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Chairman Kathleen White OLD BUSINESS AGENDA
Commissioner Larry Soward
Commissioner H.S. Buddy Garcia Wednesday, April 25, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Item continued from the June 14, 2006, November 15, 2006, and January 10, 2007 agendas.

Item 1. [Docket No. 2003-1298-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **City of Lovelady in Houston County**; TCEQ ID Nos. 10734-001 and RN102185543; 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. (Deborah A. Bynum, Jennifer Cook)

Item continued to the May 9, 2007 agenda. KW/BG; all agree.

Item continued from the December 6, 2006 and January 10, 2007 agendas.

Item 2. [Docket No. 2004-0445-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Yari Enterprises, Inc., dba Git N Go in Brazoria County**; TCEQ ID No. RN102245263; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7, and 26, and Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Kathleen C. Decker, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

Item continued from the February 7, 2007 agenda.

Item 3. [Docket No. 2006-1728-IWD](#). Consideration of the application by **Chevron Phillips Chemical Company LP**, for a major amendment to TPDES Permit No. WQ0000359000 to increase the daily maximum effluent limitation for total suspended solids at Outfall 001 and reduce the monitoring frequencies for total copper, oil & grease, biochemical oxygen demand (5-day), and chemical oxygen demand at Outfall 001. The current permit authorizes the discharge of process wastewater, utility wastewater, storm water, and domestic wastewater at a daily average flow not to exceed 3,150,000 gallons per day via Outfall 001. The facility is located on the south side of Farm-to-Market Road 1006, approximately 1.7 miles east of the intersection of Farm-to-Market Road 1006 and State Highway 87, southwest of the City of Orange, **Orange 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. (Paul Tough, Michael Sunderlin)

Deny the hearing request, grant the major amendment to the permit and adopt the Executive Director's Response to Comments. KW/LS; all agree.

AGENDA

Wednesday, April 25, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

AIR QUALITY ENFORCEMENT AGREED ORDERS

- Item 1. [Docket No. 2005-1775-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties against **Angleton Danbury Hospital District dba Angleton Danbury Medical Center** in **Brazoria County**; RN100895648; 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. (Suzanne Walrath, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 2. [Docket No. 2005-1839-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **BP Products North America Inc.** in **Galveston County**; RN102535077; 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. (Suzanne Walrath, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 3. [Docket No. 2006-0573-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Oxy Vinyls, LP** in **Harris County**; RN100224674; 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, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 4. [Docket No. 2006-0012-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Valero Refining-Texas, L.P.** in **Galveston County**; RN100238385; 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. (Kimberly Morales, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 5. [Docket No. 2006-1666-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Trinity Industries, Inc.** in **Tarrant County**; RN102418563; 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. (Bryan Elliott, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 6. [Docket No. 2006-1310-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Dolores M. Valdez and Ingilberto Rivera dba Rivas Super Store in El Paso County**; RN100813682; 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. (Jessica Rhodes, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 7. [Docket No. 2006-1347-AIR-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Vopak Logistics Services USA Inc. in Harris County**; RN100223007; 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. (Rebecca Johnson, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

DRY CLEANER ENFORCEMENT AGREED ORDERS

- Item 8. [Docket No. 2006-1611-DCL-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Baha Capital Enterprises, Inc. dba Dry Clean Super Center in Collin County**; RN104094552; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality. (Cari-Michel La Caille, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 9. [Docket No. 2006-1474-DCL-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Sun Ha dba College Station Cleaners and dba Discount Cleaners in Brazos, Grimes, and Robertson Counties**; RN100655356, RN105014724, RN105014682 and RN104152566; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Thomas Greimel, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 10. [Docket No. 2006-1465-DCL-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Deluxe Enterprises, Inc. dba Zip Cleaners in Bell, Coryell, and Lampasas Counties**; RN105010524, RN105020051, and RN105020192; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Shontay Wilcher, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 11. [Docket No. 2006-1297-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Husaini, Inc. dba Memorial Village Cleaners and dba Prince Cleaners in Harris County**; RN100915339, RN105019178, and RN104996160; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Audra L. Ruble, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 12. [Docket No. 2006-0952-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **F. Basra Inc dba Mr & Mrs Cleaners in Dallas County**; RN104219548; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Harvey Wilson, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 13. [Docket No. 2006-1165-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Jose F. Dallo dba Randolph Laundry & Cleaners in Bexar County**; RN104959499; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Shontay Wilcher, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 14. [Docket No. 2006-1605-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **US of True Corporation dba USA Cleaners in Collin County**; RN101469260; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality. (Suzanne Walrath, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 15. [Docket No. 2006-1534-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Ok Hui Choi Kim dba Stars Cleaners in Harris County**; RN103953204; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality. (Colin Barth, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 16. [Docket No. 2006-1317-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Gloria Saldana dba Rex Cleaners in Cameron County**; RN104094149; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Colin Barth, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 17. [Docket No. 2006-1641-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2 in Bexar County**; RN103955944 and RN103955936; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Samuel Short, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 18. [Docket No. 2006-0820-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **John Nichols dba Best Cleaners in Rusk County**; RN103959417; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Shontay Wilcher, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 19. [Docket No. 2006-1674-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Betty J. Starling dba Betty's Cleaners in McLennan County**; RN104028576; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Cheryl Thompson, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

