

## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, November 17, 2025 1:16 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WQ  
**Subject:** FW: WQ0002105000

H

-----Original Message-----

**From:** CHIEFCLK <chiefclk@tceq.texas.gov>  
**Sent:** Monday, November 17, 2025 6:46 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** FW: WQ0002105000

-----Original Message-----

**From:** Maxine Coppinger <mcoppinger@cvctx.com>  
**Sent:** Saturday, November 15, 2025 10:16 AM  
**To:** CHIEFCLK <chiefclk@tceq.texas.gov>  
**Subject:** WQ0002105000

I am very concerned about a proposed permit change in allowing pollution discharges. I would like to have a public hearing discussing this request. Please let me know if/when this hearing will occur.

Maxine Coppinger

Sent from my iPhone

**Tammy Washington**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, November 20, 2025 2:32 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** dawn.darilek@gmail.com  
**Sent:** Thursday, November 20, 2025 1:03 PM  
**To:** PUBCOMMENT-OCC  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Dawn Darilek

**EMAIL:** [dawn.darilek@gmail.com](mailto:dawn.darilek@gmail.com)

**COMPANY:**

**ADDRESS:** 1845 Reiss Rd  
West Point, TX 78963

**PHONE:** 9797022556

**FAX:**

**COMMENTS:** I am a resident of Fayette County and I am requesting a public hearing regarding pollution discharges change permit at the LCRA plant located here in Fayette County. The residents of this County deserve a hearing and should have the right to express our concerns.

## Brianna Acosta

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, March 3, 2026 3:43 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WQ  
**Subject:** FW: Reconsideration of Public Meeting for LCRA Permit NO. WQ0002105000  
**Attachments:** Kitzman Meeting Request.pdf; Kitzman Withdrawal.pdf; Kitzamn Forum Response.jpg

PM  
RFR

**From:** CHIEFCLK <chiefclk@tceq.texas.gov>  
**Sent:** Tuesday, March 3, 2026 3:07 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** FW: Reconsideration of Public Meeting for LCRA Permit NO. WQ0002105000

**From:** ken dernehl <kendernehl@yahoo.com>  
**Sent:** Tuesday, March 3, 2026 3:03 PM  
**To:** CHIEFCLK <chiefclk@tceq.texas.gov>  
**Subject:** Reconsideration of Public Meeting for LCRA Permit NO. WQ0002105000

I sent this request in this morning. Could you please substitute this document as the first one had the formatting in disarray.

I am requesting a reconsideration of the executive director's decision to deny a public meeting/hearing on LCRA'S Permit No. WQ0002105000. The citizens of Fayette County deserve the right to know what changes are in the proposed permit. District 85 Representative Stan Kitzman laid out the reasons why a meeting should be held in a request dated September 16, 2025 (see attached). His request would have guaranteed a public meeting/hearing in Fayette County. Yet on October 30, 2025 Mr. Kitzman withdrew his request for unknown reasons (see attached). The only explanation Mr. Kitzman telegraphed was at a candidate forum held in La Grange on January 31, 2026 stating that the request was withdrawn because and I quote" so that it couldn't be exploited by radical leftists and environmentalists and would become a show for the far left" (see attached). His reasoning is absurd. Is the far left now controlling our government agencies in Texas? Surely the TCEQ is more transparent than this. The citizens of Fayette County deserve a public meeting/hearing. I respectfully request that you reconsider your previous decision and grant this request.

Ken Dernehl  
1018 Konetzke Ln.  
La Grange, Tx 78945

713 376-8754

[kendemehl@yahoo.com](mailto:kendemehl@yahoo.com)

**From:** [PUBCOMMENT-OCC](#)  
**To:** [PUBCOMMENT-WQ](#); [PUBCOMMENT-ELD](#); [PUBCOMMENT-OCC2](#); [PUBCOMMENT-OPIC](#)  
**Cc:** [Laurie Gharis](#); [Deornette Monteleone](#)  
**Subject:** FW: WQ0002105000  
**Date:** Tuesday, October 14, 2025 3:31:24 PM  
**Attachments:** [TCEQ Meeting Request - Fayette Power.pdf](#)

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PM

**From:** Clay Kelley <[Clay.Kelley@tceq.texas.gov](mailto:Clay.Kelley@tceq.texas.gov)>  
**Sent:** Tuesday, October 14, 2025 1:54 PM  
**To:** CHIEFCLK <[chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov)>; Dennise Braeutigam <[Dennise.Braeutigam@tceq.texas.gov](mailto:Dennise.Braeutigam@tceq.texas.gov)>; Angela Motloch <[Angela.Motloch@tceq.texas.gov](mailto:Angela.Motloch@tceq.texas.gov)>  
**Subject:** WQ0002105000

Please see attached from Rep. Kitzman regarding LCRA / Permit No. WQ0002105000.

Best,  
Clay

**Clay Kelley**

Legislative Liaison, Intergovernmental Relations Division  
Texas Commission on Environmental Quality  
(o) 512.239.1873 | (c) 512.468.8858 | [Clay.Kelley@tceq.texas.gov](mailto:Clay.Kelley@tceq.texas.gov)



**STAN KITZMAN**  
State Representative · District 85

October 14, 2025

Texas Commission of Environmental Quality  
Office of the Chief Clerk  
P.O. Box 13087  
Austin, Texas 78711-3087

**Subject: Request for Public Hearing on Proposed Environmental Quality Standard Changes – Fayette Power Project**

To Whom It May Concern,

As the State Representative for House District 85, which includes constituents directly affected by the Fayette Power Project and its surrounding communities, I am writing to formally request that the Texas Commission on Environment Quality hold a public hearing regarding the proposed environmental quality changes related to the facility.

