

TCEQ DOCKET NO. 2026-0291-MWD

APPLICATION BY LOWER  
COLORADO RIVER AUTHORITY  
FOR MAJOR AMENDMENT TO TPDES  
PERMIT NO. WQ0002105000

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BEFORE THE  
TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

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I. INTRODUCTION

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Hearing Requests on the application by the Lower Colorado River Authority (Applicant) for major amendment with renewal to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002105000 (draft permit) that authorizes a discharge (proposed discharge) of treated domestic wastewater (effluent) into waters in the state.

II. ATTACHMENTS FOR COMMISSION CONSIDERATION

- Attachment A - ED's GIS Maps and Appendix<sup>1</sup>

III. BACKGROUND

The Applicant operates the Sam Seymour Fayette Power Project, a coal-fired steam-electric power plant that has an onsite wastewater treatment system that is referred to as the "existing facility." The existing facility discharges treated wastewater, or "effluent," into waters in the state, or "WITS," through what are called "outfalls."

During Phase I of TPDES permit No. WQ0002105000 (existing permit) the effluent discharge, via Outfall No. 001, of once-through cooling water and previously monitored effluent, which consists of low volume waste, CPR, truck wash water, and stormwater from internal Outfall No. 301, and low volume waste from internal Outfall No. 201, must not exceed a daily average flow of 1,165,000,000 gallons or 1,165 Million Gallons per Day or "MGD."

During Phase II, the effluent discharge via Outfall No. 001 must not exceed a daily average flow of 1,509 MGD. Via Outfall No. 002 the authorized effluent discharge consists of cooling water drained from the condensers and other cooling equipment during maintenance periods at a daily average flow not to exceed 2.5 MGD. On an intermittent and flow-variable basis and via Outfall Nos. 003 and 004, the authorized effluent discharge consists of low volume waste, CPR, truck wash water, and stormwater from the Coal Pile Runoff Pond, or "CPR Pond" associated with Outfall No. 003, and low volume waste, truck wash water, and stormwater from the Combustion Byproducts Landfill Pond, or "CBL Pond."

The discharge of truck wash water via external Outfall No. 003, internal Outfall No. 301, and external outfall No. 004, and stormwater from the CPL Pond via Outfall No. 004 are not subject to the federal effluent limitation guidelines, or "ELGs," found at Title 40 of the Code of Federal Regulations, shortened as "40 C.F.R.," Part 423, the Steam Electric Power Generating Point Source category, or "Steam ELGs." These Steam

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<sup>1</sup> The requesters' locations on the ED's GIS Maps are the locations of the physical addresses provided by the requesters in their applicable hearing requests.

ELGs govern discharges from power generating facilities. Any technology-based effluent limitations, or “TBELs” that were originally based on best professional judgement, or “BPJ,” are continued in the draft permit based on the anti-backsliding provisions of the Clean Water Act, or “CWA,” found in CWA § 402(o)/40 C.F.R. § 122.44(l).

#### ***A. Application Request***

The application for a major amendment with renewal to TPDES Permit No. WQ0002105000 requested removal of selenium limits from external Outfall Nos. 003, 004, and internal Outfall No. 301, and reduction of sampling frequency from weekly to monthly for internal Outfall No. 201 for total suspended solids, oil and grease, and pH.

Also requested was an amendment of Other Requirement No. 3(G) from "10-year, 24-hour rainfall event" to a longer duration event, "up to a 10-year, 10-day rainfall event." The amendment of Other Requirement 3(G) also includes adding coal pile runoff to the effluent discharge from internal Outfall No. 301, which is the same for Outfall No. 003.

#### ***B. Description of the Existing Facility***

The existing facility, located at 6549 Power Plant Road, La Grange, Texas 78945, has a wastewater treatment system that includes a cooling reservoir of 2,400 acres, built to provide cooling water to the existing facility’s generating units. Make-up water is pumped from the Colorado River to maintain the reservoir level.

Once-through cooling water is treated to control biological growth and scale in the existing facility’s main surface condensers and auxiliary heat exchanger but receives no further treatment prior to discharge at external Outfall No. 001.

At internal Outfall No. 201, Reverse Osmosis reject, or “RO-reject” water from the water treatment plant is authorized for discharge to the main cooling water channel and then to external Outfall No. 001.

