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)).

AGENDA

December 10, 2014

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

PROPOSAL FOR DECISION

Item 1 **TCEQ Docket No. 2013-1467-WR; SOAH Docket No. 582-14-0597.**

Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the Executive Director's report and petition for recommendation to add portions of the Briscoe, Hale, and Swisher County Priority Groundwater Management Area to High Plains Underground Water Conservation District No. 1 pursuant to Chapters 35 and 36 of the Texas Water Code and the rules of the Texas Commission on Environmental Quality, specifically 30 TAC Chapter 293. The Commission will also consider the record, related filings, exceptions and replies. (Peggy Hunka, Todd Galiga)

HEARING REQUEST/REQUEST FOR RECONSIDERATION

Item 2 **Docket No. 2014-1371-IWD.**

Remanded to the Executive Director

Consideration of the application by NRG Texas Power LLC, which operates the Limestone Electric Generating Station, a lignite/coal fired steam-electric generating station, for a renewal of TPDES Permit No. WQ0002430000. The existing permit authorizes the discharge of low volume waste, cooling tower blowdown, coal pile runoff, and bottom ash transport water at a daily maximum flow not to exceed 2,304,000 gallons per day via Outfall 001; material handling area runoff, washdown and bottom ash transport water, and low volume waste on an intermittent and flow-variable basis via Outfall 002;

bottom ash transport water, low volume waste, and stormwater runoff at a daily maximum flow not to exceed 510,000 gallons per day via Outfall 003; bottom ash transport water, low volume waste, and stormwater runoff at a daily maximum flow not to exceed 432,000 gallons per day via Outfall 004; low volume waste, metal cleaning waste, bottom ash transport water, and utility wastewater at a daily maximum flow not to exceed 216,000 gallons per day via Outfall 005; treated domestic wastewater at a daily average flow not to exceed 60,000 gallons per day via Outfall 006; treated domestic wastewater at daily average flow not to exceed 3,000 gallons per day via Outfall 007; and bottom ash transport water and low volume waste at a daily maximum flow not to exceed 72,000 gallons per day via Outfall 008. The facility is located at 3964 Farm-to-Market Road 39, adjacent to and west of Farm-to-Market Road 39, approximately 2.5 miles southeast of Farrar, in Limestone County, Texas 75846. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's Responses to Comment. (Gordon Cooper, Michael Parr)

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 3 **Docket No. 2014-0377-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of E. I. du Pont de Nemours and Company in Orange County; RN100542711; 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 Tex. Admin. Code ch. 60. (Farhaud Abbaszadeh, Candy Garrett)

Item 4 **Docket No. 2014-0373-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Stolt-Nielsen USA Inc. in Harris County; RN102562063; 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 Tex. Admin. Code ch. 60. (Amancio R. Gutierrez, Candy Garrett)

Item 5 **Docket No. 2013-1858-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MEMC Pasadena, Inc. in Harris County; RN101062099; 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 Tex. Admin. Code ch. 60. (David Carney, Candy Garrett)

Item 6 **Docket No. 2014-0151-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of South Texas Aggregates, Inc. in Webb County; RN104557400; 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 Tex. Admin. Code ch. 60. (Amancio R. Gutierrez, Candy Garrett)

Item 7 **Docket No. 2014-0549-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Pelican Island Storage Terminal, LLC in Galveston County; RN100224120; 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 Tex. Admin. Code ch. 60. (Carol McGrath, Candy Garrett)

Item 8 **Docket No. 2014-0152-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Shell Oil Company in Harris County; RN100211879; 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 Tex. Admin. Code ch. 60. (Rajesh Acharya, Candy Garrett)

IRRIGATION LICENSING ENFORCEMENT DEFAULT ORDER

Item 9 **Docket No. 2013-2087-LII-E.**

Consideration of a Default Order assessing administrative penalties and requiring certain actions of Chez Eugene Weaver in Randall County; RN106525082; for landscape irrigation violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occ. Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Jess Robinson, Lena Roberts)

