY** ACCOUNT NUMBER DB0249H

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID TXD000838938

**AIR OPERATING PERMITS** PERMIT 50

**AIR NEW SOURCE PERMITS** AFS NUM 4811300009

**AIR NEW SOURCE PERMITS** PERMIT 45415

**AIR NEW SOURCE PERMITS** REGISTRATION 166299

**STORMWATER** PERMIT TXR05W669

**WASTEWATER** EPA ID TX0001023

**POLLUTION PREVENTION PLANNING** ID NUMBER P07371

**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE REGISTRATION # (SWR) 31881

**Compliance History Period:** September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

**Date Compliance History Report Prepared:** April 14, 2025

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** April 14, 2020 to April 14, 2025

## TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

**Name:** Madison Stringer

**Phone:** (512) 239-1126

## Site and Owner/Operator History

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

## Components (Multimedia) for the Site Are Listed in Sections A - J

### A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 02/25/2025 ADMINORDER 2022-1201-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O50 OP

Description: Failed to submit an initial notification no later than 24 hours after the discovery of an excess opacity event, in violation of 30 TAC §§ 101.201(e) and 122.143(4), FOP No. O50, GTC and STC No. 2.F, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for Incident No. 378262 was due by February 13, 2022 at 11:42 a.m., but was not submitted until April 22, 2022 at 3:33 p.m.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

30 TAC Chapter 116, SubChapter F 116.615(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O50 OP

NSR 49380 PERMIT

Description: Failed to prevent an excess opacity event, in violation of 30 TAC §§ 111.111(a)(1)(B), 116.615(2), and 122.143(4), Standard Permit Registration No. 49380, Standard Permit MER Table, FOP No. O50, GTC and STC No. 8, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent experienced 96.60 percent opacity at the Unit No. 2 Boiler, Emissions Point Number LH-B2, during an excess opacity event (Incident No. 378262) that occurred on February 12, 2022 and lasted 12 minutes.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

|         |                    |           |         |                    |           |
|---------|--------------------|-----------|---------|--------------------|-----------|
| Item 1  | April 22, 2020     | (1653430) | Item 37 | September 24, 2022 | (1856129) |
| Item 2  | May 25, 2020       | (1660016) | Item 38 | October 25, 2022   | (1862490) |
| Item 3  | June 25, 2020      | (1666519) | Item 39 | November 22, 2022  | (1869406) |
| Item 4  | July 23, 2020      | (1673477) | Item 40 | December 23, 2022  | (1875250) |
| Item 5  | August 21, 2020    | (1666392) | Item 41 | January 24, 2023   | (1882074) |
| Item 6  | August 24, 2020    | (1652373) | Item 42 | February 24, 2023  | (1889892) |
| Item 7  | September 24, 2020 | (1686822) | Item 43 | March 30, 2023     | (1895149) |
| Item 8  | October 23, 2020   | (1693168) | Item 44 | April 21, 2023     | (1889875) |
| Item 9  | November 20, 2020  | (1712197) | Item 45 | May 22, 2023       | (1912424) |
| Item 10 | December 21, 2020  | (1712198) | Item 46 | June 06, 2023      | (1874040) |
| Item 11 | January 21, 2021   | (1712199) | Item 47 | June 23, 2023      | (1919022) |
| Item 12 | February 25, 2021  | (1725252) | Item 48 | August 31, 2023    | (1924348) |
| Item 13 | March 24, 2021     | (1725253) | Item 49 | September 25, 2023 | (1939087) |
| Item 14 | April 25, 2021     | (1725254) | Item 50 | November 22, 2023  | (1951632) |
| Item 15 | May 24, 2021       | (1739941) | Item 51 | December 05, 2023  | (1931552) |
| Item 16 | May 27, 2021       | (1708293) | Item 52 | December 19, 2023  | (1961389) |
| Item 17 | June 25, 2021      | (1747526) | Item 53 | January 24, 2024   | (1967989) |
| Item 18 | July 23, 2021      | (1751618) | Item 54 | February 24, 2024  | (1977052) |
| Item 19 | August 12, 2021    | (1750218) | Item 55 | March 25, 2024     | (1983617) |
| Item 20 | August 25, 2021    | (1766039) | Item 56 | March 29, 2024     | (1982542) |
| Item 21 | August 26, 2021    | (1756332) | Item 57 | April 24, 2024     | (1990147) |
| Item 22 | September 24, 2021 | (1766040) | Item 58 | May 24, 2024       | (1996603) |
| Item 23 | October 25, 2021   | (1776565) | Item 59 | June 12, 2024      | (1886467) |
| Item 24 | November 22, 2021  | (1783536) | Item 60 | June 24, 2024      | (2003555) |
| Item 25 | December 20, 2021  | (1790556) | Item 61 | July 25, 2024      | (2011109) |
| Item 26 | January 05, 2022   | (1764864) | Item 62 | August 06, 2024    | (2002832) |
| Item 27 | January 24, 2022   | (1798353) | Item 63 | September 12, 2024 | (2009931) |
| Item 28 | February 25, 2022  | (1806230) | Item 64 | September 25, 2024 | (2023731) |
| Item 29 | April 25, 2022     | (1819865) | Item 65 | October 25, 2024   | (2029853) |
| Item 30 | April 29, 2022     | (1810698) | Item 66 | November 22, 2024  | (2036175) |
| Item 31 | May 25, 2022       | (1828708) | Item 67 | December 24, 2024  | (2042286) |
| Item 32 | June 15, 2022      | (1811470) | Item 68 | January 20, 2025   | (2049113) |
| Item 33 | June 25, 2022      | (1834992) | Item 69 | February 14, 2025  | (2023229) |
| Item 34 | July 25, 2022      | (1842201) | Item 70 | February 24, 2025  | (2056681) |
| Item 35 | August 11, 2022    | (1834160) | Item 71 | February 25, 2025  | (1956724) |
| Item 36 | August 25, 2022    | (1848337) | Item 72 | March 31, 2025     | (2062119) |

