



Technical Package Cover Page

This file contains the following documents:

1. Summary of application (in plain language)
2. First notice (NORI-Notice of Receipt of Application and Intent to Obtain a Permit)
3. Second notice (NAPD-Notice of Preliminary Decision)
4. Application materials
5. Draft permit
6. Technical summary or fact sheet



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUMMARY OF APPLICATION IN PLAIN LANGUAGE FOR TPDES OR TLAP PERMIT APPLICATIONS

Arkansas Electric Cooperative Company (CN606375517) proposes to operate Naples Power Plant (RN112194527), an electric peaking facility. The facility will be located at State Highway 77, approximately a third of a mile southeast of the intersection of State Highway 77 and County Road 4314, in Naples, Morris County, Texas 75571. This application is for a new permit to discharge intermittent and variable volume of evaporative cooler blowdown, plant and equipment washdown, multimedia filter backwash, and stormwater via Outfall 001.

Discharges from the facility are expected to contain suspended solids and oil and grease. Plant and equipment washdown and stormwater from areas with the potential to contact oil will be treated by an oil water separator before commingling with the evaporative cooler blowdown, multimedia filter backwash, and stormwater which is then routed the onsite pond for settling of solids prior to discharge via Outfall 001.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PROPOSED PERMIT NO. WQ0005489000

APPLICATION. Arkansas Electric Cooperative Corporation, P.O. Box 194208, Little Rock, Arkansas 72219, which will own an electric generation facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005489000 (EPA I.D. No. TX0147885) to authorize the discharge of treated wastewater and stormwater at an intermittent and flow-variable volume. The facility will be located approximately 0.33 miles southeast of the intersection of State Highway 77 and County Road 4314, near the city of Naples, in Morris County, Texas 75571. The discharge route will be from the plant site to Mary Lees Branch, thence to White Oak Creek, thence to Sulphur/South Sulphur River. TCEQ received this application on May 14, 2025. The permit application will be available for viewing and copying at Naples City Hall, 205 East Main Street, Naples, in Morris 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=-94.701666,33.2225&level=18>

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. 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. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Arkansas Electric Cooperative Corporation at the address stated above or by calling Mr. Stephen Cain, Director - Compliance & Support, at 501-570-2420.

Issuance Date: May 22, 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF APPLICATION AND PRELIMINARY DECISION
FOR TPDES PERMIT FOR INDUSTRIAL WASTEWATER**

NEW

Permit No. WQ0005489000

APPLICATION AND PRELIMINARY DECISION. Arkansas Electric Cooperative Corporation, P.O. Box 194208, Little Rock, Arkansas 72219, which proposes to operate Naples Power Plant, a power generation facility with two dual-fuel (natural gas and fuel oil) simple cycle combustion turbines, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005489000, to authorize the discharge of utility wastewaters, and stormwater from industrial areas on an intermittent and flow variable basis via Outfall 001. The TCEQ received this application on May 14, 2025.

The facility is located approximately 0.33 miles southeast of the intersection of State Highway 77 and County Road 4314, near the City of Naples, Morris County, Texas 75571. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-94.701666,33.2225&level=18>

The effluent is discharged to Mary Lees Branch, thence to White Oak Creek, thence to Sulphur/South Sulphur River in Segment No. 0303 of the Sulphur River Basin. The unclassified receiving water uses are limited aquatic life use for Mary Lees Branch (intermittent with perennial pools) and high aquatic life uses for Mary Lees Branch (perennial). The designated uses for Segment No. 0303 are primary contact recreation and high aquatic life use.

In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action.

Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Mary Lees Branch (perennial), which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Naples City Hall, 205 East Main Street, Naples, in Morris County, Texas. 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>

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit written or oral comment or to ask questions about the application. Generally, the 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 public comments, the Executive Director will consider the comments and prepare a response to all relevant and material, or significant public comments. **The response to comments, along with the Executive Director's decision on the application, will be mailed to everyone who submitted public comments or who requested to be on a mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a 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.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or a timely request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and requests to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

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

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www.tceq.texas.gov/goto/comment> within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at <https://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. Public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/goto/comment>, 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 <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en Español, puede llamar al 1-800-687-4040.

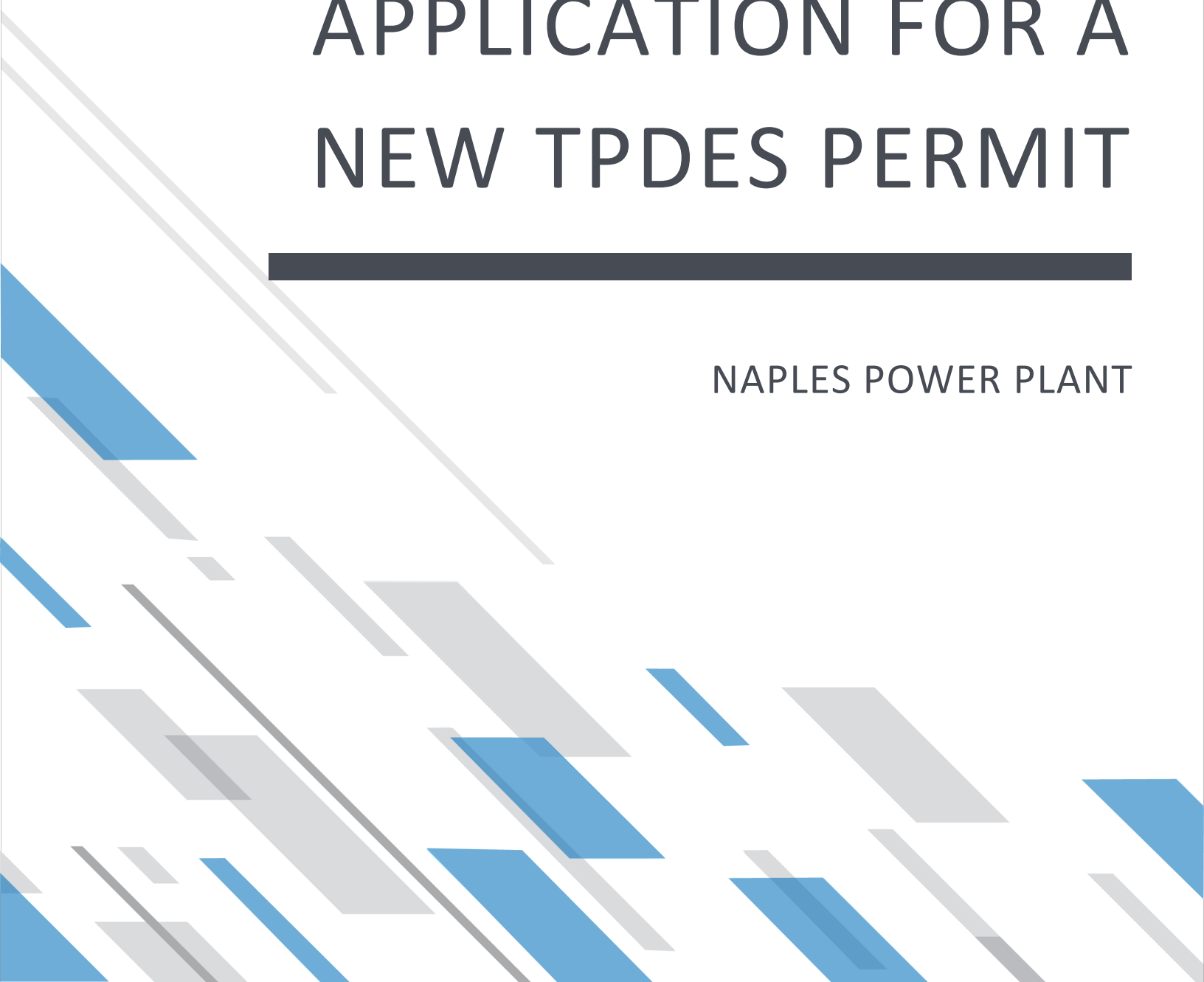
Further information may also be obtained from Arkansas Electric Cooperative Corporation at the address stated above or by calling Mr. Stephen Cain, Director – Compliance & Support, at 501-570-2420.

Issued: September 19, 2025

ARKANSAS ELECTRIC COOPERATIVE
CORPORATION

APPLICATION FOR A NEW TPDES PERMIT

NAPLES POWER PLANT





May 14, 2025

Executive Director
Application Review and Processing Team, MC-148
Texas Commission on Environmental Quality

12100 Park 35 Circle
Austin, Texas 78753

P.O. Box 13088
Austin, Texas 78711-3088

**Re: Application For New TPDES Permit for Arkansas Electric Cooperative Corporation,
Naples Generating Station**

To whom it may concern:

On behalf of Arkansas Electric Cooperative Corporation (AECC), Burns & McDonnell Engineering, Inc. (Burns & McDonnell) submits herein to the Texas Commission on Environmental Quality (TCEQ) one original copy of the enclosed application for a new Texas Pollutant Discharge Elimination System Permit.

The application fee has been submitted via TCEQ ePay system and a copy of the vouchers have been included with the enclosed application.

An electronic version has been submitted as required.

If you have any questions or need any additional information, please do not hesitate to reach out to me via email at kfdenney@burnsmcd.com or via phone at (512) 632-9915.

Sincerely,

A handwritten signature in black ink, appearing to read "Kara Denney", written in a cursive style.

Kara Denney
Senior Compliance Specialist

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INDUSTRIAL WASTEWATER PERMIT APPLICATION CHECKLIST

Complete and submit this checklist with the industrial wastewater permit application.

APPLICANT NAME: Arkansas Electric Cooperative Corporation

PERMIT NUMBER (If new, leave blank): WQ00 N/A

Indicate if each of the following items is included in your application.

	Y	N		Y	N
Administrative Report 1.0	☒	☐	Worksheet 8.0	☐	☒
Administrative Report 1.1	☒	☐	Worksheet 9.0	☐	☒
SPIF	☒	☐	Worksheet 10.0	☐	☒
Core Data Form	☒	☐	Worksheet 11.0	☐	☒
Public Involvement Plan Form	☒	☐	Worksheet 11.1	☐	☒
Plain Language Summary	☒	☐	Worksheet 11.2	☐	☒
Technical Report 1.0	☒	☐	Worksheet 11.3	☐	☒
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Worksheet 5.0	☐	☒	Water Balance	☒	☐
Worksheet 6.0	☐	☒			
Worksheet 7.0	☐	☒			

For TCEQ Use Only

Segment Number _____ County _____

Expiration Date _____ Region _____

Permit Number _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INDUSTRIAL WASTEWATER PERMIT APPLICATION

ADMINISTRATIVE REPORT 1.0

This report is required for all applications for TPDES permits and TLAPs, except applications for oil and gas extraction operations subject to 40 CFR Part 435. Contact the Applications Review and Processing Team at 512-239-4671 with any questions about completing this report.

Applications for oil and gas extraction operations subject to 40 CFR Part 435 must use the Oil and Gas Exploration and Production Administrative Report ([TCEQ Form-20893 and 20893-inst¹](#)).

Item 1. Application Information and Fees (Instructions, Page 26)

- a. Complete each field with the requested information, if applicable.

Applicant Name: Arkansas Electric Cooperative Corporation

Permit No.: WQ000 [Click to enter text.](#)

EPA ID No.: TX0 [Click to enter text.](#)

Expiration Date: [Click to enter text.](#)

- b. Check the box next to the appropriate authorization type.

☒ Industrial Wastewater (wastewater and stormwater)

☐ Industrial Stormwater (stormwater only)

- c. Check the box next to the appropriate facility status.

☐ Active

☒ Inactive

- d. Check the box next to the appropriate permit type.

☒ TPDES Permit

☐ TLAP

☐ TPDES with TLAP component

- e. Check the box next to the appropriate application type.

☒ New

☐ Renewal with changes

☐ Renewal without changes

☐ Major amendment with renewal

☐ Major amendment without renewal

☐ Minor amendment without renewal

☐ Minor modification without renewal

- f. If applying for an amendment or modification, describe the request: NA

For TCEQ Use Only

Segment Number _____ County _____

Expiration Date _____ Region _____

Permit Number _____

¹ https://www.tceq.texas.gov/publications/search_forms.html

g. Application Fee

EPA Classification	New	Major Amend. (with or without renewal)	Renewal (with or without changes)	Minor Amend. / Minor Mod. (without renewal)
Minor facility not subject to EPA categorical effluent guidelines (40 CFR Parts 400-471)	☒ \$350	☐ \$350	☐ \$315	☐ \$150
Minor facility subject to EPA categorical effluent guidelines (40 CFR Parts 400-471)	☐ \$1,250	☐ \$1,250	☐ \$1,215	☐ \$150
Major facility	N/A ²	☐ \$2,050	☐ \$2,015	☐ \$450

h. Payment Information

Mailed

Check or money order No.: NA

Check or money order amt.: NA

Named printed on check or money order: NA

Epay

Voucher number: TBD - fill out when payment made

Copy of voucher attachment: Attachment A

Item 2. Applicant Information (Instructions, Pages 26)

a. Customer Number, if applicant is an existing customer: CN606375517

Note: Locate the customer number using the [TCEQ's Central Registry Customer Search](#)³.

b. Legal name of the entity (applicant) applying for this permit: Arkansas Electric Cooperative Corporation

Note: The owner of the facility must apply for the permit. The legal name must be spelled exactly as filed with the TX SOS, Texas Comptroller of Public Accounts, County, or in the legal documents forming the entity.

c. Name and title of the person signing the application. (**Note:** The person must be an executive official that meets signatory requirements in 30 TAC § 305.44.)

Prefix: Mr. Full Name (Last/First Name): Kollin Derynck

Title: VP - Power Production

Credential: Click to enter text.

d. Will the applicant have overall financial responsibility for the facility?

² All facilities are designated as minors until formally classified as a major by EPA.

³ <https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

☒ Yes ☐ No

Note: The entity with overall financial responsibility for the facility must apply as a co-applicant, if not the facility owner.

Item 3. Co-applicant Information (Instructions, Page 27)

☒ Check this box if there is no co-applicant.; otherwise, complete the below questions.

a. Legal name of the entity (co-applicant) applying for this permit: NA

Note: The legal name must be spelled exactly as filed with the TX SOS, Texas Comptroller of Public Accounts, County, or in the legal documents forming the entity.

b. Customer Number (if applicant is an existing customer): CNNA

Note: Locate the customer number using the TCEQ's Central Registry Customer Search.

c. Name and title of the person signing the application. (**Note:** The person must be an executive official that meets signatory requirements in 30 TAC § 305.44.)

Prefix: NA Full Name (Last/First Name): NA

Title: NA Credential: NA

d. Will the co-applicant have overall financial responsibility for the facility?

☐ Yes ☐ No

Note: The entity with overall financial responsibility for the facility must apply as a co-applicant, if not the facility owner.

Item 4. Core Data Form (Instructions, Pages 27)

a. Complete one Core Data Form (TCEQ Form 10400) for each customer (applicant and co-applicant(s)) and include as an attachment. If the customer type selected on the Core Data Form is Individual, complete Attachment 1 of the Administrative Report. Attachment: Attachment B

Item 5. Application Contact Information (Instructions, Page 27)

Provide names of two individuals who can be contact for additional information about this application. Indicate if the individual can be contact about administrative or technical information, or both.

a. ☒ Administrative Contact ☒ Technical Contact

Prefix: Ms. Full Name (Last/First Name): Kara Denney

Title: Senior Compliance Specialist Credential: NA

Organization Name: Burns & McDonnell

Mailing Address: Suite 2300, 444 Flower St City/State/Zip: Los Angeles, CA 90071

Phone No: 512-632-9915 Email: kfdenny@burnsmcd.com

b. ☒ Administrative Contact ☒ Technical Contact

Prefix: Ms. Full Name (Last/First Name): Madison Taylor

Title: Compliance Specialist Credential: NA

Organization Name: Burns & McDonnell

Mailing Address: Bridgepoint Building 4, 6200 Bridge Point Pkwy #400 City/State/Zip:
Austin, TX 78730

Phone No: 737-263-3378

Email: mtaylor3@burnsmcd.com

Attachment: N/A

Item 6. Permit Contact Information (Instructions, Page 28)

Provide two names of individuals that can be contacted throughout the permit term.

a. Prefix: Mr. Full Name (Last/First Name): Stephen Cain

Title: Director - Compliance & Support Credential: Click to enter text.

Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208

City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2420

Email: Stephen.Cain@aecc.com

b. Prefix: Mr. Full Name (Last/First Name): Kollin Derynck

Title: VP- Power Production Credential: Click to enter text.

Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208

City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2302

Email: Kollin.Derynck@aecc.com

Attachment: N/A

Item 7. Billing Contact Information (Instructions, Page 28)

The permittee is responsible for paying the annual fee. The annual fee will be assessed for permits **in effect on September 1 of each year**. The TCEQ will send a bill to the address provided in this section. The permittee is responsible for terminating the permit when it is no longer needed (form TCEQ-20029).

Provide the complete mailing address where the annual fee invoice should be mailed and the name and phone number of the permittee's representative responsible for payment of the invoice.

Prefix: Mr. Full Name (Last/First Name): Stephen Cain

Title: Director - Compliance & Support Credential: Click to enter text.

Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208

City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2420

Email: Stephen.Cain@aecc.com

Item 8. DMR/MER Contact Information (Instructions, Page 28)

Provide the name and mailing address of the person delegated to receive and submit DMRs or MERs. **Note:** DMR data must be submitted through the NetDMR system. An electronic reporting account can be established once the facility has obtained the permit number.

Prefix: Mr. Full Name (Last/First Name): Stephen Cain

Title: Director - Compliance & Support Credential: Click to enter text.

Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208

City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2420

Email: Stephen.Cain@aecc.com

Item 9. Notice Information (Instructions, Pages 28)

a. Individual Publishing the Notices

Prefix: Mr. Full Name (Last/First Name): Stephen Cain

Title: Director – Compliance & Support Credential: Click to enter text.

Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208

City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2420

Email: Stephen.Cain@aecc.com

b. Method for Receiving Notice of Receipt and Intent to Obtain a Water Quality Permit Package (only for NORI, NAPD will be sent via regular mail)

☒ E-mail: kfdenny@burnsmcd.com, mtaylor3@burnsmcd.com, & Stephen.Cain@aecc.com

☐ Fax: NA

☐ Regular Mail (USPS)

Mailing Address: NA

City/State/Zip Code: NA

c. Contact in the Notice

Prefix: Mr. Full Name (Last/First Name): Stephen Cain

Title: Director – Compliance & Support Credential: Click to enter text.

Organization Name: Arkansas Electric Cooperative Corporation

Phone No: (501) 570-2420

Email: Stephen.Cain@aecc.com

d. Public Viewing Location Information

Note: If the facility or outfall is located in more than one county, provide a public viewing place for each county.

Public building name: Naples City Hall

Location within the building: Front Desk

Physical Address of Building: 205 E Main St.

City: Naples

County: Morris

e. Bilingual Notice Requirements

This information is required for new, major amendment, minor amendment or minor modification, and renewal applications.

This section of the application is only used to determine if alternative language notices will be needed. Complete instructions on publishing the alternative language notices will be in your public notice package.

Call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine if an alternative language notice(s) is required.

1. Is a bilingual education program required by the Texas Education Code at the elementary or middle school nearest to the facility or proposed facility?

☐ Yes ☒ No

If no, publication of an alternative language notice is not required; skip to Item 8 (Regulated Entity and Permitted Site Information.)

2. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?

☐ Yes ☒ No

3. Do the students at these schools attend a bilingual education program at another location?

☐ Yes ☒ No

4. Would the school be required to provide a bilingual education program, but the school has waived out of this requirement under 19 TAC §89.1205(g)?

☐ Yes ☐ No ☒ N/A

5. If the answer is yes to question 1, 2, 3, or 4, public notices in an alternative language are required. Which language is required by the bilingual program? N/A

- f. Plain Language Summary Template – Complete the Plain Language Summary (TCEQ Form 20972) and include as an attachment. Attachment: Attachment C

- g. Complete one Public Involvement Plan (PIP) Form (TCEQ Form 20960) for each application for a new permit or major amendment and include as an attachment. Attachment: Attachment D

Item 10. Regulated Entity and Permitted Site Information (Instructions Page 29)

- a. TCEQ issued Regulated Entity Number (RN), if available: RN112194527

Note: If your business site is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search the TCEQ's Central Registry to determine the RN or to see if the larger site may already be registered as a Regulated Entity. If the site is found, provide the assigned RN.

- b. Name of project or site (the name known by the community where located): Naples Power Plant

- c. Is the location address of the facility in the existing permit the same?

☐ Yes ☐ No ☒ N/A (new permit)

Note: If the facility is located in Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, or Williamson County, additional information concerning protection of the Edwards Aquifer may be required.