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 10 **Docket No. 2012-2620-MLM-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Terra Firma Materials, L.L.C. in Hidalgo County; RN106506942, RN106506926, and RN106519358; for municipal solid waste and petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jennifer Cook, Lena Roberts)

Item 11 **Docket No. 2014-0076-MLM-E.**

Hyperlink Update 12/4/2014 4:30 PM

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Springtown in Parker County; RN101392397; for water quality and public drinking water violations pursuant to Tex. Health & Safety Code ch. 341, 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. (Michaelle Garza, Candy Garrett)

Item 12 **Docket No. 2014-0146-MLM-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Bartley Woods Water Supply Corporation in Fannin County; RN101275972; for public drinking water and water rights violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 11, and the rules of the Texas Commission on Environmental Quality. (Michaelle Garza, Candy Garrett)

MULTI-MEDIA MATTER ENFORCEMENT DEFAULT ORDERS

Item 13 **Docket No. 2013-1424-MLM-E.**

Remanded to the Executive Director

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of HOUSE OF BOATS, INC. in Aransas County; RN102346285; for water quality and used oil violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 371 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim Sallans, Lena Roberts)

Item 14 **Docket No. 2013-2055-MLM-E.**

Hyperlink Update 12/2/2014 10:25 AM

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of William Bradley d/b/a Bradley Services in Crockett County; RN106601065; for water quality and industrial and hazardous waste violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jacquelyn Boutwell, Lena Roberts)

Item 15 **Docket No. 2013-0670-MLM-E.**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of I. 35 SANDPIT, INC. in Johnson County; RN102869484; for industrial hazardous waste and air violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code chs. 361 and 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim Sallans, Lena Roberts)

Item 16 **Docket No. 2013-0750-MLM-E.**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of HAZ-PAK, INC. in Smith County; RN100571249; for hazardous waste and used oil violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code chs. 361 and 371, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jeffrey J. Huhn, Lena Roberts)

Item 17 **Docket No. 2013-2128-MLM-E.**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of LGI LAND, LLC in Montgomery County; RN105567705; for water rights and water quality violations pursuant to Tex. Water Code chs. 7, 11, and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim Sallans, Lena Roberts)

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 18 **Docket No. 2013-1847-MWD-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Galveston in Galveston County; RN101607091; 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. (Remington Burklund, Candy Garrett)

Item 19 **Docket No. 2013-1588-MWD-E.**

Hyperlink Update 12/4/2014 4:30 PM

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Cibolo Creek Municipal Authority in Bexar County; RN101610319; 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. (Jacquelyn Green, Candy Garrett)

Item 20 **Docket No. 2012-2700-MWD-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Benbrook Texas Limited Partnership in Tarrant County; RN102963238; 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. (Remington Burklund, Candy Garrett)

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 21 **Docket No. 2013-0568-PST-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CHAU MANAGEMENT, INC. dba Times Market 105 in Calhoun County; RN101444578; 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. (Tom Greimel, Candy Garrett)

Item 22 **Docket No. 2014-0143-PST-E.**

Consideration of an Agreed Order assessing administrative penalties against Hasmukh D. Bhakta dba Ft. Hancock Mini Mart in Hudspeth County; RN101444008; 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. (John Fennell, Candy Garrett)

Item 23 **Docket No. 2012-0507-PST-E.**

Consideration of an Agreed Order assessing administrative penalties against Tuong Cong Huynh d/b/a AM Mini Mart 15 in Harris County; RN102374204; 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. (Jess Robinson, Lena Roberts)

Item 24 **Docket No. 2013-1479-PST-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Jai Ambica Corporation d/b/a Seagoville Chevron in Dallas County; RN102965811; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Steven M. Fishburn, Lena Roberts)

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 25 **Docket No. 2014-0105-PWS-E.**

Hyperlink Update
12/4/2014
4:30 PM

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Virginia Franklin Fuller dba Franklin Water Systems 3 in Lubbock County; RN101264372; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Katy Montgomery, Candy Garrett)

