

# TCEQ Interoffice Memorandum

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**To:** Commissioners  
Richard A. Hyde, P.E., Executive Director

**From:** Elizabeth West, Senior Attorney   
Contracts, Employment Law and Ethics  
General Law Division

David Timberger, Director   
General Law Division

Caroline M. Sweeney, Deputy Director   
Office of Legal Services

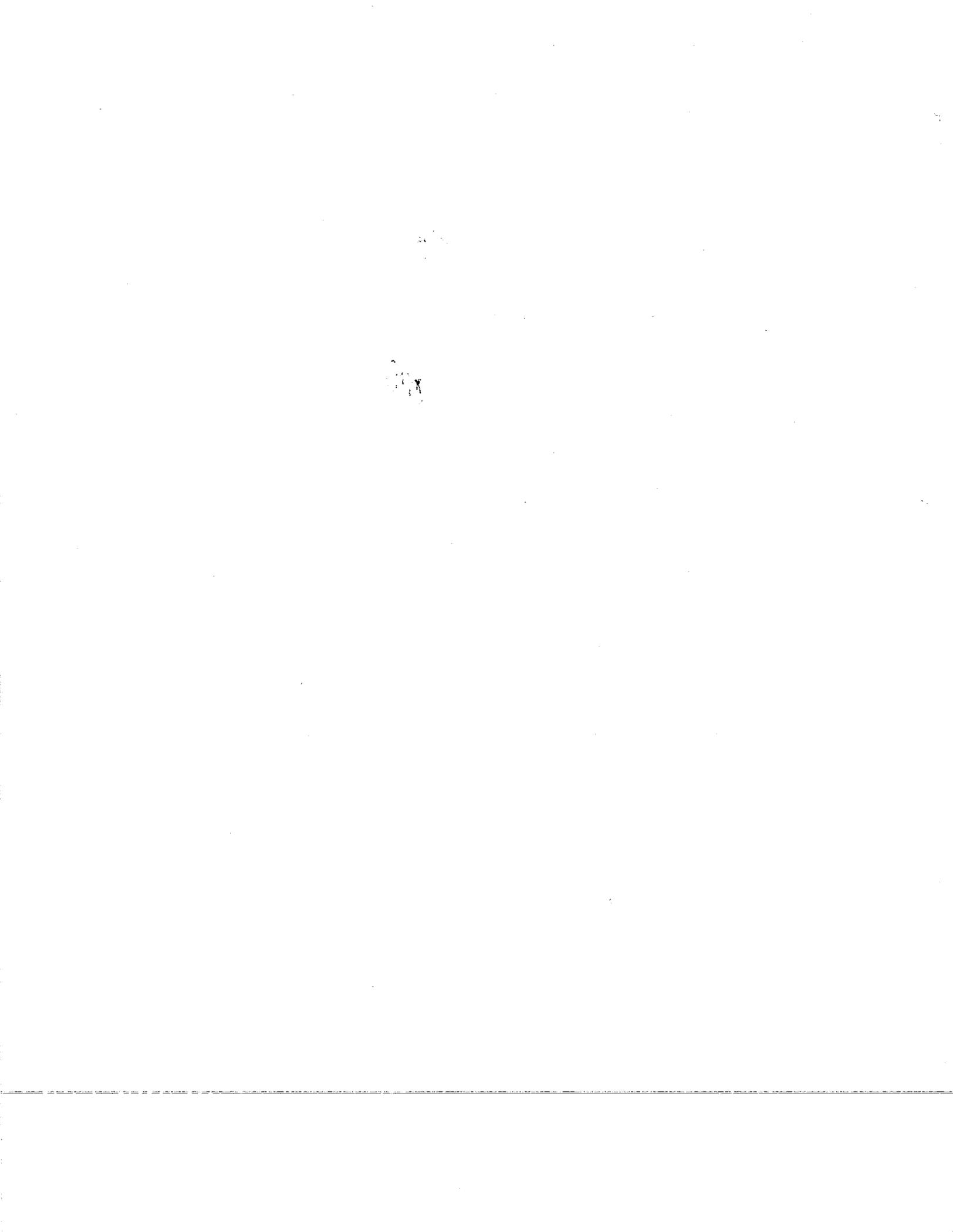
**Date:** January 29, 2016

**Caption:** **Docket No. 2016-0019-MIS:** Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 of the Government Code provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90th day after the date the gift is accepted. Chapter 575 of the Government Code further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

Exhibit "B" contains the lists of gifts and donations and includes two spreadsheets. The first spreadsheet records the non-travel related gifts and donations. The second contains all travel expenses paid for by a third party organization. The Executive Director's approval memorandum is attached as Exhibit "C."