FIELD CITATIONS

- Item 20. [Docket No. 2007-0245-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Wholesale Electric Supply Company, Inc. in Harris County**; RN102859519; 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. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/BG; all agree.

- Item 21. [Docket No. 2007-0167-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Port of Houston Authority dba APM Terminals in Harris County**; RN101742237; 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. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/BG; all agree.

- Item 22. [Docket No. 2007-0244-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **McLane Company, Inc. dba McLane High Plains in Lubbock County**; RN101899235; 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. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/BG; all agree.

- Item 23. [Docket No. 2007-0243-PWS-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Jose Herrera Jr. in Jim Wells County**; RN105118954; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 37, and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/BG; all agree.

- Item 24. [Docket No. 2007-0267-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Arthur D. Hendricks III in Erath County**; RN103698635; for water operator certification violations pursuant to Tex. Health & Safety Code ch. 366, Tex. Water Code ch. 37, and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/BG; all agree.

- Item 25. [Docket No. 2007-0171-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of the **City of Rio Grande City in Starr County**; RN102777661; for stormwater 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. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/BG; all agree.

INDUSTRIAL HAZARDOUS WASTE ENFORCEMENT AGREED ORDER

- Item 26. [Docket No. 2006-0920-IHW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **M7 Aerospace LP in Bexar County**; RN101446235; for industrial & 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. (Harvey Wilson, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

- Item 27. [Docket No. 2006-0863-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Ohmstede Ltd. in Harris County**; RN102096666; 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. (John Muennink, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

- Item 28. [Docket No. 2006-0745-MLM-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **A.D. Wallace dba A.D. Wallace Custom Fence in Blanco County**; RN104957188; for air quality and municipal solid 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. (Alison Echlin, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 29. [Docket No. 2005-1996-MLM-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Laredo in Webb County**; RN100524099 and RN103026043; for water quality and drinking water quality 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 Texas Administrative Code ch. 60. (Anita Keese, David Van Soest)

Approve the Agreed Order. KW/BG; all agree.

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS

- Item 30. [Docket No. 2001-0725-MSW-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Southwest Tire Disposal, L.L.C. in El Paso County and Lubbock County**; TCEQ ID Nos. RN103043956 and RN104002720; 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. (Shannon Strong, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

- Item 31. [Docket No. 2005-1837-MSW-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Uvalde in Uvalde County**; RN104610787; 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. (Audra L. Ruble, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 32. [Docket No. 2006-1660-MSW-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Milano Independent School District in Milam County**; RN102040813; 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. (Dana Shuler, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 33. [Docket No. 2006-0488-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties against **Kriewaldt Tree Care, Inc.** in **Guadalupe County**; RN104796503; 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. (Alison Echlin, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 34. [Docket No. 2006-1949-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **GWG Wood Group, Inc.** in **Dallas County**; RN104997101; 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. (Clinton Sims, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 35. [Docket No. 2004-0677-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Algonquin Water Resources of America, Inc. dba Woodmark Utilities and dba Tall Timbers STP** in **Smith County**; TCEQ ID Nos. RN101511400 and RN101519981; 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. (Laurencia Fasoyiro, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

Item 36. [Docket No. 2005-1535-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Emory** in **Rains County**; RN102916822; 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. (Elvia Maske, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 37. [Docket No. 2006-1879-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties against the **City of White Oak** in **Gregg County**; RN102079696; 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. (Lynley Doyen, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 38. [Docket No. 2006-0143-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **D & K Development Corp.** in **Tarrant County**; RN102287109; 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, P.E., Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 39. [Docket No. 2006-0461-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jackson County Water Control & Improvement District No. 1** in **Jackson County**; RN101609394; 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. (Laurie Eaves, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

- Item 40. [Docket No. 2002-0488-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Eutemia Medina dba O.A. Gingrich** in **San Patricio County**; TCEQ ID No. 46358; 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. (Shawn Slack, Jennifer Cook)

Item remanded to the Executive Director. KW/LS; all agree.