The Fayette Power Project has long played a significant role in the region's economy and energy production; however, its operations also directly impact local air and water quality, public health, and long term environmental sustainability. My constituents have expressed deep concern and a strong desire for transparency and public engagement in the decision-making process.

A public hearing would provide an essential opportunity for residents, local officials, and stakeholders to review the proposed changes, ask questions, and share their perspectives before any final decisions are made. It is crucial that this process be conducted with full public input to ensure confidence in TCEQ's mission to protect human and natural resources consistent with sustainable economic development.

I respectfully request that TCEQ schedule a hearing in Fayette County at a time and location accessible to the general public and in a matter that is well-publicized in local media outlets.

Thank you for your attention to this matter and for your commitment to transparency and community involvement in environmental decision-making. I look forward to your timely response.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Kitzman".

**Stan Kitzman**  
State Representative, Texas House District 85  
Texas House of Representatives

AUSTIN, COLORADO, FAYETTE, FORT BEND (PARTIAL), WALLER, AND WHARTON

P.O. BOX 2910 • AUSTIN, TEXAS 78768-2910 • (512) 463-0604

STAN.KITZMAN@HOUSE.TEXAS.GOV

## Shaun Speck

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, October 30, 2025 11:59 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Cc:** Laurie Gharis; Deornette Monteleone  
**Subject:** FW: withdraw request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

WPM

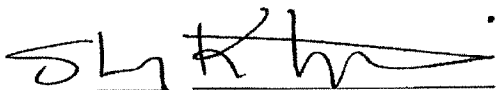
**From:** Nikki Gonzales <Nikki.Gonzales@house.texas.gov>  
**Sent:** Thursday, October 30, 2025 9:43 AM  
**To:** Clay Kelley <Clay.Kelley@tceq.texas.gov>; Dennise Braeutigam <Dennise.Braeutigam@tceq.texas.gov>; Angela Motloch <Angela.Motloch@tceq.texas.gov>  
**Cc:** Sarah Gouak <sarah.gouak@lcra.org>  
**Subject:** withdraw request

To Whom It May Concern,

I hereby withdraw in its entirety my October 14, 2025, request for a public hearing on LCRA's application for the renewal and amendment of Permit No. WQ0002105000.

Sincerely,

Stan Kitzman  
Dist. 85

A handwritten signature in black ink, appearing to read 'Stan Kitzman', written over a horizontal line.

## Shaun Speck

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**From:** Dennise Braeutigam  
**Sent:** Thursday, October 30, 2025 11:23 AM  
**To:** Laurie Gharis; Deornette Monteleone  
**Cc:** Clay Kelley; Grant McLoughlin; Angela Motloch  
**Subject:** email withdraw  
**Attachments:** withdraw request

Please see the attached email that is withdraw their request. This is associated with COMM 50410. Do you want to draft response for ED signature? I did let her know we received the email.

Thank you,  
Dennise

Dennise Braeutigam  
Office Manager for Executive Office  
Texas Commission on Environmental Quality  
512-239-0598



## State Says No to Public Hearing About River Pollution Changes by FPP

*Continued from front*

be held; or (3) when a public meeting is otherwise required by law.”

According to a TCEQ database, the Commission received 23 public comments on LCRA’s application, including one from State Rep. Stan Kitzman. On Oct. 14, 2025, Kitzman wrote to TCEQ requesting a public meeting. In his letter, Kitzman stated that, “My constituents have expressed deep concern and a strong desire for transparency and public engagement in the decision-making process.”

*an exception, found at 40 C.F.R. § 122.441(i)(2)(i)(B), to the anti-backsliding provisions of CWA § 402(o) that allows removal of limits from TPDES permits based on new information, which TCEQ did not have when the limits were placed in a permit, and justifies removal of the limits. More specifically, the revised ELG study supported the conclusion that the use of BPJ-based TBELs in the earlier permits constituted a technical mistake*

*because there was not a basis for assuming selenium would be present in the discharges at treatable concentrations.”*

A public meeting may have provided an opportunity for TCEQ experts to explain some of this in layman’s terms. Unfortunately, Fayette County citizens will not get that opportunity. At the Fayette County Republican Party Candidate Forum last Saturday, Kitzman said he withdrew his request for a meeting so that it couldn’t

be exploited by “radical leftists and environmentalists.” He said holding the meeting would have “become a show for the far left.”

TCEQ issued a notice dated Feb. 2 that the executive director has determined that LCRA’s permit application “meets the requirements of applicable law.”

The decision whether to grant the permit will now be considered by the TCEQ commissioners at a future date.

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## *Electric Heaters Catch Greenhouse on Fire*

## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 5, 2025 7:40 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Fayette Power Project - Permit # WQ0002105000

PM

----- Forwarded Message -----

**From:** ken dernehl <kendernehl@yahoo.com>  
**To:** [chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov) <[chiefclerk@tceq.texas.gov](mailto:chiefclerk@tceq.texas.gov)>  
**Sent:** Thursday, December 4, 2025 at 04:07:33 PM CST  
**Subject:** Fayette Power Project - Permit # WQ0002105000

I am requesting a "public meeting" on Permit # WQ0002105000 (Fayette Power Project).

Ken Dernehl  
1018 Konezke Ln.  
La Grange, Tx 78945  
713-376-8754

**Tammy Washington**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, November 20, 2025 11:25 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** lane.gosnayk@gmail.com  
**Sent:** Thursday, November 20, 2025 11:10 AM  
**To:** PUBCOMMENT-OCC  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Krystal Lane Gosnay

**EMAIL:** [lane.gosnayk@gmail.com](mailto:lane.gosnayk@gmail.com)

**COMPANY:**

**ADDRESS:** 1845 Reiss Rd  
West Poin, TX 78963

**PHONE:** 9797029310

**FAX:**

**COMMENTS:** I am a resident of Fayette County and I am requesting a public hearing regarding pollution discharges change permit at the LCRA plant located here in Fayette County. The residents of this County deserve a hearing and should have the right to express our concerns.

## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, December 1, 2025 1:38 PM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** gbh105@gmail.com <gbh105@gmail.com>  
**Sent:** Sunday, November 30, 2025 6:13 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Mary V Heath

**EMAIL:** [gbh105@gmail.com](mailto:gbh105@gmail.com)

**COMPANY:**

**ADDRESS:** 2803 Schoenst Rd  
Carmine, TX 78932

**PHONE:** 9792783911

**FAX:**

**COMMENTS:** New rules? LCRA Fayette Power is once again proposing to relax pollution monitoring requirements. Although not an expert on pollution, I am a citizen of Fayette Co, and what I gather from the cancelled public hearing of the LCRA infrastructure, public concerns are not to be heard before LCRA oversight becomes more lenient as risks increase. Reading about selenium discharge, coal ash containing arsenic, lithium, lead and mercury, I would like to be assured that this runoff would not be

harmful or at unsafe levels if released into the waterways. It doesn't sound healthy to me, nor to the birds, fish, plants and animals living near this water. There should be a public hearing so that we can ask questions. A notice of the public hearing must be published in the local newspapers. All LCRA neighbors should be assured that LCRA and our government care about our health. TCEQ permit number: WQ0002105000 [tceq.texas.gov](http://tceq.texas.gov)

## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, July 21, 2025 9:30 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** IJULIAN@ROCKETMAIL.COM <IJULIAN@ROCKETMAIL.COM>  
**Sent:** Friday, July 18, 2025 3:43 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** MR Ian Julian

**EMAIL:** IJULIAN@ROCKETMAIL.COM

**COMPANY:**

**ADDRESS:** 5100 Black Jack Ln  
La Grange, TX 78945

**PHONE:** 9793380469

**FAX:**

**COMMENTS:** Key concerns: Reduced Monitoring Frequency – Cutting sampling from weekly to monthly at Outfall 001 (Lake Fayette and Cedar Creek) increases the chance that contamination events could go undetected, particularly during flood conditions. Increased Risk of Toxic Discharge – Coal ash at the plant contains hazardous elements such as arsenic, selenium, cobalt, lithium, chromium, and mercury (Texas Tribune, 2019). Relaxed sampling could delay detection of any release into public waterways.

Upcoming Atlas 15 Update – NOAA is updating its rainfall models. Preliminary Atlas 15 data released in 2024 suggest increased rainfall intensity and flood risk for Central Texas. The proposal to shift from a 10-year/24-hour storm standard to a 10-year/10-day standard may reflect anticipated compliance challenges, not actual safety improvements. Public Cost Exposure – If a release occurs, the public ultimately pays cleanup and infrastructure costs through electric rates, as seen after Winter Storm Uri. If the permit amendment is not flatly denied for cause, then at a minimum, TCEQ must require a formal public hearing in Fayette County. The community deserves full transparency, not reduced oversight at a time of increasing environmental and financial risk.

**Tammy Washington**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, October 20, 2025 10:43 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** virginia.leech@icloud.com <virginia.leech@icloud.com>  
**Sent:** Friday, October 17, 2025 5:01 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Virginia Leech

**EMAIL:** [virginia.leech@icloud.com](mailto:virginia.leech@icloud.com)

**COMPANY:**

**ADDRESS:** 558 S. Washington [virginia.leech@icloud.com](mailto:virginia.leech@icloud.com)  
LaGrange, TX 78945

**PHONE:** 9727433930

**FAX:**

**COMMENTS:** A public hearing will ensure us residents, local officials and other stakeholders that we will have an opportunity to express our concerns, ask questions and receive accurate information about the proposed changes and their potential effects. This is critical to maintaining public trust and insuring that regulatory decisions reflect both the scientific data, as well as community perspectives necessary to protect the long-term health and well being of Fayette County and surrounding areas.

**Tammy Washington**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, October 20, 2025 10:42 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** virginia.leech@icloud.com <virginia.leech@icloud.com>  
**Sent:** Friday, October 17, 2025 4:59 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Virginia Leech

**EMAIL:** [virginia.leech@icloud.com](mailto:virginia.leech@icloud.com)

**COMPANY:**

**ADDRESS:** 558 S. Washington [virginia.leech@icloud.com](mailto:virginia.leech@icloud.com)  
LaGrange, TX 78945

**PHONE:** 9727433930

**FAX:**

**COMMENTS:** A public hearing will ensure us residents, local officials and other stakeholders that we will have an opportunity to express our concerns, ask questions and receive accurate information about the proposed changes and their potential effects. This is critical to maintaining public trust and insuring that regulatory decisions reflect both the scientific data, as well as community perspectives necessary to protect the long-term health and well being of Fayette County and surrounding areas.

TCEQ of the Chief Clerk, MC-105 12/9/25  
Residents of Fayette County  
deserve full monitoring of  
the coal-burning plant located  
in their backyard.

I wrote an earlier request.  
Please let me know the status  
of LCRA's attempt to cut  
back on monitoring.