Attachments



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



A RESOLUTION      Regarding acceptance of gifts and donations in accordance with Chapter 575 of the Government Code concerning acceptance of gifts and donations by certain state agencies; TCEQ Docket No. 2016-0019-MIS.

WHEREAS, Chapter 575 of the Government Code provides that a majority of the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90th day after the date the gift is accepted.

WHEREAS, the list of gifts and donations submitted for acknowledgment is attached. The gifts have been accepted by the Executive Director. The list includes a description and amount of each gift or donation with a value of \$500.00 or more, the donor's name, and a statement regarding the purpose of each gift or donation in accordance with Section 575.004 of Chapter 575.

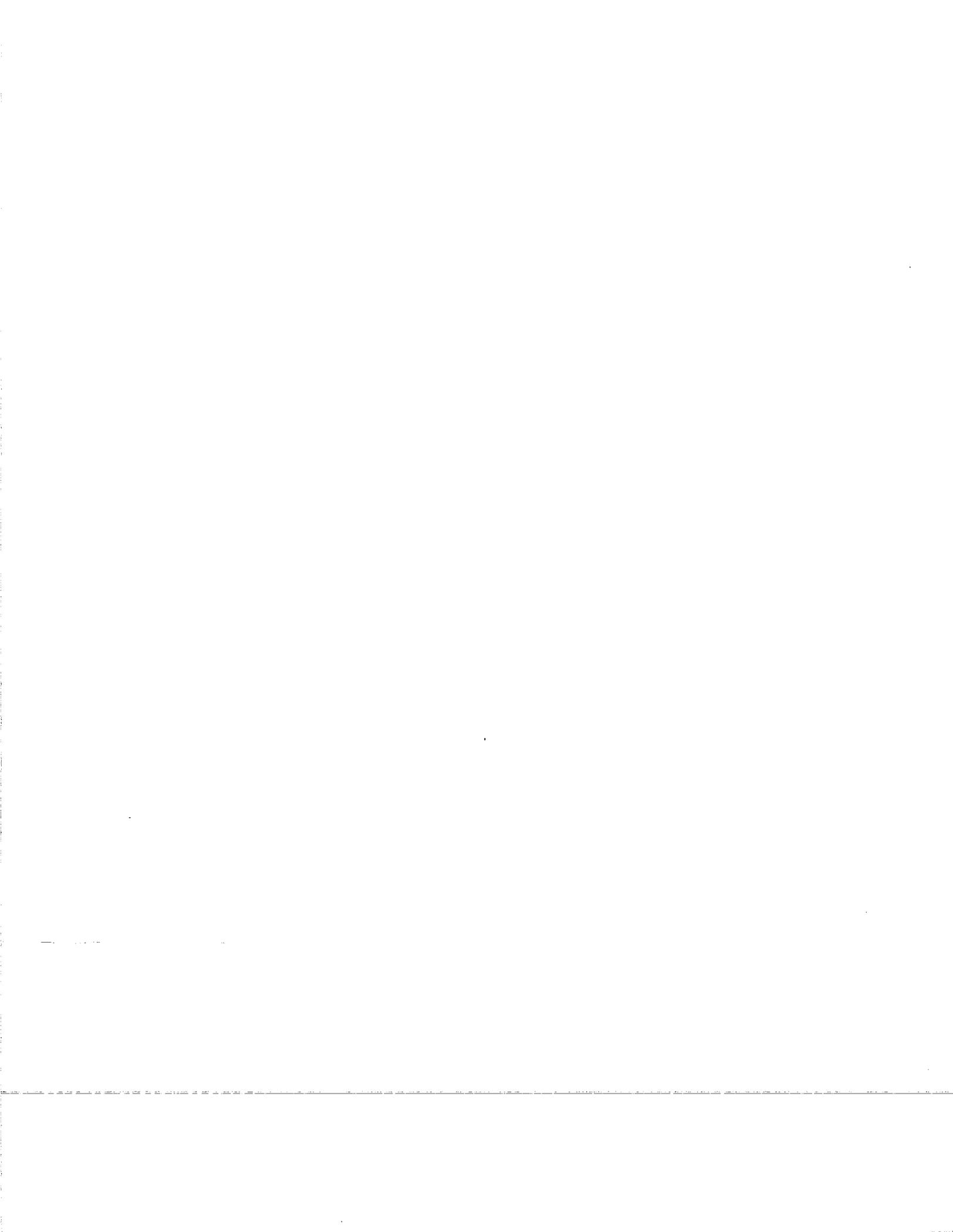
NOW, THEREFORE BE IT RESOLVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the Commission acknowledges acceptance of the gifts and donations listed in accordance with Chapter 575 of the Government Code.