- d. Owner of treatment facility:

Prefix: NA Full Name (Last/First Name): NA

or Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208

City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2200 Email: communication@aecc.com

e. Ownership of facility: ☐ Public ☒ Private ☐ Both ☐ Federal

f. Owner of land where treatment facility is or will be: Arkansas Electric Cooperative Corporation

Prefix: NA Full Name (Last/First Name): NA

or Organization Name: Arkansas Electric Cooperative Corporation

Mailing Address: PO Box 194208 City/State/Zip: Little Rock, AR 72219

Phone No: (501) 570-2200 Email: communication@aecc.com

Note: If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years (In some cases, a lease may not suffice - see instructions). Attachment: NA

g. Owner of effluent TLAP disposal site (if applicable): NA

Prefix: NA Full Name (Last/First Name): NA

or Organization Name: NA

Mailing Address: NA

City/State/Zip: NA

Phone No: NA

Email: NA

Note: If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years. Attachment: NA

h. Owner of sewage sludge disposal site (if applicable):

Prefix: NA Full Name (Last/First Name): NA

or Organization Name: NA

Mailing Address: NA

City/State/Zip: NA

Phone No: NA

Email: NA

Note: If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years. Attachment: NA

Item 11. TDPES Discharge/TLAP Disposal Information (Instructions, Page 31)

a. Is the facility located on or does the treated effluent cross Native American Land?

☐ Yes ☒ No

b. Attach an original full size USGS Topographic Map (or an 8.5"×11" reproduced portion for renewal or amendment applications) with all required information. Check the box next to each item below to confirm it has been included on the map.

☒ One-mile radius

☒ Three-miles downstream information

☒ Applicant's property boundaries

☒ Treatment facility boundaries

☒ Labeled point(s) of discharge

☒ Highlighted discharge route(s)

☐ Effluent disposal site boundaries

☒ All wastewater ponds

☐ Sewage sludge disposal site

☐ New and future construction

Attachment: Attachment E

- c. Is the location of the sewage sludge disposal site in the existing permit accurate?

☐ Yes ☒ No or New Permit

If no, or a new application, provide an accurate location description: NA

- d. Are the point(s) of discharge in the existing permit correct?

☐ Yes ☒ No or New Permit

If no, or a new application, provide an accurate location description: discharge from the wastewater pond through Outfall 001

- e. Are the discharge route(s) in the existing permit correct?

☐ Yes ☒ No or New Permit

If no, or a new permit, provide an accurate description of the discharge route: via Outfall 001 to an unnamed tributary of Mary Lees Branch, thence to Mary Lees Branch, thence to Segment 0303B White Oak Creek, thence to Segment 0303 Sulphur/South Sulphur River

- f. City nearest the outfall(s): City of Naples

- g. County in which the outfalls(s) is/are located: Morris County

- h. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

☐ Yes ☒ No

If yes, indicate by a check mark if: ☐ Authorization granted ☐ Authorization pending

For new and amendment applications, attach copies of letters that show proof of contact and provide the approval letter upon receipt. Attachment: NA

For all applications involving an average daily discharge of 5 MGD or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge: NA

- i. For TLAPs, is the location of the effluent disposal site in the existing permit accurate?

☐ Yes ☐ No or New Permit ☒ NA

If no, or a new application, provide an accurate location description: NA

- j. City nearest the disposal site: NA

- k. County in which the disposal site is located: NA

- l. For TLAPs, describe how effluent is/will be routed from the treatment facility to the disposal site: NA

- m. For TLAPs, identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained: NA

Item 12. Miscellaneous Information (Instructions, Page 33)

- a. Did any person formerly employed by the TCEQ represent your company and get paid for service regarding this application?

☒ Yes ☐ No

If yes, list each person: Kara Denney & Madison Taylor

- b. Do you owe any fees to the TCEQ?

☐ Yes ☒ No

If yes, provide the following information:

Account no.: NA

Total amount due: NA

- c. Do you owe any penalties to the TCEQ?

☐ Yes ☒ No

If yes, provide the following information:

Enforcement order no.: NA

Amount due: NA

Item 13. Signature Page (Instructions, Page 33)

Permit No: WQ000- New Permit

Applicant Name: Arkansas Electric Cooperative Corporation

Certification: I, Kollin Derynck, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document and can provide documentation in proof of such authorization upon request.

Signatory name (typed or printed): Kollin Derynck

Signatory title: VP - Power Production

Signature: *Kollin Derynck*
(Use blue ink)

Date: 5/12/25

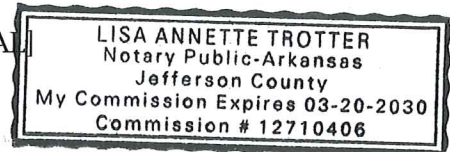
Subscribed and Sworn to before me by the said Kollin Derynck
on this 12th day of May, 2025.

My commission expires on the 20th day of March, 2030.

Lisa Trotter
Notary Public

Jefferson
County, Texas

[SEAL]



Note: If co-applicants are necessary, each entity must submit an original, separate signature page.

INDUSTRIAL WASTEWATER PERMIT APPLICATION CHECKLIST OF COMMON DEFICIENCIES

Below is a list of common deficiencies found during the administrative review of industrial wastewater permit applications. To ensure the timely processing of this application, please review the items below and indicate each item is complete and in accordance applicable rules at 30 TAC Chapters 21, 281, and 305 by checking the box next to the item. If an item is not required this application, indicate by checking N/A where appropriate. Please do not submit the application until all items below are addressed.

- ☒ Core Data Form (TCEQ Form No. 10400)
*(Required for all applications types. Must be completed in its entirety and signed.
Note: Form may be signed by applicant representative.)*
- ☒ Correct and Current Industrial Wastewater Permit Application Forms
(TCEQ Form Nos. 10055 and 10411. Version dated 5/10/2019 or later.)
- ☐ Water Quality Permit Payment Submittal Form (Page 14)
(Original payment sent to TCEQ Revenue Section. See instructions for mailing address.)
- ☒ 7.5 Minute USGS Quadrangle Topographic Map Attached
*(Full-size map if seeking "New" permit.
8 ½ x 11 acceptable for Renewals and Amendments.)*
- ☒ N/A ☐ Current/Non-Expired, Executed Lease Agreement or Easement Attached
- ☐ N/A ☒ Landowners Map
(See instructions for landowner requirements.)

Things to Know:

- All the items shown on the map must be labeled.
- The applicant's complete property boundaries must be delineated which includes boundaries of contiguous property owned by the applicant.
- The applicant cannot be its own adjacent landowner. You must identify the landowners immediately adjacent to their property, regardless of how far they are from the actual facility.
- If the applicant's property is adjacent to a road, creek, or stream, the landowners on the opposite side must be identified. Although the properties are not adjacent to applicant's property boundary, they are considered potentially affected landowners. If the adjacent road is a divided highway as identified on the USGS topographic map, the applicant does not have to identify the landowners on the opposite side of the highway.

- ☐ N/A ☒ Landowners Cross Reference List
(See instructions for landowner requirements.)
- ☐ N/A ☒ Landowners Labels or CD-RW attached
(See instructions for landowner requirements.)
- ☒ Original signature per 30 TAC § 305.44 – Blue Ink Preferred
*(If signature page is not signed by an elected official or principle executive officer,
a copy of signature authority/delegation letter must be attached.)*
- ☒ Plain Language Summary

Industrial Administrative Report 1.1

INDUSTRIAL WASTEWATER PERMIT APPLICATION

ADMINISTRATIVE REPORT 1.1

The following information is required for new and amendment applications.

Item 1. Affected Landowner Information (Instructions, Page 35)

- a. Attach a landowner map or drawing, with scale, as applicable. Check the box next to each item to confirm it has been provided.
- ☒ The applicant's property boundaries.
 - ☒ The facility site boundaries within the applicant's property boundaries.
 - ☐ The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone.
 - ☒ The property boundaries of all landowners surrounding the applicant's property. (Note: if the application is a major amendment for a lignite mine, the map must include the property boundaries of all landowners adjacent to the new facility (ponds).)
 - ☒ The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream.
 - ☒ The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge.
 - ☐ The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay, estuary, or affected by tides.
 - ☐ The boundaries of the effluent disposal site (e.g., irrigation area or subsurface drainfield site) and all evaporation/holding ponds within the applicant's property.
 - ☐ The property boundaries of all landowners surrounding the applicant's property boundaries where the effluent disposal site is located.
 - ☐ The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners within one-quarter mile of the applicant's property boundaries where the sewage sludge land application site is located.
 - ☐ The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (e.g., sludge surface disposal site or sludge monofil) is located.

Attachment: Attachment F

- b. Check the box next to the format of the landowners list:

☐ Readable/Writeable CD ☒ Four sets of labels

Attachment: Attachment F

- d. Provide the source of the landowners' names and mailing addresses: Morris County Appraisal District - March 2025

- e. As required by Texas Water Code § 5.115, is any permanent school fund land affected by this application?

☐ Yes ☒ No

If yes, provide the location and foreseeable impacts and effects this application has on the land(s): NA

Item 2. Original Photographs (Instructions, Page 37)

Provide original ground level photographs. Check the box next to each of the following items to indicate it is included.

- ☒ At least one original photograph of the new or expanded treatment unit location.
- ☒ At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.
- ☐ At least one photograph of the existing/proposed effluent disposal site.
- ☒ A plot plan or map showing the location and direction of each photograph.

Attachment: Attachment G

INDUSTRIAL WASTEWATER PERMIT APPLICATION

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

This form applies to TPDES permit applications only. Complete and attach the Supplemental Permit information Form (SPIF) (TCEQ Form 20971).

Attachment: Attachment H

Industrial Technical Report 1.0



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INDUSTRIAL WASTEWATER PERMIT APPLICATION TECHNICAL REPORT 1.0

The following information **is required** for all applications for a TLAP or an individual TPDES discharge permit.

For **additional information** or clarification on the requested information, please refer to the [Instructions for Completing the Industrial Wastewater Permit Application](https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html)¹ available on the TCEQ website. Please contact the Industrial Permits Team at 512-239-4671 with any questions about this form.

If more than one outfall is included in the application, provide applicable information for each individual outfall. **If an item does not apply to the facility, enter N/A** to indicate that the item has been considered. Include separate reports or additional sheets as **clearly cross-referenced attachments** and provide the attachment number in the space provided for the item the attachment addresses.

NOTE: This application is for an industrial wastewater permit only. Additional authorizations from the TCEQ Waste Permits Division or the TCEQ Air Permits Division may be needed.

Item 1. Facility/Site Information (Instructions, Page 39)

- a. Describe the general nature of the business and type(s) of industrial and commercial activities. Include all applicable SIC codes (up to 4).

A simple cycle power generation facility comprised of two dual-fuel simple cycle combustion turbines with ancillary buildings and equipment. The turbines will primarily be fired by natural gas; fuel oil will be stored on-site as a backup fuel source for the turbines. SIC code 4911.

- b. Describe all wastewater-generating processes at the facility.

See Attachment I for a description of the facility's wastewater generating processes.

¹
https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html

- c. Provide a list of raw materials, major intermediates, and final products handled at the facility.

Materials List

Raw Materials	Intermediate Products	Final Products
Natural Gas		
Nitrogen Gas		
Aqueous Ammonia		
Fuel Oil		

Attachment: N/A

- d. Attach a facility map (drawn to scale) with the following information:

- Production areas, maintenance areas, materials-handling areas, waste-disposal areas, and water intake structures.
- The location of each unit of the WWTP including the location of wastewater collection sumps, impoundments, outfalls, and sampling points, if significantly different from outfall locations.

Attachment: Attachment J

- e. Is this a new permit application for an existing facility?

☐ Yes ☒ No

If **yes**, provide background discussion: NA

- f. Is/will the treatment facility/disposal site be located above the 100-year frequency flood level.

☒ Yes ☐ No

List source(s) used to determine 100-year frequency flood plain: FIRM 4809430002B

If **no**, provide the elevation of the 100-year frequency flood plain and describe what protective measures are used/proposed to prevent flooding (including tail water and rainfall run-on controls) of the treatment facility and disposal area: NA

Attachment: NA

- g. For **new** or **major amendment** permit applications, will any construction operations result in a discharge of fill material into a water in the state?

☒ Yes ☐ No ☐ N/A (renewal only)

- h. If **yes** to Item 1.g, has the applicant applied for a USACE CWA Chapter 404 Dredge and Fill permit?

☒ Yes ☐ No

If **yes**, provide the permit number: SWF-2024-00393

If **no**, provide an approximate date of application submittal to the USACE: N/A

Item 2. Treatment System (Instructions, Page 40)

- a. List any physical, chemical, or biological treatment process(es) used/proposed to treat wastewater at this facility. Include a description of each treatment process, starting with initial treatment and finishing with the outfall/point of disposal.

See Attachment I for a description of the facility treatment system.

- b. Attach a flow schematic **with a water balance** showing all sources of water and wastewater flow into the facility, wastewater flow into and from each treatment unit, and wastewater flow to each outfall/point of disposal.

Attachment: Attachment K

Item 3. Impoundments (Instructions, Page 40)

Does the facility use or plan to use any wastewater impoundments (e.g., lagoons or ponds?)

☒ Yes ☐ No

If **no**, proceed to Item 4. If **yes**, complete **Item 3.a** for **existing** impoundments and **Items 3.a - 3.e** for **new or proposed** impoundments. **NOTE:** See instructions, Pages 40-42, for additional information on the attachments required by Items 3.a - 3.e.

- a. Complete the table with the following information for each existing, new, or proposed impoundment. Attach additional copies of the Impoundment Information table, if needed.

Use Designation: Indicate the use designation for each impoundment as Treatment (T), Disposal (D), Containment (C), or Evaporation (E).

Associated Outfall Number: Provide an outfall number if a discharge occurs or will occur.

Liner Type: Indicate the liner type as Compacted clay liner (C), In-situ clay liner (I), Synthetic/plastic/rubber liner (S), or Alternate liner (A). **NOTE:** See instructions for further detail on liner specifications. If an alternate liner (A) is selected, include an attachment that provides a description of the alternate liner and any additional technical information necessary for an evaluation.

Leak Detection System: If any leak detection systems are in place/planned, enter Y for yes. Otherwise, enter N for no.

Groundwater Monitoring Wells and Data: If groundwater monitoring wells are in place/planned, enter Y for yes. Otherwise, enter N for no. Attach any existing groundwater monitoring data.

Dimensions: Provide the dimensions, freeboard, surface area, storage capacity of the impoundments, and the maximum depth (not including freeboard). For impoundments with irregular shapes, submit surface area instead of length and width.

Compliance with 40 CFR Part 257, Subpart D: If the impoundment is required to be in compliance with 40 CFR Part 257, Subpart D, enter Y for yes. Otherwise, enter N for no.

Date of Construction: Enter the date construction of the impoundment commenced (mm/dd/yy).

Impoundment Information

Parameter	Pond # 1, Wastewater	Pond #	Pond #	Pond #
Use Designation: (T) (D) (C) or (E)	T			
Associated Outfall Number	001			
Liner Type (C) (I) (S) or (A)	S			
Alt. Liner Attachment Reference	NA			
Leak Detection System, Y/N	N			
Groundwater Monitoring Wells, Y/N	N			
Groundwater Monitoring Data Attachment	N			
Pond Bottom Located Above The Seasonal High-Water Table, Y/N	Y			
Length (ft)	270			
Width (ft)	160			
Max Depth From Water Surface (ft), Not Including Freeboard	7.7			
Freeboard (ft)	2.0			
Surface Area (acres)	1.1			
Storage Capacity (gallons)	2,600,000			
40 CFR Part 257, Subpart D, Y/N	N			
Date of Construction	TBD			

Attachment: NA

The following information (**Items 3.b – 3.e**) is required only for **new or proposed** impoundments.

- b. For new or proposed impoundments, attach any available information on the following items. If attached, check **yes** in the appropriate box. Otherwise, check **no** or **not yet designed**.

1. Liner data

☐ Yes ☐ No ☒ Not yet designed

2. Leak detection system or groundwater monitoring data

☐ Yes ☒ No ☐ Not yet designed

3. Groundwater impacts

☐ Yes ☐ No ☒ Not yet designed

NOTE: Item b.3 is required if the bottom of the pond is not above the seasonal high-water table in the shallowest water-bearing zone.

Attachment: TBD – will be submitted once complete

For TLAP applications: Items 3.c – 3.e are **not required**, continue to Item 4.

- c. Attach a USGS map or a color copy of original quality and scale which accurately locates and identifies all known water supply wells and monitor wells within ½-mile of the impoundments.

Attachment: There are no known supply wells within ½ mile of the pond

- d. Attach copies of State Water Well Reports (e.g., driller's logs, completion data, etc.), and data on depths to groundwater for all known water supply wells including a description of how the depths to groundwater were obtained.

Attachment: There are no known supply wells within ½ mile of the pond

- e. Attach information pertaining to the groundwater, soils, geology, pond liner, etc. used to assess the potential for migration of wastes from the impoundments or the potential for contamination of groundwater or surface water.

Attachment: TBD – will be submitted once complete

Item 4. Outfall/Disposal Method Information (Instructions, Page 42)

Complete the following tables to describe the location and wastewater discharge or disposal operations for each outfall for discharge, and for each point of disposal for TLAP operations.

If there are more outfalls/points of disposal at the facility than the spaces provided, copies of pages 6 and/or numbered accordingly (i.e., page 6a, 6b, etc.) may be used to provide information on the additional outfalls.

For TLAP applications: Indicate the disposal method and each individual irrigation area **I**, evaporation pond **E**, or subsurface drainage system **S** by providing the appropriate letter designation for the disposal method followed by a numerical designation for each disposal area in the space provided for **Outfall** number (e.g. **E1** for evaporation pond 1, **I2** for irrigation area No. 2, etc.).

Outfall Longitude and Latitude

Outfall No.	Latitude (Decimal Degrees)	Longitude (Decimal Degrees)
001	33.221783° N	-94.704308° W

Outfall Location Description

Outfall No.	Location Description
001	Along the southwest side of the pond

Description of Sampling Point(s) (if different from Outfall location)

Outfall No.	Description of sampling point
001	At the pond before discharge into the receiving water body

Outfall Flow Information - Permitted and Proposed

Outfall No.	Permitted Daily Avg Flow (MGD)	Permitted Daily Max Flow (MGD)	Proposed Daily Avg Flow (MGD)	Proposed Daily Max Flow (MGD)	Anticipated Discharge Date (mm/dd/yy)
001	NA	NA	Intermittent/ Variable	Intermittent/ Variable	After the permit issuance date

Outfall Discharge - Method and Measurement

Outfall No.	Pumped Discharge? Y/N	Gravity Discharge? Y/N	Type of Flow Measurement Device Used
001	Yes	N	Estimate

Outfall Discharge - Flow Characteristics

Outfall No.	Intermittent Discharge? Y/N	Continuous Discharge? Y/N	Seasonal Discharge? Y/N	Discharge Duration (hrs/day)	Discharge Duration (days/mo)	Discharge Duration (mo/yr)
001	Y	N	Y	24	31	12

Outfall Wastestream Contributions

Outfall No. **001**

Contributing Wastestream	Volume (MGD)	Percent (%) of Total Flow
Evaporative cooler blowdown	0.0379	84%
Plant and equipment washdown	0.0072	16%
Multimedia filter backwash	Intermittent/ Variable	Intermittent/ Variable
Industrial area stormwater	Intermittent/ Variable	Intermittent/ Variable
Treated secondary containment stormwater	Variable	Infrequent/Variable

Attachment: N/A

Item 5. Blowdown and Once-Through Cooling Water Discharges (Instructions, Page 43)

a. Indicate if the facility currently or proposes to:

☐ Yes ☒ No Use cooling towers that discharge blowdown or other wastestreams

☐ Yes ☒ No Use boilers that discharge blowdown or other wastestreams

☐ Yes ☒ No Discharge once-through cooling water

NOTE: If the facility uses or plans to use cooling towers or once-through cooling water, Item 12 **is required**.

b. If **yes** to any of the above, attach an SDS with the following information for each chemical additive.

- Manufacturers Product Identification Number
- Product use (e.g., biocide, fungicide, corrosion inhibitor, etc.)
- Chemical composition including CASRN for each ingredient
- Classify product as non-persistent, persistent, or bioaccumulative
- Product or active ingredient half-life
- Frequency of product use (e.g., 2 hours/day once every two weeks)
- Product toxicity data specific to fish and aquatic invertebrate organisms
- Concentration of whole product or active ingredient, as appropriate, in wastestream.

In addition to each SDS, attach a summary of the above information for each specific wastestream and the associated chemical additives. Specify which outfalls are affected.

Attachment: NA

c. Cooling Towers and Boilers

If the facility currently or proposes to use cooling towers or boilers that discharge blowdown or other wastestreams to the outfall(s), complete the following table.

Cooling Towers and Boilers

Type of Unit	Number of Units	Daily Avg Blowdown (gallons/day)	Daily Max Blowdown (gallons/day)
Cooling Towers	NA	NA	NA
Boilers	NA	NA	NA

Item 6. Stormwater Management (Instructions, Page 44)

Will any existing/proposed outfalls discharge stormwater associated with industrial activities, as defined at *40 CFR § 122.26(b)(14)*, commingled with any other wastestream?