At internal Outfall No. 301, an internal monitoring point, wastewater authorized for discharge via external Outfall No. 003 may be routed to No. 301 prior to mixing with the water from the once-through cooling water canal that discharges prior to external Outfall No. 001.

At external Outfall No. 002, the discharge consists of cooling/circulating water that is drained from the condensers and other cooling equipment during maintenance or during outages. The cooling water is drained to the surface drainage system within the existing facility; however, the cooling/circulating water from all units can be routed to the Coal Pile Runoff Pond and to the Reclaim Pond.

Related to the discharge from external Outfall No. 003, the existing facility has one stormwater collection pond for coal pile runoff, the “CPR Pond,” as the coal is stored outdoors. This CPR Pond collects water from this area as well as an additional 32 acres from within the existing facility or the “facility area,” and is designed with a settling chamber to allow solids to settle before entering the main body of the pond, with the possibility of the addition of flocculent to the runoff prior to entering the settling chamber. The CPR Pond includes stormwater, truck wash water, dust suppression water from the coal pile and existing facility areas, and low volume wastes, such as facility/floor drains, RO-reject water, boiler blowdown, stormwater, cooling/circulating water, coal handling equipment wash water, or other low volume wastes. Plant/floor

drains and stormwater from the diked fuel oil storage areas, diked lube oil storage areas, and transformer areas are all routed through an oil/water separator prior to discharge to the CPR Pond. Wastewater from the CPR pond can also be recycled to the main cooling water reservoir via internal Outfall No. 301, routed to the Reclaim Pond to maintain the water balance for the facility, or it can be used for dust suppression.

Any additional runoff is discharged to stormwater outfalls, which are regulated by the TPDES Multisector General Permit (Authorization No. TXR05M603), or “MSGP” for short, for discharges of stormwater in accordance with the requirements of the MSGP and its stormwater pollution prevention plan, referred to as the “SWP3.”

### ***C. Description of Discharge Routes***

The treated wastewater is discharged from the existing facility via Outfall No. 001 to Lake Fayette, thence to Cedar Creek. Via Outfall No. 003 the discharge is to a man-made ditch, thence to an unnamed tributary, thence to Cedar Creek. Via Outfalls Nos. 002 and 004 the discharge is to unnamed tributaries, thence to Cedar Creek, thence to Colorado River Below La Grange in Segment No. 1402 of the Colorado River Basin. The Texas Surface Water Quality Standards, or “TSWQS,” found in the TCEQ’s rules at 30 TAC Chapter 307, assign the water quality related uses and designated aquatic life uses, or “ALUs” for Segment No. 1402 as primary contact recreation, public water supply and a “high” ALU designation. The effluent discharges have limits in the draft permit that will maintain and protect the existing instream uses; however, all determinations are preliminary and subject to additional review and revisions.

### ***D. Procedural History***

The TCEQ received the application on May 23, 2025, and declared it administratively complete on June 24, 2025. The Applicant published the Notice of Receipt of application and Intent to Obtain a Water Quality Permit (NORI) in Fayette County, Texas in the *Fayette County Record* on July 11, 2025. On September 8, 2025, the ED completed the technical review of the application and prepared the draft permit September 24, 2025, which if approved, would establish the conditions under which the existing facility must operate. On November 4, 2025, the Applicant, in Fayette County, Texas, published the Notice of Application and Preliminary Decision (NAPD) in the *Fayette County Record*. The time for the public to comment on the application ended on December 4, 2025, the ED’s Response to Comment was filed January 23, 2026, and the time to request a hearing on the application ended on March 4, 2026.

This application was declared administratively complete after September 1, 2015; therefore, the application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the TCEQ in its rules in 30 TAC Chapters 39, 50, and 55. The Texas Legislature enacted SB 709 (*Eff.* September 1, 2015) amending the requirements for comments and contested case hearings. This application is subject to those changes in the law.