Issued this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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Bryan W. Shaw, Ph.D., P.E., Chairman



**Exhibit "A"**

**Chapter 575 of the Government Code**



## CHAPTER 575. ACCEPTANCE OF GIFT BY STATE AGENCY

### § 575.001. Definitions

In this chapter:

(1) "Gift" means a donation of money or property.

(2) "State agency" means a board, commission, council, committee, department, office, agency, or other governmental entity in the executive or judicial branch of state government. The term does not include an institution of higher education as defined by Section 61.003, Education Code.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### § 575.002. Gifts of \$500 or More

This chapter applies only to a gift that has a value of \$500 or more.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### § 575.003. Acceptance of Gift by State Agency Governing Board

A state agency that has a governing board may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift not later than the 90th day after the date the gift is accepted.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 143, § 1, eff. Sept. 1, 1999.

### § 575.004. Record of Gift

A state agency that accepts a gift must record the name of the donor, a description of the gift, and a statement of the purpose of the gift in:

(1) the minutes of the governing board of the agency; or

(2) appropriate agency records, if the agency does not have a governing board.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.

### § 575.005. Acceptance of Gift From Party to Contested Case Prohibited

A state agency may not accept a gift from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final under Section 2001.144. In this section, "contested case" has the meaning assigned by Section 2001.003.

Added by Acts 1997, 75th Leg., ch. 336, § 1, eff. Sept. 1, 1997.



**Exhibit "B"**

**List of Gifts and Donations**



**Gifts via Memoranda**

				Date of	
Third Party	Gift-Donation-Waiver		Value of Gift	Memo	Location
HEB	Food and drinks provided for the Bexar County Air Quality Open House on Nov. 2, 2015		\$ 750.00	10/21/2015	Bexar County



# Third Party Reimbursed Expenses Report

(Report Create Date: Wednesday, January 20, 2016)

Date Range: 9/28/2015 to 10/1/15 and 10/22/15 to 1/8/2016

Record Count: 16

Reimbursing Organization	Traveler Name	Dates of Travel	Destination	Purpose of Trip	Total Reimbursed	
Nuclear Regulatory Commission	FLANDERS, GEHAN	11/15/2015 - 11/20/2015	Chattanooga, TN	Ms. Flanders will travel (leaving 11/15/15 Sunday - returning 11/20/15) via airlines to Chattanooga, TN to attend the NCR (Nuclear Regulatory Commission Agreement States to Transportation of Radioactive Materials (H-308) Course (STC-15-074) training. Rental car & gas to be reimbursed by TCEQ, due to the location of facility where the training will take place. NRC will cover everything else.	\$2,334.10	
					<b>Reimbursed Expense Description</b>	<b>Reimbursed Amount</b>
					AIRFARE	\$1,270.00
					BAGGAGE	\$50.00
					LODGING	\$551.10
					MEALS	\$325.00
					PARKING	\$138.00
Nuclear Regulatory Commission (NRC)	STALLARD, ALISHA	10/18/2015 - 10/23/2015	Oak Ridge, TN	Ms. Stallard will travel via commercial air line to Oak Ridge, TN to attend the Nuclear Regulatory Commission (NRC) Agreement States Environmental Monitoring (H-111)(STC-15-013) training. The NRC (3rd party funds) will cover the costs including registration, air fare, lodging, meal expenses and miscellaneous expenses; however, they will not cover the expense of rental car or gas. The Division will cover these expenses.	\$2,056.83	
					<b>Reimbursed Expense Description</b>	<b>Reimbursed Amount</b>
					AIRFARE	\$1,140.50

