

TEXAS DATA CENTER WEEK OF ACTION 2026

Find, Track & Challenge TCEQ Permits for Data Centers

JULY 30, 2026



PANELISTS

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TCEQ REGULATION OF DATA CENTERS

AIR QUALITY

Diesel generators

Electric generating
units (gas-powered
turbines)

WATER QUALITY

Water rights

Cooling systems

Stormwater permits

Wastewater permits

*Edwards Aquifer
Protection Plan

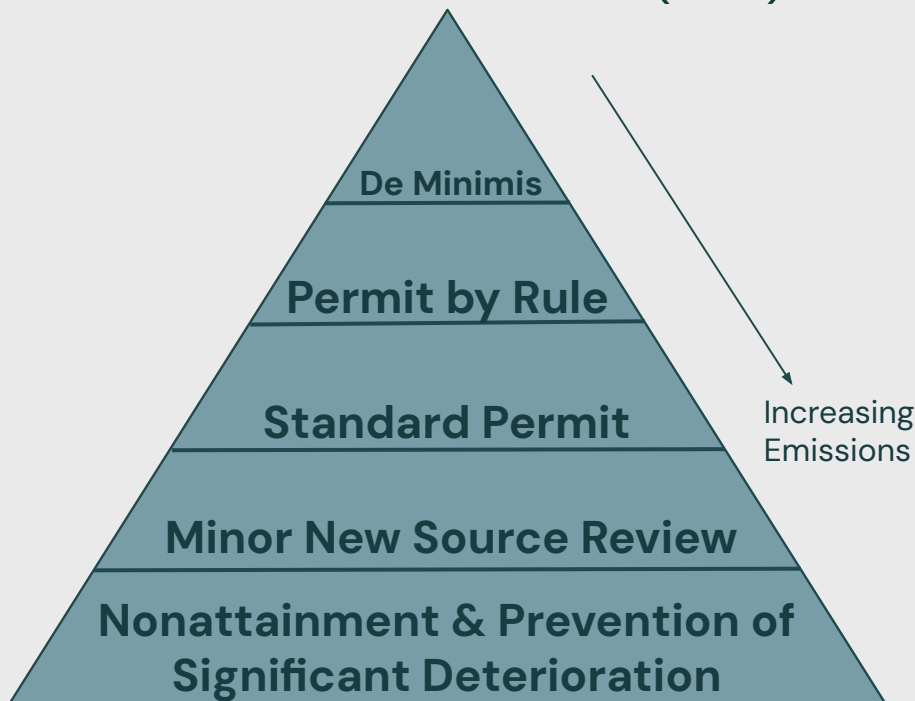
WASTE

Fuel storage

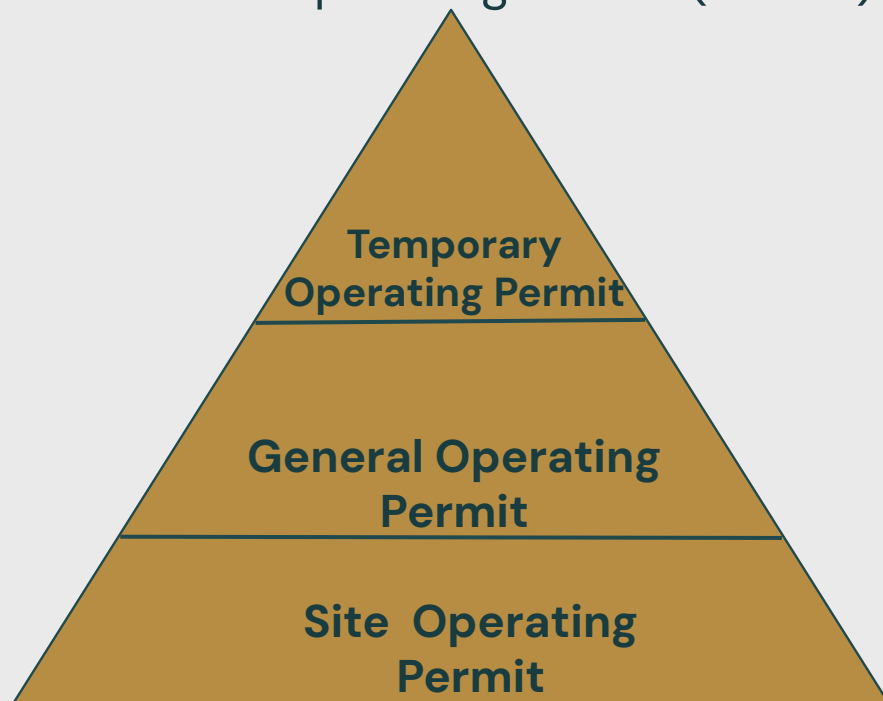
Hazardous waste

AIR QUALITY PERMITS

Air – New Source Review (NSR)