## **IV. ACCESS TO RULES, LAWS AND RECORDS**

Please see below the applicable rules and regulations for TCEQ permits:

- All administrative rules: Secretary of State Website: [www.sos.state.tx.us](http://www.sos.state.tx.us)
- TCEQ rules: Title 30 of the Texas Administrative Code: [www.sos.state.tx.us/tac/](http://www.sos.state.tx.us/tac/)
- (select TAC Viewer on the right then Title 30 Environmental Quality)

- Texas statutes: [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)
- TCEQ website: [www.tceq.texas.gov](http://www.tceq.texas.gov) (for downloadable rules in WordPerfect or Adobe PDF formats select “Rules Policy & Legislation” then “Current TCEQ Rules” then “Download TCEQ Rules”);
- Federal rules: Title 40 of the Code of Federal Regulations (C.F.R.)  
[http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab_02.tpl)
- Federal environmental laws: <http://www.epa.gov/lawsregs/>

For information about this permit application or the permitting process please contact TCEQ’s Public Education Program at (800) 687-4040 or the website below.

**Para ver la versión en español del sitio web de TCEQ, vaya a la página de inicio y busque en la esquina superior derecha lo siguiente:**  [ESPAÑOL](#)

**Para obtener información sobre cómo participar en el proceso de permisos para aguas residuales, comuníquese con el Programa de Educación Pública de la TCEQ por teléfono al (800) 687-4040 o a través del sitio web que aparece a continuación. Para acceder al enlace, primero seleccione la versión en español del sitio web y luego haga clic enlace.**

- <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>

**El aviso de idioma alternativo en español está disponible en la página web a continuación. Para acceder al enlace, primero seleccione la versión en español del sitio web y luego haga clic enlace.**

- [www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices](http://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices)

Commission records for the proposed facility are available for viewing and copying at TCEQ’s central office in Austin 12100 Park 35 Circle Building F 1st Floor (CCO) for the current application until final action is taken. Some documents located in CCO may also be found in the Commissioners’ Integrated Database.

- [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid)

TCEQ’s rules require Applicants to make a copy of the administratively complete application available for viewing by the public in a specified location within the county in which the facility is located.<sup>2</sup> The Applicant did this by placing the required copy at the Fayette Public Library located at 855 South Jefferson Street, La Grange, Fayette County, Texas 78945. Likewise, in addition to the copy of the application, the final permit application, the draft permit, the statement of basis/technical summary and the ED’s preliminary decision have been available for viewing and copying at the same location since the publication of the Combined NORI-NAPD.

The ED has determined that the proposed permit, which establishes the conditions under which the proposed facility must operate, if issued, meets all statutory and regulatory requirements and is protective of the environment, water quality and human health. However, if individuals wish to file a complaint about the proposed facility concerning its compliance with the provisions of its permit or with TCEQ rules the TCEQ’s Office of Compliance and Enforcement (OCE) should be contacted. The TCEQ Regional OCE Office in Austin, Texas (Region 11) may be contacted at (512) 339-2929 or the statewide toll-free number at 1-888-777-3186 to address potential permit

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<sup>2</sup> 30 TAC § 39.405(g).

violations. In addition, complaints may be filed electronically through the link to the TCEQ's compliance website below or sending an email to:

- [complaint@TCEQ.Texas.gov](mailto:complaint@TCEQ.Texas.gov).
- [www.tceq.texas.gov/compliance/complaints](http://www.tceq.texas.gov/compliance/complaints)

If an inspection by the TCEQ finds that the Applicant is not complying with all requirements of the proposed permit or that the proposed facility is out of compliance with TCEQ rules, enforcement actions may arise.

## V. EVALUATION OF HEARING REQUESTS

Because the application was received after September 1, 2015, and declared administratively complete after September 1, 1999, it is subject to both the procedural requirements adopted pursuant to House Bill 801 (HB-801), 76th Legislature, 1999, and requirements of Senate Bill 709 (SB-709), 84th Legislature, 2015, which are implemented through the TCEQ rules in 30 TAC Chapters 39, 50, and specifically 55, the TCEQ's Contested Case Hearing rules.

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests (Requests). The Commission implemented HB 801 by adopting procedural rules in 30 TAC chapters 39, 50, and 55. Senate Bill 709 revised the requirements for submitting public comment and the commission's consideration of Hearing Requests.

