

*The Agenda document below includes hyperlinks (docket numbers highlighted in blue) that enable the user to view agenda backup documents [documents pertaining to a particular matter that have been filed with the Office of the Chief Clerk (OCC)]. To view all agenda backup in person including those documents not found in the hyperlinks below, please visit OCC at 12100 Park 35 Circle, Building F, Suite 1101 (30 TAC § 1.10).*

*Updates to backup documents will be noted by a purple indicator. Please note that some documents such as those of irregular size (i.e. oversized maps) cannot be viewed here and that color documents will be posted here in black and white. Finally, parties are still required to submit an original and 7 copies of documents filed for Commission consideration (30 TAC § 1.10(d)).*

## **OLD BUSINESS AGENDA**

May 11, 2011

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.  
12100 Park 35 Circle  
Room 201S, Bldg. E

Item continued from the February 23, 2011 agenda.

#### **EMERGENCY ORDER**

Item 1 [\*\*Docket No. 2010-0912-UCR-E.\*\*](#)

Consideration of whether to modify, affirm, or set aside the Emergency Order issued on November 30, 2010, by the Executive Director of the Texas Commission on Environmental Quality pursuant to Tex. Water Code chs. 5 and 13, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality to address the discontinuation of retail water services by **Thunderbird Bay Water Services, Inc.** ("Utility"), in **Brown County**, TCEQ ID Nos. RN102688371, RN102685773, and CCN11243, to ensure the continued operation of the Utility, and to provide continuous and adequate water service to the customers of the Utility. The Emergency Order renewed the appointment of John M. Fultz as temporary manager of the Utility. (Peipey Tang)

# AGENDA

May 11, 2011

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.  
12100 Park 35 Circle  
Room 201S, Bldg. E

### PROPOSALS FOR DECISION

Item 1

**[TCEQ Docket No. 2010-0912-UCR-E; SOAH Docket No. 582-11-3401.](#)**

Consideration of the Administrative Law Judge's Proposal for Decision regarding whether to affirm, modify, or set aside the Emergency Order issued by the Executive Director on November 30, 2010, against **Thunderbird Bay Water Services, Inc.**, TCEQ ID Nos. RN102688371, RN102685773, and CCN11243, to address the discontinuation of water services at a retail public utility pursuant to Tex. Water Code chs. 5 and 13, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality. The Emergency Order renewed the appointment of John M. Fultz as temporary manager of the public water system located in **Brown County**, Texas. The Commission will also consider timely related filings, record evidence, and exhibits. (Peipey Tang)

Item 2

**[TCEQ Docket No. 2009-2022-UCR; SOAH Docket No. 582-10-2368.](#)**

Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the petition by ratepayers appealing water rates established by **Mauriceville Municipal Utility District** pursuant to Texas Water Code Chapter 13 and the rules of the Texas Commission on Environmental Quality in 30 TAC Chapter 291 in **Jasper, Newton, and Orange Counties**, Texas. The Commission will also consider timely related filings, exceptions and replies. (James Aldredge)

Item 3

**[TCEQ Docket No. 2008-1641-PST-E; SOAH Docket No. 582-10-0598.](#)**

Continued  
to a  
Future  
Agenda

Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Odessa Corporation DBA Signature Mart 2** in **Parker County**, Texas; RN102353760; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26, Texas Health & Safety Code ch. 382 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas

Administrative Code ch. 60. The Commission will also consider timely filed exceptions and replies. (Jennifer Cook)

- Item 4 [\*\*TCEQ Docket No. 2009-1764-MSW-E; SOAH Docket No. 582-10-3857.\*\*](#)  
Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Joabert Development Company in Bexar County**; RN105632889; for municipal solid waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. The Commission will also consider timely filed exceptions and replies. (Stephanie Frazee)

- Item 5 [\*\*TCEQ Docket No. 2009-1334-PST-E; SOAH Docket No. 582-10-4853.\*\*](#)  
Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties against **D.C.T.D., Inc. d/b/a Boomers in Tom Green County**, Texas; RN101899607; regarding petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. The Commission will also consider timely filed exceptions and replies. (Phillip Goodwin)

#### **HEARING REQUESTS/REQUESTS FOR RECONSIDERATION**

- Item 6 [\*\*Docket No. 2011-0172-AIR.\*\*](#)  
Consideration of the application by **Connors Construction Inc.** for Air Quality Permit No. 87730L001 to authorize the construction of a portable rock crushing plant. The proposed plant site is located on County Road 246, near Kosse, **Falls County**, Texas. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's Response to Comments. (Alex Berksan, Douglas Brown)