- Item 41. [Docket No. 2003-1165-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Uppal Bros., Inc. dba Save Way Food Mart** in **Tarrant County**; TCEQ ID No. RN102035367; 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. (Shawn A. Slack, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

- Item 42. [Docket No. 2005-1402-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **AT Systems Southwest, Inc.** in **Dallas County**; TCEQ ID No. RN101544641; 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. (Jacquelyn Boutwell, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

- Item 43. [Docket No. 2006-0830-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Ben E. Keith Company dba Ben E. Keith Beers** in **Taylor County**; RN101780070; 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. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 44. [Docket No. 2006-1824-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Valero Refining-Texas, L.P.** in **Nueces County**; RN101793750; 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. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 45. [Docket No. 2005-1207-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **William B. Colwell dba Star Mart 3** in **Ellis County**; RN102255353; 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. (Deana Holland, David Van Soest)

Approve the Agreed Order. KW/BG; all agree.

Item 46. [Docket No. 2006-1749-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Southwest Convenience Stores, LLC dba 7 Eleven 57409** in **Lubbock County**; RN102410727; 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. (Thomas Greimel, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 47. [Docket No. 2006-1873-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **K & S Mart, Inc. dba Glad Mart** in **Tarrant County**; RN102586658; 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. (Patricia Chawla, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 48. [Docket No. 2006-1861-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Esteem Enterprise, Inc. dba Speedy Mart 1** in **Harris County**; RN102426616; 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. (Thomas Greimel, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 49. [Docket No. 2006-1914-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Raymond Huff dba Detail Masters** in **Smith County**; RN102130341; 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. (Thomas Greimel, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 50. [Docket No. 2006-0987-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Chedid, Inc. dba Conoco Mart 1** in **Tarrant County**;

RN102059086; for petroleum storage tank 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. (Shontay Wilcher, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 51. [Docket No. 2003-0953-PST-E.](#) Consideration of an Agreed Order assessing administrative penalties against **Abdul H. Aziz Al-Surmi aka Aziz Al-Surmi dba Yemco Petroleum in Travis County**; TCEQ ID No. RN101494268; 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. (Mark Curnutt, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

- Item 52. [Docket No. 2003-0971-PST-E.](#) Consideration of an Agreed Order assessing administrative penalties against **Lakeport Development, Inc. in Gregg County**; TCEQ ID No. RN102024577; 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. (Kathleen Decker, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

- Item 53. [Docket No. 2004-1809-PST-E.](#) Consideration of an Agreed Order assessing administrative penalties against **R. Master & Sons, Inc. dba Get & Go in Calhoun County**; TCEQ ID No. RN101733533; 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. (Rachael R. Gaines, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

- Item 54. [Docket No. 2004-1457-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties against **City of Domino in Cass County**; TCEQ ID Nos. 0340041 and RN101388866; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Shannon Strong, Jennifer Cook)

Approve the Agreed Order. KW/BG; all agree.

- Item 55. [Docket No. 2006-1741-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties against the **City of Robinson in McLennan County**; RN101196251; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Epifanio Villarreal, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 56. [Docket No. 2006-1882-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Don French dba Riviera Mobile Home Park** in **Denton County**; RN101256667; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Christopher Miller, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 57. [Docket No. 2005-1495-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties against **Mike Oda dba Riverbend RV Park and Resort** in **Fort Bend County**; RN101250926; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Libby Hogue, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 58. [Docket No. 2006-1062-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties against **Praxair, Inc.** in **Harris County**; RN102146446; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Amy Martin, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 59. [Docket No. 2005-0431-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Mexia** in **Limestone County**; Public Water Supply No. 1470004 and RN101399905; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (J. Craig Fleming, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 60. [Docket No. 2006-1686-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lake Somerville Marina and Campground Incorporated** in **Washington County**; RN101285757; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Epifanio Villarreal, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 61. [Docket No. 2003-0639-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lake Livingston Water Supply and Sewer Service Corporation** in **Polk, Hardin, San Jacinto, and Trinity Counties**; Certificate of Convenience & Necessity ("CCN") No. 10147; Bass Bay/Indian Hills #1 (RN101181378), Beech Creek Village (RN101192516), Big Thicket Retreat (RN101186112), Country Sunrise (RN101283323), Crystal Lakes (RN101202109), Holiday Shores 1-2-3 (RN101190536), Holiday Shores No. 4 (RN101188878), Impala Woods (RN101239333), Indian Hills #2 (RN101253136), Indian Springs Lake Estates (RN101456952), Lake Livingston Estates No. 2 & 3 (RN101454866), Lake Livingston Estates 4 & 5 (RN103129342), Lake Run-A-Muck