☒ Yes ☐ No

If **yes**, briefly describe the industrial processes and activities that occur outdoors or in a manner which may result in exposure of the activities or materials to stormwater: See Attachment I for details on stormwater from industrial areas

Item 7. Domestic Sewage, Sewage Sludge, and Septage Management and Disposal (Instructions, Page 44)

Domestic Sewage - Waste and wastewater from humans or household operations that is discharged to a wastewater collection system or otherwise enters a treatment works.

- a. Check the box next to the appropriate method of domestic sewage and domestic sewage sludge treatment or disposal. Complete Worksheet 5.0 or Item 7.b if directed to do so.

- ☐ Domestic sewage is routed (i.e., connected to or transported to) to a WWTP permitted to receive domestic sewage for treatment, disposal, or both. Complete Item 7.b.
- ☒ Domestic sewage disposed of by an on-site septic tank and drainfield system. Complete Item 7.b.
- ☐ Domestic and industrial treatment sludge ARE commingled prior to use or disposal.
- ☐ Industrial wastewater and domestic sewage are treated separately, and the respective sludge IS NOT commingled prior to sludge use or disposal. Complete Worksheet 5.0.
- ☐ Facility is a POTW. Complete Worksheet 5.0.
- ☐ Domestic sewage is not generated on-site.
- ☐ Other (e.g., portable toilets), specify and Complete Item 7.b: Click to enter text.

- b. Provide the name and TCEQ, NPDES, or TPDES Permit No. of the waste-disposal facility which receives the domestic sewage/septage. If hauled by motorized vehicle, provide the name and TCEQ Registration No. of the hauler.

Domestic Sewage Plant/Hauler Name

Plant/Hauler Name	Permit/Registration No.
All in Septic	24792

Item 8. Improvements or Compliance/Enforcement Requirements (Instructions, Page 45)

- a. Is the permittee currently required to meet any implementation schedule for compliance or enforcement?

☐ Yes ☒ No

- b. Has the permittee completed or planned for any improvements or construction projects?

☐ Yes ☒ No

- c. If **yes** to either 8.a or 8.b, provide a brief summary of the requirements and a status update: NA

Item 9. Toxicity Testing (Instructions, Page 45)

Have any biological tests for acute or chronic toxicity been made on any of the discharges or on a receiving water in relation to the discharge within the last three years?

☐ Yes ☒ No

If **yes**, identify the tests and describe their purposes: NA

Additionally, attach a copy of all tests performed which **have not** been submitted to the TCEQ or EPA. **Attachment:** NA

Item 10. Off-Site/Third Party Wastes (Instructions, Page 45)

- a. Does or will the facility receive wastes from off-site sources for treatment at the facility, disposal on-site via land application, or discharge via a permitted outfall?

☐ Yes ☒ No

If **yes**, provide responses to Items 10.b through 10.d below.

If **no**, proceed to Item 11.

- b. Attach the following information to the application:

- List of wastes received (including volumes, characterization, and capability with on-site wastes).
- Identify the sources of wastes received (including the legal name and addresses of the generators).
- Description of the relationship of waste source(s) with the facility's activities.

Attachment: NA

- c. Is or will wastewater from another TCEQ, NPDES, or TPDES permitted facility commingled with this facility's wastewater after final treatment and prior to discharge via the final outfall/point of disposal?

☐ Yes ☒ No

If **yes**, provide the name, address, and TCEQ, NPDES, or TPDES permit number of the contributing facility and a copy of any agreements or contracts relating to this activity.

Attachment: NA

- d. Is this facility a POTW that accepts/will accept process wastewater from any SIU and has/is required to have an approved pretreatment program under the NPDES/TPDES program?

☐ Yes ☒ No

If **yes**, **Worksheet 6.0** of this application is required.

Item 11. Radioactive Materials (Instructions, Page 46)

- a. Are/will radioactive materials be mined, used, stored, or processed at this facility?

☐ Yes ☒ No

If **yes**, use the following table to provide the results of one analysis of the effluent for all radioactive materials that may be present. Provide results in pCi/L.

Radioactive Materials Mined, Used, Stored, or Processed

Radioactive Material Name	Concentration (pCi/L)
NA	NA

- b. Does the applicant or anyone at the facility have any knowledge or reason to believe that radioactive materials may be present in the discharge, including naturally occurring radioactive materials in the source waters or on the facility property?

☐ Yes ☒ No

If **yes**, use the following table to provide the results of one analysis of the effluent for all radioactive materials that may be present. Provide results in pCi/L. Do not include information provided in response to Item 11.a.

Radioactive Materials Present in the Discharge

Radioactive Material Name	Concentration (pCi/L)
NA	NA

Item 12. Cooling Water (Instructions, Page 46)

- a. Does the facility use or propose to use water for cooling purposes?

☒ Yes ☐ No

If **no**, stop here. If **yes**, complete Items 12.b thru 12.f.

- b. Cooling water is/will be obtained from a groundwater source (e.g., on-site well).

☒ Yes ☐ No

If **yes**, stop here. If **no**, continue.

- c. Cooling Water Supplier

1. Provide the name of the owner(s) and operator(s) for the CWIS that supplies or will supply water for cooling purposes to the facility.

Cooling Water Intake Structure(s) Owner(s) and Operator(s)

CWIS ID	NA			
Owner	NA			
Operator	NA			

2. Cooling water is/will be obtained from a Public Water Supplier (PWS)

☐ Yes ☐ No

If **no**, continue. If **yes**, provide the PWS Registration No. and stop here: PWS No. [Click to enter text.](#)

3. Cooling water is/will be obtained from a reclaimed water source?

☐ Yes ☐ No

If **no**, continue. If **yes**, provide the Reuse Authorization No. and stop here: [Click to enter text.](#)

4. Cooling water is/will be obtained from an Independent Supplier

☐ Yes ☐ No

If **no**, proceed to Item 12.d. If **yes**, provide the actual intake flow of the Independent Supplier's CWIS that is/will be used to provide water for cooling purposes and proceed: [Click to enter text.](#)

- d. 316(b) General Criteria

1. The CWIS(s) used to provide water for cooling purposes to the facility has or will have a cumulative design intake flow of 2 MGD or greater.

☐ Yes ☐ No

2. At least 25% of the total water withdrawn by the CWIS is/will be used at the facility exclusively for cooling purposes on an annual average basis.

☐ Yes ☐ No

3. The CWIS(s) withdraw(s)/propose(s) to withdraw water for cooling purposes from surface waters that meet the definition of Waters of the United States in *40 CFR § 122.2*.

☐ Yes ☐ No

If **no**, provide an explanation of how the waterbody does not meet the definition of Waters of the United States in *40 CFR § 122.2*: [Click to enter text.](#)

If **yes** to all three questions in Item 12.d, the facility **meets** the minimum criteria to be subject to the full requirements of Section 316(b) of the CWA. Proceed to **Item 12.f**.

If **no** to any of the questions in Item 12.d, the facility **does not meet** the minimum criteria to be subject to the full requirements of Section 316(b) of the CWA; however, a determination is required based upon BPJ. Proceed to **Item 12.e**.

- e. The facility does not meet the minimum requirements to be subject to the fill requirements of Section 316(b) **and uses/proposes to use cooling towers**.

☐ Yes ☐ No

If **yes**, stop here. If **no**, complete Worksheet 11.0, Items 1.a, 1.b.1-3 and 6, 2.b.1, and 3.a to allow for a determination based upon BPJ.

f. Oil and Gas Exploration and Production

1. The facility is subject to requirements at 40 CFR Part 435, Subparts A or D.

☐ Yes ☐ No

If **yes**, continue. If **no**, skip to Item 12.g.

2. The facility is an existing facility as defined at 40 CFR § 125.92(k) or a new unit at an existing facility as defined at 40 CFR § 125.92(u).

☐ Yes ☐ No

If **yes**, complete Worksheet 11.0, Items 1.a, 1.b.1-3 and 6, 2.b.1, and 3.a to allow for a determination based upon BPJ. If **no**, skip to Item 12.g.3.

g. Compliance Phase and Track Selection

1. Phase I – New facility subject to 40 CFR Part 125, Subpart I

☐ Yes ☐ No

If **yes**, check the box next to the compliance track selection, attach the requested information, and complete Worksheet 11.0, Items 2 and 3, and Worksheet 11.2.

☐ Track I – AIF greater than 2 MGD, but less than 10 MGD

- Attach information required by *40 CFR §§ 125.86(b)(2)-(4)*.

☐ Track I – AIF greater than 10 MGD

- Attach information required by *40 CFR § 125.86(b)*.

☐ Track II

- Attach information required by *40 CFR § 125.86(c)*.

Attachment: [Click to enter text.](#)

2. Phase II – Existing facility subject to 40 CFR Part 125, Subpart J

☐ Yes ☐ No

If **yes**, complete Worksheets 11.0 through 11.3, as applicable.

3. Phase III – New facility subject to 40 CFR Part 125, Subpart N

☐ Yes ☐ No

If **yes**, check the box next to the compliance track selection and provide the requested information.

☐ Track I – Fixed facility

- Attach information required by 40 CFR § 125.136(b) and complete Worksheet 11.0, Items 2 and 3, and Worksheet 11.2.

☐ Track I – Not a fixed facility

- Attach information required by 40 CFR § 125.136(b) and complete Worksheet 11.0, Item 2 (except CWIS latitude/longitude under Item 2.a).

☐ Track II – Fixed facility

- Attach information required by 40 CFR § 125.136(c) and complete Worksheet 11.0, Items 2 and 3.

Attachment: [Click to enter text.](#)

Item 13. Permit Change Requests (Instructions, Page 48)

This item is only applicable to existing permitted facilities.

a. Is the facility requesting a **major amendment** of an existing permit?

☐ Yes ☒ No

If **yes**, list each request individually and provide the following information: 1) detailed information regarding the scope of each request and 2) a justification for each request. Attach any supplemental information or additional data to support each request.

NA

b. Is the facility requesting any **minor amendments** to the permit?

☐ Yes ☒ No

If **yes**, list and describe each change individually.

N/A

c. Is the facility requesting any **minor modifications** to the permit?

☐ Yes ☒ No

If **yes**, list and describe each change individually.

N/A

Item 14. Laboratory Accreditation (Instructions, Page 49)

All laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*, which includes the following general exemptions from National Environmental Laboratory Accreditation Program (NELAP) certification requirements:

- The laboratory is an in-house laboratory and is:
 - periodically inspected by the TCEQ; or
 - located in another state and is accredited or inspected by that state; or
 - performing work for another company with a unit located in the same site; or
 - performing pro bono work for a governmental agency or charitable organization.
- The laboratory is accredited under federal law.
- The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review *30 TAC Chapter 25* for specific requirements.

The following certification statement shall be signed and submitted with every application. See the *Signature Page* section in the Instructions, for a list of designated representatives who may sign the certification.

CERTIFICATION:

I certify that all laboratory tests submitted with this application meet the requirements of
30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

Printed Name: Kollin Derynck

Title: VP – Power Production

Signature: _____

Date: _____

Worksheet 1.0 EPA Effluent Guidelines

INDUSTRIAL WASTEWATER PERMIT APPLICATION

WORKSHEET 1.0: EPA CATEGORICAL EFFLUENT GUIDELINES

This worksheet **is required** for all applications for TPDES permits for discharges of wastewaters subject to EPA categorical effluent limitation guidelines (ELGs).

Item 1. Categorical Industries (Instructions, Page 53)

Is this facility subject to any 40 CFR categorical ELGs outlined on page 53 of the instructions?

☐ Yes ☒ No

If **no**, this worksheet is not required. If **yes**, provide the appropriate information below.

40 CFR Effluent Guideline

Industry	40 CFR Part
This will be a simple cycle power plant that does not use	
Steam to generate power. The 40 CFR 423 ELGs do not apply.	

Item 2. Production/Process Data (Instructions, Page 54)

NOTE: For all TPDES permit applications requesting individual permit coverage for discharges of oil and gas exploration and production wastewater (discharges into or adjacent to water in the state, falling under the Oil and Gas Extraction Effluent Guidelines – 40 CFR Part 435), see Worksheet 12.0, Item 2 instead.

a. Production Data

Provide appropriate data for effluent guidelines with production-based effluent limitations.

Production Data

Subcategory	Actual Quantity/Day	Design Quantity/Day	Units

b. Organic Chemicals, Plastics, and Synthetic Fibers Manufacturing Data (40 CFR Part 414)

Provide each applicable subpart and the percent of total production. Provide data for metal-bearing and cyanide-bearing wastestreams, as required by *40 CFR Part 414, Appendices A and B*.

Percentage of Total Production

Subcategory	Percent of Total Production	Appendix A and B - Metals	Appendix A - Cyanide

c. Refineries (40 CFR Part 419)

Provide the applicable subcategory and a brief justification.

Click to enter text.

Item 3. Process/Non-Process Wastewater Flows (Instructions, Page 54)

Provide a breakdown of wastewater flow(s) generated by the facility, including both process and non-process wastewater flow(s). Specify which wastewater flows are to be authorized for discharge under this permit and the disposal practices for wastewater flows, excluding domestic, which are not to be authorized for discharge under this permit.

Click to enter text.

Item 4. New Source Determination (Instructions, Page 54)

Provide a list of all wastewater-generating processes subject to EPA categorical ELGs, identify the appropriate guideline Part and Subpart, and provide the date the process/construction commenced.

Wastewater Generating Processes Subject to Effluent Guidelines

Process	EPA Guideline Part	EPA Guideline Subpart	Date Process/ Construction Commenced

Worksheet 2.0 Pollutant Analysis Requirements

NOTE: This is a new proposed facility and effluent data is not available.

Worksheet 4.0 Receiving Waters

INDUSTRIAL WASTEWATER PERMIT APPLICATION

WORKSHEET 4.0: RECEIVING WATERS

This worksheet **is required** for all TPDES permit applications.

Item 1. Domestic Drinking Water Supply (Instructions, Page 80)

- a. There is a surface water intake for domestic drinking water supply located within 5 (five) miles downstream from the point/proposed point of discharge.

☐ Yes ☒ No

If **no**, stop here and proceed to Item 2. If **yes**, provide the following information:

1. The legal name of the owner of the drinking water supply intake: NA
2. The distance and direction from the outfall to the drinking water supply intake: NA

- b. Locate and identify the intake on the USGS 7.5-minute topographic map provided for Administrative Report 1.0.

☐ Check this box to confirm the above requested information is provided.

Item 2. Discharge Into Tidally Influenced Waters (Instructions, Page 80)

If the discharge is to tidally influenced waters, complete this section. Otherwise, proceed to Item 3.

- a. Width of the receiving water at the outfall: NA feet

- b. Are there oyster reefs in the vicinity of the discharge?

☐ Yes ☐ No

If **yes**, provide the distance and direction from the outfall(s) to the oyster reefs: NA

- c. Are there sea grasses within the vicinity of the point of discharge?

☐ Yes ☐ No

If **yes**, provide the distance and direction from the outfall(s) to the grasses: NA

Item 3. Classified Segment (Instructions, Page 80)

The discharge is/will be directly into (or within 300 feet of) a classified segment.

☐ Yes ☒ No

If **yes**, stop here and do not complete Items 4 and 5 of this worksheet or Worksheet 4.1.

If **no**, complete Items 4 and 5 and Worksheet 4.1 may be required.

Item 4. Description of Immediate Receiving Waters (Instructions, Page 80)

a. Name of the immediate receiving waters: unnamed tributary of Mary Lees Branch

b. Check the appropriate description of the immediate receiving waters:

☐ Lake or Pond

• Surface area (acres): Click to enter text.

• Average depth of the entire water body (feet): Click to enter text.

• Average depth of water body within a 500-foot radius of the discharge point (feet):
Click to enter text.

☐ Man-Made Channel or Ditch

☒ Stream or Creek

☐ Freshwater Swamp or Marsh

☐ Tidal Stream, Bayou, or Marsh

☐ Open Bay

☐ Other, specify:

If **Man-Made Channel or Ditch** or **Stream or Creek** were selected above, provide responses to Items 4.c – 4.g below:

c. For **existing discharges**, check the description below that best characterizes the area **upstream** of the discharge.

For **new discharges**, check the description below that best characterizes the area **downstream** of the discharge.

☒ Intermittent (dry for at least one week during most years)

☐ Intermittent with Perennial Pools (enduring pools containing habitat to maintain aquatic life uses)

☐ Perennial (normally flowing)

Check the source(s) of the information used to characterize the area upstream (existing discharge) or downstream (new discharge):

☐ USGS flow records

☒ personal observation

☐ historical observation by adjacent landowner(s)

☒ other, specify: Google earth

d. List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point: Mary Lees Branch

e. The receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.).

☒ Yes ☐ No

If **yes**, describe how: Mary Lees Branch becomes perennial

- f. General observations of the water body during normal dry weather conditions: Dry during normal dry weather

Date and time of observation: Click to enter text.

- g. The water body was influenced by stormwater runoff during observations.

☐ Yes ☒ No

If **yes**, describe how: NA

Item 5. General Characteristics of Water Body (Instructions, Page 81)

- a. Is the receiving water upstream of the existing discharge or proposed discharge site influenced by any of the following (check all that apply):

☐ oil field activities	☐ urban runoff
☒ agricultural runoff	☐ septic tanks
☐ upstream discharges	☒ other, specify: <u>stormwater runoff from State Highway 77</u>

- b. Uses of water body observed or evidence of such uses (check all that apply):

☐ livestock watering	☐ industrial water supply
☐ non-contact recreation	☐ irrigation withdrawal
☐ domestic water supply	☐ navigation
☐ contact recreation	☐ picnic/park activities
☐ fishing	☒ other, specify: <u>None</u>

- c. Description which best describes the aesthetics of the receiving water and the surrounding area (check only one):

☐ **Wilderness:** outstanding natural beauty; usually wooded or un-pastured area: water clarity exceptional

☒ **Natural Area:** trees or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored

☐ **Common Setting:** not offensive, developed but uncluttered; water may be colored or turbid

☐ **Offensive:** stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

APPENDIX A - APPLICATION FEE

Your transaction is complete. Thank you for using TCEQ ePay.

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt and the vouchers for your records. An email receipt has also been sent.

Transaction Information

Trace Number: 582EA000667631

Date: 05/12/2025 11:43 AM

Payment Method: CC - Authorization 0000631710

ePay Actor: IRA EUGENE JAMISON

Actor Email: eugene.jamison@aecc.com

IP: 174.219.226.137

TCEQ Amount: \$350.00

Texas.gov Price: \$358.13*

* This service is provided by Texas.gov, the official website of Texas. The price of this service includes funds that support the ongoing operations and enhancements of Texas.gov, which is provided by a third party in partnership with the State.

Payment Contact Information

Name: IRA EUGENE JAMISON

Company: ARKANSAS ELECTRIC COOPERATIVE CORP

Address: PO BOX 194208, LITTLE ROCK, AR 72219 2250

Phone: 501-326-1625

Cart Items

Click on the voucher number to see the voucher details.

Voucher	Fee Description	AR Number	Amount
766192	WW PERMIT - MINOR FACILITY NOT SUBJECT TO 40 CFR 400-471 - NEW		\$300.00
766193	30 TAC 305.53B WQ NOTIFICATION FEE		\$50.00
TCEQ Amount:			\$350.00

ePay AgainExit ePay

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt for your records.

APPENDIX B – CORE DATA FORM



TCEQ Core Data Form

For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
☒ New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
☐ Renewal (Core Data Form should be submitted with the renewal form)	☐ Other	
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 606375517		RN 112194527

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)			
☐ New Customer ☒ Update to Customer Information ☐ Change in Regulated Entity Ownership					
☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)					
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>					
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)				<i>If new Customer, enter previous Customer below:</i>	
Arkansas Electric Cooperative Corporation				NA	
7. TX SOS/CPA Filing Number		8. TX State Tax ID (11 digits)		9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
805982453		32099590294		710332419	043559699
11. Type of Customer:		☒ Corporation		☐ Individual	Partnership: ☐ General ☐ Limited
Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other		☐ Sole Proprietorship		☐ Other:	
12. Number of Employees				13. Independently Owned and Operated?	
☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher				☐ Yes ☒ No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following					
☐ Owner ☐ Operator ☒ Owner & Operator ☐ Other:					
☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant					
15. Mailing Address:	PO Box 194208				
	City	Little Rock	State	AR	ZIP 72219 ZIP + 4
16. Country Mailing Information (if outside USA)				17. E-Mail Address (if applicable)	
NA				Kollin.Derynck@aecc.com	

18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)
(501) 570-2302		() -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected, a new permit application is also required.)								
☐ New Regulated Entity ☐ Update to Regulated Entity Name ☒ Update to Regulated Entity Information								
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>								
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)								
Naples Power Plant								
23. Street Address of the Regulated Entity: (No PO Boxes)								
	City		State		ZIP		ZIP + 4	
24. County								

If no Street Address is provided, fields 25-28 are required.