Virginia Leech  
558 S Washington  
La Grange, TX 78945  
virginia.leech@icloud.com  
972-743-3930

Reviewed By DS

DEC 16 2025

TCEQ.DCC  
DEC 12 '25 AM 10:06



The Leech Family  
558 S Washington St  
LA Grange, TX 78945



AUSTIN TX 787  
RIO GRANDE DISTRICT  
10 DEC 2025 AM 3 L

J E E Q, Office of the Chief Clerk, M-105  
PO Box 13087  
Austin, TX 78711-3087

90:01 AM 52:21 030  
DEC 10 2025 0006301

REG MAIL CENTER

CL

78711-308787



## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, February 26, 2026 3:34 PM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: (TPDES) Permit No. WQ0002105000 (EPA I.D. No. TX0073121)

H

**From:** CHIEFCLK  
**Sent:** Tuesday, February 17, 2026 9:22 AM  
**To:** PUBCOMMENT-OCC  
**Subject:** FW: (TPDES) Permit No. WQ0002105000 (EPA I.D. No. TX0073121)

**From:** j. moerbe <[hsoilco@gmail.com](mailto:hsoilco@gmail.com)>  
**Sent:** Tuesday, February 17, 2026 8:39 AM  
**To:** CHIEFCLK <[chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov)>  
**Subject:** (TPDES) Permit No. WQ0002105000 (EPA I.D. No. TX0073121)

To: Texas Commission on Environmental Quality, Office of the Chief Clerk  
Re: Opposition to LCRA Fayette Power Project Permit Amendment  
Permit Number: WQ0002105000

Dear Chief Clerk,

I am writing to formally oppose the Lower Colorado River Authority's (LCRA) application for permit changes at the Fayette Power Project (FPP). As a [resident/concerned citizen] in [Fayette County], I request that the TCEQ deny these changes or, at minimum, hold a contested case hearing to address the following concerns:

- Groundwater Contamination: Reports from the Environmental Integrity Project indicate that groundwater near the FPP landfill contains unsafe levels of arsenic, cobalt, manganese, and sulfate. Any permit relaxation risks further leaching of these toxic pollutants.

- Wastewater Concerns: The proposed changes to wastewater discharge could impact Cedar Creek and the Colorado River. Local stakeholders have raised alarms regarding selenium levels, which are toxic to both aquatic life and human health.

- History of Non-Compliance: The plant has previously faced federal lawsuits alleging thousands of violations of the Clean Air Act and the under-reporting of particulate matter.

- Request for a Contested Case Hearing: I believe I am an "affected person" due to the proximity of my [water source where I fish] to the facility. I request a contested case hearing to ensure an independent technical review of the cumulative environmental impact of these changes.

Thank you for your consideration of these serious environmental and public health concerns.

Sincerely,

Jerry Moerbe

P.O. Box 130  
Bleiberville, Texas 78931  
(979)270-2592

## Brianna Acosta

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, March 3, 2026 3:10 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WQ  
**Subject:** FW: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)  
**Attachments:** Re: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)

Associate eComment with Permit No. WQ0002105000

**From:** Laurie Gharis <Laurie.Gharis@tceq.texas.gov>  
**Sent:** Monday, March 2, 2026 9:34 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** FW: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)

Laurie Gharis  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
Office Phone: 512-239-1835  
Cell Phone: 737-263-9116

How is our customer service? Fill out our online customer satisfaction survey at:  
[www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)

**From:** Lori Wilson <Lori.Wilson@tceq.texas.gov>  
**Sent:** Monday, March 2, 2026 9:03 AM  
**To:** Matthew Udenenwu <matthew.udenenwu@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>  
**Subject:** FW: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)

**From:** R11COMP <R11COMP@tceq.texas.gov>  
**Sent:** Monday, March 2, 2026 7:52 AM  
**To:** Shawn Stewart <shawn.stewart@tceq.texas.gov>; Lori Wilson <Lori.Wilson@tceq.texas.gov>; Elijah Gandee <Elijah.Gandee@tceq.texas.gov>; Chad Ahlgren <chad.ahlgren@tceq.texas.gov>; Monica Reyes <Monica.Reyes@tceq.texas.gov>; Casey Grunnet <Casey.Grunnet@tceq.texas.gov>; James Slone <james.slone@tceq.texas.gov>; Karen Bachtel <karen.bachtel@tceq.texas.gov>  
**Subject:** FW: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)

---

**From:** COMPLAINT <complaint@tceq.texas.gov>  
**Sent:** Monday, March 2, 2026 1:51:20 PM (UTC+00:00) Monrovia, Reykjavik

**To:** R11COMP <[R11COMP@tceq.texas.gov](mailto:R11COMP@tceq.texas.gov)>

**Subject:** FW: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)

Hello,

Please respond to the attached complaint accordingly.

Thank you,



Field Support Team | Program Support & Environmental Assistance Division  
Office of Compliance & Enforcement  
☎ 512-239-0400

**TRY the **NEW** Online Complaint Form in English and Spanish**  
**How is our customer service?** Fill out our online customer satisfaction survey at  
[www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)

**Brianna Acosta**

---

**From:** j. moerbe <hsoilco@gmail.com>  
**Sent:** Saturday, February 28, 2026 6:20 PM  
**To:** EXECDIR; COMPLAINT; PDWS  
**Subject:** Re: Opposition to LCRA Fayette Power Project Permit Amendment Permit Number:TPDES #WQ0002105000 (EPA I.D. # TX0073121)

February 28, 2026

**Mr. Kelly Keel**

Executive Director

Texas Commission on Environmental Quality (TCEQ)

P.O. Box 13087

Austin, Texas 78711-3087

**RE: Formal Briefing on Environmental Contamination and Regulatory Non-Compliance at the Fayette Power Project (FPP)**

Dear Mr. Keel,

I am writing to you today to provide critical scientific and regulatory data regarding the Fayette Power Project (FPP), operated by the Lower Colorado River Authority (LCRA) in Fayette County. As the TCEQ reviews the pending permit requests from LCRA/FPP, it is imperative that the Commission considers the cumulative impact of the facility's operations on our regional groundwater, surface water, and air quality.