#### **USE DETERMINATION MATTER**

- Item 7 [\*\*Docket No. 2011-0273-MIS-U.\*\*](#)  
Consideration of the appeal filed by **Sandy Creek Energy Associates, L.P.** with regard to the Executive Director's negative use determination for Application No. 13256, dated February 2, 2011, for certain property at the Sandy Creek Power Generation Facility (**McLennan County**) associated with the Raw Water Pre-Treatment System. The Commission will also consider all timely responses and reply briefs.

## MISCELLANEOUS MATTERS

Item 8 [TCEQ Docket No. 2008-0559-MWD; SOAH Docket No. 582-08-4359.](#)

Consideration of the March 9, 2011 District Court Order remanding to the TCEQ for a contested case hearing, the application of the **City of Castroville** for a major amendment to Texas Land Application Permit (TLAP) Permit No. WQ0010952001 to change from disposal via irrigation at a daily average not to exceed 350,000 gallons per day to discharge into waters in the state at a daily average flow not to exceed 900,000 gallons per day. The wastewater treatment facility is located approximately 0.9 mile southwest of the intersection of U.S. Highway 90 and Farm-to-Market Road 1343 in **Medina County**, Texas. The Commission will also consider the application, timely hearing requests, and related filings. (Michael Parr)

Item 9 [Docket No. 2011-0359-UCR.](#)

Hyperlink  
Updated  
5/10/2011  
10:30 AM

Consideration of a request for a Commission Order approving a contract, designating service areas between the **City of Garden Ridge** (Garden Ridge), Certificate of Convenience and Necessity (CCN) No. 11253, and the **City of Selma** (Selma), CCN No. 11522, in **Comal County**, Texas, pursuant to section 13.248 of the Texas Water Code. Currently, Selma holds a CCN for the area in question. Under the contract, Selma will transfer the approximately 7.14 acres to Garden Ridge's CCN area. Garden Ridge will be the sole retail water service provider in this area. There are no customers in this area and there will be no transfer of facilities under the Agreement. (Kamal Adhikari, Doug Brown)

## TMDL MATTERS

Item 10 [Docket No. 2010-0181-TML.](#)

Consideration for final adoption of Two Total Maximum Daily Loads for Indicator Bacteria in the **Upper Trinity River**, Segment 0805 of the Trinity River Basin, in **Dallas County**. Project No. 2010-040-TML-NR (Ron Stein, Robert Brush)

Item 11 [Docket No. 2011-0103-TML.](#)

Consideration for approval to publish and solicit public comment on Two Total Maximum Daily Loads for Indicator Bacteria in **Cottonwood Branch and Grapevine Creek**, Segments 0822A and 0822B of the Trinity River Basin, in **Dallas and Tarrant Counties**. Project No. 2011-012-TML-NR (Ron Stein, Robert Brush)

## AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 12 [Docket No. 2010-1354-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and

requiring certain actions of **Apache Corporation in Wheeler County**; RN105723282, RN105148613; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (John Muennink, Laurie Eaves)

Item 13 [\*\*Docket No. 2010-1871-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **Rudy's West Bar-B-Q, LLC in El Paso County**; RN105355150; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Gena Hawkins, Laurie Eaves)

Item 14 [\*\*Docket No. 2010-1883-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **C&R Distributing, LLC dba C&R Fuel Control 50 in El Paso County**; RN102791043; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Gena Hawkins, Laurie Eaves)

Item 15 [\*\*Docket No. 2010-1182-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **PAVE/LOCK/PLUS, LLC in Fort Bend County**; RN105936660; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Allison Fischer, Laurie Eaves)

Item 16 [\*\*Docket No. 2010-1476-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **Williams Production - Gulf Coast Company, L.P. in Denton County**; RN105933154; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Podlipny, Laurie Eaves)

Item 17 [\*\*Docket No. 2010-1834-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and

requiring certain actions of **Eastman Chemical Company** in **Harrison County**; RN100219815; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Raymond Marlow, P.G., Laurie Eaves)

Item 18 [\*\*Docket No. 2009-1782-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Davis Gas Processing, Inc.** in **Reagan County**; RN100217686; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Gena Hawkins, Laurie Eaves)