25. Description to Physical Location:	Located off State Highway 77, approximately a third of a mile southeast of the intersection of State Highway 77 and County Road 4314							
26. Nearest City					State	Nearest ZIP Code		
Naples					TX	75568		
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>								
27. Latitude (N) In Decimal:						28. Longitude (W) In Decimal:		
Degrees	Minutes		Seconds		Degrees	Minutes		Seconds
33	13		21.63		94	42		6.22
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)			32. Secondary NAICS Code (5 or 6 digits)		
4911			221112					
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
Power Generation								
34. Mailing Address:	PO Box 194208							
	City	Little Rock	State	AR	ZIP	72219	ZIP + 4	
35. E-Mail Address:	Stephen.Cain@aecc.com							
36. Telephone Number	37. Extension or Code				38. Fax Number (if applicable)			
(501) 570-2420					() -			

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
☐ Municipal Solid Waste	☒ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☒ Wastewater	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	Kara Denney	41. Title:	Senior Compliance Specialist
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(512) 632-9915		() -	kfdenny@burnsmcd.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Arkansas Electric Cooperative Corp.	Job Title:	VP - Power Production
Name (In Print):	Kollin Derynck	Phone:	(501) 570- 2302
Signature:		Date:	5/12/25

APPENDIX C – PLAIN LANGUAGE SUMMARY



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUMMARY OF APPLICATION IN PLAIN LANGUAGE FOR TPDES OR TLAP PERMIT APPLICATIONS

Arkansas Electric Cooperative Company (CN606375517) proposes to operate Naples Power Plant (RN112194527), an electric peaking facility. The facility will be located at State Highway 77, approximately a third of a mile southeast of the intersection of State Highway 77 and County Road 4314, in Naples, Morris County, Texas 75571. This application is for a new permit to discharge intermittent and variable volume of evaporative cooler blowdown, plant and equipment washdown, multimedia filter backwash, and stormwater via Outfall 001.

Discharges from the facility are expected to contain suspended solids and oil and grease. Plant and equipment washdown and stormwater from areas with the potential to contact oil will be treated by an oil water separator before commingling with the evaporative cooler blowdown, multimedia filter backwash, and stormwater which is then routed the onsite pond for settling of solids prior to discharge via Outfall 001.

APPENDIX D – PUBLIC INVOLVEMENT PLAN



Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

Section 1. Preliminary Screening

- ☒ New Permit or Registration Application
☐ New Activity - modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

Section 2. Secondary Screening

- ☒ Requires public notice,
☐ Considered to have significant public interest, and
☐ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.
Stop after Section 2 and submit the form.**

- ☒ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

The proposed facility is not expected to have significant public interest, nor will it be located within any of the geographical or metropolitan statistical areas cited in above therefore Sections 3-7 of this form are not applicable.

Section 3. Application Information

N/A

Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V
Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire
☐ Radioactive Material Licensing ☐ Underground Injection Control

Water Quality

☐ Texas Pollutant Discharge Elimination System (TPDES)
☐ Texas Land Application Permit (TLAP)
☐ State Only Concentrated Animal Feeding Operation (CAFO)
☐ Water Treatment Plant Residuals Disposal Permit
☐ Class B Biosolids Land Application Permit
☐ Domestic Septage Land Application Registration

Water Rights New Permit

☐ New Appropriation of Water
☐ New or existing reservoir

Amendment to an Existing Water Right

☐ Add a New Appropriation of Water
☐ Add a New or Existing Reservoir
☐ Major Amendment that could affect other water rights or the environment

Section 4. Plain Language Summary

Provide a brief description of planned activities.

N/A

Section 5. Community and Demographic Information

N/A

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

☐

City

☐

County

☐

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

Section 6. Planned Public Outreach Activities**N/A**

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☐ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☐ Yes ☐ No

If Yes, please describe.

If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.

If yes, how will you provide notice in alternative languages?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

- ☐ TCEQ Regional Office ☐ TCEQ Central Office
- ☐ Public Place (specify)

Section 7. Voluntary Submittal**N/A**

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

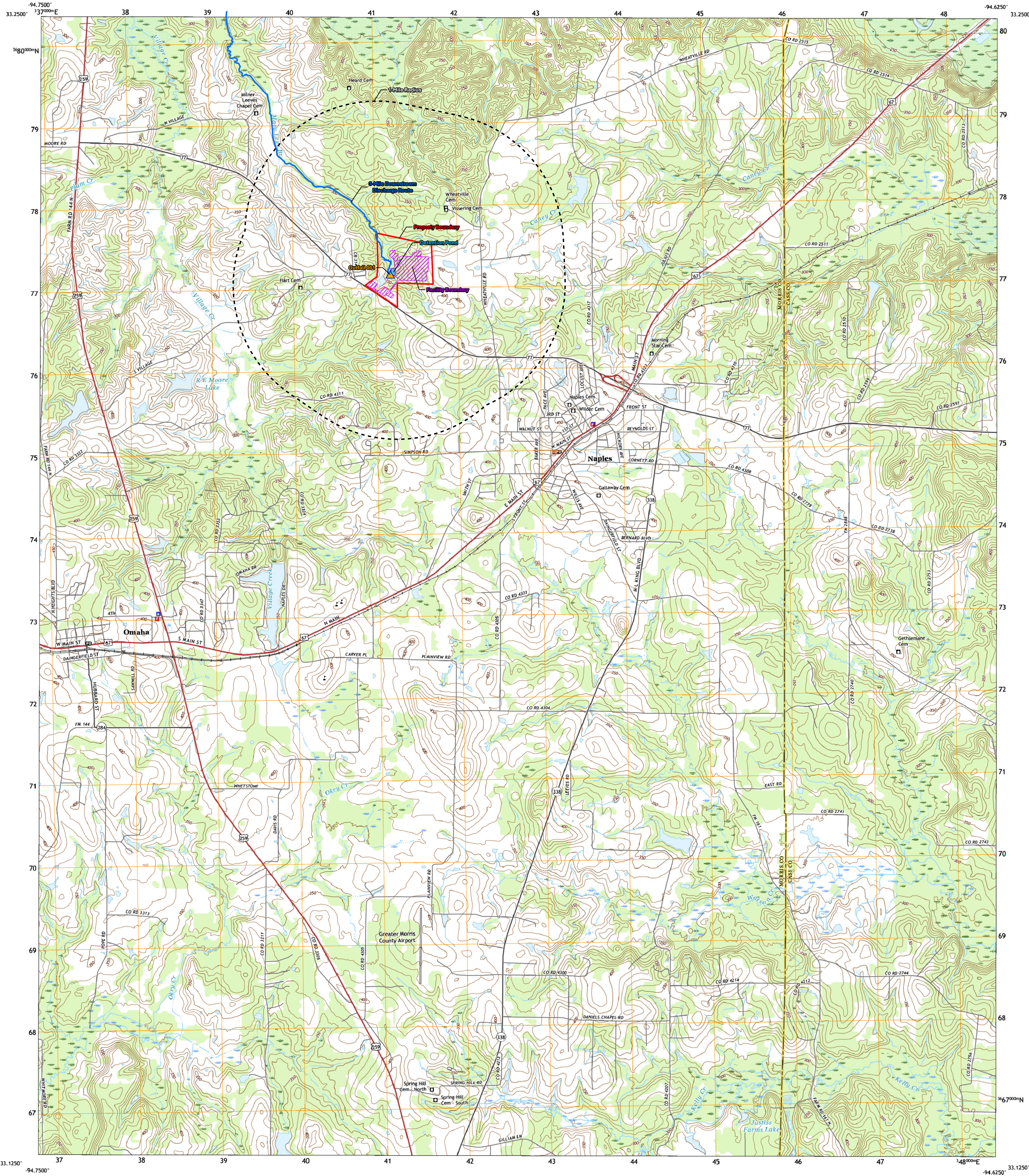
APPENDIX E - USGS MAP



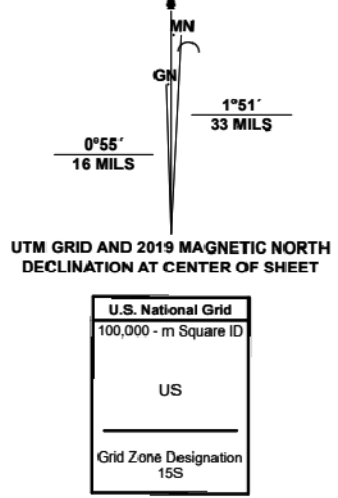
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



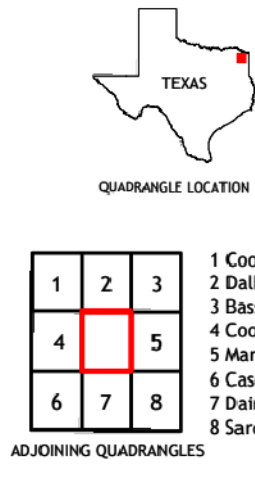
NAPLES QUADRANGLE
TEXAS
7.5-MINUTE SERIES



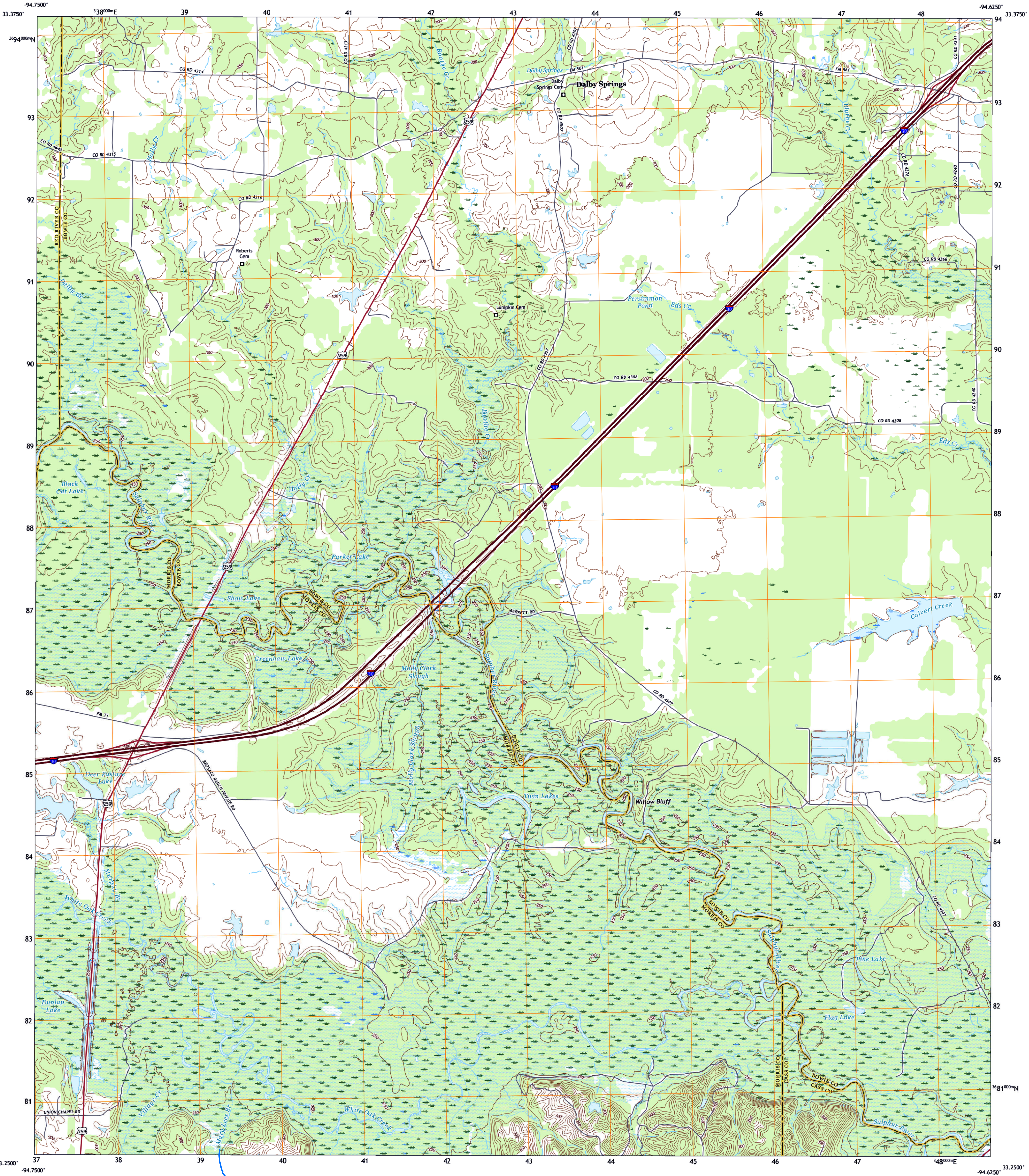
Produced by the United States Geological Survey
North American Datum of 1983 (NAD83) U.S. Census Bureau, 2015
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid: Universal Transverse Mercator, Zone 15S
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.
Imagery.....NAIP, September 2016 - November 2016
Roads.....U.S. Census Bureau, 2015
Names.....GNIS, 2008 - 2021
Hydrography.....National Hydrography Dataset, 2003 - 2019
Contours.....National Elevation Dataset, 2019
Boundaries.....Multiple sources; see metadata file 2019 - 2021
Wetlands.....FWS National Wetlands Inventory Not Available



SCALE 1:24 000
1 000 0 500 1000 2000
1 000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
KILOMETERS
METERS
MILES
FEET
CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standard.



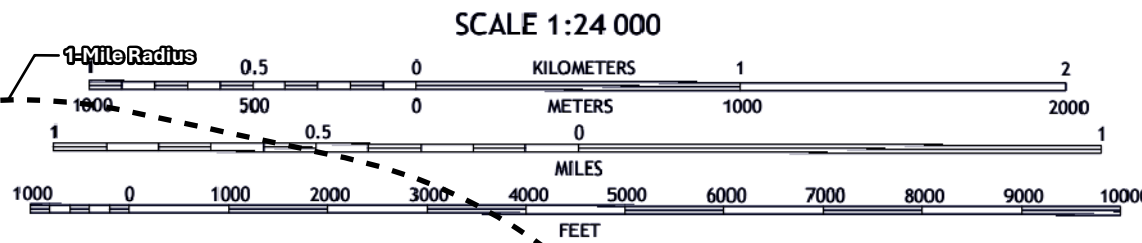
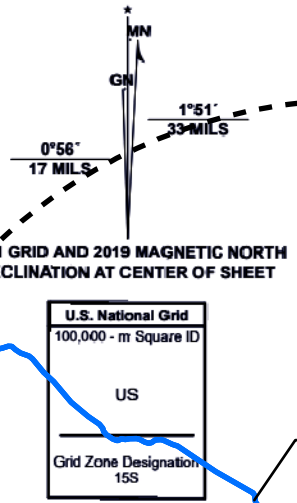
ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
AWD
Interstate Route
US Route
State Route
NAPLES, TX
2022



Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1000-meter grid: Universal Transverse Mercator, Zone 15S
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery.....NAP, September 2016 - November 2016
Roads.....U.S. Census Bureau, 2015 - 2018
Names.....GNIS, 1979 - 2003
Hydrography.....National Hydrography Dataset, 2003 - 2019
Contours.....National Elevation Dataset, 2019
Boundaries.....Multiple sources; see metadata file 2019_2021
Wetlands.....FWS National Wetlands Inventory Not Available



CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standard.



1	2	3
4	5	6
7	8	9

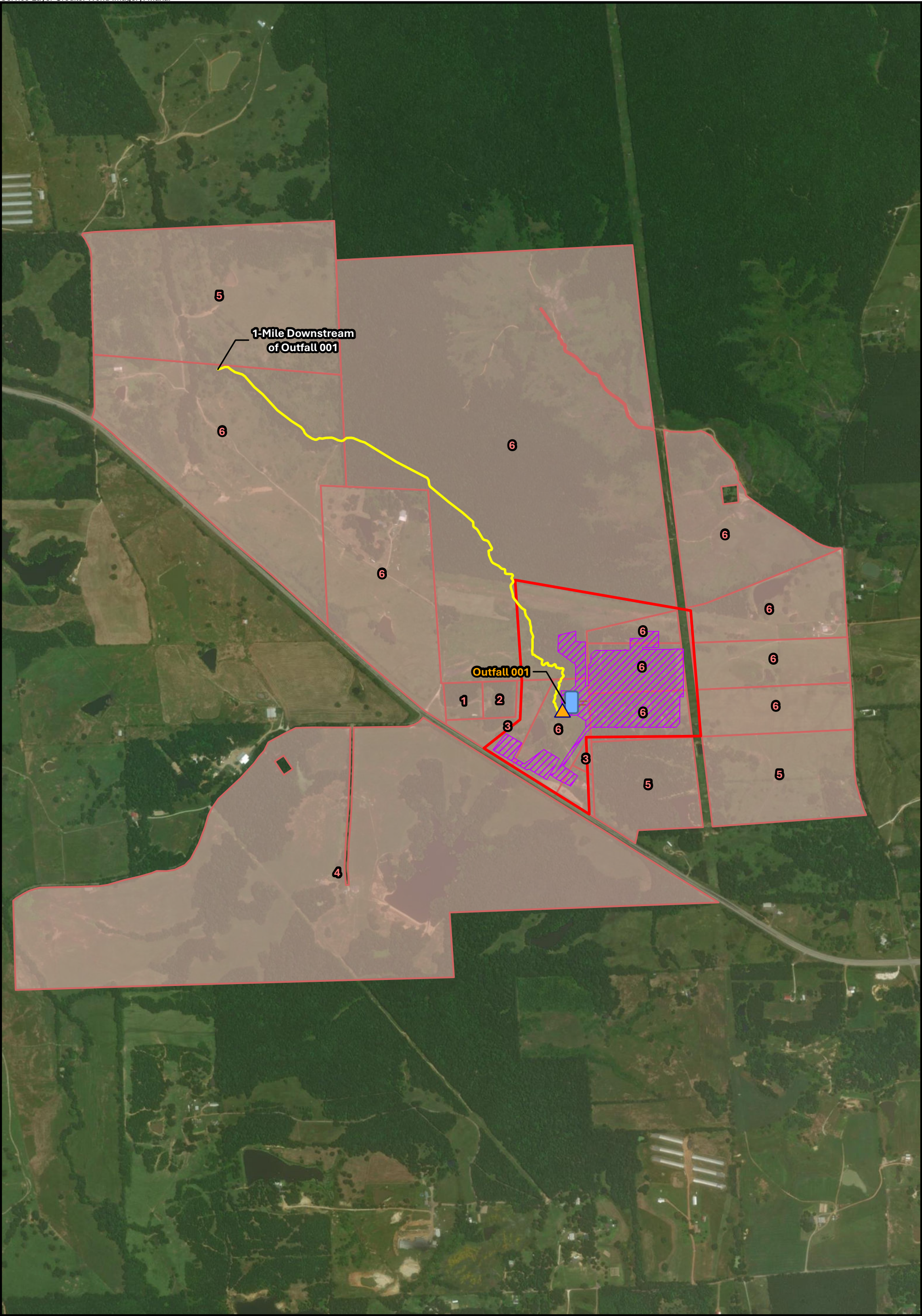
ADJOINING QUADRANGLES

- 1 Lydia
- 2 Hodgson
- 3 Malta
- 4 Coopers Chapel
- 5 Bassett
- 6 Cookville
- 7 Naples
- 8 Marietta

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	4WD
Interstate Route	US Route
	State Route

