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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 24, 2026

The Honorable Jack Whitlow
Mayor of Port Lavaca
202 North Virginia Street
Port Lavaca, Texas 77979

Re: Request for a Waiver from 30 TEX. ADMIN. CODE § 305.126(a)
Lynns Bayou Wastewater Treatment Facility
RN101612893, TPDES Permit No. WQ0010251001, EPA ID No. TX0047562

Dear Mayor Jack Whitlow:

This is to acknowledge receipt of your letter dated May 4, 2025 providing information necessary to consider and process a waiver from the 30 TEX. ADMIN. CODE § 305.126(a) requirements. The permit for the above-referenced Facility was renewed on September 1, 2023, and the information submitted meets the requirements for the requested waiver, as neither the anticipated population growth nor quantity of waste produced is expected to cause permit noncompliance through the expiration date of the current permit. Based on our review, the waiver from the requirements of 30 TEX. ADMIN. CODE § 305.126(a) for the existing Facility is approved.

The waiver from complying with the requirements of the referenced rule is effective through the next permit action (renewal or amendment). The stipulation is that if the daily average flows reach or exceed the permitted daily average flow limit for three or more consecutive months, the waiver from complying with the requirements of the rule is rescinded immediately.

The TCEQ recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. It is our goal that you will be part of the majority by working with us on this matter.

The Honorable Jack Whitlow
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Should you have any questions regarding this matter, please contact Mr. Curtis Shell of my staff at 512-239-1119 or at curtis.shell@tceq.texas.gov.

Sincerely,

Megan Hamilton for

Amy Settemeyer, Deputy Director
Enforcement Division
Texas Commission on Environmental Quality

cc: William W. Shaffer, Director of Public Works, City of Port Lavaca, 202 North Virginia Street, Port Lavaca, Texas 77979