Air – Federal Operating Permit (Title V)



AIR PERMIT APPLICATION PROCESS

- Operator submits an application and pays a fee
- TCEQ conducts an Administrative Review
- Notice of Receipt of Application and Intent to Obtain Permit (NORI)
 - Published in a local newspaper within 30 days
 - Plain Language Summary in English and alternative languages
 - Public comment period begins
- TCEQ conducts a Technical Review (for larger permits)
- Notice of Application and Preliminary Decision (NAPD)
 - Sets the deadline for public comments
- Consolidated NORI and NAPD

WATER PERMITS

- Stormwater Permits: construction and industrial stormwater general permits with essentially no public input
- Water Rights Permits: extremely limited in who can challenge
- Edwards Aquifer Protection Plan
- TPDES or Wastewater Discharge: “robust” opportunity for public participation

TEXAS DATA CENTER WEEK OF ACTION 2026

Finding & Tracking Data Center Permits



FIND & TRACK TCEQ PERMITS

- [Quick Guide to the TCEQ's 30+ Public Databases](#)
- [Central Registry](#)
- [Search TCEQ Public Notices](#)
- [Texas Register](#) (public notices)
- [Pending NSR Permits](#)
- [Pending Title V Permits](#)
- [Commissioners Integrated Database](#)
- [TCEQ Calendar of Public Meetings & Public Hearings](#)
- [TCEQ Interactive Permit Map](#)

NAVIGATING TCEQ DATABASES

- Central Registry Demo
- Pending Air Permits Demo
- Commissioners Integrated Database Demo

INFORMAL EMAIL LIST FOR RECEIVING PERMIT NOTICES

- Subscribe to public notice email lists maintained by the Office of the Chief Clerk

Permit Notices By Email

This application allows you to subscribe (and unsubscribe) to public notice email lists maintained by the Office of the Chief Clerk. You may select to receive emailed notices by permit number, county or ZIP code.

IMPORTANT: These emailed notices are offered as a courtesy and are not part of the formal mailing list, which is sent through the United States Postal Service. By subscribing to these email lists, you acknowledge that you are responsible for ensuring the email address provided is accurate and that you are monitoring your email to ensure that the emails are not directed to a spam or junk folder.

Enter Email

Please click on the Send Verification Code button. An email will be sent to the email address entered above.

It will contain a verification code. Enter the code into the Verification Code box below and select Log In.

Send Verification Code

Enter Verification Code

Log In

TIPS FOR FINDING INFO ON WASTEWATER PERMITS

- Applications and draft permits available online for TPDES Permits

Pending TPDES Application Documents

Show 10 entries

Search:

Applicant Name	Facility Name	Authorization Number	County	Administratively Complete (First Notice)	Technically Complete (Second Notice)	Notice of Public Meeting
12750 Aldine Westfield, LP	Tierra Del Rey Land LLC WWTP	WQ0015868001	Harris	07/06/2026  Admin Package		
1503 Haden Road, LLC; Reterra Corporation	Reterra Facility	WQ0000662000	Harris	08/14/2023	06/24/2024  Tech Package	
1605 Investments Ltd.	Woodhaven WWTP	WQ0015829001	Waller	12/13/2024  Admin Package		
183 258 Liberty Hill LLC	183 258 Liberty Hill WWTP	WQ0016517001	Williamson	05/08/2024	07/30/2025  Tech Package	
249 Sh Holdings LLC	249 Sh Holdings WWTP	WQ0016349001	Montgomery	08/02/2023	05/06/2025  Tech Package	