DALBY SPRINGS, TX
2022

APPENDIX F - AFFECTED LANDOWNERS

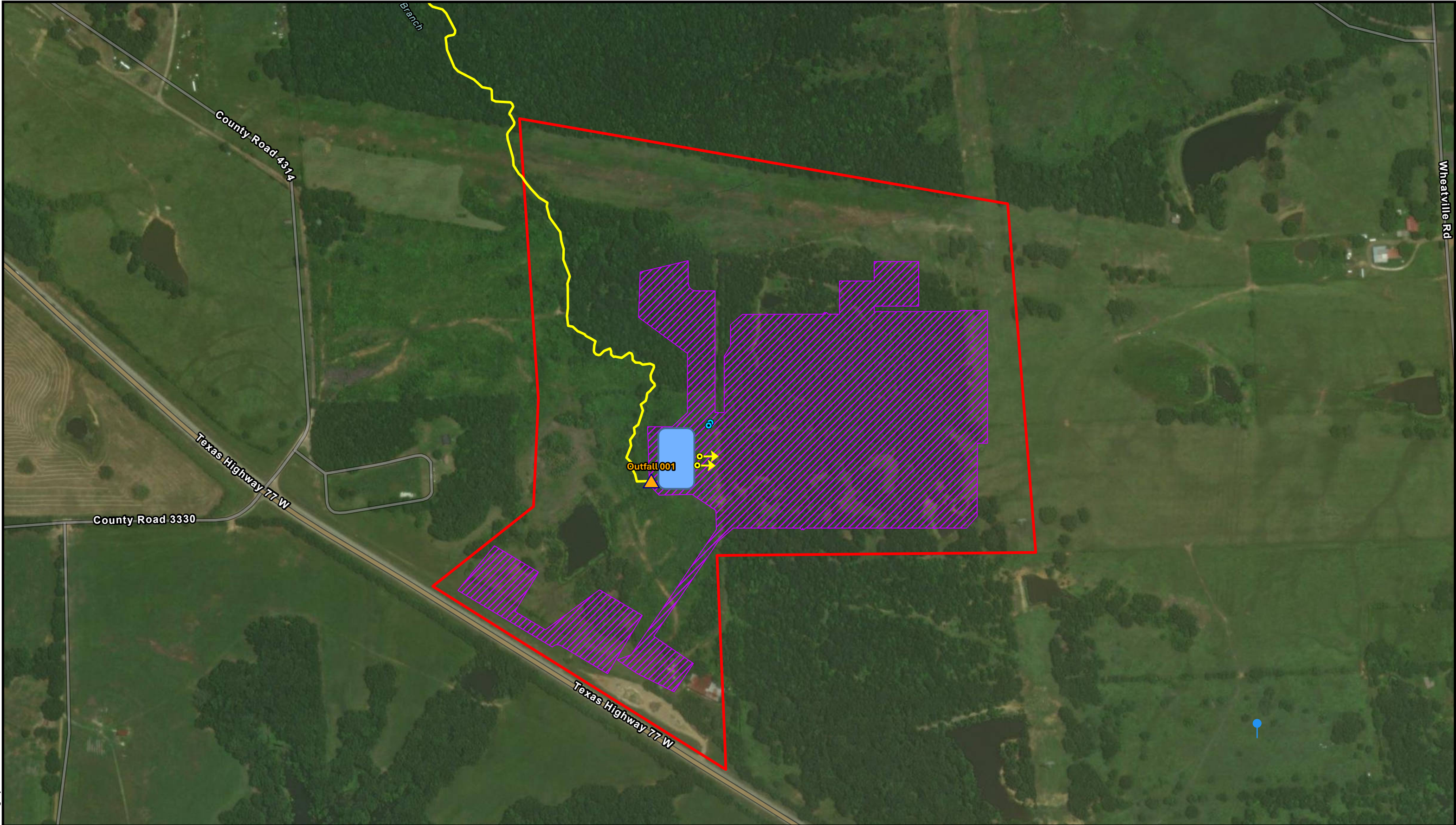


Property Boundary Facility Boundary Detention Pond	Outfall Discharge Route Adjacent Landowner	NORTH 1,100 550 0 1,100 Scale in Feet BURNS MCDONNELL™	Attachment F Adjacent Landowner Map Naples Power Plant Arkansas Electric Cooperative Corporation Morris County, Texas
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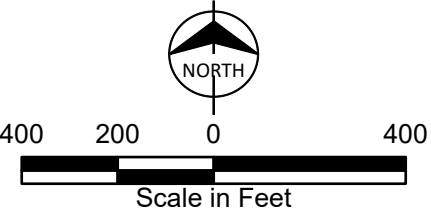
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4	6630	VISSERING MARTIN	92 COUNTY ROAD 4314, OMAHA, TX 75571	6	{B5B86830-74	2270872.595	8009.844733
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8	14858	SIX PINES LLC	1072 CREEK CROSSING, COPPELL, TX 75019	4	{BF999C9B-40	15962339.21	25839.00598
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14	6627	HOOD WILLIE MRS	509 WL DOC DODSON W, NAPLES, TX 75568	2	{CEC7BD51-A	190874.432	1750.796326
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APPENDIX G – ORIGINAL PHOTOS MAP

Path: C:\Users\cmwestmoreland\Burns & McDonnell\Texas ENS - Texas GIS\Fort Worth\AEC\164180 - Morris County Generating Station - Vissering\ArcGIS Project\Vissering.aprx cmwestmoreland 3/18/2025
Service Layer Credits: World Imagery: Maxar



- | | |
|-------------------|---|
| Property Boundary | Discharge Route |
| Facility Boundary | Anticipated Location of Oil Water Separator |
| Detention Pond | East Facing Photo from Discharge Route |
| Outfall | Photo Direction |



Attachment G
Photo Location Map
Naples Power Plant
Arkansas Electric
Cooperative Corporation
Morris County, Texas

APPENDIX H – SUPPLEMENTAL PERMIT INFORMATION FORM

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING DOMESTIC OR INDUSTRIAL TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:

Application type: ____Renewal ____Major Amendment ____Minor Amendment ____New

County: _____ Segment Number: _____

Admin Complete Date: _____

Agency Receiving SPIF:

____ Texas Historical Commission

____ U.S. Fish and Wildlife

____ Texas Parks and Wildlife Department

____ U.S. Army Corps of Engineers

This form applies to TPDES permit applications only. (Instructions, Page 53)

Complete this form as a separate document. TCEQ will mail a copy to each agency as required by our agreement with EPA. If any of the items are not completely addressed or further information is needed, we will contact you to provide the information before issuing the permit. Address each item completely.

Do not refer to your response to any item in the permit application form. Provide each attachment for this form separately from the Administrative Report of the application. The application will not be declared administratively complete without this SPIF form being completed in its entirety including all attachments. Questions or comments concerning this form may be directed to the Water Quality Division's Application Review and Processing Team by email at WQ-ARPTeam@tceq.texas.gov or by phone at (512) 239-4671.

The following applies to all applications:

1. Permittee: Arkansas Electric Cooperative Corporation

Permit No. WQ00 NA

EPA ID No. TX NA

Address of the project (or a location description that includes street/highway, city/vicinity, and county):

Located off State Highway 77, approximately a third of a mile southeast of the intersection of State Highway 77 and County Road 4314

Provide the name, address, phone and fax number of an individual that can be contacted to answer specific questions about the property.

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Kollin Derynck

Credential (P.E, P.G., Ph.D., etc.): NA

Title: VP – Power Production

Mailing Address: PO Box 194208

City, State, Zip Code: Little Rock, AR 72219

Phone No.: (501) 570-2302 Ext.: NA Fax No.: NA

E-mail Address: Kollin.Derynck@aecc.com

2. List the county in which the facility is located: Morris County
3. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

NA

4. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the classified segment number.

via Outfall 001, to an unnamed tributary of Mary Lees Branch, thence to Mary Lees Branch, thence to Segment 0303B White Oak Creek, thence to Segment 0303 Sulphur/South Sulphur River

5. Please provide a separate 7.5-minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required in addition to the map in the administrative report).

Provide original photographs of any structures 50 years or older on the property.

Does your project involve any of the following? Check all that apply.

- ☒ Proposed access roads, utility lines, construction easements
- ☐ Visual effects that could damage or detract from a historic property's integrity
- ☐ Vibration effects during construction or as a result of project design
- ☐ Additional phases of development that are planned for the future
- ☐ Sealing caves, fractures, sinkholes, other karst features

☒ Disturbance of vegetation or wetlands

1. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves, or other karst features):

The project site will encompass 40 acres of undisturbed land. Clearing of vegetation and leveling for construction. No known caves or karst features are located on site.

2. Describe existing disturbances, vegetation, and land use:

The land is currently undisturbed. A field assessment was conducted and found herbaceous upland, scrub-shrub upland, forested upland, wetlands, ephemeral streams and ponds.

THE FOLLOWING ITEMS APPLY ONLY TO APPLICATIONS FOR NEW TPDES PERMITS AND MAJOR AMENDMENTS TO TPDES PERMITS

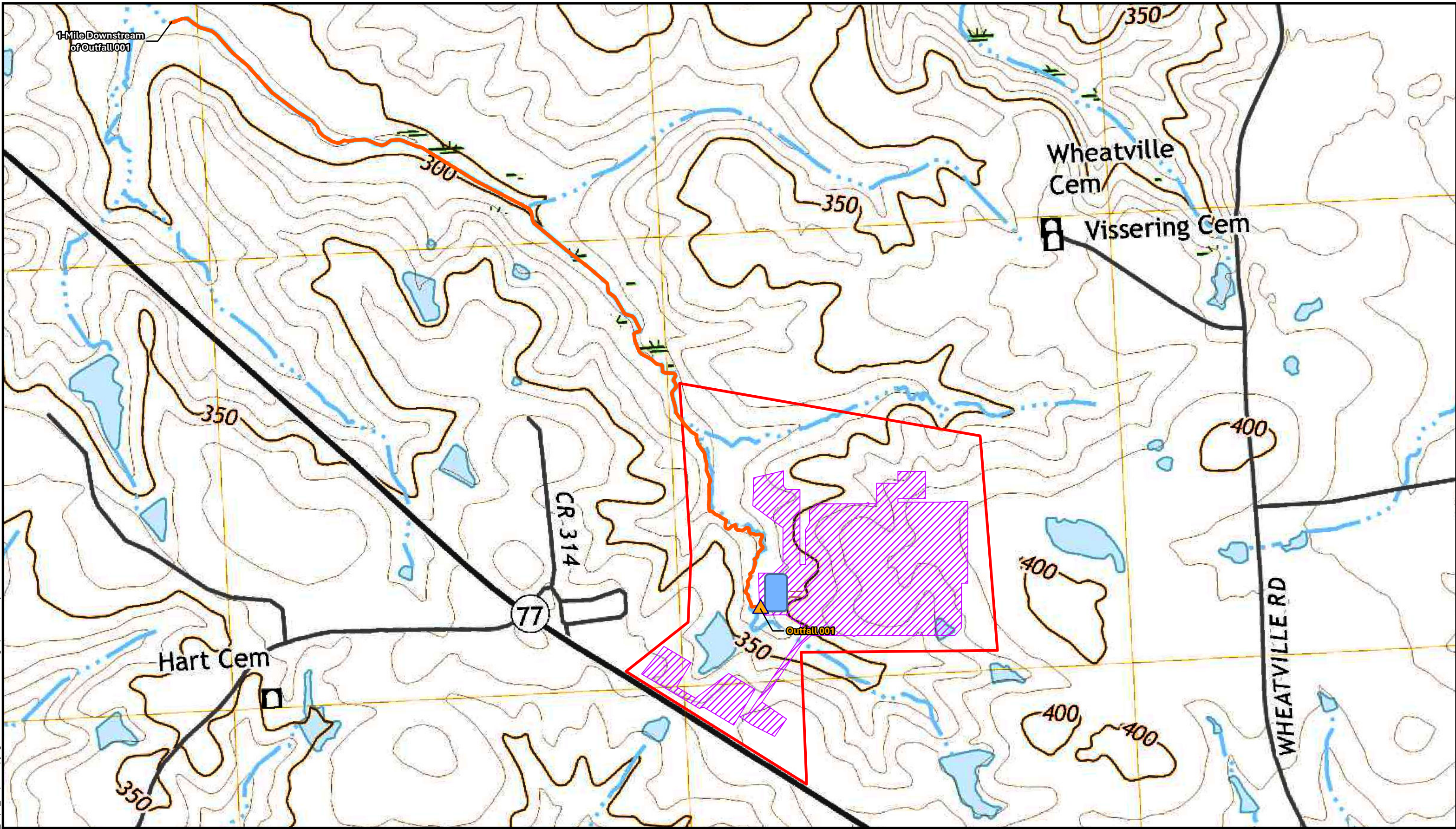
3. List construction dates of all buildings and structures on the property:

There are no existing buildings on the property.

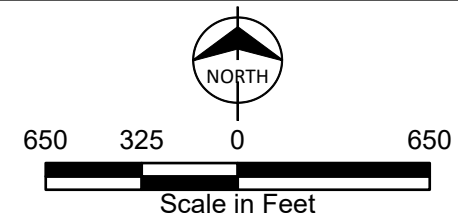
4. Provide a brief history of the property, and name of the architect/builder, if known.

There has been no known building or development of the property.

Path: C:\Users\cmwestmoreland\Burns & McDonnell\Texas ENS - Texas GIS\Fort Worth\AEC\164180 - Morris County Generating Station - Vissering\ArcGIS Project\Vissering.aprx cmwestmoreland 3/18/2025
Service Layer Credits: USA_Topo_Maps: Copyright © 2013 National Geographic Society, Inc.



- Property Boundary
- Facility Boundary
- Detention Pond
- Outfall
- Discharge Route
- Photo Direction





Attachment H
SPIF Map
Naples Power Plant
Arkansas Electric
Cooperative Corporation
Morris County, Texas

APPENDIX I – FACILITY NARRATIVE

Attachment I: Facility Narrative

The Naples Power Plant will be developed from a greenfield site as a simple cycle power generation facility comprised of two dual-fuel simple cycle combustion turbines with ancillary buildings and equipment. The turbines will primarily be fired by natural gas; fuel oil will be stored on-site as a backup fuel source for the turbines.

Raw water will be sourced from on-site wells and treated by multimedia filters. The treated source water will be routed to the potable water system for sanitary use and the service/fire water storage tank for electric generating operations. The multimedia filters will intermittently generate a backwash wastestream. The filter backwash will be routed to the stormwater/wastewater collection sumps.

Sanitary waste generated from the potable water system will be disposed of by an on-site septic tank and drain field system, serviced by a licensed waste-disposal facility as needed.

Treated water from the service/fire water storage tank will be routed to 1) the mobile demineralized (demin) trailers for further treatment, 2) the evaporative coolers, and 3) service water uses.

1. Mobile Demineralized Trailers—Water demineralization is a water treatment process that removes minerals through an ion exchange.

The demineralized water will be sent to the demineralized water storage tank, where it can either be routed for use in the wet compression system or injected with nitrogen before use in the gas turbines. The demineralized water used in the gas turbines will be lost through evaporation.

The waste from the treatment process will be collected and sent off-site for disposal.

2. Evaporative Coolers—The evaporative coolers cool compressor intake air through humidification by spraying a mist or fog of water into the air stream entering a gas turbine. The air intake will have a higher relative humidity and a lower temperature. Inlet air cooling will increase the air mass flow rate and pressure ratio, yielding higher turbine output power and efficiency.

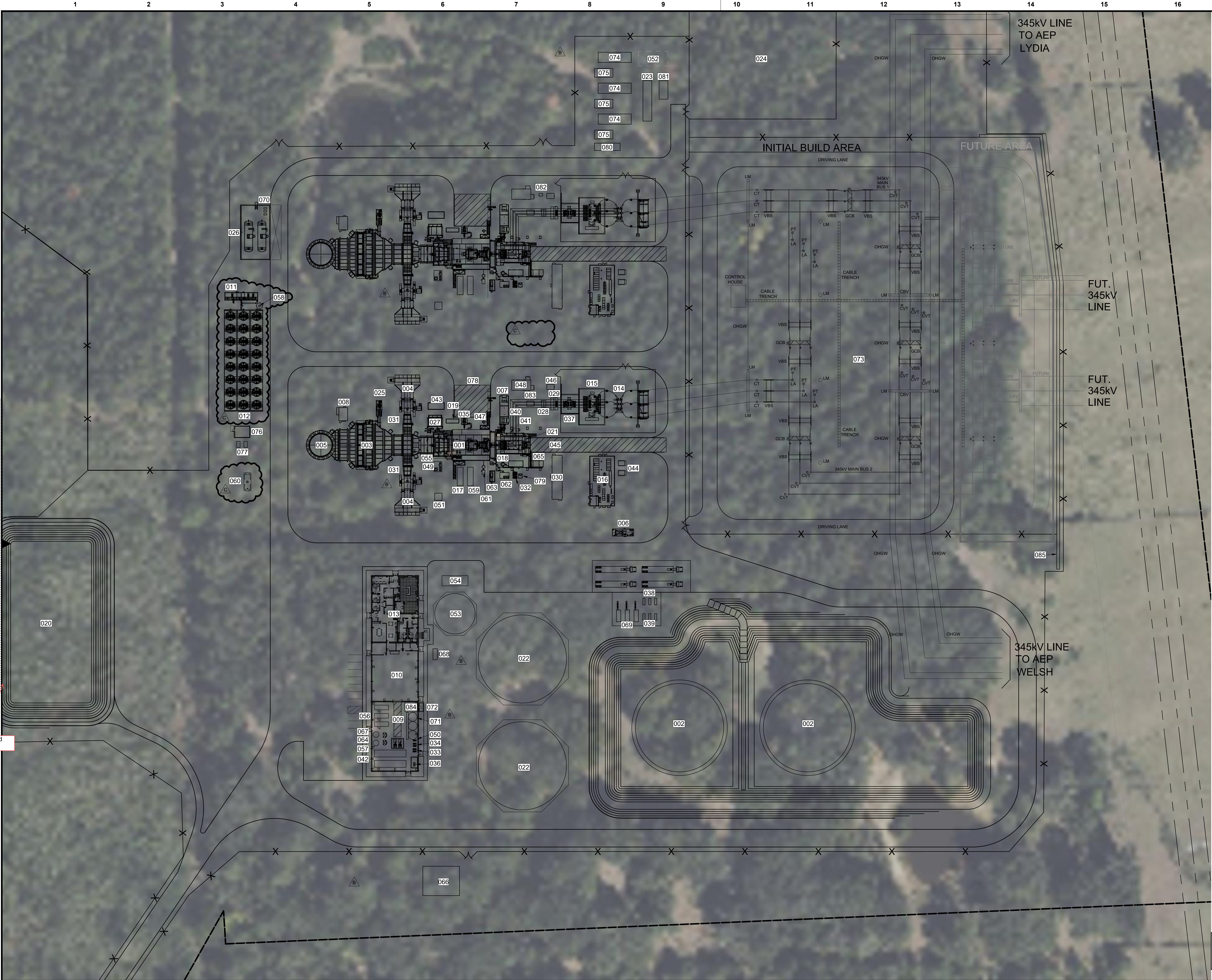
The evaporative coolers produce blowdown, which will be routed to the stormwater/wastewater collection sumps.

3. Service Water Use - Warehouse floor and equipment washdown waters will be collected by floor drains and routed to an oil water separator for treatment.

Potentially oil-contaminated stormwater from the fuel oil tanks' secondary containment and other areas of the site where industrial activities will be conducted will be routed to the same oil water separator as the floor drains for treatment before being routed to the stormwater/wastewater collection sumps.

The stormwater/wastewater collection sumps will be routed to the on-site pond before being discharged to Outfall 001.

APPENDIX J – FACILITY MAP



EQUIPMENT IDENTIFICATION	
DWG REF	DESCRIPTION
001	GAS TURBINE GENERATOR (GTG)
002	FUEL OIL STORAGE TANK
003	SCR / CO2 CATALYST
004	DILUTION SCR BLOWER INLET HOUSING
005	STACK
006	EMERGENCY DIESEL GENERATOR
007	CTG BASE MODULE OIL PACKAGE
008	CEMS ENCLOSURE
009	WATER TREATMENT BUILDING
010	MAINTENANCE & WAREHOUSE
011	CLOSED COOLING WATER PUMP
012	AIR COOLED HEAT EXCHANGER (ACHE)
013	CONTROL / ADMINISTRATION BUILDING
014	GSU HIGH SIDE BREAKER
015	GENERATOR STEP-UP TRANSFORMER
016	ELECTRICAL BUILDING
017	CTG WATER INJECTION PUMP SKID
018	GENERATOR COOLING AIR PACKAGE AND TANK
019	WASH WATER DRAINS TANK
020	STORMWATER POND
021	GT INLET FILTER HOUSE
022	DEMINERALIZED WATER TANK
023	FUEL GAS DEWPOINT HEATER
024	FUEL GAS METERING
025	AMMONIA FLOW CONTROL SKID
026	AMMONIA STORAGE TANK AND UNLOADING
027	CTG ROTOR AIR COOLER
028	GENERATOR CIRCUIT BREAKER
029	SFC TRANSFORMER
030	CTG MAIN ELECTRICAL PDC
031	DILUTION SCR BLOWER FANS
032	COMPRESSOR CLEANING PACKAGE
033	DEMINERALIZED WATER PUMPS
034	SERVICE WATER PUMPS
035	THEMS BLOWER SKID
036	DEMIN WATER SUMP AND PUMPS
037	AUXILIARY TRANSFORMER
038	FUEL OIL UNLOADING PUMPS
039	FUEL OIL FORWARDING PUMPS
040	CTG ISO-PHASE BUS DUCT
041	CTG GENERATOR NEUTRAL TIE ENCLOSURE
042	DEMINERALIZED WATER TRAILERS
043	FIRE PROTECTION EQUIPMENT
044	STATION SERVICE TRANSFORMERS
045	GENERATOR ROTOR REMOVAL AREA
046	SEE TRANSFORMER
047	CTG INSTRUMENT AIR RECEIVER
048	CTG SFC/SEE PDC
049	FUEL GAS SEPARATOR AND DRAINS TANK
050	MMF BACKWASH PUMP
051	N2 BOTTLE RACK PAD
052	HYDROGEN MIXING SKID (FUTURE)
053	SERVICE WATER / FIRE WATER TANK
054	FIREWATER PUMP ENCLOSURE
055	CTG TEC BLOWER SKID
056	AIR COMPRESSORS
057	DRY AIR RECEIVER
058	CLOSED COOLING WATER EXPANSION TANK
059	CTG FUEL OIL PUMP SKID
060	OIL WATER SEPARATOR
061	FUEL GAS PURGE AIR COMPRESSOR & TANK
062	CTG WET COMPRESSION SKID
063	CTG ROTOR WARMING SKID
064	COMPRESSED AIR DRYERS
065	CTG GENERATOR STATOR WATER SKID
066	LEACH FIELD
067	WET AIR RECEIVER
068	SANITARY HOLDING TANK
069	FUEL OIL HEATERS
070	AMMONIA PUMPS
071	MULTI-MEDIA FILTER TANKS
072	WATER TREATMENT TRANSFORMERS
073	ELECTRICAL SWITCHYARD (BY OTHERS)
074	FUEL GAS COOLERS
075	FUEL GAS COMPRESSORS
076	ACHE ELECTRICAL BUILDING
077	ACHE ELECTRICAL BUILDING TRANSFORMERS
078	CTG MAINTENANCE AREA
079	INLET FILTER LADDER
080	FUEL GAS PRESSURE REGULATING SKID
081	FUEL GAS FILTER/SEPARATOR
082	SFC CROSSOVER SW
083	SFC CIRCUIT BREAKER
084	POTABLE WATER SKID
085	RETAINING WALL
086	
087	
088	
089	
090	

PRELIMINARY - NOT
FOR CONSTRUCTION

THIS DOCUMENT IS RELEASED
FOR INFORMATION UNDER THE
AUTHORITY OF CHRISTOPHER
BRINES, P.E. 155035 ON MARCH
10, 2025. IT IS NOT TO BE USED
FOR PERMITTING, BID, OR
CONSTRUCTION PURPOSES.