The following evidence, grounded in Earth and Chemical sciences, demonstrates that the FPP is currently operating in a manner that jeopardizes the health of Texas citizens and the integrity of our natural resources.

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## **1. Earth Science: Hydrogeological Contamination**

The hydrogeology of the FPP site reveals a direct pathway for toxic substances to migrate from waste storage units into the local water table.

- **Leaching Dynamics:** The FPP utilizes a Combustion Byproduct Landfill and legacy ash ponds that lack modern protective liners. Rainwater filtration through these unlined units creates a leachate that carries toxic elements directly into the underlying aquifers.
- **Groundwater Data (2026):** Current data from 23 onsite monitoring wells confirms a **100% detection rate** of at least one pollutant exceeding federal health advisory levels.

- **Surface Water Linkage:** Earth science modeling and "Upstream vs. Downstream" differential analysis show significantly higher **sulfate** levels downstream of the plant in Cedar Creek and the Colorado River, indicating active leaching from the facility.

## 2. Chemical Science: Atmospheric and Aqueous Toxins

The chemical transformation of coal at FPP produces a hazardous "cocktail" of byproducts that impact both the air we breathe and the water we drink.

### Atmospheric Chemistry (Combustion Byproducts)

Despite the 2011 installation of scrubbers, the FPP remains a primary source of chemical haze and greenhouse gases:

- **Sulfur Dioxide (\$SO\_2\$):** A precursor to acid rain and respiratory distress.
- **Nitrogen Oxides (\$NO\_x\$):** Reacts with sunlight to form ground-level ozone (\$O\_3\$).
- **Particulate Matter (\$PM\_{2.5}\$):** Fine particles capable of entering the bloodstream.
- **Carbon Dioxide (\$CO\_2\$):** FPP emits over **8.5 million tons** annually, making it one of the largest emitters in the nation.

### Aqueous Chemistry (Heavy Metal Concentrations)

Chemical analysis of groundwater near the plant identifies concentrations of heavy metals far exceeding safety standards:

Chemical Component	Detected Level (vs. Safety Limit)	Primary Health Risk
<b>Arsenic</b>	Up to <b>10x</b> legal limit	Known human carcinogen
<b>Lithium</b>	Up to <b>25x</b> health standard	Neurological and developmental toxin
<b>Cobalt</b>	Exceeding <b>100x</b> safety standard	Heart, thyroid, and blood damage
<b>Sulfate</b>	<b>3x–5x</b> safe concentration	Indicator of coal ash contact

## 3. Regulatory and Legal Compliance Status (2025–2026)

The FPP is currently at a critical regulatory crossroads, with multiple active violations and legal challenges:

- **Clean Air Act (CAA):** The facility has been flagged for **High Priority Violations (HPV)**. As of 2026, a federal lawsuit alleges thousands of violations related to under-reported particulate emissions and unpaid state pollution fees.
- **Resource Conservation and Recovery Act (RCRA):** The EPA has designated coal ash as a **National Enforcement Priority**. While a December 2025 EPA proposal suggested extending ash pond closure deadlines to 2031 for "grid reliability," this is being formally challenged by the Sierra Club and Fayette County officials. They argue FPP is ineligible due to the "direct contact" of its ash with the water table.

- **Clean Water Act (CWA):** Recent EPA ECHO snapshots show **Significant Non-Compliance**, with sporadic "Effluent Violations" regarding water temperature and suspended solids discharged into the Colorado River basin.

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## 4. Current Local Action (February 2026)

As of February 26, 2026, Fayette County Judge Dan Mueller and the local Groundwater Conservation District have initiated **independent county-led sampling**. This effort aims to establish a definitive legal "baseline" of contamination before any potential relaxation of selenium discharge limits by the TCEQ.

## Summary of FPP Compliance Snapshot (Early 2026)

- **Air (CAA):** High Priority Violation (Particulate matter/opacity).
- **Water (CWA):** Significant Non-Compliance (Effluent limit exceedances).
- **Waste (RCRA):** Corrective Action Required (Unlined pond leaching).

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## Conclusion

Mr. Keel, the residents of Fayette County and the surrounding areas rely on the TCEQ to serve as the final line of defense against industrial pollution. The scientific evidence of groundwater contamination and the plant's history of air quality violations suggest that any further permit flexibility granted to LCRA would be detrimental to the public interest.

I have provided this information directly to ensure it is part of the official record as you move forward with the LCRA/FPP Permit Request. We look forward to a decision that prioritizes the long-term health of Texas water and air.

Sincerely,

**Jerry Moerbe**

Box 130

Bleiberville, Texas 78931

(979) 270-2592

**Brianna Acosta**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, March 5, 2026 9:31 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WQ0002105000  
**Attachments:** signed Letter to TCEQ and LCRA - Reconsideration - Public meeting.pdf

RFR

**From:** dan.mueller@co.fayette.tx.us <dan.mueller@co.fayette.tx.us>  
**Sent:** Friday, February 27, 2026 4:39 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Dan Mueller

**EMAIL:** [dan.mueller@co.fayette.tx.us](mailto:dan.mueller@co.fayette.tx.us)

**COMPANY:** Fayette County

**ADDRESS:** 151 N Washington St Ste 301  
La Grange, TX 78945

**PHONE:** 9799686469

**FAX:**

**COMMENTS:** Please see attached letter for reconsideration.

*Fayette County*  
COUNTY JUDGE'S OFFICE



February 27, 2026

Texas Commission on Environmental Quality (TCEQ)

Lower Colorado River Authority (LCRA)

**Subject: Reconsideration of Executive Director's Decision on Request for Public Meeting on Proposed Environmental Quality Standard Changes – Fayette Power Project**

To Whom It May Concern,

On behalf of the citizens of Fayette County, I am writing to formally request reconsideration of the executive director's decision to not hold a public meeting. My reasons for requesting reconsideration is to allow more time to ensure that all factor have been considered.