Nuclear Regulatory Commission				STALLARD, ALISHA	10/25/2015 - 10/30/2015	Mcoab, UT	<p>Ms. Stallard will travel via commercial air fine to Mcoab, UT to attend the Nuclear Regulatory Commission (NRC) Health Physics for Uranium Recovery training. The NRC (3rd party funds) will cover the costs including registration, air fare, lodging, meal expenses and miscellaneous expenses; however, they will not cover the expense of rental car or gas. The Division will cover these expenses.</p>	\$2,046.05
							BAGGAGE	\$50.00
							LODGING	\$445.00
							MEALS	\$280.50
							MILEAGE	\$33.18
							PARKING	\$42.00
							TAX	\$65.55
							<b>Reimbursed Expense</b>	<b>Reimbursed Amount</b>
							AIRFARE	\$832.30
							BAGGAGE	\$50.00
							LODGING	\$589.99
							MEALS	\$412.25
							MILEAGE	\$33.18
							PARKING	\$49.00
							TAX	\$79.33
							\$2,008.40	\$2,008.40
<p>Association of State and Territorial Solid Waste Management Officials (ASTSWMO)</p>							<p>Staff will travel to Bethesda, Maryland to participate in the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Annual Meeting.</p>	
				VALDEZ, OMAR	10/28/2015 - 10/30/2015	Bethesda, MD		
							<b>Reimbursed Expense</b>	<b>Reimbursed Amount</b>
							AIRFARE	\$1,235.02
							LODGING	\$508.38
							MEALS	\$207.00
							TAXI	\$58.00

Nuclear Regulatory Commission	SULLIVAN, MONICA	10/25/2015 - 10/30/2015	Moab, UT	<p>Ms. Sullivan will travel via commercial air line to Moab, UT to attend the Nuclear Regulatory Commission (NRC) Health Physics for Uranium Recovery training. The NRC (3rd party funds) will cover the costs including registration, air fare, lodging, meal expenses and miscellaneous expenses; however, they will not cover the expense of rental car or gas. The Division will cover these expenses.</p>	\$1,997.05															
<table border="1"> <thead> <tr> <th data-bbox="469 155 527 331">Reimbursed Expense Description</th> <th data-bbox="469 331 527 598">Reimbursed Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="527 155 560 331">AIRFARE</td> <td data-bbox="527 331 560 598">\$832.30</td> </tr> <tr> <td data-bbox="560 155 592 331">BAGGAGE</td> <td data-bbox="560 331 592 598">\$50.00</td> </tr> <tr> <td data-bbox="592 155 625 331">LODGING</td> <td data-bbox="592 331 625 598">\$589.99</td> </tr> <tr> <td data-bbox="625 155 657 331">MEALS</td> <td data-bbox="625 331 657 598">\$412.25</td> </tr> <tr> <td data-bbox="657 155 690 331">MILEAGE</td> <td data-bbox="657 331 690 598">\$33.18</td> </tr> <tr> <td data-bbox="690 155 722 331">TAX</td> <td data-bbox="690 331 722 598">\$79.33</td> </tr> </tbody> </table>					Reimbursed Expense Description	Reimbursed Amount	AIRFARE	\$832.30	BAGGAGE	\$50.00	LODGING	\$589.99	MEALS	\$412.25	MILEAGE	\$33.18	TAX	\$79.33		
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Nuclear Regulatory Commission (NRC)	SULLIVAN, MONICA	10/18/2015 - 10/23/2015	Oak Ridge, TN	<p>Ms. Sullivan will travel via commercial air line to Oak Ridge, TN to attend the Nuclear Regulatory Commission (NRC) Agreement States Environmental Monitoring (H-111) (STC-15-013) training. The NRC (3rd party funds) will cover the costs including registration, air fare, lodging, meal expenses and miscellaneous expenses; however, they will not cover the expense of rental car or gas. The Division will cover these expenses.</p>	\$1,987.83															
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TAX	\$65.65																			