Item 19 [\*\*Docket No. 2010-1831-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Enterprise Products Operating LLC** in **Chambers County**; RN102323268; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Allison Fischer, Laurie Eaves)

Item 20 [\*\*Docket No. 2010-1781-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **The Dow Chemical Company** in **Brazoria County**; RN100225945; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Podlipny, Laurie Eaves)

Item 21 [\*\*Docket No. 2010-1652-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **Sunoco, Inc. (R&M)** in **Harris County**; RN100524008 for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Miriam Hall, Laurie Eaves)

Item 22 [\*\*Docket No. 2010-1709-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Akzo Nobel Surface Chemistry LLC** in **Fort**

**Bend County**; RN100219393; for Air quality violations pursuant to Tex. Health & Safety Code ch. 382 and Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Rebecca Johnson, Laurie Eaves)

Item 23 [\*\*Docket No. 2010-0708-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Basell USA Inc. in Harris County**; RN100216761; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Todd Huddleson, Laurie Eaves)

Item 24 [\*\*Docket No. 2010-1473-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Eagle Rock Field Services, L.P. in Carson and Gray Counties**; RN102496296, RN100218379, RN102527397; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (James Nolan, Laurie Eaves)

Item 25 [\*\*Docket No. 2010-0978-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **Kaneka Texas Corporation fka Kaneka High-Tech Materials, Inc. in Harris County**; RN100683291; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Nadia Hameed, Laurie Eaves)

Item 26 [\*\*Docket No. 2010-1453-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Belvan Corp. in Crockett County**; RN100214022; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Audra Benoit, Laurie Eaves)

Item 27 [\*\*Docket No. 2010-1845-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Chevron Phillips Chemical Company LP** in

**Harris County**; RN103919817; for air quality violations pursuant to Tex. Health & Safety Code ch. 382 and Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Nadia Hameed, Laurie Eaves)

#### **AIR QUALITY ENFORCEMENT DEFAULT ORDER**

Item 28 [\*\*Docket No. 2010-0806-AIR-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Clayton Violette d/b/a GTO Automotive in Bell County**; RN105927958; for air quality violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Stephanie J. Frazee, Lena Roberts)

#### **EDWARDS AQUIFER ENFORCEMENT AGREED ORDERS**

Item 29 [\*\*Docket No. 2010-1846-EAQ-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Inwood Heritage Oaks, Ltd. in Bexar County**; RN105818181; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Cheryl Thompson, Laurie Eaves)

Item 30 [\*\*Docket No. 2010-1985-EAQ-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **LIBERTY HILL THF HOUSING, L.P. in Williamson County**; RN106011976; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Lanae Foard, Laurie Eaves)

Item 31 [\*\*Docket No. 2010-1761-EAQ-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **Steubing Farm, Ltd. in Bexar County**; RN105929160; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jordan Jones, Laurie Eaves)

#### **EDWARDS AQUIFER ENFORCEMENT DEFAULT ORDER**

Item 32 [\*\*Docket No. 2010-1375-EAQ-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties against **Georgetown Kidney Center, LLC, in Williamson County**; RN105943500; for water quality violations pursuant to Tex. Water Code chs. 7

and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Marshall Coover, Lena Roberts)

#### **FIELD CITATIONS**

- Item 33     [\*\*Docket No. 2011-0135-WQ-E.\*\*](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Ray French Land Company, Ltd. in Parker County**; RN106020282; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jordan Jones, Laurie Eaves)
- Item 34     [\*\*Docket No. 2011-0171-WOC-E.\*\*](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Alvin Grace in Denton County**; RN106035546; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Heather Podlipny, Laurie Eaves)
- Item 35     [\*\*Docket No. 2011-0254-WOC-E.\*\*](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Eddie Courtney in Angelina County**; RN106047137; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Heather Podlipny, Laurie Eaves)
- Item 36     [\*\*Docket No. 2011-0157-WOC-E.\*\*](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Donald H. Sinquefield in Hunt County**; RN103830089; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Heather Podlipny, Laurie Eaves)
- Item 37     [\*\*Docket No. 2011-0255-WOC-E.\*\*](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Edward Pustka in Lavaca County**; RN106052020; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Heather Podlipny, Laurie Eaves)