### ***A. Legal Authority to Respond to Hearing Requests***

The ED may submit written responses to requests. Responses to hearing requests must specifically address:

1. whether the requestor is an affected person;
2. whether issues raised in the hearing request are disputed;
3. whether the dispute involves questions of fact or law;
4. whether the issues were raised during the public comment period;
5. whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter by filing a written withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment;
6. whether the issues are relevant and material to the decision on the application; and
7. a maximum expected duration for the contested case hearing.

### ***B. Hearing Request Requirements***

To consider a request, the Commission must first conclude that the requirements of the TCEQ's Contested Case Hearing rules found at 30 TAC §§ 55.201 and 55.203, are met as follows.

A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided . . ., based only on the requester's timely comments, and not based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment.

A hearing request must substantially comply with the following:

- (1) give the name, address, telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who is responsible for receiving all official communications and documents for the group;
- (2) identify the person's justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the facility or activity in a manner not common to members of the general public;
- (3) request a contested case hearing;
- (4) for applications filed;

(B) on or after September 1, 2015, list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, list any disputed issues of law; and

- (5) provide any other information specified in the public notice of application.

### ***C. Provisions for Affected-Person Status***

To grant a contested case hearing request, the commission must determine, pursuant to the TCEQ's Contested Case Hearing rules, that a requestor is an "affected person" according to the provisions of 30 TAC § 55.203.

- (a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the public does not qualify as a personal justiciable interest.
- (b) Governmental entities, including local governments and public agencies with authority under state law over issues raised by the application may be considered affected persons.
- (c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
  - (1) whether the interest claimed is one protected by the law under which the application will be considered;
  - (2) distance restrictions or other limitations imposed by law on the affected interest;
  - (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
  - (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;

- (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and
  - (6) whether the requester timely submitted comments on the application which were not withdrawn; and
  - (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.
- (d) In making this determination, the commission may also consider, to the extent consistent with case law:
- (1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
  - (2) the analysis and opinions of the ED; and
  - (3) any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requestor.

#### ***D. Referral to the State Office of Administrative Hearings***

“When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to State Office of Administrative Hearing (SOAH) for a hearing.” “The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- (1) involves a disputed question of fact or a mixed question of law and fact;
- (2) was raised during the public comment period by an affected person; and
- (3) is relevant and material to the decision on the application.”

#### ***E. Requests for Reconsideration***

TCEQ's Contested Case Hearing rules state that any person may file a Request for Reconsideration (RFR) of the ED's decision no later than 30 days after TCEQ's CCO mails the ED's decision and Response to Comments (RTC). According to TCEQ's Contested Case Hearing rules found at 30 TAC § 55.201(e), the RFR must be in writing, timely filed with CCO, and expressly state that the person is requesting reconsideration of the ED's decision and give the reasons why the decision should be reconsidered.

## **VI. ANALYSIS OF THE HEARING REQUESTS**

For this application the period for the public to file comments on the application ended on December 4, 2025, the ED's RTC and Final Decision letter was mailed on February 2, 2026, and the period for filing a Hearing Request (request) or a Request for Reconsideration (RFR) ended on March 4, 2026. The ED's analyses below determined whether the requests submitted on the application conformed with TCEQ rules, if the requester qualified as an affected person, the issues to be referred for a possible hearing, and the length of any hearing. The TCEQ's Office of the Chief Clerk (OCC) received timely Requests from Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac.

**A. *Whether the Requests comply with TCEQ's rules at 30 TAC § 55.201(c).***

All the individuals listed above filed timely, written Requests that provided the requisite contact information, raised issues that form the basis of the Requests in timely comments not withdrawn before the RTC was filed, and requested a hearing.

The ED recommends finding that the Requests of Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac substantially complied with 30 TAC § 55.201(c).

**B. *Whether the Requests comply with TCEQ's rules at 30 TAC § 55.201(d).***

The Requests of Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac failed to comply with 30 TAC § 55.201(d) because the Requests failed to identify a personal justiciable interest in the application.

While the Requests of the individuals listed above may have appeared to raise relevant and material considerations to a decision on the application, the Requests of the 13 individuals named above provided an address that is not in proximity to any relevant features of the existing facility, are not along any of the four discharge routes, and in the case of Mary Wolf and Jerry Moerbe, did not provide an address capable of being mapped. Nor did Mr. Moerbe make the required comments during the comment period to base his Requests on. The Requests of the 13 individuals also did not include an explanation of affectedness that identified an interest that was personal to the requestor and not common to the public.