Nuclear Regulatory Commission (NRC)	KAWASMI, MOHANNED	01/03/2016 - 01/08/2016	Chattanooga, TN	NRC provides training for RMD staff under the Agreement State Program. Class participation enhances staff qualifications, which are periodically reviewed by the NRC under the Integrated Materials Performance Evaluation Program (IMPEP).	\$1,942.69															
Yuxuan Wany, Center for Earth System Studies, Tsinghua University, Beijing, China.	ESTES, MARK	11/15/2015 - 11/21/2015	Beijing, China	The attendee has been invited to present a paper at an international emissions conference. The title of the presentation will be "How Texas 2000 field campaign measurements identified critical emissions of ozone precursors in Houston, TX and resulted in effective ozone control strategies."	\$1,906.80															
						<table border="1"> <thead> <tr> <th data-bbox="1209 1270 1274 1554">Reimbursed Expense Description</th> <th data-bbox="1209 1554 1274 1942">Reimbursed Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="1177 1270 1209 1942">AIRFARE</td> <td data-bbox="1161 1270 1177 1942">\$941.20</td> </tr> <tr> <td data-bbox="1128 1270 1161 1942">BAGGAGE</td> <td data-bbox="1112 1270 1128 1942">\$50.00</td> </tr> <tr> <td data-bbox="1096 1270 1128 1942">LODGING</td> <td data-bbox="1079 1270 1096 1942">\$475.00</td> </tr> <tr> <td data-bbox="1063 1270 1096 1942">MEALS</td> <td data-bbox="1047 1270 1063 1942">\$357.50</td> </tr> <tr> <td data-bbox="1031 1270 1063 1942">MILEAGE</td> <td data-bbox="1015 1270 1031 1942">\$37.04</td> </tr> <tr> <td data-bbox="998 1270 1031 1942">TAXI</td> <td data-bbox="982 1270 998 1942">\$81.95</td> </tr> </tbody> </table>	Reimbursed Expense Description	Reimbursed Amount	AIRFARE	\$941.20	BAGGAGE	\$50.00	LODGING	\$475.00	MEALS	\$357.50	MILEAGE	\$37.04	TAXI	\$81.95
						Reimbursed Expense Description	Reimbursed Amount													
						AIRFARE	\$941.20													
						BAGGAGE	\$50.00													
						LODGING	\$475.00													
						MEALS	\$357.50													
						MILEAGE	\$37.04													
						TAXI	\$81.95													

Nuclear Regulatory Commission	LINE, LEE	11/01/2015 - 11/06/2015	Chattanooga, TN	Lee Line will travel (leaving 11/1/15 Sunday) via commercial air line to Chattanooga, TN to attend the Nuclear Regulatory Commission (NRC) Agreement States Characterization and Planning Decommissioning (H-115) training. Mr. Line will be requesting a rental car to be reimbursed by TCEQ due to location of facility where training will take place. Nuclear Regulatory Commission (NRC) will cover everything else.	\$1,902.24		
						<b>Reimbursed Expense Description</b>	<b>Reimbursed Amount</b>
						AIRFARE	\$906.50
						BAGGAGE	\$50.00
						LODGING	\$556.94
						MEALS	\$352.00
						MILEAGE	\$36.80
DOI-ITAP, U.S. Department of Interior (International Technical Assistance Program)	NIEMEYER, STEPHEN	10/27/2015 - 10/31/2015	Bogota, Columbia	Attend an Ecopetrol Conference on Enhanced Oil Recovery and give an environmental perspective from Texas, at the invitation of the U.S. federal government.	\$1,694.27		
						<b>Reimbursed Expense Description</b>	<b>Reimbursed Amount</b>
						AIRFARE	\$975.60
						LODGING	\$385.26
						MEALS	\$236.50
						MISCELLANEOUS	\$8.26
						PARKING	\$31.50
TAX	\$42.40						
	TRANSACTION FEES	\$14.75					
National Water Quality Monitoring Council	DVORSKY, CHARLES	11/30/2015 - 12/04/2015	Tuscaloosa, AL	Attend the National Water Quality Monitoring Council (NWQMC) Winter Meeting	\$1,342.00		
						<b>Reimbursed Expense Description</b>	<b>Reimbursed Amount</b>
						AIRFARE	\$600.00
						LODGING	\$332.00
	MEALS	\$250.00					