FILE A PUBLIC INFORMATION REQUEST

- File a Public Information Request with TCEQ to obtain more information about a permit that cannot be found online
- Allows you to request documents from TCEQ that can help you to better understand the permit
- Some examples:
 - Correspondence between the TCEQ Executive Director and the Applicant related to the permit
 - Correspondence amongst TCEQ staff about the permit
 - Modelling or additional technical documents from TCEQ not already available online
- Allow 10 business days for a response

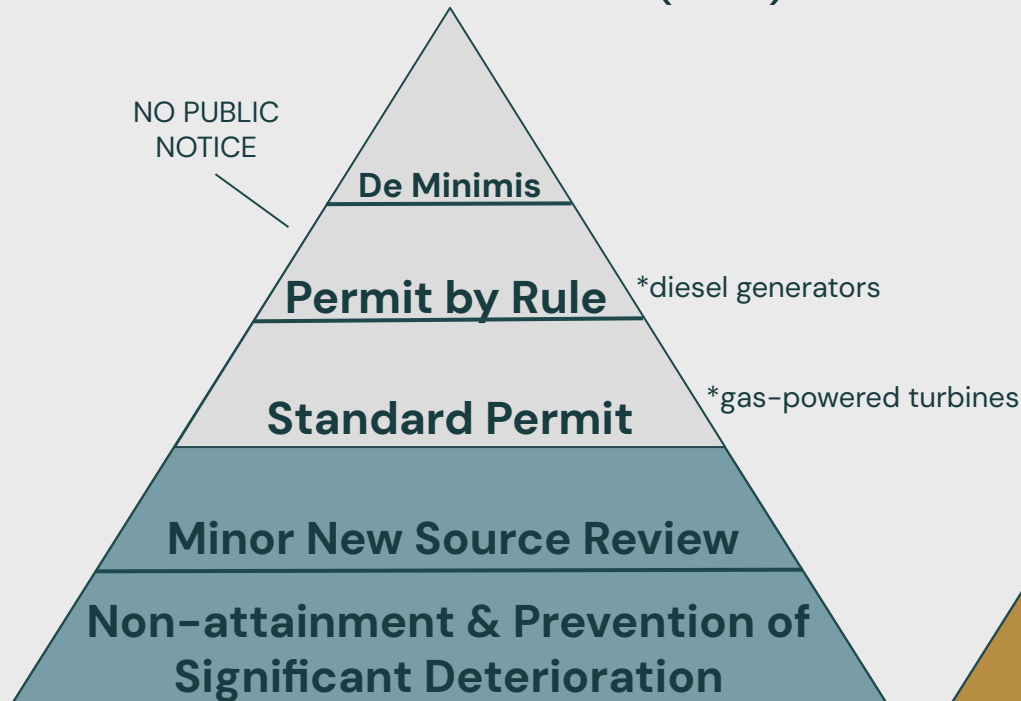
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Public Participation in Data Center Permitting

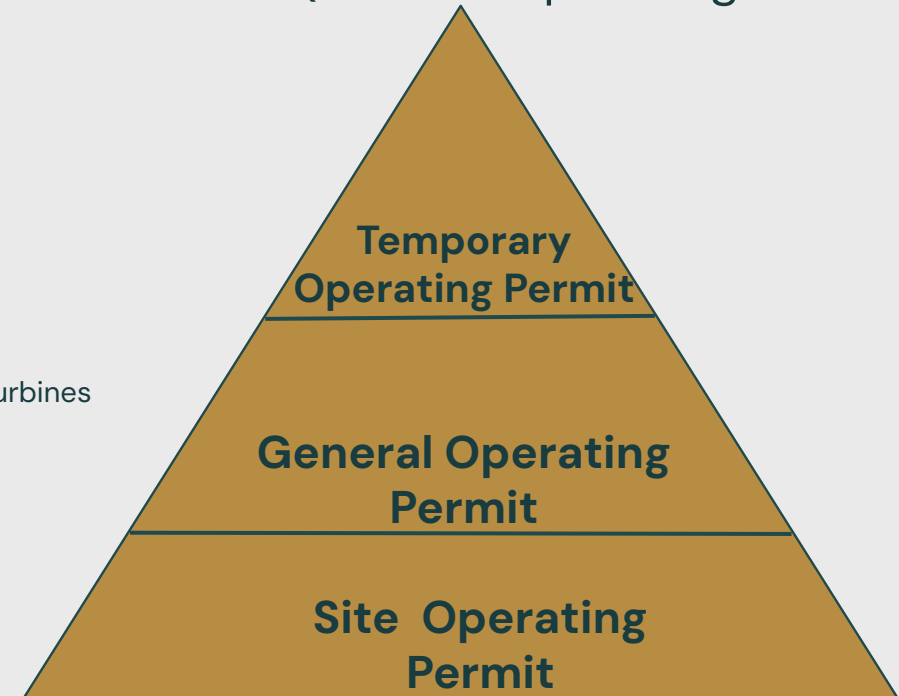


AIR PERMIT PUBLIC NOTICE

Air – New Source Review (NSR)



