

Coal Combustion Residuals (CCR) Registration Application Summary and Executive Director's Preliminary Decision

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April 10, 2025

Description of Application

- Applicant:** Lower Colorado River Authority (LCRA)
New CCR Registration No. CCR101
Industrial Solid Waste No. 31575
EPA I.D. No. TXD083566547
RN100226844/CN600253637
- Location:** LCRA Sam Seymour Fayette Power Project, a coal-fired power plant, located at 6549 Power Plant Road, in La Grange, Fayette County, Texas. (North Latitude 29.914742, West Longitude -96.753535).
- This CCR facility is not located in an area affected by the Texas Coastal Management Program.
- Request:** LCRA has applied to the Texas Commission on Environmental Quality (TCEQ) to operate and expand an existing Coal Combustion Residuals (CCR) landfill for the management and disposal of CCR. The application was received on January 24, 2022, and the executive director has determined that the application meets all applicable requirements for issuance. In accordance with Title 30 Texas Administrative Code (30 TAC) Section 352.471, the executive director has prepared a draft registration. This Application Summary is being provided as a resource document for the draft registration.
- Authority:** The registration is required by 30 TAC Sections 352.1 and 352.101. A draft registration was prepared in accordance with applicable requirements of 30 TAC Chapters 305 and 352 pursuant to TCEQ's State CCR Program. The Environmental Protection Agency (EPA) issued a partial approval of the TCEQ's State CCR Program effective July 28, 2021, and upon issuance of this registration, those approved TCEQ rules apply to the registered unit in lieu of the Federal CCR rules. For the Federal regulations for which the state did not seek EPA approval or has not been currently delegated, the corresponding Federal requirements will continue to apply directly to facilities, and therefore facilities must comply with both the Federal and the State requirements as applicable. The registration must be signed by the TCEQ's executive director for the applicant to have a fully effective CCR registration.

Technical Information

The executive director has completed the administrative and technical review of the application. The application contained all required information under 30 TAC Chapter 352, Subpart C. The executive director has prepared a draft registration. The draft registration, if approved, would establish the conditions under which the facility must operate the CCR landfill. The executive director has made a preliminary decision that this registration, if issued, meets all applicable statutory and regulatory requirements.

The proposed registration includes the following:

- A. Establishes design criteria and structural integrity criteria of the subject facility units (30 TAC Chapter 352, Subchapter F, and 40 Code of Federal Regulations (CFR), Section 257.70).

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- B. Requires the registrant to establish and maintain financial assurance to provide for proper facility post-closure care in the total amount of \$2,013,815 (2021 dollars) (30 TAC Chapter 352, Subchapter I).
- C. Requires the registrant to adopt measures to minimize CCR from becoming airborne at the facility (30 TAC Chapter 352, Subchapter G and 40 CFR Section 257.80).
- D. Specifies inspection requirements for the facility units (30 TAC Chapter 352, Subchapter G, 40 CFR Section 257.84).
- E. Specifies operating criteria pertaining to run-on and run-off controls requirements (30 TAC Chapter 352, Subchapter G and 40 CFR Section 257.81).
- F. Requirements for conducting a pre-opening inspection (30 TAC Section 352.851) for any expansion of the CCR unit.
- G. The following is a list of standard post-closure care requirements for the land-based units (30 TAC Section 352.1241 and 40 CFR Section 257.104):
 - 1. Maintain integrity and effectiveness of the final cover system.
 - 2. Maintain and operate the groundwater monitoring system.
 - 3. Maintain and operate the leachate collection and removal system associated with any expansion of the CCR Landfill.
- H. Specifies groundwater monitoring system design and operating procedures at the facility (30 TAC Chapter 352, Subchapter H and 40 CFR Sections 257.90 – 257.94);
- I. The following is a brief description of CCR units and corresponding regulatory requirements encompassed by this registration:

CCR Landfill – design, construction, installation and operating requirements for the landfill, which includes the foundation, the composite liner system, the leachate collection and removal system for the proposed landfill lateral expansion; monitoring and inspection requirements for the landfill; detection monitoring program requirements for monitoring the groundwater underlying the landfill; and closure and post-closure requirements (40 CFR Part 257; 30 TAC Chapter 352).

Public Notice

Opportunity to Request a Public Meeting

Before a registration can be issued, the TCEQ must provide an opportunity for the public to request a public meeting and provide notice to the public of this opportunity through the Notice of Application for a Coal Combustion Residuals Registration, as required by 30 TAC Section 352.431 in accordance with 30 TAC Section 39.503(c).

Preliminary Decision

General: The Executive Director made a preliminary decision that this proposed registration, if issued, meets all the statutory and regulatory requirements.

Additional Information:

A. Technical information:

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B. Procedural information:

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