(RN101269694), Lake Tejas (RN101272292), Northwoods (RN101242006), Nugents Cove Water System (RN101259539), Oakridge Water System (RN102693454), Paradise Acres (RN101201960), Pine Shadows Water System (RN101199776), Point Lookout Estates (RN101264596), Riverview Terrace Water System (RN101243103), Weavers Cove Water System (RN101280790), Wiggins Village #2 (RN101454106), Wild Bird Country Water System (RN101285484), Wilson Lake Estates Water Supply (RN101263226); for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Audra L. Ruble, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 62. [Docket No. 2006-0611-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Kelly House dba House Water System in Tarrant County**; RN102318557; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 5, and the rules of the Texas Commission on Environmental Quality. (Amy Martin, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 63. [Docket No. 2006-0183-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Wildwood Circle Property Owners Association, Inc. in San Jacinto County**; RN101191328; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (J. Craig Fleming, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 64. [Docket No. 2006-0748-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **Town of Marshall Creek in Denton County**; RN101201952; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Sandy VanCleave, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

Item 65. [Docket No. 2006-1828-PWS-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Aransas County Municipal Utility District No. 1 in Aransas County**; RN101416634; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Amy Martin, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

WATER QUALITY ENFORCEMENT AGREED ORDERS

Item 66. [Docket No. 2006-1596-WQ-E.](#) Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **EZ Pickens Auto Ranch, Inc. in McLennan County**; RN103102653; for water quality violations pursuant to Tex. Water Code chs. 5, 7, and 26 and

the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Libby Hogue, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 67. [Docket No. 2006-0663-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **Texas Department of Transportation in Somervell County**; RN104900493; 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. (Sherronda Martin, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 68. [Docket No. 2006-1795-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Timms Trucking and Excavating, Ltd. in Bexar County**; RN105023782; 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. (Cari-Michel La Caille, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

- Item 69. [Docket No. 2006-1220-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **Texas Department of Transportation in Nacogdoches County**; RN104535356; 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. (Ruben Soto, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

WATER RIGHT ENFORCEMENT AGREED ORDER

- Item 70. [Docket No. 2006-0414-WR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Amistad Ready Mix, Inc. in Val Verde County**; RN103144929; for water rights violations pursuant to Tex. Water Code ch. 11 and the rules of the Texas Commission on Environmental Quality. (Anita Keese, Steven Lopez)

Approve the Agreed Order. KW/BG; all agree.

MOTION TO OVERTURN

- Item 71. [Docket No. 2007-0336-MWD](#). Consideration of a Motion to Overturn filed by **Trinity River Authority of Texas** concerning the Executive Director's approval of a renewal of TPDES Permit No. WQ0010348001 held by Trinity River Authority of Texas for the Mountain Creek Regional Wastewater Treatment Facility in **Ellis County**, Texas. The Commission will also consider timely responses and replies to the Motion to Overturn. (Alicia Lee)

Grant the Motion to Overturn, set aside the permit issued on February 8, 2007 and remand the matter to the Executive Director. KW/LS; all agree.

GIFTS AND DONATIONS

- Item 72. [Docket No. 2007-0355- 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 by certain state agencies. (David Timberger)

Approve staff recommendations as reflected in the adopted Resolution including Exhibit A, which contains the names of the donors and descriptions and statements of the purposes of the gifts and which is attached to and incorporated in these minutes. KW/LS; all agree.

EXECUTIVE SESSION

- Item 73. **Docket No. 2007-0001-EXE.** The Commission will meet in closed session 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 session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

No Action Taken.

- Item 74. **Docket No. 2007-0002-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 session to take action on a 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.

No Action Taken.

- Item 75. **Docket No. 2007-0003-EXE.** The Commission will conduct a closed session 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 session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

No Action Taken.

(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. 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/cgi-bin/tnrcc.cgi](http://www.texasadmin.com/cgi-bin/tnrcc.cgi)

OLD BUSINESS AGENDA

Wednesday, April 25, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle
Room 201S, Bldg. E

Item continued from the July 12, 2006 and December 6, 2006 agendas.