Air – Title V (Federal Operating Permit)



WASTEWATER PERMIT PUBLIC NOTICE

- Notice of Receipt of Application and Intent to Obtain Water Quality Permit:
 - First notice that offers chance to comment on application and request public meeting
- Notice of Application and Preliminary Decision:
 - Second notice that kicks off 30 day comment period
- If a public meeting is scheduled, the comment period is extended until the close of the public meeting

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PROPOSED PERMIT NO. WQ0016632001

WRITTEN PUBLIC COMMENTS

- TCEQ eComments Portal
- Enter permit number, fill out information, type comments into comment box or attach a file with comments
- You will receive an email confirmation

Comment on a Pending Permit Application

Comment Online:

To submit a comment online, you must have the **TCEQ permit number** associated with the pending permit application of interest to you.

Permit Number:

Next

Reset

If you submit your comments online, you will receive an email confirmation for your records. Keep this email for future reference.

If you do not receive an email within one hour, we **HAVE NOT received your comments. If you do not receive the confirmation, please contact the Office of the Chief Clerk immediately at 512-239-3300.*

WRITTEN PUBLIC COMMENTS

- Or comment by mail, hand delivery or fax
- Comment deadlines are posted in the notice
- For air permits with a consolidated notice, the comment period must remain open 36 hours after any public meeting

Or file by mail, hand-delivery, or fax :

Please include a TCEQ permit you mail, hand-deliver, or fax comments on a pending permit application. Submit your comments using one of the options below:

Mail to:

Office of the Chief Clerk, MC 105
TCEQ
PO Box 13087
Austin, TX 78711-3087

Courier or hand-deliver to:

Office of the Chief Clerk
TCEQ
12100 Park 35 Circle, Bldg F
Austin, TX 78753

Fax to:

512-239-3311 *

* Note: If you fax your filing, you **must** mail or hand-deliver the original document and the appropriate number of copies to the Office of the Chief Clerk within three business days.

PUBLIC MEETINGS

- Must be requested by several members of the public or by a state elected official in the district of the facility; not held automatically
- Helpful tool to lengthen the comment period and increase community engagement and awareness about permit
- A great time for a press release and invite reporters to cover the meeting
- Opportunity to ask TCEQ and the applicant questions about the permit
- Opportunity to make oral comments about the permit
- Public *meeting* and public *hearing* are NOT the same

TEXAS DATA CENTER WEEK OF ACTION 2026

Challenging a Data Center Permit



ISSUES TCEQ WILL NOT CONSIDER

- Noise pollution
- Light pollution
- Traffic
- Property values (outside of affected person status for a hearing)
- Land use or zoning
- Flooding
- Whether the applicant has a water source or not
- For air permits, cumulative impacts
- Any issue TCEQ considers outside of its jurisdiction

ISSUES TO LOOK FOR/RAISE - AIR

- Whether the permit would be protective of human health and air quality, including:
 - Your specific health concerns and specific environmental impacts to your property
 - Existing air quality, nonattainment status and cumulative impacts*
- Review the permit and verify any distance requirements, emissions calculations and identify unquantified or missing emissions limits
- TCEQ is legally obligated to review comments and formally respond in a published Response to Comments before making a final decision on an application

SHAM PERMITS

- Sham permits are those sought by facilities that are major sources of pollution but attempt to obtain minor source permits
- Facilities do so either by claiming unenforceable pollution limitations or by permitting in phases
- Those facilities first obtain small permits that circumvent public participation and then add more pollution sources that push emissions over the major source thresholds
- Sham permits violate the Clean Air Act and are considered void from the beginning
- Refer to EPA's Guidance on Sham Permitting