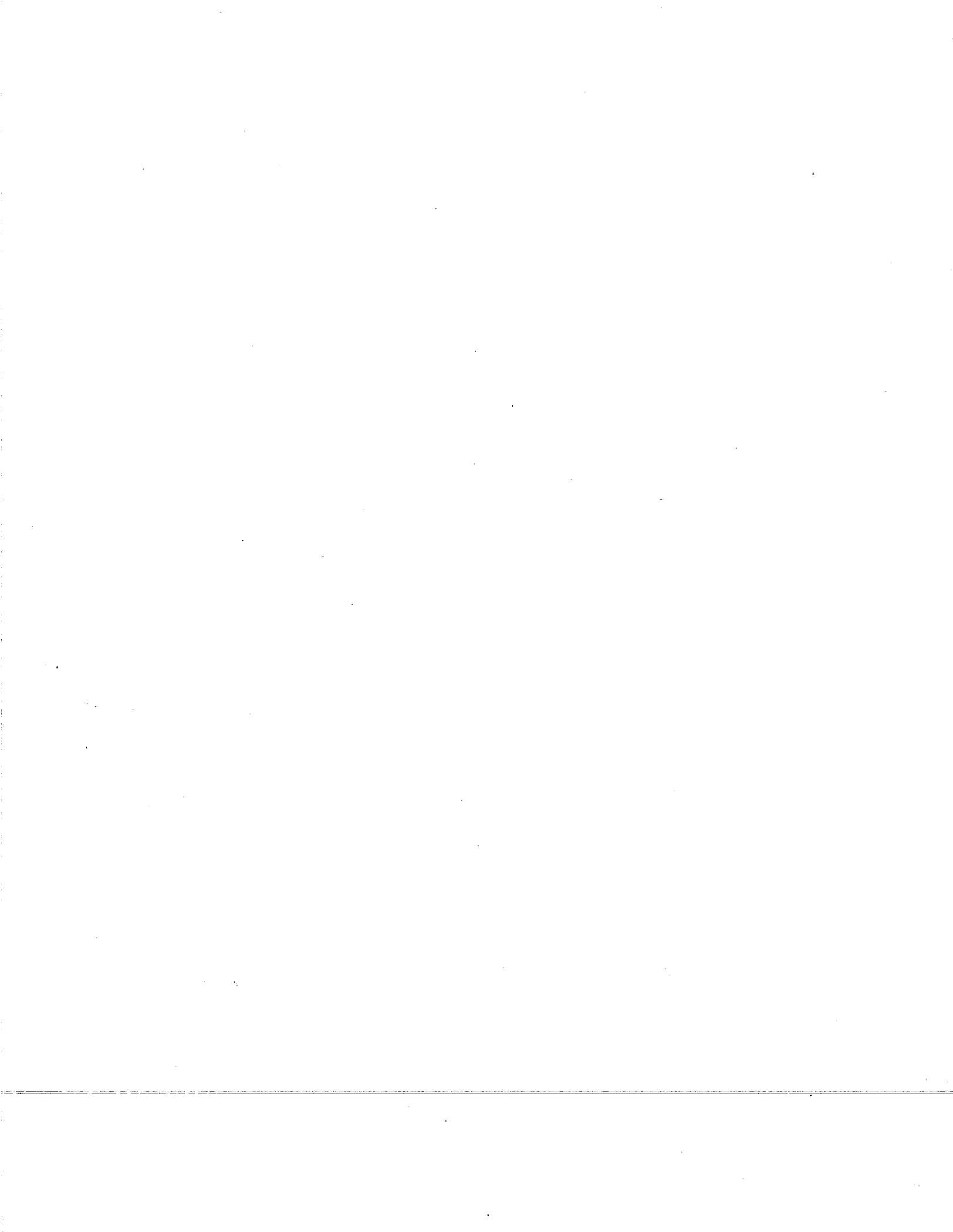
					RENTAL CAR	\$138.00
					TAXI	\$42.00
Association of State and Territorial Solid Waste Management Officials (ASTSWMO)	SHAFFORD, WILLIAM	10/28/2015 - 10/30/2015	Bethesda, MD		Staff will travel to Bethesda, MD to participate in the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Annual Meeting.	\$1,121.92
					Reimbursed Expense	Reimbursed Amount
					DESCRIPTION	
					AIRFARE	\$201.00
					LODGING	\$624.89
					MEALS	\$120.98
					MILEAGE	\$90.05
					TAXI	\$85.00
Environmental Council of the States (ECOS)	ROGERS, GREGORY	09/28/2015 - 10/01/2015	Philadelphia, PA		Travel to Philadelphia, PA to participate in the Exchange Network's Network Technical Board and Exchange Network Leadership to represent TCEO and the state of Texas's interests.	\$1,101.71
					Reimbursed Expense	Reimbursed Amount
					DESCRIPTION	
					AIRFARE	\$446.20
					LODGING	\$655.51
Association of State and Territorial Solid Waste Management Officials (ASTSWMO)	POWER, ABIGAIL	10/28/2015 - 10/30/2015	Bethesda, MD		Staff will travel to Bethesda, MD to participate in the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Annual Meeting.	\$1,022.92
					Reimbursed Expense	Reimbursed Amount
					DESCRIPTION	
					AIRFARE	\$293.20
					LODGING	\$501.72
					MEALS	\$138.50
					TAXI	\$89.50