Thank you for your attention to this matter and for your commitment to transparency and community involvement in environmental decision-making. I look forward to your timely response.

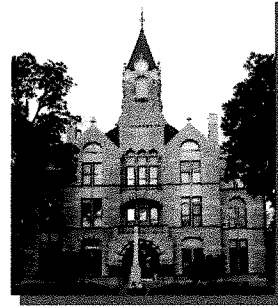
Sincerely,

**Dan Mueller**  
Fayette County Judge

Copy to: Senator Lois Kolkhorst

Representative Stan Kitzman

*Fayette County*  
COUNTY JUDGE'S OFFICE



September 16, 2025

Texas Commission on Environmental Quality (TCEQ)

Lower Colorado River Authority (LCRA)

**Subject: Request for Public Hearing on Proposed Environmental Quality Standard Changes – Fayette Power Project**

To Whom It May Concern,

On behalf of the citizens of Fayette County, I am writing to formally request that the Lower Colorado River Authority (LCRA) and the Texas Commission on Environmental Quality (TCEQ) hold a public hearing prior to making any decisions regarding proposed changes to environmental quality standards related to the Fayette Power Project.

The Fayette Power Project has long been a matter of significant public interest in our community, concerns have always existed about its potential impact on our local environment, air quality, and water resources. Any proposed changes to environmental standards affecting this facility must be made with full transparency and with the direct input of the people who will be most affected by these decisions.

A public hearing will ensure that residents, local officials, and other stakeholders have an opportunity to express their concerns, ask questions, and receive accurate information about the proposed changes and their potential effects. Such participation is critical to maintaining public trust and ensuring that regulatory decisions reflect both the scientific data available as well as community perspectives necessary to protect the long-term health and wellbeing of Fayette County and the surrounding region.

We respectfully request that LCRA and TCEQ schedule this hearing in Fayette County at a time and location accessible to the general public and in a manner that is well-publicized in local media outlets.

Thank you for your attention to this matter and for your commitment to transparency and community involvement in environmental decision-making. I look forward to your timely response.

Sincerely,

**Dan Mueller**  
Fayette County Judge

Reviewed By DS

SEP 23 2025 H

2025 SEP 19 AM 11:13  
OFFICE OF THE COUNTY CLERK  
FAYETTE COUNTY, TEXAS

Copy to: Senator Lois Kolkhorst

Representative Stan Kitzman

JUN 30 2025

OFFICE OF COUNTY JUDGE  
FAYETTE COUNTY, TEXAS

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

PERMIT NO. WQ0002105000

**APPLICATION.** Lower Colorado River Authority, P.O. Box 220, Austin, Texas 78767, which owns a coal-fired steam electric power generation facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002105000 (EPA ID. No. TX0073121) to authorize: removal of selenium limits from external Outfalls 003 and 004 and internal Outfall 301; amendment of Other Requirement 3(G) from "10-year, 24-hour rainfall event" to a longer duration event (up to a 10-year, 10-day rainfall event); amendment of Other Requirement 3(G) to include coal pile runoff from Outfall 301, which is the same effluent as Outfall 003; and reduction of sampling frequency from weekly to monthly for Outfall 201 for TSS, oil and grease, and pH. The facility is located at 6549 Power Plant Road, near the city of La Grange, in Fayette County, Texas 78945. The discharge route is from the plant site via Outfall 001 to Lake Fayette, thence to Cedar Creek, thence to Colorado River Below La Grange; via Outfall 002 to an unnamed tributary, thence to Cedar Creek, thence to Colorado River Below La Grange; via Outfall 003 to a man-made ditch, thence to an unnamed tributary, thence to Cedar Creek, thence to Colorado River Below La Grange; and via Outfall 004 to an unnamed tributary, thence to Cedar Creek, thence to Colorado River Below La Grange. TCEQ received this application on May 23, 2025. The permit application will be available for viewing and copying at Fayette Public Library, 855 South Jefferson Street, La Grange, in Fayette County, Texas prior to the date this notice is published in the newspaper. The application, including any updates, and associated notices are available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.753611,29.914722&level=18>

**ALTERNATIVE LANGUAGE NOTICE.** Alternative language notice in Spanish is available at: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft

permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief

Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** All public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Lower Colorado River Authority at the address stated above or by calling Ms. Wendy Schreiber, Manager, Plant Environmental Support, at 512-767-3560.