The ED recommends finding that the Requests of Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac did not substantially comply with 30 TAC § 55.201(d).

**C. *Whether the Requestor is an Affected Person under 30 TAC § 55.203.***

The Requests of Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac highlight that these individuals are not affected persons under 30 TAC § 55.203 because the address provided in the Requests are not in proximity to any relevant features of the existing facility, and are not along any of the four discharge routes. The Requests from the 13 individuals raised issues only in defense of the public at large and did not personalize their affectedness and failed to establish a personal justiciable interest.

The ED recommends that the Commission find that Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac are not Affected Persons under 30 TAC § 55.203.

**VII. ISSUES RAISED IN THE HEARING REQUESTS:**

Because the ED recommends not granting any Requests from the 13 individuals listed above, there are no issues that are eligible to be referred to the State office of Administrative Hearings, therefore the ED does not recommend referring any issues.

### VIII. CONTESTED CASE HEARING DURATION

If the Commission grants a hearing on this application, the ED recommends that the duration of the hearing be 180 days from the preliminary hearing to the presentation of a proposal for decision to the Commission.

### IX. REQUESTS FOR RECONSIDERATION

Ken Dernehl, Dan Mueller, and Elizabeth Parry filed RFRs that contained the same information that was provided in their Requests and therefore should be denied.

### X. EXECUTIVE DIRECTOR'S RECOMMENDATION

The ED recommends the following actions by the Commission:

1. Find that Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac are not affected persons under 30 TAC §§ 55.203(c).
2. Deny the Requests of Maxine Coppinger, Dawn Darilek, Ken Dernehl, Krystal Gosnay, Mary Heath, Ian Julian, Virginia Leech, Jerry Moerbe, Dan Mueller, Elizabeth Parry, Jan Stephenson, Mary Wolf, and Kenneth Zapalac.
3. Deny the RFRs filed by Ken Dernehl, Dan Mueller, and Elizabeth Parry.
4. Should the Commission decide to refer this case to SOAH:
  - a. refer the case to Alternative Dispute Resolution for a reasonable time.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel, *Executive Director*

Phillip Ledbetter, *Director*  
Office of Legal Services

Amy L. Browning, *Acting Deputy Director*  
Environmental Law Division



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Michael T. Parr II, Staff Attorney  
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REPRESENTING THE EXECUTIVE DIRECTOR  
OF THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**CERTIFICATE OF SERVICE**

I certify that on April 6, 2026, the Executive Director's Response to Hearing Requests for TCEQ Permit No. WQ0002105000 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk.



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Michael T. Parr II, *Staff Attorney*  
State Bar No. 24062936

MAILING LIST  
Lower Colorado River Authority  
TCEQ Docket No./TCEQ Expediente N.º 2026-0291-IWD  
TPDES Permit No./TPDES Permiso N.º WQ0002105000

FOR THE APPLICANT/PARA EL SOLICITANTE

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FOR THE EXECUTIVE DIRECTOR/PARA LA DIRECTORA EJECUTIVA

via electronic mail/vía correo electrónico:

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via electronic mail/vía correo electrónico:

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Austin, Texas 78711

FOR ALTERNATIVE DISPUTE RESOLUTION/PARA LA RESOLUCIÓN ALTERNATIVA DE DISPUTAS

via electronic mail/vía correo electrónico:

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Texas Commission on  
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Austin, Texas 78711

FOR THE CHIEF CLERK/PARA LA SECRETARIA OFICIAL

via eFilings:

Docket Clerk  
Texas Commission on  
Environmental Quality  
Office of Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711

<https://www.tceq.texas.gov/goto/efilings>

REQUESTER(S)/SOLICITANTE(S)

See attached list/Ver listado adjunto.