Item 38 [Docket No. 2011-0195-WR-E.](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **R Construction Company in Nacogdoches County**; RN105950448; for water rights violations pursuant to Tex. Water Code ch. 11 and the rules of the Texas Commission on Environmental Quality. (Jordan Jones, Laurie Eaves)

Item 39 [Docket No. 2011-0179-WQ-E.](#)  
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Perkins Aluminum Smelting, Inc. in Dallas County**; RN101997674; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Harvey Wilson, Laurie Eaves)

#### **INDUSTRIAL OR HAZARDOUS WASTE ENFORCEMENT AGREED ORDER**

Item 40 [Docket No. 2010-1690-IHW-E.](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **SAFETY-KLEEN SYSTEMS, INC. in Denton County**; RN100215441; for industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Rajesh Acharya, Laurie Eaves)

#### **INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

Item 41 [Docket No. 2010-2000-IWD-E.](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Monterey Mushrooms, Inc. in Madison County**; RN100831312; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Harvey Wilson, Laurie Eaves)

Item 42 [Docket No. 2009-1636-IWD-E.](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Oxid L.P. in Harris County**; RN100210350; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Cheryl Thompson, Laurie Eaves)

Item 43 [Docket No. 2010-1667-IWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **STOLHAVEN HOUSTON INC. in Harris County**; RN100210475; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Marty Hott, Laurie Eaves)

Item 44 [Docket No. 2010-1988-IWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **HUDSON PRODUCTS CORPORATION in Fort Bend County**; RN101864924; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jeremy Escobar, Laurie Eaves)

**INDUSTRIAL WASTE DISCHARGE ENFORCEMENT DEFAULT ORDER**

Item 45 [Docket No. 2009-1546-IWD-E.](#)

Hyperlink  
Updated  
5/10/2011  
10:30 AM

Consideration of a Default Order assessing administrative penalties against **Microgy, Inc. in Erath County**; RN103144622; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim W. Sallans, Lena Roberts)

**IRRIGATION LICENSING ENFORCEMENT AGREED ORDER**

Item 46 [Docket No. 2010-0544-LII-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jamie J. Fernandez dba Texas Irrigation & Landscaping Services in Harris County**; RN104692892; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Audra Benoit, Laurie Eaves)

**MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS**

Item 47 [Docket No. 2010-1395-MLM-E.](#)

Hyperlink  
Updated  
5/10/2011  
10:30 AM

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Austin Equipment Company, LC in Williamson County**; RN104543780; for Edwards Aquifer and industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Evette Alvarado, Laurie Eaves)

Item 48 [\*\*Docket No. 2010-1820-MLM-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Ray Serna and Joe Trejo in Lamb County**; RN105906440; for air quality and industrial and hazardous waste violations pursuant to Tex. Health & Safety Code chs. 361 and 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Andrea Park, Laurie Eaves)

**MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDER**

Item 49 [\*\*Docket No. 2010-1478-MSW-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **eco International LLC in Harris County**; RN105944102; for municipal solid waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Philip Aldridge, Laurie Eaves)

**MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT ORDER**

Item 50 [\*\*Docket No. 2010-1513-MSW-E.\*\*](#)  
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Mac Singh d/b/a Cal Pro Express in Callahan County**; RN105911986; for municipal solid waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Xavier Guerra, Lena Roberts)

**MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

Item 51 [\*\*Docket No. 2010-1732-MWD-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Alamo in Hidalgo County**; RN102075967; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jennifer Graves, Laurie Eaves)

Item 52 [\*\*Docket No. 2010-1920-MWD-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Quinlan in Hunt County**; RN101917565; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Thomas Jecha, P.G., Laurie Eaves)

Item 53 [Docket No. 2010-1505-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas Department of Aging and Disability Services in Tom Green County**; RN102335999; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Cheryl Thompson, Laurie Eaves)

Item 54 [Docket No. 2010-1725-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Aqua Utilities, Inc. in Burnet County**; RN101518926; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Merrilee Hupp, Laurie Eaves)

Item 55 [Docket No. 2010-1604-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Anahuac and Trinity Bay Conservation District in Chambers County**; RN102179652; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jennifer Graves, Laurie Eaves)

Item 56 [Docket No. 2010-1875-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties against the **City of Quanah in Hardeman County**; RN102080215; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Brister, Laurie Eaves)

Item 57 [Docket No. 2010-0256-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Pettus Municipal Utility District in Bee County**; RN102079100; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jorge Ibarra, Laurie Eaves)