Issuance Date: June 24, 2025

# Comisión de Calidad Ambiental del Estado de Texas



## AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA PERMISO MODIFICACIÓN

PERMISO NO. WQ0002105000

**SOLICITUD.** Lower Colorado River Authority, P.O. Box 220, Austin, Texas 78767, la cual es propietaria de una instalación de generación de energía eléctrica a vapor de agua producido por la combustión de carbón, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para modificar el Permiso No. WQ0002105000 (EPA I.D. No. TX0073121) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la eliminación de los límites de selenio de las Desembocaduras externas 003 y 004 y de la Desembocadura interna 301; modificación del Otro Requisito 3 (G) de "evento de lluvia de 24 horas cada 10 años" a un evento de mayor duración (hasta un evento de lluvia de 10 días cada 10 años); modificación del Otro Requisito 3 (G) para incluir escorrentía de pila de carbón de la Desembocadura 301, que es el mismo efluente que la Desembocadura 003; y reducción de la frecuencia de muestreo de semanal a mensual para la Desembocadura 201 para TSS, aceite y grasa, y pH. La instalación está ubicada en 6549 Power Plant Road, cerca de la Ciudad de La Grange, en el condado Fayette, Texas 78945. La ruta de descarga es del sitio de la planta a vía Desembocadura 001 al Lago Fayette (Fayette Lake), de allí a Cedar Creek; de allí al río Colorado debajo de La Grange; vía Desembocaduras 002 a un afluente sin nombre, de allí a Cedar Creek; de allí al río Colorado debajo de La Grange; vía Desembocaduras 003 hasta una zanja artificial, de allí a un afluente sin nombre, de allí a Cedar Creek; de allí al río Colorado debajo de La Grange; y vía Desembocaduras 004 a un afluente sin nombre, de allí a Cedar Creek; de allí al río Colorado debajo de La Grange. La TCEQ recibió esta solicitud el 23 de mayo de 2025 por TCEQ. La solicitud para el permiso estará disponible para leerla y copiarla en la Biblioteca Pública de Fayette (Fayette Public Library), 855 South Jefferson Street, La Grange, en el condado Fayette, Texas antes de la fecha de publicación de este aviso en el periódico. La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.753611,29.914722&level=18>

**AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

**AVISO ADICIONAL.** El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de

completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

**COMENTARIO PÚBLICO / REUNIÓN PÚBLICA.** Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

**PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS:** su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión.

La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron

retirados posteriormente. **Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.**

**LISTA DE CORREO.** Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos del solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

**INFORMACIÓN DISPONIBLE EN LÍNEA.** Para detalles sobre el estado de la solicitud, favor de visitar la Base de Datos Integrada de los Comisionados en [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Para buscar en la base de datos, utilizar el número de permiso para esta solicitud que aparece en la parte superior de este aviso.

**CONTACTOS E INFORMACIÓN A LA AGENCIA.** Todos los comentarios públicos y solicitudes deben ser presentadas electrónicamente vía <http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficial de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional de Lower Colorado River Authority a la dirección indicada arriba o llamando a la señora Wendy Schreiber, Gerente, Apoyo Ambiental de la Planta (Manager, Plant Environmental Support), al 512-767-3560.

Fecha de emisión: 24 de junio de 2025

COUNTY OF



FAYETTE

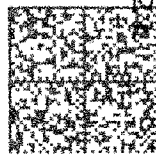
**DAN MUELLER**  
County Judge

Fayette County Courthouse  
151 N. Washington St. - Room 301  
La Grange, Texas 78945

AUSTIN TX 786

18 SEP 2025 AM 2:28

FIRST CLASS



US POSTAGE  
ZIP 78945  
02 7H  
0006149852  
SEP 17 2025  
\$ 000.74<sup>0</sup>

**RECEIVED**

SEP 19 2025

TCEQ MAIL CENTER  
CL

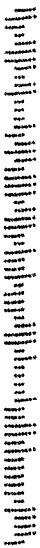
Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, Texas 78711-3087

78711-308787



## Tammy Washington

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 5, 2025 7:46 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WQ0002105000  
**Attachments:** Letter to TCEQ and LCRA - Amended Wasterwater Application - Public meeting.pdf

PM

**From:** dan.mueller@co.fayette.tx.us <dan.mueller@co.fayette.tx.us>  
**Sent:** Thursday, December 4, 2025 3:25 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Dan Mueller

**EMAIL:** [dan.mueller@co.fayette.tx.us](mailto:dan.mueller@co.fayette.tx.us)

**COMPANY:** Fayette County

**ADDRESS:** 151 N Washington St Ste 301  
La Grange, TX 78945

**PHONE:** 9799686469

**FAX:**

**COMMENTS:** Request public meeting in Fayette County. See attached letter.

*Fayette County*  
COUNTY JUDGE'S OFFICE



December 4, 2025

Texas Commission on Environmental Quality (TCEQ)

Lower Colorado River Authority (LCRA)

**Subject: Request for Public Meeting on Proposed Environmental Quality Standard Changes – Fayette Power Project**

To Whom It May Concern,

On behalf of the citizens of Fayette County, I am writing to formally request that the Lower Colorado River Authority (LCRA) and the Texas Commission on Environmental Quality (TCEQ) hold a public meeting prior to making any decisions regarding proposed changes to environmental quality standards related to the Fayette Power Project.

The Fayette Power Project has long been a matter of significant public interest in our community, concerns have always existed about its potential impact on our local environment, air quality, and water resources. Any proposed changes to environmental standards affecting this facility must be made with full transparency and with the direct input of the people who will be most affected by these decisions.

A public meeting will ensure that residents, local officials, and other stakeholders have an opportunity to express their concerns, ask questions, and receive accurate information about the proposed changes and their potential effects. Such participation is critical to maintaining public trust and ensuring that regulatory decisions reflect both the scientific data available as well as community perspectives necessary to protect the long-term health and wellbeing of Fayette County and the surrounding region.

We respectfully request that LCRA and TCEQ schedule this meeting in Fayette County at a time and location accessible to the general public and in a manner that is well-publicized in local media outlets.

Thank you for your attention to this matter and for your commitment to transparency and community involvement in environmental decision-making. I look forward to your timely response.