Item 26 **Docket No. 2014-0601-PWS-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of O'Brien in Haskell County; RN101386852; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Abigail Lindsey, Candy Garrett)

Item 27 **Docket No. 2014-0221-PWS-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Beeville in Bee County; RN101419133; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Epifanio Villarreal, Candy Garrett)

Item 28 **Docket No. 2014-0080-PWS-E.**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of MUNSON POINT PROPERTY OWNERS ASSOCIATION in Grayson County; RN103128161; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Elizabeth Carroll Harkrider, Lena Roberts)

Item 29 **Docket No. 2014-0468-PWS-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of The Original Adventure Camp Inc in Kerr County; RN101194561; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Katy Montgomery, Candy Garrett)

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDERS

Item 30 **Docket No. 2013-2019-PWS-E.**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Wendell Reese d/b/a Pecan Shadows Water Supply Company in Matagorda County; RN102691052; 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. (Ryan Rutledge, Lena Roberts)

Item 31 **Docket No. 2014-0015-PWS-E.**

Hyperlink Update 12/2/2014 10:25 AM

Consideration of a Default Order assessing administrative penalties against BAY RIDGE CHRISTIAN COLLEGE in Fort Bend County; RN101221935; 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. (Jake Marx, Lena Roberts)

Item 32 **Docket No. 2014-0110-PWS-E.**

Hyperlink Update 12/9/2014 10:55 AM

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Jack Vanover and Rhonda C. Vanover d/b/a Seven Estates in Lubbock County; RN102679305; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Joel Cordero, Lena Roberts)

Item 33 **Docket No. 2014-0159-PWS-E.**

Consideration of a Default Order assessing administrative penalties against Pamela Sue Hughes d/b/a Big Q Mobile Home Estates in Lubbock County; RN102319464; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Steven M. Fishburn, Lena Roberts)

RULE MATTERS

Item 34 **Docket No. 2014-0234-RUL.**

Consideration for publication of, and hearings on, proposed amendments to Sections 101.300 - 101.303, 101.306, 101.309, 101.350 - 101.354, 101.356, 101.359, 101.360, 101.370 - 101.373, 101.376, 101.378, 101.379, 101.390 - 101.394, 101.396, 101.399, and 101.400; and repeal of Sections 101.304, 101.358, and 101.374 of 30 TAC Chapter 101, General Air Quality Rules and corresponding revisions to the state implementation plan (SIP). The proposed rulemaking would revise the Emission Reduction Credit (ERC) and Discrete Emission Reduction Credit (DERC) Programs by repealing the rules for generating credits from area and mobile sources and for use by mobile sources; clarifying how reductions are surplus to the SIP; updating for changed federal standards; clarifying provisions for substituting credits from one ozone precursor for another; removing the requirement to submit original certificates for trades and use; clarifying the equations for generating credits; and clarifying that limitations on protocols apply to both generation and use. For the ERC Program, the proposed revisions include extending the deadline for applying to generate credits and amending rounding procedures for generation and use. For the DERC Program, the revisions include revising the existing limit for the Dallas-Fort Worth 1997 eight-hour ozone nonattainment area to a fixed value and clarifying that the limit only applies to nitrogen oxides DERCs generated and used in the area. The proposed amendments to the Mass Emissions Cap

and Trade (MECT) and Highly Reactive Volatile Organic Compounds Emissions Cap and Trade (HECT) Programs would clarify and add flexibility for the use of allowances as offsets; reduce the reporting requirements for sites that no longer operate affected facilities; require additional allowances when data substitution is used because of noncompliance with requirements; add procedures for changing site and allowance ownership; and revise equations for the allocation of allowances. For the MECT Program, the revisions include providing a deadline for acquiring allowances to cover deficits; removing the equation for data substitution; and clarifying that the use of volatile organic compounds DERCs for MECT compliance must meet the provisions for the inter-pollutant use of DERCs and that the use of DERCs generated from stationary sources is limited to 10,000 tons each year. For the HECT Program, the revisions include correcting an error related to the reporting of emission events; adding deadlines for transfers; and allowing the generation of volatile organic compounds ERCs from HECT sources if allowances are retired. (Joe Thomas, Amy Browning) (Rule Project No. 2014-007-101-AI)