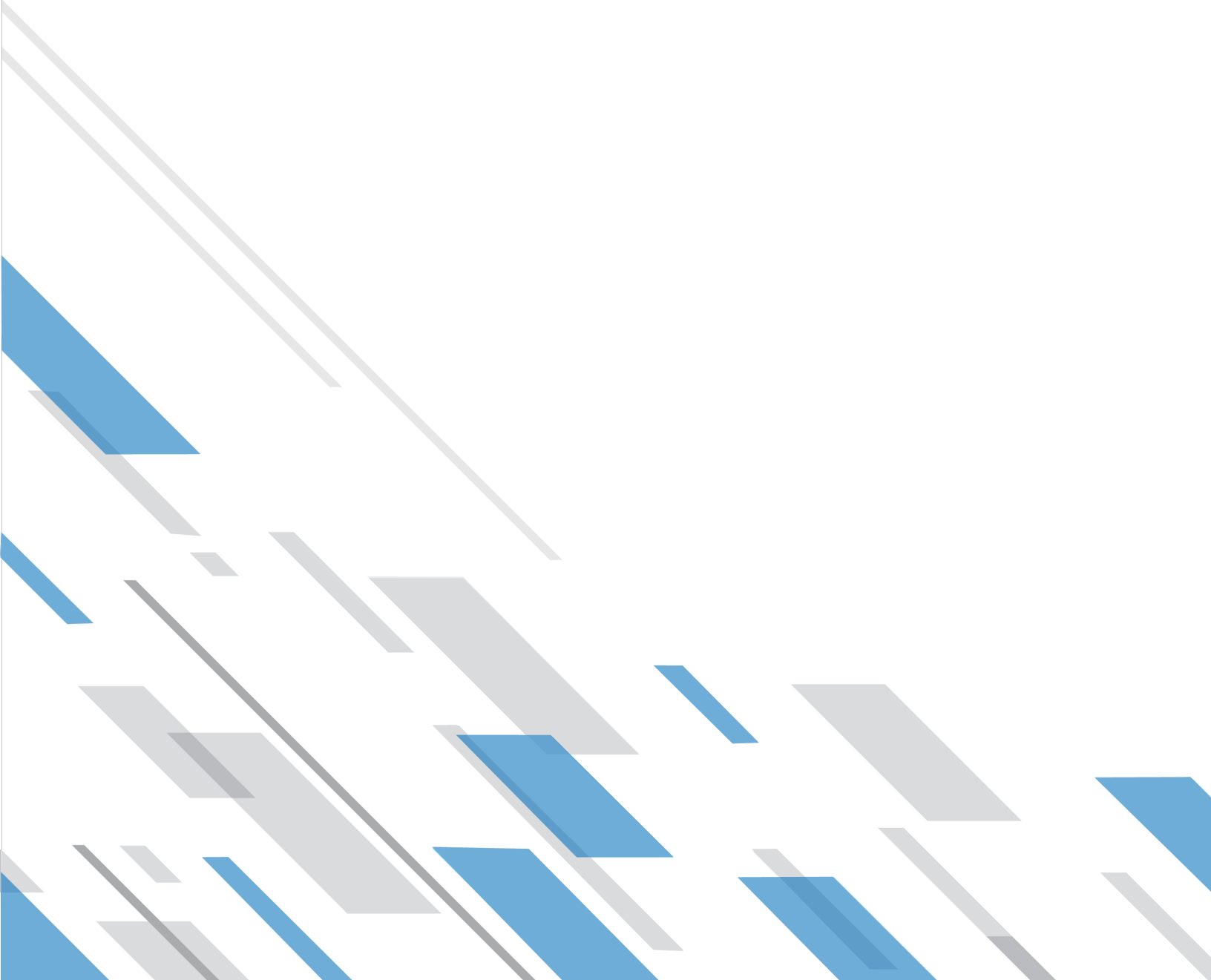
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B	02/06/25	ZRL	CMB	REVISED AS SHOWN										
A	12/06/24	ZRL	CMB	ISSUED FOR DESIGN										

designed		detailed	
C. BRINES		Z. LANKFORD	

project		contract	
176136			
drawing		rev.	
GA0001		C	
sheet		of	
176136GA0001.dwg			

Appendix J: NAPLES POWER PLANT SITE ARRANGEMENT	
project	
176136	
contract	
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APPENDIX K – WATER BALANCE



Leah Whallon

From: Denney, Kara Lee F <kfdenney@burnsmcd.com>
Sent: Wednesday, May 21, 2025 3:38 PM
To: Leah Whallon; Taylor, Madison
Cc: Stephen Cain; Howell, Chris
Subject: RE: Application for Proposed Permit No. WQ0005489000; Arkansas Electric Cooperative Corporation; Naples Power Plant
Attachments: Admin NOD Response 05.21.25.pdf; Attachment F - Mailing Labels.docx
Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

Please see the attached response to the NOD which includes our response to the comments and the updated application documents as requested.

Kara Denney \ Burns & McDonnell
Senior Compliance Specialist \ Environmental Services Group
Pronouns: she, her, hers
M 512-632-9915
kfdenney@burnsmcd.com \ burnsmcd.com
Suite 2300 \ 444 Flower St \ Los Angeles, California 90071

From: Leah Whallon <Leah.Whallon@Tceq.Texas.Gov>
Sent: Tuesday, May 20, 2025 8:22 AM
To: Denney, Kara Lee F <kfdenney@burnsmcd.com>; Taylor, Madison <mtaylor3@burnsmcd.com>
Subject: Application for Proposed Permit No. WQ0005489000; Arkansas Electric Cooperative Corporation; Naples Power Plant

Good Morning,

Please see the attached Notice of Deficiency letter dated May 20, 2025 requesting additional information needed to declare the application administratively complete. Please send the complete response by June 3, 2025.

Please let me know if you have any questions.

Thank you,



Leah Whallon
Texas Commission on Environmental Quality
Water Quality Division
512-239-0084
leah.whallon@tceq.texas.gov

How is our customer service? Fill out our online customer satisfaction survey at www.tceq.texas.gov/customersurvey

May 21, 2025

Leah Whallon
Applications Review
Water Quality Division, TCEQ
12015 Park 35 Cir
Austin, TX 78753

RE: Response to Notice of Deficiency for the proposed Arkansas Electric Cooperative Corporation, Naples Power Plant WQ0005489000

Dear Ms. Leah Whallon,

This letter is in response to the Notice of Deficiency letter dated May 20, 2025 that requested additional information necessary to declare the application administratively complete for the proposed Arkansas Electric Cooperative Corporation, Naples Power Plant WQ0005489000. Please see the response to the TCEQ's requests, the application forms and figures that were requested to be modified are attached and our responses are show below in italicizes.

1. Core Data Form, Section III, Item 26

The nearest zip code listed is 75568 but could not be confirmed. The nearest zip code to the proposed facility location appears to be 75571, which is also listed in the plain language summary. Please confirm the nearest zip code and provide an updated page 2 of the core data.

The zip code has been confirmed to be 75571, please see the updated Core Data Form.

2. Administrative Report 1.1

The affected landowner map and cross-reference list appear to have several inconsistencies in the parcel numbering and owner information. Please provide an updated affected landowner map that clearly shows and labels the applicant's property boundary and clearly numbers all adjacent and downstream properties. Please also provide an updated cross-reference list, numbered to be consistent with the map, and the updated list formatted for mailing labels (Avery 5160) in a Microsoft Word document.

The Affected Landowner Map and associated Landowner List have been updated using the recently updated Morris County Appraisal District data that reflects the AECC purchase of the property that the Naples Power Plant will be located. Additionally, mailing labels in Avery 5160 format have been included.

3. NORI Language Review

Please see our minor language suggestions to the below NORI language in red. Otherwise, the NORI language is accurate and reflective of the application contents and proposed facility activities.

APPLICATION. Arkansas Electric Cooperative Corporation, P.O. Box 194208, Little Rock, Arkansas 72219, which will own an electric generation facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005489000 (EPA I.D. No. TX0147885) to authorize the discharge of treated wastewater and stormwater on an intermittent and flow-variable volume. The facility will be located approximately 0.33 miles southeast of the intersection of State Highway 77 and County Road 4314, near the city of Naples, in Morris County, Texas 75571. The discharge route will be from the plant site to an unnamed tributary, thence to Mary Lees Branch, thence to White Oak Creek, thence to Sulphur/South Sulphur River (pending RWA). TCEQ received this application on May 14, 2025. The permit application will be available for viewing and copying at Naples City Hall, 205 East Main Street, Naples, in Morris 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.

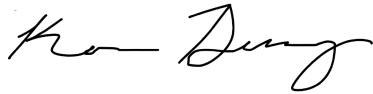
<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-94.701666,33.2225&level=18>

Further information may also be obtained from Arkansas Electric Cooperative Corporation at the address stated above or by calling Mr. Stephen Cain, Director - Compliance & Support, at 501-570-2420.

If you have any questions, please contact me at (512) 632-9915, kfdenney@burnsmcd.com

Sincerely,

Kara Denney

A handwritten signature in black ink, appearing to read 'Kara Denney'.

Kara Denney
Senior Compliance Specialist

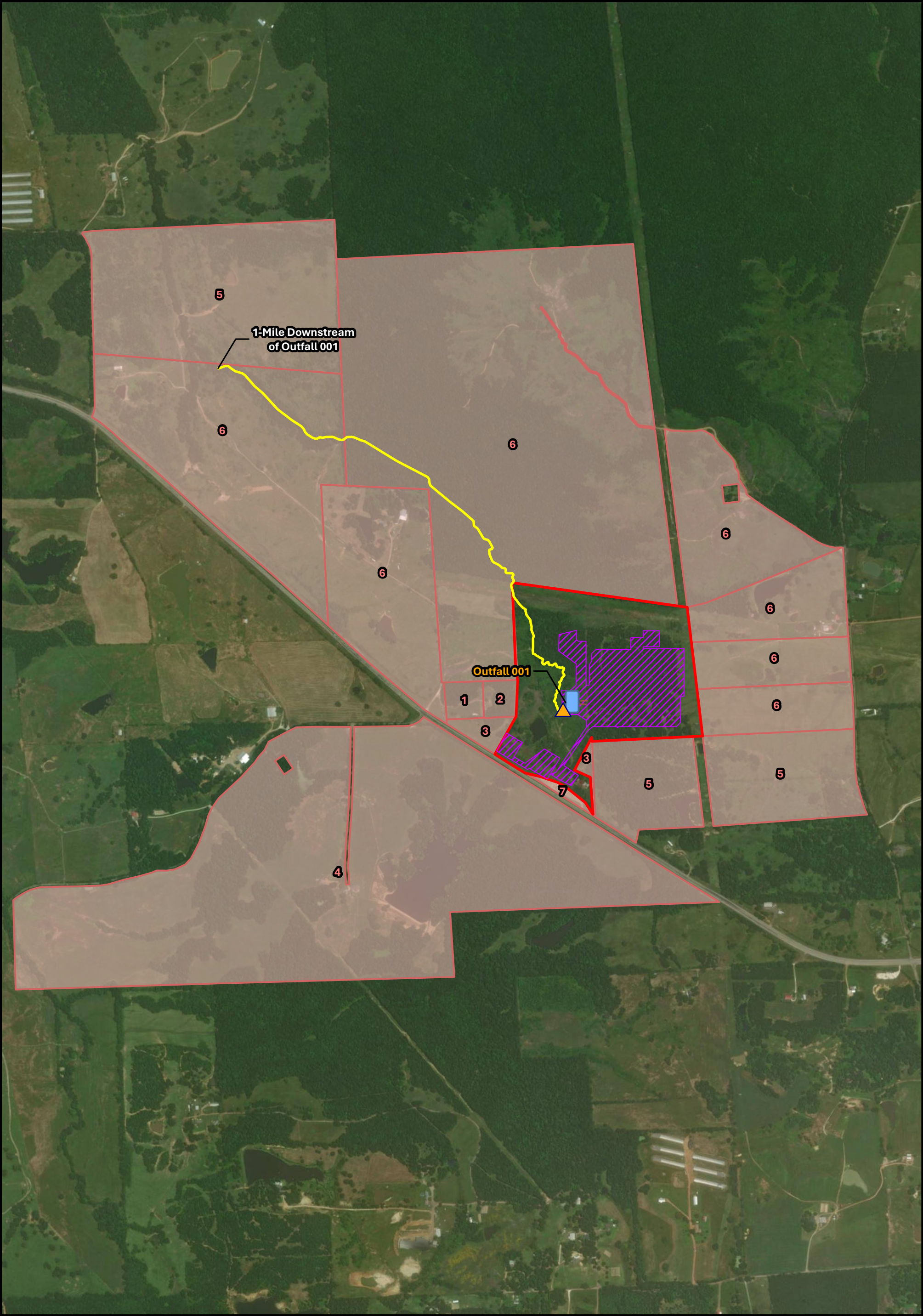
18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)
(501) 570-2302		() -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected, a new permit application is also required.)								
☐ New Regulated Entity ☐ Update to Regulated Entity Name ☒ Update to Regulated Entity Information								
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>								
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)								
Naples Power Plant								
23. Street Address of the Regulated Entity: (No PO Boxes)								
	City		State		ZIP		ZIP + 4	
24. County								

If no Street Address is provided, fields 25-28 are required.

25. Description to Physical Location:	Located off State Highway 77, approximately a third of a mile southeast of the intersection of State Highway 77 and County Road 4314							
26. Nearest City					State	Nearest ZIP Code		
Naples					TX	75571		
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>								
27. Latitude (N) In Decimal:						28. Longitude (W) In Decimal:		
Degrees	Minutes		Seconds		Degrees	Minutes		Seconds
33	13		21.63		94	42		6.22
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)			32. Secondary NAICS Code (5 or 6 digits)		
4911			221112					
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
Power Generation								
34. Mailing Address:	PO Box 194208							
	City	Little Rock	State	AR	ZIP	72219	ZIP + 4	
35. E-Mail Address:	Stephen.Cain@aecc.com							
36. Telephone Number	37. Extension or Code				38. Fax Number (if applicable)			
(501) 570-2420					() -			



Property Boundary Facility Boundary Detention Pond	Outfall Discharge Route Adjacent Landowner	NORTH 1,100 550 0 1,100 Scale in Feet	BURNS MCDONNELL™	Attachment F Adjacent Landowner Map Naples Power Plant Arkansas Electric Cooperative Corporation Morris County, Texas
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Attachment F Adjacent Landowners

Map Number	Owner Name	Mailing Address	Mailing Address City	Mailing Address State	Mailing Address ZIP Code	Parcel Address
1	HOOD CHARLIE	401 MARTIN LUTHER KING BLVD	NAPLES	TX	75568	COUNTY ROAD 4314
2	HOOD WILLIE MRS N JOHN EST	509 WL DOC DODSON W	NAPLES	TX	75568	52 COUNTY ROAD 4314
3	INDUSTRIAL PALLET	100 COUNTY ROAD 4314	OMAHA	TX	75571	HWY 77
3	INDUSTRIAL PALLET	100 COUNTY ROAD 4314	OMAHA	TX	75571	HWY 77
4	SIX PINES LLC	1072 CREEK CROSSING	COPPELL	TX	75019	1898 COUNTY ROAD 3330
4	SIX PINES LLC	1072 CREEK CROSSING	COPPELL	TX	75019	1898 COUNTY ROAD 3330
5	VISSERING JAMES N ETAL	100 COUNTY ROAD 4314	OMAHA	TX	75571	COUNTY ROAD 3334 NORTH VILLAGE RD
5	VISSERING JAMES N ETAL	100 COUNTY ROAD 4314	OMAHA	TX	75571	COUNTY ROAD 4315 WHEATVILLE RD
5	VISSERING JAMES N ETAL	100 COUNTY ROAD 4314	OMAHA	TX	75571	COUNTY ROAD 4315 WHEATVILLE RD
6	VISSERING MARTIN & LORA	92 COUNTY ROAD 4314	OMAHA	TX	75571	100 COUNTY ROAD 4314
6	VISSERING MARTIN	92 COUNTY ROAD 4314	OMAHA	TX	75571	100 COUNTY ROAD 4314
6	VISSERING MARTIN & LORA	92 COUNTY ROAD 4314	OMAHA	TX	75571	1139 COUNTY ROAD 4315 WHEATVILLE RD
6	VISSERING MARTIN & LORA	100 COUNTY ROAD 4314	OMAHA	TX	75571	COUNTY ROAD 4315 WHEATVILLE RD
6	VISSERING MARTIN & LORA	92 COUNTY ROAD 4314	OMAHA	TX	75571	1139 COUNTY ROAD 4315 WHEATVILLE RD
6	VISSERING MARTIN	92 COUNTY ROAD 4314	OMAHA	TX	75571	COUNTY ROAD 4315 WHEATVILLE RD
6	VISSERING MARTIN & LORA	92 COUNTY ROAD 4314	OMAHA	TX	75571	100 COUNTY ROAD 4314
6	VISSERING MARTIN & LORA	92 COUNTY ROAD 4314	OMAHA	TX	75571	1139 COUNTY ROAD 4315 WHEATVILLE RD
6	VISSERING MARTIN	92 COUNTY ROAD 4314	OMAHA	TX	75571	COUNTY ROAD 4315 WHEATVILLE RD

HOOD CHARLIE	HOOD WILLIE MRS N JOHN EST	INDUSTRIAL PALLET	SIX PINES LLC
401 MARTIN LUTHER KING BLVD	509 WL DOC DODSON W	100 COUNTY ROAD 4314	1072 CREEK CROSSING
NAPLES, TX 75568	NAPLES, TX 75568	OMAHA, TX 75571	COPPELL, TX 75019
VISSERING JAMES N ETAL	VISSERING MARTIN & LORA	VISSERING MARTIN & LORA	
100 COUNTY ROAD 4314	92 COUNTY ROAD 4314	100 COUNTY ROAD 4314	
OMAHA, TX 75571	OMAHA, TX 75571	OMAHA, TX 75571	



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

TPDES PERMIT NO.
WQ0005489000
*[For TCEQ office use only -
EPA I.D. No. TX0147885]*

Arkansas Electric Cooperative Corporation

whose mailing address is

P.O. Box 194208
Little Rock, Arkansas 72219

is authorized to treat and discharge wastes from Naples Power Plant, a power generation facility with two dual-fuel (natural gas and fuel oil) simple cycle combustion turbines (SIC 4911)

located approximately 0.33 miles southeast of the intersection of State Highway 77 and County Road 4314, near the City of Naples, Morris County, Texas 75571

to Mary Lees Branch, thence to White Oak Creek, thence to Sulphur/South Sulphur River in Segment No. 0303 of the Sulphur River Basin

only according to effluent limitations, monitoring requirements, and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, five years from the date of permit issuance.

ISSUED DATE:

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge utility wastewater, secondary containment stormwater, and stormwater from industrial areas subject to the following effluent limitations:

Volume: Intermittent and flow-variable

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day ¹	Estimate
Total Organic Carbon	N/A	75	75	1/week ¹	Grab
Oil and Grease	N/A	15	15	1/week ¹	Grab
Total Dissolved Solids ²	Report	Report	N/A	1/week ¹	Grab

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/week ¹ by grab sample.
3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples must be taken at the following location: At Outfall 001, along the southwest side of the pond before discharging into the receiving body.