- Item 1. [TCEQ Docket No. 2000-0396-IHW-E; SOAH Docket No. 582-04-0251](#). Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Chester L. Slay, Jr., individually; Union Texas Limited Partnership; and Chester L. Slay, Jr., Trustee of Peckham Family Trust in Jefferson County**, Texas; TCEQ Solid Waste Registration No. 34799; regarding solid waste violations pursuant to 30 Tex. Admin. Code §§ 335.112(a)(9), 335.8(b), 335.62, 335.6(c), 335.2, 40 CFR §§ 265(J), 262.11, 270.1, Tex. Water Code § 26.121(a), and the rules of the Texas Commission on Environmental Quality.

Item continued to the June 27, 2007 agenda to allow SOAH to determine the proportional distribution of the total penalty of \$177,500 as supported by the evidence. KW/LS; all agree.

Item continued from the March 7, 2007 agenda.

- Item 2. [Docket No. 2006-0391-DIS](#). Consideration of a petition from Mr. Mac McCoy (Petitioner), for Creation of **Ellis County Municipal Utility District No. 1**, Texas, pursuant to Texas Water Code Chapters 49 and 54. The Commission will also consider hearing requests and related responses and replies. (TCEQ Internal Control No. 02212006-D04; Rob Cummins, Christian Siano)

Reposted as new business item # 3.

AGENDA

Wednesday, April 25, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle

Room 201S, Bldg. E

Item 1. [TCEQ Docket No. 2005-1184-MWD; SOAH Docket No. 582-06-0393](#). Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the application of **UA Holdings, 1994-95, Inc.** for a new TPDES permit, seeking authorization to discharge treated domestic wastewater at a daily average flow not to exceed 180,000 gallons per day in the interim phase and a daily average not to exceed 360,000 gallons per day in the final phase. The facility would be located in **Montgomery County**, Texas. The Commission will also consider timely public comments and the Executive Director's Response to such comments; the application, and related filings, exceptions and replies. (Anthony Tatu)

Item continued to the June 27, 2007 agenda to allow all parties to continue settlement discussion through the ADR program. KW/LS; all agree.

Item 2. [Docket No. 2006-0402-IWD; SOAH Docket No. 582-06-2038](#). Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the application of **Sandy Creek Energy Associates, L.P.** for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004755000, which would authorize the discharge of cooling tower blowdown and previously monitored effluents (chemical metal cleaning waste, low volume waste, and coal pile storm water runoff) at a daily average flow not to exceed 2,600,000 gallons per day. The proposed discharge route would be from the plant site, via pipeline, to the Brazos River Above Navasota River, in Segment No. 1242 of the Brazos River Basin. The Sandy Creek Energy Station, a new pulverized coal-fired electricity generating station, would be developed on an approximately 700-acre undeveloped site, near the City of Riesel, bounded by Rattlesnake Road on the west, north, and east sides and Farm-to-Market Road 1860 on the south side in **McLennan County**. The Commission will also consider timely public comments; the Executive Director's Response to such comments; and related filings, exceptions and replies. (Marc Friberg, Monica Baez)

Adopt the ALJ's Order and the modifications to the permit recommended by the ALJ in his Order; however, also adopt the two changes to the draft permit recommended by the Executive Director during the public meeting, and the changes to the draft permit and the Order stated by the Chairman during the public meeting in her motion, which the Commission approved, including adoption of the Executive Director's Response to Comments except that, to the extent of conflict with the Commission's Order, the Commission's Order prevails. The Commission in its approved motion also directed the Executive Director to file a copy of the revised permit reflecting its Order and concurrently to serve a copy on all parties and the ALJ, and directed the General Counsel to attach a copy of the revised permit to its Order as Exhibit A and to add an ordering provision stating its adoption of the Response to Comments except to the

extent of any conflict with its Order, in which case its Order would prevail. KW/BG; LS reluctantly opposed.

(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 12:30 P.M. UNTIL 1:00 P.M. PLEASE REGISTER BETWEEN THESE TIMES. LATE REGISTRATION COULD RESULT IN YOUR MISSING THE OPPORTUNITY TO COMMENT ON YOUR ITEM.

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ADDENDUM TO THE AGENDA

Wednesday, April 25, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle

Room 201S, Bldg. E

- Item 3. [Docket No. 2006-0391-DIS.](#) Consideration of a petition from Mr. Mac McCoy (Petitioner), for Creation of **Ellis County Municipal Utility District No. 1** in **Ellis County**, Texas, pursuant to Texas Water Code Chapters 49 and 54. The Commission will also consider hearing requests and related responses and replies. (TCEQ Internal Control No. 02212006-D04; Rob Cummins, Christiaan Siano)

Item continued to the June 13, 2007 agenda.

/s/ Celeste Baker
Assistant General Counsel,
Celeste Baker

5-23-2007
Date