Sincerely,

*Dan Mueller*

**Dan Mueller**  
Fayette County Judge

Copy to: Senator Lois Kolkhorst

Representative Stan Kitzman

**Tammy Washington**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, February 23, 2026 11:16 AM  
**To:** PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Cc:** PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H  
RFR

**From:** elizabethparry2013@gmail.com <elizabethparry2013@gmail.com>  
**Sent:** Saturday, February 14, 2026 10:51 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** MRS Elizabeth K. Parry

**EMAIL:** [elizabethparry2013@gmail.com](mailto:elizabethparry2013@gmail.com)

**COMPANY:**

**ADDRESS:** 2233 Ross Prairie Church Rd  
Fayetteville, TX 78940

**PHONE:** 7134433953

**FAX:**

**COMMENTS:** Dear TCEQ Commissioners, I am writing to formally request a Contested Case Hearing, or in the alternative, reconsideration of the Executive Director's decision regarding Permit No. WQ0002105000 (EPA I.D. No. TX0073121), specifically as it relates to selenium discharge limits and

coal-related runoff controls. I am a nearby landowner and resident in Fayette County whose property and livestock rely upon local surface water and groundwater resources potentially affected by permitted discharges and coal combustion residual management practices associated with this facility. The permitted discharge of selenium and coal-related wastewater raises substantial concerns regarding: The technical and scientific basis supporting the selenium limits Compliance modeling and monitoring data relied upon in the decision Potential impacts to nearby creeks, aquifers, private wells, and agricultural uses Bioaccumulation risks in sediment, aquatic organisms, and terrestrial food chains Recent environmental and agricultural observations in the surrounding area further heighten concerns regarding potential exposure pathways and long-term accumulation risks. These issues warrant full evidentiary review. Given the material public health, environmental, and property implications for affected residents, a Contested Case Hearing is necessary to ensure a complete and transparent examination of the administrative record. Alternatively, I request reconsideration of the Executive Director's decision in light of these concerns. Additionally, please place me on the permanent mailing list for all notices, permit actions, amendments, enforcement matters, and related filings concerning the Lower Colorado River Authority (L.C.R.A.), Austin Energy, and the Sam Seymour Power Plant. Please confirm receipt of this request and advise regarding procedural requirements and deadlines associated with this filing. Sincerely, Elizabeth K. Parry Fayette County, Texas

## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, October 27, 2025 6:00 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

Jesús Bárcena  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
Office Phone: 512-239-3319

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[www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)

**From:** jles2003@gmail.com <jles2003@gmail.com>  
**Sent:** Saturday, October 25, 2025 3:59 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Jan Stephenson

**EMAIL:** [jles2003@gmail.com](mailto:jles2003@gmail.com)

**COMPANY:**

**ADDRESS:** 944 Lakeview Rd  
Fayetteville, TX 78940

**PHONE:** 9792493030

**FAX:**

**COMMENTS:** I am requesting a public hearing regarding this permit. I believe that an increase in discharges will be harmful to the local environment.

**Tammy Washington**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, November 21, 2025 10:22 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

**From:** fayettetxdemocrats@gmail.com  
**Sent:** Thursday, November 20, 2025 4:17 PM  
**To:** PUBCOMMENT-OCC  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** MS Mary Wolf

**EMAIL:** [fayettetxdemocrats@gmail.com](mailto:fayettetxdemocrats@gmail.com)

**COMPANY:** Fayette County Texas Democratic Party

**ADDRESS:** P. O. Box 369  
La Grange, TX 78945

**PHONE:** 9794847925

**FAX:**

**COMMENTS:** Concerned residents of Fayette County are requesting a public hearing regarding this permit request by LCRA. We believe this change would bring harm to our local water resources and wildlife not only in Fayette County but those counties that are downstream. A public hearing will ensure citizens that residents, local officials, and other stakeholders have an opportunity to express their

concerns, ask questions and receive accurate information about the proposed changes and their potential effects.

## Tammy Washington

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, October 29, 2025 1:10 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0002105000

H

Jesús Bárcena  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
Office Phone: 512-239-3319

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[www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)

**From:** kennyzap@cvctx.com  
**Sent:** Tuesday, October 28, 2025 3:41 PM  
**To:** PUBCOMMENT-OCC  
**Subject:** Public comment on Permit Number WQ0002105000

**REGULATED ENTY NAME** LCRA SAM SEYMOUR FAYETTE POWER PROJECT

**RN NUMBER:** RN100226844

**PERMIT NUMBER:** WQ0002105000

**DOCKET NUMBER:**

**COUNTY:** FAYETTE

**PRINCIPAL NAME:** LOWER COLORADO RIVER AUTHORITY

**CN NUMBER:** CN600253637

**NAME:** Kenneth Zapalac

**EMAIL:** [kennyzap@cvctx.com](mailto:kennyzap@cvctx.com)

**COMPANY:**

**ADDRESS:** 2151 Zapalac Road  
La Grange, TX 78945

**PHONE:** 9792493846

**FAX:**

**COMMENTS:** I support the community request and I, individually, request a public hearing in Fayette County for the pending application for Permit No. WQ0002105000 made by applicant, the Lower Colorado River Authority, to the Texas Commission on Environmental Quality that proposes to renew and for a major amendment(s) for pollutant discharges. The public hearing should be required to inform the community of all potential impacts to the Lower Colorado River system from the permit, if approved by TCEQ. Without a public hearing, I oppose any favorable action on the pending permit from LCRA as additional pollutants may have an unknown impact to property, livestock, fish, wildlife and people. I personally own Colorado River frontage property approximately 16,000 feet downstream from LCRA's pump station at the banks of the Colorado River and much closer to Cedar Creek's mouth into the river. Any pollutants coming in at Cedar Creek certainly would impact my lands and any others landowners in such close proximity. Landowners should have been provided clearer communications and transparency of this pending application. The future of the river and coastal areas should also be a high concern as well. And the potential impact to people along the river, especially my nine grandchildren that enjoy the banks of the river that has been in the family for six generations now, should not be subject to additional pollutants that may harm them as a result of the approval of this application. My request for a public hearing on this matter is reasonable. Regardless, I believe the prudent action by Texas Commission on Environmental Quality is to not approve this application that allow the potential of more pollutants into the Colorado River system by the Lower Colorado River Authority under this application. Respectfully, Kenneth Zapalac