¹ When discharging.

² Reporting expires one month prior to expiration date of the permit.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
 - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.
- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total

mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the sampling day.

The “daily discharge” determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the “daily discharge” determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the *n*th root of the product of all measurements made in a calendar month, where *n* equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD × Concentration, mg/L × 8.34).
- g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).
 - b. Grab sample - an individual sample collected in less than 15 minutes.
- 4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
 - 5. The term “sewage sludge” is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
 - 6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, effluent monitoring data shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
 - i. date, time, and place of sample or measurement;
 - ii. identity of individual who collected the sample or made the measurement;
 - iii. date and time of analysis;
 - iv. identity of the individual and laboratory who performed the analysis;
 - v. the technique or method of analysis; and
 - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the regional office and the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the regional office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
- b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. unauthorized discharges as defined in Permit Condition 2(g).
 - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
- c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the regional office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
- d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. one hundred micrograms per liter (100 µg/L);
 - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
 - i. five hundred micrograms per liter (500 µg/L);
 - ii. one milligram per liter (1 mg/L) for antimony;
 - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All POTWs must provide adequate notice to the Executive Director of the following:

- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. for the purpose of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. violation of any terms or conditions of this permit;
 - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment,

revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or
 - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
 - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.
- b. This notification must indicate:
 - i. the name of the permittee;
 - ii. the permit number(s);
 - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.
 - a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 219) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
- a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
 - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.
 - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
 - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. volume of waste and date(s) generated from treatment process;
 - ii. volume of waste disposed of on-site or shipped off-site;
 - iii. date(s) of disposal;

- iv. identity of hauler or transporter;
- v. location of disposal site; and
- vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

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OTHER REQUIREMENTS

1. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 5 within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 5 and Compliance Monitoring Team (MC 224): None.
2. Reporting requirements according to 30 TAC §§ 319.1-319.12 and any additional effluent reporting requirements contained in the permit are suspended from the effective date of the permit until plant startup or discharge, whichever occurs first, from the facility described by this permit. The permittee shall provide written notice to the TCEQ Region 5 Office, Applications Review and Processing Team (MC 148) of the Water Quality Division, and Compliance Monitoring Team (MC 224) at least forty-five days prior to plant startup or anticipated discharge, whichever occurs first, on Notification of Completion Form 20007.

3. **COOLING WATER INTAKE STRUCTURE REQUIREMENTS**

The permittee shall provide written notification to the TCEQ Industrial Permits Team (MC 148) and Region 5 Office of any changes in the method by which the facility obtains water for cooling purposes. This notification must be submitted 30 days prior to any such change and must include a description of the planned changes. The TCEQ may, upon review of the notification, reopen the permit to include additional terms and conditions as necessary.

4. Wastewater discharged via Outfall 001 must be sampled and analyzed as directed below for those parameters listed in Tables 1, 2, and 3 of Attachment A of this permit. Analytical testing for Outfall 001 must be completed within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Compliance Monitoring Team (MC-224) and Industrial Wastewater Permits Team (MC-148). Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

Table 1: Analysis is required for all pollutants in Table 1. Wastewater must be sampled and analyzed for those parameters listed in Table 1 for a minimum of four sampling events that are each at least one week apart (a minimum of one sample is authorized for intermittent and flow-variable outfalls).

Table 2: Analysis is required for all metal pollutants in Table 2. Sampling and analysis must be conducted for a minimum of four sampling events that are each at least one week apart (a minimum of one sample is authorized for intermittent and flow-variable outfalls).

Table 3: For all pollutants listed in Table 3, the permittee shall indicate whether each pollutant is believed to be present or absent in the discharge. Sampling and analysis must be conducted for each pollutant believed present for a minimum of one sampling event.

The permittee shall report the flow at Outfall 001 in MGD in the attachment. The permittee shall indicate on each table whether the samples are composite (C) or grab (G) by checking the appropriate box.

5. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.

6. There is no mixing zone established for this discharge to an intermittent stream with perennial pools. Chronic toxic criteria apply at the point of discharge.

7. POND REQUIREMENTS

A wastewater pond must comply with the following requirements. A wastewater pond (or lagoon) is an earthen structure used to evaporate, hold, store, or treat water that contains a *waste* or *pollutant* or that would cause *pollution* upon *discharge* as those terms are defined in Texas Water Code § 26.001, but does not include a pond that contains only stormwater.

- A. A wastewater pond **subject to 40 CFR Part 257, Subpart D** (related to coal combustion residuals) must comply with those requirements in lieu of the requirements in B through G of POND REQUIREMENTS.
- B. An **existing** wastewater pond must be maintained to meet or exceed the original approved design and liner requirements; or, in the absence of original approved requirements, must be maintained to prevent unauthorized discharges of wastewater into or adjacent to water in the state. The permittee shall maintain copies of all liner construction and testing documents at the facility or in a reasonably accessible location and make the information available to the executive director upon request.
- C. A **new** wastewater pond constructed after the issuance date of this permit must be lined in compliance with one of the following requirements if it will contain process wastewater as defined in 40 CFR § 122.2. The executive director will review ponds that will contain only non-process wastewater on a case-by-case basis to determine whether the pond must be lined. If a pond will contain only non-process wastewater, the owner shall notify the Industrial Permits Team (MC 148) to obtain a written determination at least 90 days before the pond is placed into service and copy the TCEQ Compliance Monitoring Team (MC 224) and regional office. The permittee must submit all information about the proposed pond contents that is reasonably necessary for the executive director to make a determination. If the executive director determines that a pond does not need to be lined, then the pond is exempt from C(1) through C(3) and D through G of POND REQUIREMENTS.

A wastewater pond that only contains domestic wastewater must comply with the design requirements in 30 TAC Chapter 217 and 30 TAC § 309.13(d) in lieu of items C(1) through C(3) of this subparagraph.

- (1) Soil liner: The soil liner must contain clay-rich soil material (at least 30% of the liner material passing through a #200 mesh sieve, liquid limit greater than or equal to 30, and plasticity index greater than or equal to 15) that completely covers the sides and bottom of the pond. The liner must be at least 3.0 feet thick. The liner material must be compacted in lifts of no more than 8 inches to 95% standard proctor density at the optimum moisture content in accordance with ASTM D698 to achieve a permeability less than or equal to 1×10^{-7} (≤ 0.0000001) cm/sec. For in-situ soil material that meets the permeability requirement, the material must be scarified at least 8 inches deep and then re-compacted to finished grade.
- (2) Synthetic membrane: The liner must be a synthetic membrane liner at least 40 mils in thickness that completely covers the sides and the bottom of the pond. The liner material used must be compatible with the wastewater and be resistant to degradation (e.g., from ultraviolet light, chemical reactions, wave action, erosion, etc.). The liner material must be installed and maintained in accordance with the manufacturer's guidelines. A wastewater pond with a synthetic membrane liner must include an underdrain with a leak detection and collection system.

- (3) Alternate liner: The permittee shall submit plans signed and sealed by a Texas-licensed professional engineer for any other equivalently protective pond lining method to the TCEQ Industrial Permits Team (MC 148) and copy the regional office.
- D. For a pond that must be lined according to subparagraph C (including ponds with in-situ soil liners), the permittee shall provide certification, signed and sealed by a Texas-licensed professional engineer, stating that the completed pond lining and any required underdrain with leak detection and collection system for the pond meet the requirements in subparagraph C(1) – C(3) before using the pond. The certification shall include the following minimum details about the pond lining system: (1) pond liner type (in-situ soil, amended in-situ soil, imported soil, synthetic membrane, or alternative), (2) materials used, (3) thickness of materials, and (4) either permeability test results or a leak detection and collection system description, as applicable.

The certification must be provided to the TCEQ Water Quality Assessment Team (MC 150), Industrial Permits Team (MC 148), and regional office. A copy of the liner certification and construction details (i.e., as-built drawings, construction QA/QC documentation, and post construction testing) must be kept on-site or in a reasonably accessible location (in either hardcopy or digital format) until the pond is closed.

- E. Protection and maintenance requirements for a pond subject to subparagraph B or C (including ponds with in-situ soil liners).
- (1) The permittee shall maintain a liner to prevent the unauthorized discharge of wastewater into or adjacent to water in the state.
 - (2) A liner must be protected from damage caused by animals. Fences or other protective devices or measures may be used to satisfy this requirement.
 - (3) The permittee shall maintain the structural integrity of the liner and shall keep the liner and embankment free of woody vegetation, animal burrows, and excessive erosion.
 - (4) The permittee shall inspect each pond liner and each leak detection system at least once per month. Evidence of damage or unauthorized discharge must be evaluated by a Texas-licensed professional engineer or Texas-licensed professional geoscientist within 30 days. The permittee is not required to drain an operating pond or to inspect below the waterline during these routine inspections.
 - a. A Texas-licensed professional engineer or Texas-licensed professional geoscientist must evaluate damage to a pond liner, including evidence of an unauthorized discharge without visible damage.
 - b. Pond liner damage must be repaired at the recommendation of a Texas-licensed professional engineer or Texas-licensed professional geoscientist. If the damage is significant or could result in an unauthorized discharge, then the repair must be documented and certified by a Texas-licensed professional engineer. Within 60 days after a repair is completed, the liner certification must be provided to the TCEQ Water Quality Assessments Team (MC 150) and regional office. A copy of the liner certification must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.
 - c. A release determination and subsequent corrective action will be based on 40 CFR Part 257 or the Texas Risk Reduction Program (30 TAC Chapter 350), as applicable. If evidence indicates that an unauthorized discharge occurred, including evidence that the actual permeability exceeds the design permeability, the matter may also be referred to

the TCEQ Enforcement Division to ensure the protection of the public and the environment.

- F. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall have a Texas-licensed professional engineer perform an evaluation of each pond that requires a liner at least once every five years. The evaluation must include: (1) a physical inspection of the pond liner to check for structural integrity, damage, and evidence of leaking; (2) a review of the liner documentation for the pond; and (3) a review of all documentation related to liner repair and maintenance performed since the last evaluation. For the purposes of this evaluation, evidence of leaking also includes evidence that the actual permeability exceeds the design permeability. The permittee is not required to drain an operating pond or to inspect below the waterline during the evaluation. A copy of the engineer's evaluation report must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.
- G. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall maintain at least 2.0 feet of freeboard in the pond except when:
- (1) the freeboard requirement temporarily cannot be maintained due to a large storm event that requires the additional retention capacity to be used for a limited period of time;
 - (2) the freeboard requirement temporarily cannot be maintained due to upset plant conditions that require the additional retention capacity to be used for treatment for a limited period of time; or
 - (3) the pond was not required to have at least 2.0 feet of freeboard according to the requirements at the time of construction.

Attachment A

Table 1 – Conventionals and Non-conventionals

Outfall No.:	☐ C ☐ G	Effluent Concentration (mg/L)					
Pollutant		Samp.	Samp.	Samp.	Samp.	Average	
Flow (MGD)							
BOD (5-day)							
CBOD (5-day)							
Chemical Oxygen Demand							
Total Organic Carbon							
Dissolved Oxygen							
Ammonia Nitrogen							
Total Suspended Solids							
Nitrate Nitrogen							
Total Organic Nitrogen							
Total Phosphorus							
Oil and Grease							
Total Residual Chlorine							
Total Dissolved Solids							
Sulfate							
Chloride							
Fluoride							
Total Alkalinity (mg/L as CaCO ₃)							
Temperature (°F)							
pH (Standard Units; min/max)							

Table 2 – Metals

Pollutant	Effluent Concentration (µg/L) ¹					MAL ² (µg/L)
	Samp.	Samp.	Samp.	Samp.	Average	
Aluminum, Total						2.5
Antimony, Total						5
Arsenic, Total						0.5
Barium, Total						3
Beryllium, Total						0.5
Cadmium, Total						1
Chromium, Total						3
Chromium, Hexavalent						3
Chromium, Trivalent						N/A
Copper, Total						2
Cyanide, Free						10
Lead, Total						0.5

¹ Indicate units if different than µg/L.

² Minimum Analytical Level

Pollutant	Effluent Concentration (µg/L) ¹					MAL ² (µg/L)
	Samp.	Samp.	Samp.	Samp.	Average	
Mercury, Total						0.005
Nickel, Total						2
Selenium, Total						5
Silver, Total						0.5
Thallium, Total						0.5
Zinc, Total						5.0

Table 3 – Toxic Pollutants with Water Quality Criteria

Outfall No.:	☐ C ☐ G	Samp. 1 (µg/L)	Samp. 2 (µg/L)	Samp. 3 (µg/L)	Samp. 4 (µg/L)	Avg. (µg/L)	MAL (µg/L)
Pollutant							
Acrolein							0.7
Acrylonitrile							50
Anthracene							10
Benzene							10
Benzidine							50
Benzo(a)anthracene							5
Benzo(a)pyrene							5
Bis(2-chloroethyl)ether							10
Bis(2-ethylhexyl) phthalate							10
Bromodichloromethane							10
Bromoform							10
Carbon Tetrachloride							2
Chlorobenzene							10
Chlorodibromomethane							10
Chloroform							10
Chrysene							5
Cresols							10
1,2-Dibromoethane							10
<i>m</i> -Dichlorobenzene							10
<i>o</i> -Dichlorobenzene							10
<i>p</i> -Dichlorobenzene							10
3,3'-Dichlorobenzidine							5
1,2-Dichloroethane							10
1,1-Dichloroethylene							10
Dichloromethane							20
1,2-Dichloropropane							10
1,3-Dichloropropylene							10
2,4-Dimethylphenol							10
Di- <i>n</i> -Butyl Phthalate							10
Epichlorohydrin							1,000
Ethylbenzene							10
Ethylene Glycol							—
Fluoride							500

Outfall No.:	☐ C ☐ G	Samp. 1 (µg/L)	Samp. 2 (µg/L)	Samp. 3 (µg/L)	Samp. 4 (µg/L)	Avg. (µg/L)	MAL (µg/L)
Pollutant							
Hexachlorobenzene							5
Hexachlorobutadiene							10
Hexachlorocyclopentadiene							10
Hexachloroethane							20
4,4'-Isopropylidenediphenol [bisphenol A]							—
Methyl Ethyl Ketone							50
Methyl <i>tert</i> -butyl ether [MTBE]							—
Nitrobenzene							10
<i>N</i> -Nitrosodiethylamine							20
<i>N</i> -Nitroso-di- <i>n</i> -Butylamine							20
Nonylphenol							333
Pentachlorobenzene							20
Pentachlorophenol							5
Phenanthrene							10
Polychlorinated Biphenyls (PCBs) ¹							0.2
Pyridine							20
1,2,4,5-Tetrachlorobenzene							20
1,1,2,2-Tetrachloroethane							10
Tetrachloroethylene							10
Toluene							10
1,1,1-Trichloroethane							10
1,1,2-Trichloroethane							10
Trichloroethylene							10
2,4,5-Trichlorophenol							50
TTHM (Total Trihalomethanes)							10
Vinyl Chloride							10

¹ Total of detects for PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016. If all values are non-detects, enter the highest non-detect preceded by a "<" symbol.

STATEMENT OF BASIS/TECHNICAL SUMMARY AND
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DESCRIPTION OF APPLICATION

Applicant: Arkansas Electric Cooperative Corporation; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005489000 (EPA I.D. No. TX0147885)

Regulated activity: Industrial wastewater permit

Type of application: New permit

Request: New permit

Authority: Federal Clean Water Act (CWA) §402; Texas Water Code (TWC) §26.027; 30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, and Chapters 307 and 319; commission policies; and Environmental Protection Agency (EPA) guidelines

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit will expire at midnight, five years from the date of permit issuance according to the requirements of 30 TAC §305.127(1)(C)(i).

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit.

PROJECT DESCRIPTION AND LOCATION

The applicant proposes to operate Naples Power Plant, a power generation facility with two dual-fuel (natural gas and fuel oil) simple cycle combustion turbines.

The wastewater system consists of:

Raw water will be sourced from on-site wells and treated by multimedia filters. The treated source water will be routed to the potable water system for sanitary use and the service/fire water storage tank for electric generating operations. The multimedia filters will intermittently generate a backwash wastestream. The filter backwash will be routed to the stormwater/wastewater collection sumps.

Sanitary waste generated from the potable water system will be disposed of by an on-site septic tank and drain field system, serviced by a licensed waste-disposal facility as needed. Treated water from the service/fire water storage tank will be routed to 1) the mobile demineralized (demin) trailers for further treatment, 2) the evaporative coolers, and 3) service water uses.

1. Mobile Demineralized Trailers—Water demineralization is a water treatment process that removes minerals through ion exchange.

The demineralized water will be sent to the demineralized water storage tank, where it can either be routed for use in the wet compression system or injected with nitrogen before use in the gas turbines. The demineralized water used in the gas turbines will be lost through evaporation. Periodic multimedia filter backwash is conducted.

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The waste from the treatment process will be collected and sent off-site for disposal.

2. Evaporative Coolers—The evaporative coolers cool compressor intake air through humidification by spraying a mist or fog of water into the air stream entering a gas turbine. The air intake will have a higher relative humidity and a lower temperature. Inlet air cooling will increase the air mass flow rate and pressure ratio, yielding higher turbine output power and efficiency.

The evaporative coolers produce blowdown, which will be routed to the stormwater/wastewater collection sumps.

3. Service Water Use - Warehouse floor and equipment washdown waters will be collected by floor drains and routed to an oil water separator for treatment.

The stormwater from the fuel oil tanks' secondary contaminant will be visually inspected for oil sheen then either routed to the OWS or sent directly to the pond.

The stormwater/wastewater collection sumps will be routed to the on-site pond before being discharged to Outfall 001 (discharge from the pond).

The facility is located approximately 0.33 miles southeast of the intersection of State Highway 77 and County Road 4314, near the City of Naples, Morris County, Texas 75571.

Discharge Route and Designated Uses

The effluent is discharged to Mary Lees Branch, thence to White Oak Creek, thence to Sulphur/South Sulphur River in Segment No. 0303 of the Sulphur River Basin. The unclassified receiving water uses are limited aquatic life use for Mary Lees Branch (intermittent with perennial pools) and high aquatic life uses for Mary Lees Branch (perennial). The designated uses for Segment No. 0303 are primary contact recreation and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

Antidegradation Review

In accordance with 30 TAC §307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Mary Lees Branch (perennial), which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

Endangered Species Review

The discharge from this permit is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and the EPA only considered aquatic or aquatic-dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS's biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

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Impaired Water Bodies

Segment No. 0303 is not currently listed on the state's inventory of impaired and threatened waters, the 2022 CWA §303(d) list. However, White Oak Creek (0303B) is listed for bacteria in water from the confluence with the South Sulphur River approximately 40 km (25 mi) upstream to the confluence with Lacy Creek (AU 0303B_01) and from the confluence with Ripley Creek upstream to Lake Sulphur Springs (AUs 0303B_03 and 04).

Domestic wastewater is not authorized to be discharged in this draft permit thus no further impairment to White Oak Creek is anticipated from authorizing this new discharge.

Completed Total Maximum Daily Loads (TMDLs)

There are no completed TMDLs for Segment No. 0303.

Dissolved Oxygen

Due to the low levels of oxygen-demanding constituents expected from these type of waste streams, no significant dissolved oxygen depletion is anticipated in the receiving waters as a result of this discharge.

SUMMARY OF EFFLUENT DATA

Self-reporting data is not available because the facility has not been constructed.

DRAFT PERMIT CONDITIONS

The draft permit authorizes the discharge of utility wastewater, secondary containment stormwater, and stormwater from industrial areas on an intermittent and flow variable basis via Outfall 001.

Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average mg/L	Daily Maximum mg/L
001	Flow, MGD	Report, MGD	Report, MGD
	Total Organic Carbon (TOC)	N/A	75
	Oil and Grease	N/A	15
	Total Dissolved Solids ¹	Report	Report
	pH, Standard Unit (SU)	6.0 SU, minimum	9.0 SU

OUTFALL LOCATIONS

Outfall	Latitude	Longitude
001	33.221841 N	94.704451 W

Technology-Based Effluent Limitations

Regulations in Title 40 of the Code of Federal Regulations (40 CFR) require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines. EPA effluent limitations guidelines do not apply to the discharges authorized by this permit (there is no thermal cycle employing the steam water system as the thermodynamic medium, thus 40 CFR Part 423 – Steam Electric Power Generating Point Source Category is not applicable). Effluent limitations are

¹ Reporting expires at the end of the permit term.

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included at Outfall 001 for total organic carbon and oil and grease using BPJ based on EPA guidance for stormwater discharges (General Guidance – Industrial Permits, Uncontaminated Stormwater Runoff). No technology-based effluent limitations for the discharge of multimedia filter backwash or evaporative cooler blowdown are included in the draft permit at this time because the primary pollutants of concern (total dissolved solids, chloride, sulfate, and toxic metals) are to be screened for water quality (see the “Water Quality-Based Effluent Limitations” section below).