Item 58 [Docket No. 2010-1713-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **WESTWOOD WATER SUPPLY CORPORATION** in **Jasper County**; RN101610210; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Evette Alvarado, Laurie Eaves)

Item 59 [Docket No. 2010-2046-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **Sunbelt Fresh Water Supply District** in **Harris County**; RN102075413; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Thomas Jecha, P.G., Laurie Eaves)

Item 60 [Docket No. 2009-1792-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Aqua Utilities, Inc.** in **Burnet County**; RN101518926; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jeremy Escobar, Laurie Eaves)

Item 61 [Docket No. 2010-1013-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Kilgore** in **Gregg County**; RN102079985; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Marty Hott, Laurie Eaves)

Item 62 [Docket No. 2010-1780-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Troy** in **Bell County**; RN102844321; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Steve Villatoro, Laurie Eaves)

Item 63 [\*\*Docket No. 2010-1864-MWD-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **North Alamo Water Supply Corporation in Hidalgo County**; RN102340056; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Marty Hott, Laurie Eaves)

**PETROLEUM STORAGE TANKS ENFORCEMENT AGREED ORDERS**

Item 64 [\*\*Docket No. 2010-1825-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Ashiq A. Gokal dba Kwik Stop 10 in Tarrant County**; RN101536274; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jennifer Graves, Laurie Eaves)

Item 65 [\*\*Docket No. 2010-1692-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties against **BIG SCORE INVESTORS, LLC in Dallas County**; RN102326642; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Elvia Maske, Laurie Eaves)

Item 66 [\*\*Docket No. 2010-2017-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties against **CRAWDAD'S, INC. dba Crawdads 6 in Harris County**; RN105013445; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Bridgett Lee, Laurie Eaves)

Item 67 [\*\*Docket No. 2010-1738-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **R.E. SWEENEY COMPANY, INC. in Tarrant County**; RN100856871; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Elvia Maske, Laurie Eaves)

Item 68 [\*\*Docket No. 2010-1770-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **DALLAS R & S INTERNATIONAL INC. dba Buy Low Fina in Dallas County**; RN101545689; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Andrea Park, Laurie Eaves)

Item 69 [\*\*Docket No. 2010-1431-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Hamilton Holdings, L.P. in Tom Green County**; RN101839082; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Theresa Hagood, Laurie Eaves)

Item 70 [\*\*Docket No. 2010-1570-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **LOCAL C STORES, LLC dba MS Express 701 in Harris County**; RN101828457; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Michael Meyer, Laurie Eaves)

Item 71 [\*\*Docket No. 2010-1521-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **KHURSA ENTERPRISES INC dba Let's Stop in Tarrant County**; RN101433308; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Judy Kluge, Laurie Eaves)

Item 72 [\*\*Docket No. 2010-1958-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **AJITNATH INVESTMENT, INC. dba Space Center Food Mart in Harris County**; RN102898715; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Clinton Sims, Laurie Eaves)

Item 73 [\*\*Docket No. 2010-1666-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **CUSA EE, LLC dba El Expreso Bus Company** in **Harris County**; RN101894681; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Elvia Maske, Laurie Eaves)

Item 74 [\*\*Docket No. 2010-1630-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **IBI BUSINESS, INC. dba Pecan Creek** in **Fort Bend County**; RN101185718; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Wallace Myers, Laurie Eaves)

Item 75 [\*\*Docket No. 2010-1735-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against **Diba Petroleum, Inc. dba Richardson Square Mart Texaco** in **Dallas County**; RN100595974; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Keith Frank, Laurie Eaves)

**PETROLEUM STORAGE TANKS ENFORCEMENT DEFAULT ORDERS**

Item 76 [\*\*Docket No. 2010-0929-PST-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties against **WSAL Enterprises, Inc. d/b/a Big Star 5** in **Bexar County**; RN101436475; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Phillip M. Goodwin, P.G., Lena Roberts)

Item 77 [\*\*Docket No. 2010-0936-PST-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **E & D Contractors LLC and Kiplin Ellis** in **Jefferson County**; RN101775575; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Sharesa Y. Alexander, Lena Roberts)

Item 78 [Docket No. 2010-1635-PST-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **M.Amaan Inc. in Maverick County**; RN102827805; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Marshall Coover, Lena Roberts)

Item 79 [Docket No. 2010-1339-PST-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Texas Auto World LP in Nueces County**; RN102019973; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Steven M. Fishburn, Lena Roberts)