ISSUES TO LOOK FOR/RAISE - WASTEWATER

- Check for mistakes in any notices related the permit
- Carefully read through the application to look for missing or inaccurate information
- Check for compliance with the regionalization policy
- Consider whether the permit will harm wildlife or human health
- Consider whether the permit will maintain water quality
- Ask for more stringent effluent limits
- Consider whether there are nearby groundwater or aquifer recharge features that could be impacted
- Consider whether the volume requested matches with the projected usage

CONTESTED CASE HEARINGS

- An administrative process in front of an Administrative Law Judge (ALJ) at the State Office of Administrative Hearings (SOAH)
- Basically a mini-trial on the permit
- The protesting parties, applicant, TCEQ Executive Director, and TCEQ Office of Public Interest Counsel can conduct discovery, submit evidence, cross examine witnesses, and submit written closing statements
- TCEQ Commissioners use the judge's recommendation to make a final decision on a contested permit during Commissioners Agenda
- TCEQ Commissioners have discretion on whether to follow the judge's recommendation

AFFECTED PARTY STATUS - AIR PERMITS

- Requests for a Contested Case Hearing must be received during the comment period and can only be granted to those given Affected Party Status
- TCEQ defines an “affected party” as anyone living within 1 mile* of the proposed facility who has a “personal justiciable interest”
 - Under 30 TAC § 55.203(a), an “affected person” is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application.
- Requests MUST be supported by the comments you submit and will ONLY be referred for the issues raised in those comments

WASTEWATER - CONTESTED CASE HEARINGS

- You must submit comments during the comment period
- Contested Case Hearing Request submitted within 30 days of TCEQ's Response to Comments
- Submit the Contested Case Hearing Request the same way as comments (Example: CCHR by SOS White Rocks Entertainment, LLC)
- In your contested case hearing request you must:
 - Write "I request a contested case hearing on TPDES Permit No. WQ...."
 - Include your name, address, phone number, email address
 - Explain specifically how the permit will impact you (you live/own property nearby or within 1 mile, impacts to property values, recreational impacts, pollution of water that you drink, etc.)
 - Include a list of the issues

TCEQ'S ENFORCEMENT OF ISSUED PERMITS

- Public Citizen's TCEQ Year in Review report found that in 2025, TCEQ:
 - Responded to just 3% of 9,200 environmental complaints in 24 hours (54% took 2 weeks or longer for initial response)
 - Conducted the fewest on-site investigations in 8 years – 3,600 fewer than 2024 and 5,200 fewer than in 2023
 - Started the year with an extensive backlog of 1,400+ enforcement cases – some at least 10 years old – and resolved just 39 of them (it will take 35 years to resolve at that pace)
 - TCEQ issued just 1,200 new enforcement cases against 450,000 regulated entities (0.3% of all polluters saw any enforcement)

EPA PUBLIC PARTICIPATION RULEMAKING

- New EPA rule proposes to eliminate public participation requirements for minor sources of air pollution (data center gas plants, concrete batch plants, rock crushers and many other sources of air pollution)
- The rule would then allow state agencies, like TCEQ, to revise their state air quality plans (SIPs) to also eliminate public participation
- This includes public notice, public comment and potentially contested case hearings
- EPA is accepting comments until **August 21, 2026**
- Sign on to Public Citizen's comments or send your own:
bit.ly/NOtoEPA

TEXAS DATA CENTER WEEK OF ACTION 2026

Q&A



TEXAS DATA CENTER WEEK OF ACTION 2026

Resources

- [Public Citizen Data Center Policy Guide](#)
- [TCEQ Watchdog Campaign Sign-Up](#)

Resources - Types of Water Permits

- [Info on Stormwater Permits](#)
- [Info on Water Rights Permits](#)
- [Info on Edwards Aquifer Protection Plans](#)
- [Save Texas Streams Guide to TPDES Permitting Process](#)

Resources - Finding Permit Info

- [Sign up for email notices](#)
- [Sign up for mailed notices](#)
- [Info on mailing lists](#)
- [Applications and draft permits for pending TPDES permits](#)
- [File a Public Information Request](#)

Resources - Misc.

- [Submit a comment or contested case hearing request](#)
- [List of regulations applying to industrial TPDES permits](#)
- [SOS White Rocks Contested Case Hearing Request](#)