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

|   |              |                                                            |           |                          |
|---|--------------|------------------------------------------------------------|-----------|--------------------------|
| 1 | Date:        | 07/31/2024                                                 | (2016713) |                          |
|   | Self Report? | YES                                                        |           | Classification: Moderate |
|   | Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)                  |           |                          |
|   |              | 30 TAC Chapter 305, SubChapter F 305.125(1)                |           |                          |
|   | Description: | Failure to meet the limit for one or more permit parameter |           |                          |



**F. Environmental audits:**

Notice of Intent Date: 08/29/2020 (1677485)

Disclosure Date: 01/28/2021

Viol. Minor

Classification:

Citation: 30 TAC Chapter 117, SubChapter C 117.1310(b)(3)(B)

Description: Exceeded ammonia (NH3) slip limit of 10 parts per million by volume (ppmv) on a 24 hour rolling average.

Notice of Intent Date: 11/01/2024 (2023059)

No DOV Associated

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
LUMINANT GENERATION COMPANY  
LLC  
RN100673490

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2023-1738-IWD-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Luminant Generation Company LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a steam electric station located at 555 Barnes Bridge Road in Sunnyvale, Dallas County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$16,650 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$13,320 of the penalty and \$3,330 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by October 31, 2024, the Respondent implemented corrective measures at the Facility and achieved compliance with all permitted effluent limitations in Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001245000.

## **II. ALLEGATIONS**

During a record review for the Facility conducted on August 29, 2023, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.121(1), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0001245000, Effluent Limitations and Monitoring Requirements No. 1. Specifically, the total residual chlorine daily maximum concentration limit of 0.2 milligrams per liter ("mg/L") was exceeded during the monthly monitoring periods ending February 28, 2023 (0.41 mg/L), March 31, 2023 (0.225 mg/L), and June 30, 2023 (0.57 mg/L).

## **III. DENIALS**

The Respondent generally denies each allegation in Section II ("Allegations").

## **IV. ORDERING PROVISIONS**

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Luminant Generation Company LLC, Docket No. 2023-1738-IWD-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. All relief not expressly granted in this Order is denied.

3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

*Krista Mello-Juracko*  
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For the Executive Director

-----  
Date

09/07/2025  
-----

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

*Renee Collins*  
-----  
Signature

*6/16/2025*  
-----  
Date

*Renee Collins*  
-----  
Name (Printed or typed)  
Authorized Representative of  
Luminant Generation Company LLC

*Sr. Director*  
-----  
Title

☐ If mailing address has changed, please check this box and provide the new address below:

**Instructions:** Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.