Item 35 **Docket No. 2014-0501-RUL.**

Consideration for publication of, and hearing on, proposed amended Sections 115.10, 115.110 - 115.112, 115.114, 115.115, 115.117 - 115.119, 115.121, 115.122, 115.125 - 115.127, 115.129, 115.139, 115.215, 115.219, 115.229, 115.239, 115.359, 115.415, 115.416, 115.419, 115.420 - 115.422, 115.423, 115.425 - 115.427, 115.429, 115.440 - 115.442, 115.446, 115.449 - 115.451, 115.453, 115.459 - 115.461, 115.469, 115.471, 115.473, 115.479, and 115.519; new Sections 115.410 and 115.411; and the repeal of Section 115.417 of 30 TAC Chapter 115, Control of Air Pollution from Volatile Organic Compounds and corresponding revisions to the state implementation plan. The proposed rulemaking would implement reasonably available control technology (RACT) for all emission sources addressed in a control techniques guidelines (CTG) and all non-CTG major sources of volatile organic compounds (VOC) in the 2008 Dallas-Fort Worth eight-hour ozone nonattainment area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties) to satisfy Federal Clean Air Act requirements. The proposed rulemaking would revise the VOC rules to expand the applicability of the existing RACT rules to include Wise County. The proposed rulemaking would also make necessary technical corrections and non-substantive revisions. (Frances Dowiak, Amy Browning) (Rule Project No. 2013-048-115-AI)

Item 36 **Docket No. 2014-0707-RUL.**

Consideration for publication of, and hearings on, proposed revisions to 30 Texas Administrative Code Chapter 117, Control of Air Pollution from Nitrogen Compounds: amendments to Sections 117.10, 117.400, 117.403, 117.410, 117.423, 117.425, 117.430, 117.435, 117.440, 117.445, 117.450, 117.454, 117.456, 117.1303, 117.1310, 117.1325, 117.1335, 117.1340, 117.1345, 117.1350, 117.1354, 117.8000,

117.9030, 117.9130, 117.9800, and 117.9810; repeal of Sections 117.200, 117.203, 117.205, 117.210, 117.215, 117.223, 117.225, 117.230, 117.235, 117.240, 117.245, 117.252, 117.254, 117.256, 117.1100, 117.1103, 117.1105, 117.1110, 117.1115, 117.1120, 117.1125, 117.1135, 117.1140, 117.1145, 117.1152, 117.1154, 117.1156, 117.9010, and 117.9110; new Sections 117.405 and 117.452; and corresponding revisions to the state implementation plan (SIP). Sections 117.210(c), 117.225, 117.410(d), 117.425, 117.1110(b), 117.1125, 117.1310(b), and 117.1325 correspond to portions of the existing rule previously excluded from the United States Environmental Protection Agency (EPA)-approved Texas SIP and will not be submitted with the revision. Proposed new Section 117.405(d) will not be submitted to the EPA as a SIP revision. The proposed rulemaking would revise Chapter 117 to implement reasonable available control technology (RACT) for all major sources of nitrogen oxides (NOX) in the Dallas-Fort Worth 2008 eight-hour ozone moderate nonattainment area consisting of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties, as required by Federal Clean Air Act, Section 172(c)(1) and Section 182(f). The proposed rulemaking would extend implementation of RACT to major sources of NOX located in newly designated Wise County. Although not necessary to satisfy RACT requirements, the proposed rulemaking would provide compliance flexibility to testing requirements of Chapter 117 for temporary boilers and process heaters, and it would clarify the definition of electric power generating system to distinguish rule requirements for independent power producers located in all Texas ozone nonattainment areas. (Javier Galván, Amy Browning) (Rule Project No. 2013-049-117-AI)