REQUESTERS/SOLICITANTES

Coppinger, Maxine  
4030 Frank Rd  
La Grange Tx 78945-5614

Darilek, Dawn  
1845 Reiss Rd  
West Point Tx 78963-5194

Dernehl, Ken  
1018 Konetzke Ln  
La Grange Tx 78945-4383

Gosnay, Krystal Lane  
1845 Reiss Rd  
West Point Tx 78963-5194

Heath, Mary V  
2803 Schoenst Rd  
Carmine Tx 78932-5049

Julian, Ian  
5100 Black Jack Rd  
La Grange Tx 78945-5773

Leech, Virginia  
558 S Washington Street  
La Grange, Tx 78945-3116

Moerbe, Jerry  
PO Box 130  
Bleiberville Tx 78931-0130

Mueller, Dan  
County Judge  
Fayette County  
Ste 301  
151 N Washington St  
La Grange Tx 78945-2658

Parry, Elizabeth K  
2233 Ross Prairie Church Rd  
Fayetteville Tx 78940-5113

Stephenson, Jan  
944 Lakeview Rd  
Fayetteville Tx 78940-5444

Wolf, Mary  
PO Box 369  
La Grange Tx 78945-0369

Zapalac, Kenneth  
2151 Zapalac Rd  
La Grange Tx 78945-3727

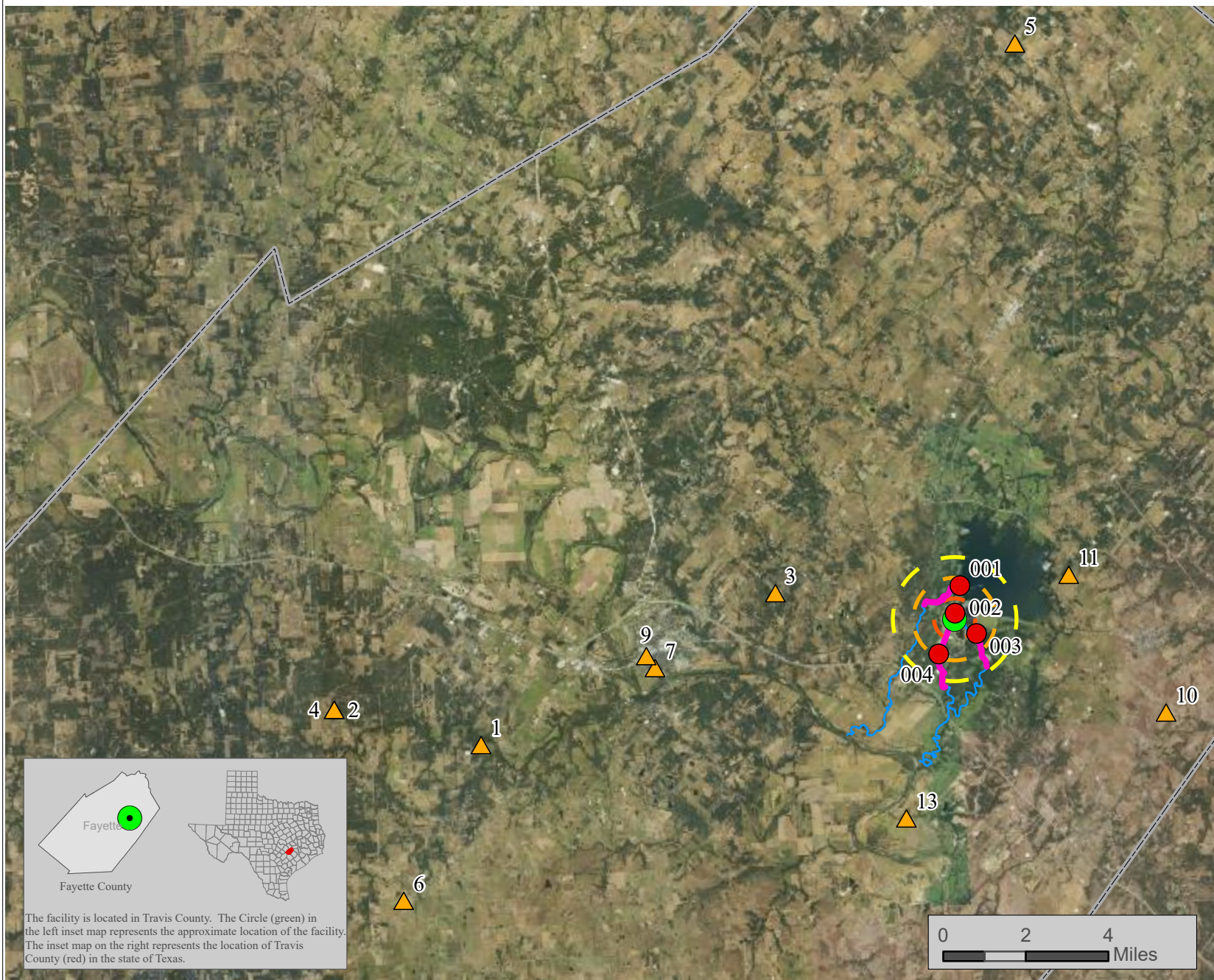
# Attachment A

# Lower Colorado River Authority - S.S. Fayette Power Plant GIS Map 1 (WQ0002105000)



Protecting Texas by  
Reducing and  
Preventing Pollution

Texas Commission on Environmental Quality  
GIS Team (Mail Code 197)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Date: 3/24/2026  
CRF 0136416  
Cartographer: mattoh



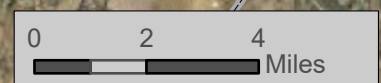
- Facility Point
- Outfall
- Requestors
- 0.5 Mile Radius
- 1.0 Mile Radius
- 1.5 Mile Radius
- River
- 1-Mile Discharge Route
- County Boundary

**Note:** Moerbe Jerry (8) & Wolf Mary (12): Not pictured because no mappable was address provided

Source: This map was requested by the Office of Legal Services (OLS) and is based on information provided in the application and hearing requests. The applicant provided site location information and the hearing requestors provide physical addresses. The map is a visual representation and approximation.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

The facility is located in Travis County. The Circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Travis County (red) in the state of Texas.