Item 80 [Docket No. 2010-1115-PST-E.](#)

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5/10/2011  
10:30 AM

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Borth Newton d/b/a Borth Garage in Dewitt County**; RN101912236; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Sharesa Y. Alexander, Lena Roberts)

Item 81 [Docket No. 2010-1452-PST-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **HENDRIX PROPERTIES, L.L.C. AND COMPLETE CARE AUTOMOTIVE, L.L.C. in Jefferson County**; RN101432813; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Marshall Coover, Lena Roberts)

Item 82 [Docket No. 2010-0831-PST-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Karen Gerla and Rocky Gerla in San Patricio County**; RN101738516; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Steven M. Fishburn, Lena Roberts)

Item 83 [Docket No. 2010-1160-PST-E.](#)

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5/10/2011  
4:30 PM

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Billy Peoples, Jr. in Rockwall County**; RN101534840; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Steven M. Fishburn, Lena Roberts)

**PETROLEUM STORAGE TANKS ENFORCEMENT DEFAULT AND SHUTDOWN ORDER**

Item 84 [Docket No. 2010-1545-PST-E.](#)

Consideration of a Default and Shutdown Order assessing administrative penalties and requiring certain actions of **BIG SCORE INVESTORS, LLC d/b/a Seagoville Chevron in Dallas County**; RN102965811; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Phillip M. Goodwin, P.G., Lena Roberts)

**PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS**

Item 85 [Docket No. 2010-1999-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **United States Forest Service in Gray County**; RN101222248; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Michaelle Sherlock, Laurie Eaves)

Item 86 [Docket No. 2010-1946-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Leona in Leon County**; RN101404002; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Michaelle Sherlock, Laurie Eaves)

**PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDERS**

Item 87 [Docket No. 2010-0619-PWS-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Shawn Horvath d/b/a Aero Valley Water Service in Denton County**; RN101198331; for public drinking water violations pursuant to Tex. Water Code ch. 5, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality. (Xavier Guerra, Lena Roberts)

- Item 88 [Docket No. 2010-1399-PWS-E.](#)  
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **George W. Jackson d/b/a Fort Jackson Mobile Estates in Lubbock County**; RN102698545; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Peipey Tang, Lena Roberts)

#### **UTILITIES ENFORCEMENT AGREED ORDERS**

- Item 89 [Docket No. 2010-1790-UTL-E.](#)  
Consideration of an Agreed Order assessing administrative penalties against **Bayou Forest Village, Inc. dba Bayou Forest Village Mobile Home Park in Harris County**; RN102684933; for affected utility violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Heather Podlipny, Laurie Eaves)

- Item 90 [Docket No. 2010-1762-UTL-E.](#)  
Consideration of an Agreed Order assessing administrative penalties against **Leslie L. Morris dba Space Estates Mobile Home Park in Harris County**; RN103998811; for affected utilities violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Samuel Short, Laurie Eaves)

- Item 91 [Docket No. 2010-1832-UTL-E.](#)  
Consideration of an Agreed Order assessing administrative penalties against **Bahram Solhjoui dba Rosewood Mobile Home Park in Harris County**; RN101184547; for affected utility violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Amanda Henry, Laurie Eaves)

- Item 92 [Docket No. 2010-1728-UTL-E.](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Hung T. Pham dba Western Mobile Home Park in Harris County**; RN101458487; for affected utility violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Michaelle Sherlock, Laurie Eaves)

- Item 93 [Docket No. 2010-1745-UTL-E.](#)  
Consideration of an Agreed Order assessing administrative penalties against

**Country Terrace Water Company, Inc. in Harris County;** RN102675576; for affected utility violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Kelly Wisian, Laurie Eaves)

Item 94 [Docket No. 2010-1766-UTL-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **James Adamoli, Jr. and Mark Adamoli dba Northwoods Mobile Home Park in Harris County;** RN102673779; for affected utility violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Katy Schumann, Laurie Eaves)

#### **WASTEWATER OPERATOR CERTIFICATION ENFORCEMENT DEFAULT ORDER**

Item 95 [Docket No. 2010-1314-WOC-E.](#)

Hyperlink  
Updated  
5/10/2011  
10:30 AM

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Teresa K. Young in Collin County;** RN104626049; for occupational licensing violations pursuant to Tex. Water Code chs. 7, 26, and 37 and the rules of the Texas Commission on Environmental Quality. (Steven M. Fishburn, Lena Roberts)