Water Quality-Based Effluent Limitations

Calculations of water quality-based effluent limitations for the protection of aquatic life and human health are presented in Appendix A. Aquatic life criteria established in Table 1 and human health criteria established in Table 2 of 30 TAC Chapter 307 are incorporated into the calculations, as are recommendations in the Water Quality Assessment Team’s memorandum dated July 11, 2025. TCEQ practice for determining significant potential is to compare the reported analytical data from the facility against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70 percent of the calculated daily average water quality-based effluent limitation.

No data was reported in the application since this is a new permit yet to be constructed. Therefore, Other Requirement No. 4 has been placed in the draft permit requiring reporting of effluent analytical results upon discharge commencing.

Total Dissolved Solids (TDS), Chloride, and Sulfate Screening

The facility has yet to be constructed; therefore, there is not currently any data to screen for TDS, chloride, or sulfate. Other Requirement No. 4 has been placed in the draft permit requiring reporting of effluent analytical results upon discharge commencing. The permit, if issued, may be reopened to include effluent limitations, monitoring and reporting requirements, or both. Monitoring and reporting requirements for TDS have been included in the draft permit based on the presence of multimedia filter backwash in the proposed discharge and TCEQ practice for similar facilities.

pH Screening

The permit includes pH limits of 6.0 – 9.0 SU at Outfall 001, which discharges into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with *Texas Surface Water Quality Standards* pH criteria.

316(b) Cooling Water Intake Structures

The facility obtains water for cooling purposes from a groundwater well located on facility property. Groundwater is not considered waters of the United States (WOTUS), and the facility does not own and operate a cooling water intake structure which withdraws from a WOTUS or other waters that may be considered WOTUS. Obtaining from a groundwater source for cooling purposes does not constitute the use of a cooling water intake structure; therefore, the facility is not subject to Section 316(b) of the CWA or 40 CFR Part 125, Subpart J.

Other Requirement No. 3 has been established in the draft permit and requires the permittee to notify the TCEQ of any changes in the method by which cooling water is obtained. Upon receipt of such notification, the TCEQ may reopen the permit to include additional terms and conditions as necessary.

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Whole Effluent Toxicity Testing (Biomonitoring)

Biomonitoring requirements are not included in the draft permit. Discharges authorized by this permit do not meet the threshold established in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) to impose biomonitoring requirements.

SUMMARY OF CHANGES FROM APPLICATION

No changes were made from the application.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on May 14, 2025, and additional information received on May 21, 2025 and July 9, 2025.
2. TCEQ Rules.
3. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 1, 2018, as approved by EPA Region 6.
4. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 6, 2014, as approved by EPA Region 6, for portions of the 2018 standards not approved by EPA Region 6.
5. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 standards not approved by EPA Region 6.
6. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 standards not approved by EPA Region 6.
7. *Procedures to Implement the Texas Surface Water Quality Standards* (IPs), Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
8. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.
9. Memos from the Standards Implementation Team and Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
10. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
11. EPA Effluent Guidelines: N/A.
12. Consistency with the Coastal Management Plan: N/A
13. Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures).
14. Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures).
15. General Guidance – Industrial Permits: Uncontaminated Stormwater Runoff, EPA, January 1997.

PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the chief clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This

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notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent to the Chief Clerk, along with the Executive Director's preliminary decision contained in the technical summary or fact sheet. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment and is not a contested case hearing.

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ commissioners for their consideration at a scheduled commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the commission grants a contested case hearing as described above, the commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application, contact Thomas E. Starr at (512) 239-4570.

Thomas E. Starr
Thomas E. Starr, P.E.

July 31, 2025
Date

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Appendix A
Calculated Water Quality-Based Effluent Limits

TEXTOX MENU #7 - INTERMITTENT STREAM WITH PERENNIAL POOLS

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life

Table 2, 2018 Texas Surface Water Quality Standards for Human Health, Incidental Fishery

"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	Arkansas Electric Cooperative Corporation
TPDES Permit No.:	WQ0005489000
Outfall No.:	001
Prepared by:	Thomas Starr
Date:	July 31, 2025

DISCHARGE INFORMATION

Intermittent Receiving Waterbody:	Marry Lee Branch
Segment No.:	303
TSS (mg/L):	20
pH (Standard Units):	7.1
Hardness (mg/L as CaCO ₃):	78
Chloride (mg/L):	15
Effluent Flow for Aquatic Life (MGD):	0.045
Critical Low Flow [7Q2] (cfs):	0
% Effluent for Chronic Aquatic Life:	100
% Effluent for Acute Aquatic Life:	100
Effluent Flow for Human Health (MGD):	0.045
Harmonic Mean Flow (cfs):	3.47
% Effluent for Human Health:	1.967

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	53733.87	0.482		1.00	Assumed
Cadmium	6.60	-1.13	134845.39	0.270		1.00	Assumed
Chromium (total)	6.52	-0.93	204193.59	0.197		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	204193.59	0.197		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	114087.43	0.305		1.00	Assumed
Lead	6.45	-0.80	256552.35	0.163		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	88799.99	0.360		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	109632.45	0.313		1.00	Assumed
Zinc	6.10	-0.70	154624.75	0.244		1.00	Assumed

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AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>FW Chronic Criterion (µg/L)</i>	<i>WLAa (µg/L)</i>	<i>WLAc (µg/L)</i>	<i>LTAa (µg/L)</i>	<i>LTAc (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Aldrin	3.0	N/A	3.00	N/A	1.72	N/A	2.52	5.34
Aluminum	991	N/A	991	N/A	568	N/A	834	1765
Arsenic	340	150	705	311	404	240	352	745
Cadmium	6.7	0.207	24.9	0.765	14.3	0.589	0.866	1.83
Carbaryl	2.0	N/A	2.00	N/A	1.15	N/A	1.68	3.56
Chlordane	2.4	0.004	2.40	0.00400	1.38	0.00308	0.00452	0.00957
Chlorpyrifos	0.083	0.041	0.0830	0.0410	0.0476	0.0316	0.0464	0.0981
Chromium (+3)	465	60	2363	307	1354	237	347	736
Chromium (+6)	15.7	10.6	15.7	10.6	9.00	8.16	11.9	25.3
Copper	11.2	7.7	36.9	25.1	21.1	19.4	28.4	60.1
Cyanide (free)	45.8	10.7	45.8	10.7	26.2	8.24	12.1	25.6
4,4'-DDT	1.1	0.001	1.10	0.00100	0.630	0.000770	0.00113	0.00239
Demeton	N/A	0.1	N/A	0.100	N/A	0.0770	0.113	0.239
Diazinon	0.17	0.17	0.170	0.170	0.0974	0.131	0.143	0.302
Dicofol	59.3	19.8	59.3	19.8	34.0	15.2	22.4	47.4
Dieldrin	0.24	0.002	0.240	0.00200	0.138	0.00154	0.00226	0.00478
Diuron	210	70	210	70.0	120	53.9	79.2	167
Endosulfan I (alpha)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan II (beta)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan sulfate	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endrin	0.086	0.002	0.0860	0.00200	0.0493	0.00154	0.00226	0.00478
Guthion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Heptachlor	0.52	0.004	0.520	0.00400	0.298	0.00308	0.00452	0.00957
Hexachlorocyclohexane (Lindane)	1.126	0.08	1.13	0.0800	0.645	0.0616	0.0905	0.191
Lead	49	1.92	302	11.8	173	9.06	13.3	28.1
Malathion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Mercury	2.4	1.3	2.40	1.30	1.38	1.00	1.47	3.11
Methoxychlor	N/A	0.03	N/A	0.0300	N/A	0.0231	0.0339	0.0718
Mirex	N/A	0.001	N/A	0.00100	N/A	0.000770	0.00113	0.00239
Nickel	379	42.1	1053	117	604	90.1	132	280
Nonylphenol	28	6.6	28.0	6.60	16.0	5.08	7.47	15.8
Parathion (ethyl)	0.065	0.013	0.0650	0.0130	0.0372	0.0100	0.0147	0.0311
Pentachlorophenol	9.6	7.4	9.65	7.40	5.53	5.70	8.12	17.1
Phenanthrene	30	30	30.0	30.0	17.2	23.1	25.2	53.4
Polychlorinated Biphenyls (PCBs)	2.0	0.014	2.00	0.0140	1.15	0.0108	0.0158	0.0335
Selenium	20	5	20.0	5.00	11.5	3.85	5.65	11.9
Silver	0.8	N/A	4.70	N/A	2.69	N/A	3.95	8.37
Toxaphene	0.78	0.0002	0.780	0.000200	0.447	0.000154	0.000226	0.000478
Tributyltin (TBT)	0.13	0.024	0.130	0.0240	0.0745	0.0185	0.0271	0.0574
2,4,5 Trichlorophenol	136	64	136	64.0	77.9	49.3	72.4	153
Zinc	95	96	389	392	223	302	327	692

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HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Incidental Fish</i>				
	<i>Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	1150	58464	54372	79926	169096
Aldrin	1.147E-04	0.00583	0.00542	0.00797	0.0168
Anthracene	13170	669542	622674	915331	1936517
Antimony	10710	544480	506366	744358	1574799
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	5810	295371	274695	403802	854302
Benzidine	1.07	54.4	50.6	74.3	157
Benzo(a)anthracene	0.25	12.7	11.8	17.3	36.7
Benzo(a)pyrene	0.025	1.27	1.18	1.73	3.67
Bis(chloromethyl)ether	2.745	140	130	190	403
Bis(2-chloroethyl)ether	428.3	21774	20250	29767	62977
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	75.5	3838	3570	5247	11101
Bromodichloromethane [Dichlorobromomethane]	2750	139806	130019	191128	404360
Bromoform [Tribromomethane]	10600	538888	501165	736713	1558624
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	460	23386	21749	31970	67638
Chlordane	0.025	1.27	1.18	1.73	3.67
Chlorobenzene	27370	1391448	1294047	1902249	4024486
Chlorodibromomethane [Dibromochloromethane]	1830	93034	86522	127187	269083
Chloroform [Trichloromethane]	76970	3913036	3639123	5349511	11317673
Chromium (hexavalent)	5020	255209	237344	348896	738141
Chrysene	25.2	1281	1191	1751	3705
Cresols [Methylphenols]	93010	4728485	4397491	6464311	13676195
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.02	1.02	0.946	1.39	2.94
4,4'-DDE	0.0013	0.0661	0.0615	0.0903	0.191
4,4'-DDT	0.004	0.203	0.189	0.278	0.588
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	4730	240466	223633	328740	695499
1,2-Dibromoethane [Ethylene Dibromide]	42.4	2156	2005	2946	6234
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	5950	302489	281315	413532	874888
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	32990	1677161	1559759	2292846	4850851
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	22.4	1139	1059	1556	3293
1,2-Dichloroethane	3640	185052	172098	252984	535225
1,1-Dichloroethylene [1,1-Dichloroethene]	551140	28019105	26057768	38304918	81039657
Dichloromethane [Methylene Chloride]	133330	6778291	6303811	9266601	19604851
1,2-Dichloropropane	2590	131672	122455	180008	380833
1,3-Dichloropropene [1,3-Dichloropropylene]	1190	60498	56263	82706	174977
Dicofol [Kelthane]	3	153	142	208	441
Dieldrin	2.0E-04	0.0102	0.00946	0.0139	0.0294
2,4-Dimethylphenol	84360	4288732	3988521	5863125	12404299
Di- <i>n</i> -Butyl Phthalate	924	46975	43686	64219	135865
Dioxins/Furans [TCDD Equivalents]	7.97E-07	0.0000405	0.0000377	0.0000553	0.000117
Endrin	0.2	10.2	9.46	13.9	29.4
Epichlorohydrin	20130	1023378	951742	1399060	2959916
Ethylbenzene	18670	949154	882713	1297588	2745237
Ethylene Glycol	1.68E+08	8540860160	7942999949	11676209924	24702729840
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.001	0.0508	0.0473	0.0695	0.147
Heptachlor Epoxide	0.0029	0.147	0.137	0.201	0.426
Hexachlorobenzene	0.0068	0.346	0.322	0.472	0.999
Hexachlorobutadiene	2.2	112	104	152	323

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<i>Parameter</i>	<i>Fish</i>				
	<i>Criterion</i> (µg/L)	<i>WLAh</i> (µg/L)	<i>LTah</i> (µg/L)	<i>Daily Avg.</i> (µg/L)	<i>Daily Max.</i> (µg/L)
Hexachlorocyclohexane (<i>alpha</i>)	0.084	4.27	3.97	5.83	12.3
Hexachlorocyclohexane (<i>beta</i>)	2.6	132	123	180	382
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	3.41	173	161	236	501
Hexachlorocyclopentadiene	116	5897	5484	8062	17056
Hexachloroethane	23.3	1185	1102	1619	3426
Hexachlorophene	29	1474	1371	2015	4264
4,4'-Isopropylidenediphenol [Bisphenol A]	159820	8125002	7556251	11107689	23499942
Lead	38.3	11938	11102	16320	34527
Mercury	0.122	6.20	5.77	8.47	17.9
Methoxychlor	30	1525	1418	2085	4411
Methyl Ethyl Ketone	9.92E+06	504317457	469015235	689452395	1458637381
Methyl <i>tert</i> -butyl ether [MTBE]	104820	5328887	4955865	7285120	15412738
Nickel	11400	1608854	1496234	2199464	4653288
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	18730	952204	885550	1301758	2754060
N-Nitrosodiethylamine	21	1068	993	1459	3087
N-Nitroso-di- <i>n</i> -Butylamine	42	2135	1986	2919	6175
Pentachlorobenzene	3.55	180	168	246	521
Pentachlorophenol	2.9	147	137	201	426
Polychlorinated Biphenyls [PCBs]	6.40E-03	0.325	0.303	0.444	0.941
Pyridine	9470	481440	447739	658176	1392469
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.4	122	113	166	352
1,1,2,2-Tetrachloroethane	263.5	13396	12458	18313	38745
Tetrachloroethylene [Tetrachloroethylene]	2800	142348	132383	194603	411712
Thallium	2.3	117	109	159	338
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.11	5.59	5.20	7.64	16.1
2,4,5-TP [Silvex]	3690	187594	174462	256459	542577
1,1,1-Trichloroethane	7843540	398753442	370840701	545135830	1153314581
1,1,2-Trichloroethane	1660	84392	78484	115372	244086
Trichloroethylene [Trichloroethene]	719	36553	33994	49971	105721
2,4,5-Trichlorophenol	18670	949154	882713	1297588	2745237
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	165	8388	7801	11467	24261

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Aquatic Life	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Aldrin	1.76	2.14
Aluminum	584	709
Arsenic	246	299
Cadmium	0.606	0.736
Carbaryl	1.17	1.43
Chlordane	0.00316	0.00384
Chlorpyrifos	0.0324	0.0394
Chromium (+3)	243	295
Chromium (+6)	8.39	10.1
Copper	19.9	24.1
Cyanide (free)	8.47	10.2
4,4'-DDT	0.000792	0.000962
Demeton	0.0792	0.0962
Diazinon	0.100	0.121
Dicofol	15.6	19.0
Dieldrin	0.00158	0.00192
Diuron	55.4	67.3
Endosulfan (alpha)	0.0443	0.0538
Endosulfan (beta)	0.0443	0.0538
Endosulfan sulfate	0.0443	0.0538
Endrin	0.00158	0.00192
Guthion	0.00792	0.00962
Heptachlor	0.00316	0.00384
Hexachlorocyclohexane (Lindane)	0.0633	0.0769
Lead	9.31	11.3
Malathion	0.00792	0.00962
Mercury	1.03	1.25
Methoxychlor	0.0237	0.0288
Mirex	0.000792	0.000962
Nickel	92.7	112
Nonylphenol	5.22	6.34
Parathion (ethyl)	0.0103	0.0125
Pentachlorophenol	5.68	6.90
Phenanthrene	17.6	21.4
Polychlorinated Biphenyls (PCBs)	0.0110	0.0134
Selenium	3.96	4.81
Silver	2.76	3.36
Toxaphene	0.000158	0.000192
Tributyltin (TBT)	0.0190	0.0230
2,4,5 Trichlorophenol	50.7	61.5
Zinc	229	278

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Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Acrylonitrile	55948	67937
Aldrin	0.00558	0.00677
Anthracene	640732	778031
Antimony	521050	632704
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	282661	343231
Benzidine	52.0	63.2
Benzo(a)anthracene	12.1	14.7
Benzo(a)pyrene	1.21	1.47
Bis(chloromethyl)ether	133	162
Bis(2-chloroethyl)ether	20837	25302
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	3673	4460
Bromodichloromethane [Dichlorobromomethane]	133789	162459
Bromoform [Tribromomethane]	515699	626206
Cadmium	N/A	N/A
Carbon Tetrachloride	22379	27174
Chlordane	1.21	1.47
Chlorobenzene	1331574	1616911
Chlorodibromomethane [Dibromochloromethane]	89031	108109
Chloroform [Trichloromethane]	3744657	4547084
Chromium (hexavalent)	244227	296561
Chrysene	1226	1488
Cresols [Methylphenols]	4525017	5494664
Cyanide (free)	N/A	N/A
4,4'-DDD	0.973	1.18
4,4'-DDE	0.0632	0.0767
4,4'-DDT	0.194	0.236
2,4'-D	N/A	N/A
Danitol [Fenpropathrin]	230118	279429
1,2-Dibromoethane [Ethylene Dibromide]	2062	2504
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	289472	351502
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	1604992	1948919
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	1089	1323
1,2-Dichloroethane	177089	215036
1,1-Dichloroethylene [1,1-Dichloroethene]	26813443	32559180
Dichloromethane [Methylene Chloride]	6486621	7876611
1,2-Dichloropropane	126005	153007
1,3-Dichloropropene [1,3-Dichloropropylene]	57894	70300
Dicofol [Kelthane]	145	177
Dieldrin	0.00973	0.0118
2,4-Dimethylphenol	4104187	4983656
Di- <i>n</i> -Butyl Phthalate	44953	54586
Dioxins/Furans [TCDD Equivalents]	0.0000387	0.0000470
Endrin	9.73	11.8
Epichlorohydrin	979342	1189201
Ethylbenzene	908311	1102950
Ethylene Glycol	8173346947	9924778436
Fluoride	N/A	N/A
Heptachlor	0.0486	0.0590
Heptachlor Epoxide	0.141	0.171
Hexachlorobenzene	0.330	0.401
Hexachlorobutadiene	107	129

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Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Hexachlorocyclohexane (<i>alpha</i>)	4.08	4.96
Hexachlorocyclohexane (<i>beta</i>)	126	153
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	165	201
Hexachlorocyclopentadiene	5643	6852
Hexachloroethane	1133	1376
Hexachlorophene	1410	1713
4,4'-Isopropylidenediphenol [Bisphenol A]	7775382	9441536
Lead	11424	13872
Mercury	5.93	7.20
Methoxychlor	1459	1772
Methyl Ethyl Ketone	482616676	586034536
Methyl <i>tert</i> -butyl ether [MTBE]	5099584	6192352
Nickel	1539624	1869544
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	911230	1106494
N-Nitrosodiethylamine	1021	1240
N-Nitroso-di- <i>n</i> -Butylamine	2043	2481
Pentachlorobenzene	172	209
Pentachlorophenol	141	171
Polychlorinated Biphenyls [PCBs]	0.311	0.378
Pyridine	460723	559450
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	116	141
1,1,2,2-Tetrachloroethane	12819	15566
Tetrachloroethylene [Tetrachloroethylene]	136222	165412
Thallium	111	135
Toluene	N/A	N/A
Toxaphene	5.35	6.49
2,4,5-TP [Silvex]	179521	217990
1,1,1-Trichloroethane	381595081	463365456
1,1,2-Trichloroethane	80760	98066
Trichloroethylene [Trichloroethene]	34979	42475
2,4,5-Trichlorophenol	908311	1102950
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	8027	9747

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Appendix B
Comparison of Effluent Limits

The following table is a summary of technology-based effluent limitations calculated/assessed in the draft permit (Technology-Based) and calculated/ assessed water quality-based effluent limitations (Water Quality-Based). Effluent limitations appearing in bold are the most stringent of the two and are included in the draft permit.

<i>Outfall</i>	<i>Pollutant</i>	<i>Technology-Based</i>		<i>Water Quality-Based</i>	
		<i>Daily Avg</i>	<i>Daily Max</i>	<i>Daily Avg</i>	<i>Daily Max</i>
		<i>mg/L</i>	<i>mg/L</i>	<i>mg/L</i>	<i>mg/L</i>
001	Flow	Report MGD	Report MGD	-	-
	Total Organic Carbon	N/A	75	-	-
	Oil and Grease	N/A	15	-	-
	Total Dissolved Solids	Report	Report	-	-
	pH	6.0 SU, minimum	9.0 SU	-	-