Message

**From:** Feldman, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3231D9F1AD5147A9A0C81B36E0FB2B68-FELDMAN, MICHAEL]
**Sent:** 4/27/2020 8:35:20 PM
**To:** Olszewski, Joshua (olszewski.joshua@epa.gov) [olszewski.joshua@epa.gov]; Schoellkopf, Lynde [Schoellkopf.Lynde@epa.gov]; Vargas, Aaron [Vargas.Aaron@epa.gov]
**Subject:** FW: AIR POLLUTION: Enviros sue EPA over Texas power plant's emissions

Lynde – Will you guys be doing a WAR entry for this?

**From:** Casso, Ruben <Casso.Ruben@epa.gov>
**Sent:** Monday, April 27, 2020 3:24 PM
**To:** Donaldson, Guy <Donaldson.Guy@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>; Mocka, Corey <mocka.corey@epa.gov>
**Cc:** Snyder, Erik <snyder.erik@epa.gov>; Miller, Michael <Miller.Michael@epa.gov>
**Subject:** AIR POLLUTION: Enviros sue EPA over Texas power plant's emissions

https://www.eenews.net/eenewspm/2020/04/27/stories/1062988113

# AIR POLLUTION: Enviros sue EPA over Texas power plant's emissions

Sean Reilly, E&E News reporter
Published: Monday, April 27, 2020

Martin Lake power plant, owned by Luminant Generation Co. LLC, in Texas. Luminant

EPA faces a lawsuit for allegedly failing to tackle sulfur dioxide emissions from a large coal-fired Texas power plant.

The **suit**, filed today by the Sierra Club in the U.S. District Court for the District of Columbia, charges that the agency is more than a year past a statutory timetable for finding that Texas has failed to turn in a cleanup plan to address SO2 releases from the Martin Lake plant in east Texas. The 2,250-megawatt facility is owned by Luminant Generation Co. LLC, a branch of Vistra Energy Corp.

The Sierra Club had formally threatened the suit last summer, around the same time EPA proposed to walk back its 2016 determination that the area around the plant was in nonattainment for its 2010 ambient air quality SO2 standard of 75 parts per billion (***E&E News PM***, Aug. 22, 2019). EPA took that step in the wake of reconsideration petitions brought by the plant's owner, Luminant Generation, and the Texas Commission on Environmental Quality. Eight months later, however, the agency has not yet made a final decision.

The Martin Lake plant "is the nation's single largest source of sulfur dioxide pollution, and significantly impacts air quality throughout the region," the Sierra Club said in a news release this afternoon.

At EPA, which typically does not discuss pending litigation, a spokeswoman had no immediate comment.