Item 37 **Docket No. 2013-2039-RUL.**

Consideration for adoption of amendment to Sections 311.61 and 311.62 of 30 TAC Chapter 311, Subchapter G, Watershed Protection, and the addition of Section 311.67. This rulemaking would adopt corrections to definitions of the Benbrook Lake water quality area and Benbrook Lake watershed, modify the scope of the subchapter, and add a new section on nutrient control requiring a total phosphorus limit for certain discharges within the Benbrook Lake water quality area and watershed. The proposed rules were published in the July 4, 2014, issue of the *Texas Register* (39 TexReg 5102). (Gregg Easley, Stefanie Skogen) (Rule Project No. 2014-006-311-OW)

Item 38 **Docket No. 2014-0488-RUL.**

Consideration of the adoption of amended Sections 335.1, 335.29, 335.155, 335.211, 335.261, 335.431, 335.503, and 335.504 of 30 TAC Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste. The adopted rulemaking would update Chapter 335 to include federal rule changes that are optional and are set forth in parts of the United States Environmental Protection Agency's (EPA) Resource Conservation and Recovery Act Clusters XXI-XXIII. The adopted amendments would establish an alternative land

disposal treatment standard for carbamate wastes; make two technical corrections to the hazardous waste regulations in final rules previously published in the Federal Register; revise the definition of "solid waste" to conditionally exclude solvent-contaminated wipes that are cleaned and reused; and revise the definition of "hazardous waste" to conditionally exclude solvent-contaminated wipes that are disposed; and exclude hazardous carbon dioxide streams from the definition of "hazardous waste" provided they are captured from emission sources and injected into Underground Injection Control Class VI wells for purposes of geologic sequestration. Finally, this rulemaking initiative would include corrections to existing rules in Chapter 335. These changes would revise language and correct typographical errors, incorrect or outdated citations, and omissions as recommended by the EPA. The proposed rules were published in the August 22, 2014, issue of the *Texas Register* (39 TexReg 6376). (Cynthia Palomares, Susan White) (Rule Project No. 2014-019-335-WS)

STATE IMPLEMENTATION PLAN MATTERS

Item 39 **Docket No. 2014-1249-SIP.**

Consideration for publication of, and hearing on, the proposed Dallas-Fort Worth (DFW) Reasonable Further Progress (RFP) State Implementation Plan (SIP) Revision for the 2008 Eight-Hour Ozone National Ambient Air Quality Standard (NAAQS). To meet Federal Clean Air Act requirements, the proposed SIP revision would include an analysis of reasonable further progress toward attainment of the 2008 eight-hour ozone NAAQS, demonstrating an 18% emissions reduction in ozone precursors from the 2011 base year through the 2018 attainment year, a 3% emissions reduction demonstration for contingency for each milestone year, and updated RFP motor vehicle emissions budgets for each milestone year. (Kristin Patton, Terry Salem) (Project No. 2013-014-SIP-NR)

Item 40 **Docket No. 2014-1262-SIP.**

Consideration for publication of, and hearing on, the proposed Dallas-Fort Worth (DFW) Attainment Demonstration State Implementation Plan (SIP) revision to meet the 2008 Eight-Hour Ozone National Ambient Air Quality Standard. The counties affected include Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise. To meet Federal Clean Air Act requirements, the proposed SIP revision would include a photochemical modeling analysis, a weight of evidence analysis, a reasonably available control technology (RACT) analysis, a reasonably available control measures analysis, a motor vehicle emissions budget for 2018, and a contingency plan. This SIP revision would also incorporate two proposed rulemakings to fulfill RACT requirements for any sources identified in the DFW area that are not already subject to the existing 30 Texas Administrative Code Chapters 115 and 117 rules. (Kathy Singleton, Terry Salem) (Project No. 2013-015-SIP-NR)

PUBLIC COMMENT SESSION

Item 41 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 MEETING

Item 42 **Docket No. 2014-0001-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 43 **Docket No. 2014-0002-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 44 **Docket No. 2014-0003-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 SIX (6) 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