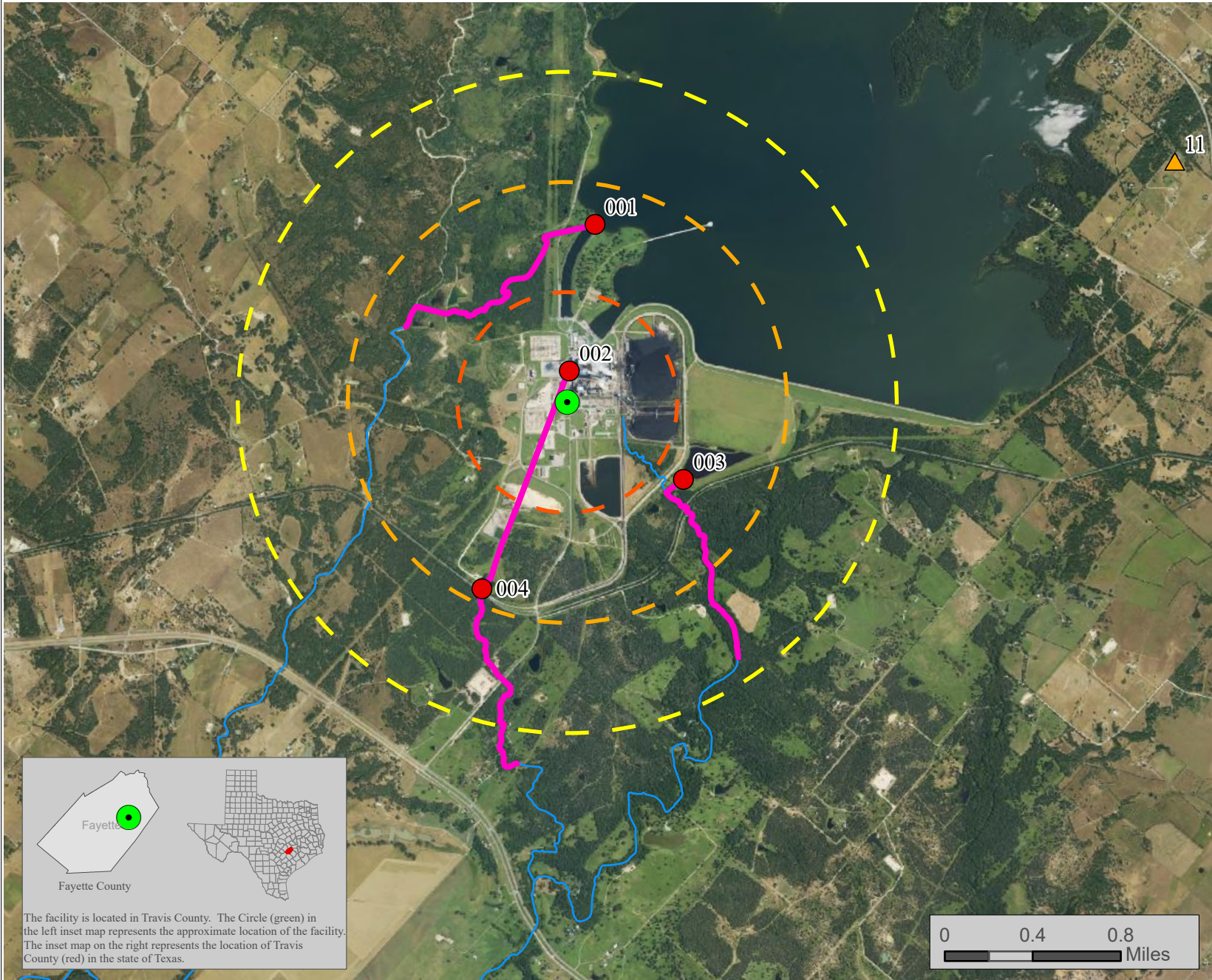


# Lower Colorado River Authority - S.S. Fayette Power Plant GIS Map 2 (WQ0002105000)



Protecting Texas by  
Reducing and  
Preventing Pollution

Texas Commission on Environmental Quality  
GIS Team (Mail Code 197)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Date: 3/24/2026  
CRF 0136416  
Cartographer: mattoh

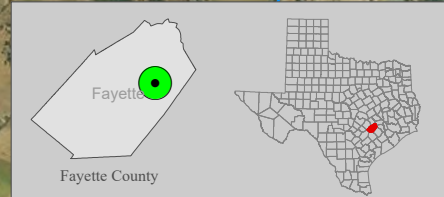


- Facility Point
- Outfall
- Requestors
- 0.5 Mile Radius
- 1.0 Mile Radius
- 1.5 Mile Radius
- River
- 1-Mile Discharge Route
- County Boundary

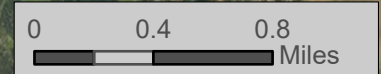
**Note:** Moerbe Jerry (8) & Wolf Mary (12): Not pictured because no mappable was address provided

Source: This map was requested by the Office of Legal Services (OLS) and is based on information provided in the application and hearing requests. The applicant provided site location information and the hearing requestors provide physical addresses. The map is a visual representation and approximation.