#### **WATER QUALITY ENFORCEMENT AGREED ORDER**

Item 96 [Docket No. 2010-1806-WQ-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **Curry Creek Crushing, Inc. in Kendall County;** RN105962781; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Martha Hott, Laurie Eaves)

#### **WATER QUALITY ENFORCEMENT DEFAULT ORDERS**

Item 97 [Docket No. 2010-1577-WQ-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **George Sprague d/b/a George's Tire Shop in Aransas County;** RN105473672; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim Sallans, Lena Roberts)

Item 98 [Docket No. 2010-0578-WQ-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Jerry Todd Stephens DBA Sugar Hill Development in Lamar County;** RN105206247; for water quality violations

pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim W. Sallans, Lena Roberts)

Item 99 [Docket No. 2009-1688-WQ-E.](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Flat Rock Minerals, LLC d/b/a De Berry Mine in Upshur County**; RN105807697; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Stephanie J. Frazee, Lena Roberts)

**WATER RIGHT ENFORCEMENT AGREED ORDER**

Item 100 [Docket No. 2010-1976-WR-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **DTE Gas Resources, LLC. in Jack County**; RN106019862; for water rights violations pursuant to Tex. Water Code ch. 11 and the rules of the Texas Commission on Environmental Quality. (Tom Jecha, Laurie Eaves)

**WATER RIGHT ENFORCEMENT DEFAULT ORDERS**

Item 101 [Docket No. 2010-1504-WR-E.](#)

Hyperlink  
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5/10/2011  
4:30 PM

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Trinity Turf Nursery, Inc. in Denton County**; RN100798362; for water rights violations pursuant to Tex. Water Code ch. 11 and the rules of the Texas Commission on Environmental Quality. (James Sallans, Lena Roberts)

Item 102 [Docket No. 2009-1623-WR-E.](#)

Hyperlink  
Updated  
5/10/2011  
10:30 AM

Consideration of a Default Order assessing administrative penalties against **Excel Golf, LLC and GP Golf, LLLP d/b/a Highland Lakes Golf Course at Highland Lakes Country Club in Travis County**; RN105789747; for water rights violations pursuant to Tex. Water Code ch. 11 and the rules of the Texas Commission on Environmental Quality. (Jim W. Sallans, Lena Roberts)

**PUBLIC COMMENT SESSION**

Item 103 The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ, with the exception of pending permitting matters or other contested cases which are subject to the ex parte prohibition found in Texas Government Code §2001.061. In the interest of time, speakers will be limited to three minutes each, with the total time for public comment limited to one hour.

## **EXECUTIVE SESSION**

**Item 104 Docket No. 2011-0001-EXE.**

The Commission will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director and General Counsel, as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

**Item 105 Docket No. 2011-0002-EXE.**

The Commission will conduct a closed meeting to receive legal advice and will discuss pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Commission employees, as permitted by Sections 551.071 and 551.074, the Open Meetings Act, codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on legal or personnel matters considered in the closed meeting as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

**Item 106 Docket No. 2011-0003-EXE.**

The Commission will conduct a closed meeting to discuss their duties, roles, and responsibilities as Commissioners of the TCEQ pursuant to Section 551.074 of the Open Meetings Act, Codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

**(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TCEQ AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO CONTACT OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE. PERSONS WHO DESIRE THE ASSISTANCE OF AN INTERPRETER IN CONJUNCTION WITH THEIR ORAL PRESENTATION AT THIS TCEQ AGENDA ARE REQUESTED TO CONTACT THE OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST FIVE (5) WORK DAYS PRIOR TO THE AGENDA SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)**

**REGISTRATION FOR AGENDA STARTS AT 8:45 A.M. AND WILL CONTINUE UNTIL 9:30 A.M. PLEASE REGISTER BETWEEN THESE TIMES. LATE REGISTRATION COULD RESULT IN YOUR MISSING THE OPPORTUNITY TO COMMENT ON YOUR ITEM.**

**THE PUBLIC CAN VIEW LIVE AND ARCHIVED TCEQ MEETINGS ON THE INTERNET AT NO COST, AT:**

**[HTTP://WWW.TEXASADMIN.COM/tceqa.shtml](http://www.texasadmin.com/tceqa.shtml)**