United States Geological Survey (USGS).	BETZ, CARY	10/27/2015 - 10/30/2015	Reston, VA	<p>The Subcommittee on Ground-Water (SOGW) of the Advisory Committee on Water Information (ACWI) will hold a face to face meeting on October 28-29th in Reston, VA in conjunction with the ACWI annual meeting. The meeting will be of current SOGW members, active participants in SOGW work, current NGWMMN data providers (Pilot states), and future NGWMMN data providers.</p>	\$1,371.50																	
<table border="1"> <thead> <tr> <th data-bbox="435 153 500 336">Reimbursed Expense Description</th> <th data-bbox="435 336 500 562">Reimbursed Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="500 153 532 336">AIRFARE</td> <td data-bbox="500 336 532 562">\$444.00</td> </tr> <tr> <td data-bbox="532 153 565 336">BAGGAGE</td> <td data-bbox="532 336 565 562">\$50.00</td> </tr> <tr> <td data-bbox="565 153 597 336">LODGING</td> <td data-bbox="565 336 597 562">\$366.00</td> </tr> <tr> <td data-bbox="597 153 630 336">MEALS</td> <td data-bbox="597 336 630 562">\$310.50</td> </tr> <tr> <td data-bbox="630 153 662 336">MILEAGE</td> <td data-bbox="630 336 662 562">\$73.03</td> </tr> <tr> <td data-bbox="662 153 695 336">MISCELLANEOUS</td> <td data-bbox="662 336 695 562">\$43.92</td> </tr> <tr> <td data-bbox="695 153 727 336">PUBLIC TRANSPORTATION</td> <td data-bbox="695 336 727 562">\$35.00</td> </tr> <tr> <td data-bbox="727 153 760 336">TRANSACTION FEES</td> <td data-bbox="727 336 760 562">\$49.05</td> </tr> </tbody> </table>					Reimbursed Expense Description	Reimbursed Amount	AIRFARE	\$444.00	BAGGAGE	\$50.00	LODGING	\$366.00	MEALS	\$310.50	MILEAGE	\$73.03	MISCELLANEOUS	\$43.92	PUBLIC TRANSPORTATION	\$35.00	TRANSACTION FEES	\$49.05
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Nuclear Regulatory Commission (NRC)	BACHTEL, KAREN	11/16/2015 - 11/20/2015	Chattanooga, TN	<p>Karen Bachtel will travel to Chattanooga, TN for the Introductory Health Physics (H-117) Course offered by the U.S. Nuclear Regulatory Commission (NRC). With the exception of a rental car, the entire trip will be paid for by NRC.</p>	\$803.44																	
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**Exhibit "C"**

**Executive Director's Approval Memorandum**



# TCEQ Interoffice Memorandum

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**To:** Richard A. Hyde, P.E.   
Executive Director

**From:** Elizabeth West, Senior Attorney   
Contracts, Employment Law and Ethics  
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**Date:** January 29, 2016

**Caption:** **Docket No. 2016-0019-MIS:** Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts and donations by certain agencies.

Chapter 575 of the Government Code gives some specific direction to state agencies regarding the acceptance of gifts and donations. Chapter 575 provides that the Commission must acknowledge the acceptance of all gifts of money or property with a value of \$500 or more in an open meeting no later than the 90th day after the date the gift is accepted. Chapter 575 further states the name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be recorded in the minutes. Chapter 575 of the Government Code is attached as Exhibit "A."

Before the Commission can acknowledge the acceptance of gifts and donations with a value of \$500 or more listed in Exhibit "B," the gifts must be accepted by the agency.

A list of gifts and donations is attached as Exhibit "B." Your signature below is needed to accept the aforementioned and referenced exhibits. We recommend you sign this form and accept the gifts.

I acknowledge and accept the gifts listed in Exhibit "B" on behalf of the Texas Commission on Environmental Quality.

  
Richard A. Hyde, P.E.  
Executive Director

Date: 1/28/16