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The facility is located in Travis County. The Circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Travis County (red) in the state of Texas.



# Appendix for Lower Colorado River Authority - S.S. Fayette Power Plant GIS Map (WQ0002105000)

Map #	Requester	Latitude	Longitude	Distance in miles to:		
				Facility	Outfall	Nearest Outfall
1	Coppinger, Maxine	29.87565	-96.9464	11.88	11.31	004
2	Darilek, Dawn	29.88942	-97.0053	15.21	14.72	004
3	Dernehl, Ken	29.92604	-96.8258	4.40	4.24	004
4	Gosnay, Krystal L.	29.88942	-97.0053	15.21	14.72	004
5	Heath, Mary V.	30.11641	-96.7224	14.02	13.20	001
6	Julian, Ian	29.82176	-96.9793	14.99	14.27	004
7	Leech, Virginia	29.90097	-96.8752	7.36	6.89	004
8	Moerbe, Jerry	*****	*****	*****	*****	*****
9	Mueller, Dan	29.90525	-96.8786	7.53	7.09	004
10	Parry, Elizabeth K.	29.88013	-96.6694	5.59	4.97	003
11	Stephenson, Jan	29.92948	-96.707	2.98	2.66	001
12	Wolf, Mary	*****	*****	*****	*****	*****
13	Zapalac, Kenneth	29.84568	-96.7755	4.93	4.03	004

\*\*\*\*\*Note: Jerry Moerbe and Mary Wolf provided addressed incapable of being mapped by the ED's Staff.