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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)).

Commissioner Toby Baker
Commissioner Jon Niermann

AGENDA

November 1, 2017

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

10:00 A.M.
12100 Park 35 Circle
Room 201S, Bldg. E

EMERGENCY ORDER

Item 1 **[Docket No. 2017-1413-UCR-E.](#)**

Consideration of whether to affirm, modify, or set aside the Emergency Order issued on October 2, 2017, 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 abandonment of a retail public utility (Utility) by Crazy Horse Ranchos Property Owners Association and New Progress Water Supply Corporation; TCEQ PWS ID No. TX1840024; RN101185189; to ensure continued operation of the Utility and to provide continuous and adequate service to the customers. The Emergency Order appointed Mark Patterson as temporary manager of the Utility. (Ian Groetsch)

Affirm the Executive Director's Emergency Order against Crazy Horse Ranchos Property Owners Association and New Progress Water Supply Corporation. JN/TB; all agree.

MISCELLANEOUS MATTERS

Item 2 **Docket No. 2017-1391-MIS.**

Consideration of the Executive Director's findings and recommendation on whether a watermaster should be appointed for the Upper Brazos River Basin, Colorado River Basin, San Jacinto-Brazos Coastal Basin, Colorado-Lavaca Coastal Basin, or the Brazos-Colorado Coastal Basin. Texas Water Code, Section 11/326(g) requires that in river basins where no watermaster has been appointed, the executive director shall evaluate the river basin at least once every 5 years to determine whether a watermaster should be appointed, and report the findings and make recommendations to the commission. The commission shall include the findings and recommendations in the commission's biennial report to the Legislature (Amy Settemeyer, Dinniah Tadema).

Continued to the November 15, 2017 Agenda.

Item 3 **Docket No. 2017-1338-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. (Elizabeth West)

Approve the issuance of the Resolution that acknowledges the Executive Director's acceptance of the gifts and donations contained in the TCEQ Interoffice Memorandum to the Commissioners dated October 13, 2017, Docket Number 2017-1338-MIS. JN/ TB; all agree.

Item 4 **Docket No. 2017-1420-MIS.**

Consideration of material changes to contracts for goods and services awarded under Chapter 2155 of the Texas Government Code executed during the previous quarter. (Chris Gobert)

Approve issuance of the Resolution that acknowledges the material changes to the contracts for goods and services in accordance with Section 2155.088 of the Texas Government Code for the time period of June 1, 2017 through August 31, 2017 contained in the TCEQ Interoffice Memorandum to the Commissioners and Executive Director dated October 13, 2017 with the caption of Docket Number 2017-1420-MIS. JN/ TB; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 5 [**Docket No. 2017-0134-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Air Products LLC in Jefferson County; RN101941284; 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. (Abigail Lindsey, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 6 [**Docket No. 2017-0091-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Chevron Phillips Chemical Company LP in Brazoria County; RN100825249; 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. (Abigail Lindsey, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 7 [**Docket No. 2017-0015-IWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Lubbock in Lubbock County; RN102545142; 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. (Larry Butler, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

LANDSCAPE IRRIGATION LICENSING ENFORCEMENT DEFAULT ORDER

Item 8 [**Docket No. 2016-1841-LII-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Mike Jason Tilley in Collin

County and Hunt County; RN103354742; for landscape irrigation installation 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. (Eric Grady, Janice Hernandez)

Approve the Default Order. JN/TB; all agree.

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 9 **Docket No. 2016-1496-MLM-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of 1265 LLC in Smith County; RN109269951; for air quality and water quality 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 Tex. Admin. Code ch. 60. (Sandra Douglas, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 10 **Docket No. 2016-0638-MLM-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Corpus Christi in Nueces County; RN101610400; 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. (Farhaud Abbaszadeh, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 11 **Docket No. 2015-1716-MLM-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of PHILLIPS 66 COMPANY in Hutchinson County; RN102495884; for industrial and hazardous waste and underground injection control violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 7 and 27, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (John Paul Fennell, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 12

[Docket No. 2017-0139-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Beaumont in Jefferson County; RN101612224; 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. (Steven Van Landingham, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 13

[Docket No. 2016-1296-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Bishop in Nueces County; RN101920684; 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. (Sandra Douglas, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 14

[Docket No. 2017-0518-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Skellytown in Carson County; RN102796968; 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. (Claudia Corrales, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 15

[Docket No. 2017-0295-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Del Grande Mobile Home Owners' Association, Inc. in Val Verde County; RN104449194; 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. (Ariel Ramirez, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 16 **[Docket No. 2016-0499-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Eastlake RV, LP in Harris County; RN102855384; 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. (Claudia Corrales, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 17 **[Docket No. 2016-1313-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against West Travis County Public Utility Agency in Travis County; RN102077989; 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. (Ross Luedtke, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 18 **[Docket No. 2017-0280-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Zapata County; RN102078391; 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. (Austin Henck, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 19 **[Docket No. 2016-1984-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of the City of Frost in Navarro

County; RN103138228; 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. (Ryan Rutledge, Janice Hernandez)

Approve the Agreed Order. JN/TB; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 20 **[Docket No. 2017-0242-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of AMINABEN ENTERPRISES, INC. dba 24 Seven 11 in Harris County; RN102445293; 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. (James Baldwin, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 21 **[Docket No. 2016-1721-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Red Oak in Ellis County; RN101387512; 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. (Stephanie McCurley, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 22 **[Docket No. 2017-0260-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Fiesta Mart, L.L.C. dba Fiesta Mart 64 in Travis County; RN102656246; 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. (Jonathan Nguyen, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 23 [**Docket No. 2017-0318-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against MAAS VENTURES, LLC dba Mega Fuel 11 in Harris County; RN102065067; 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. (Jonathan Nguyen, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 24 [**Docket No. 2016-1456-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against Jerry Ung dba KU Food Mart and K. U. FOOD MART, L.P. dba KU Food Mart in Tarrant County; RN102385887; 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. (Audrey Liter, Janice Hernandez)

Approve the Agreed Order. JN/TB; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDER

Item 25 [**Docket No. 2016-1695-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of TOVA INC dba Petromart 115 in Hardin County; RN102785227; 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. (Lena Roberts, Janice Hernandez)

Remanded to the Executive Director on October 31, 2017.

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 26 [**Docket No. 2017-0556-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Cushing in Nacogdoches County; RN101247138; for public drinking water violations pursuant to

Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ronica Rodriguez, Michael Parrish)

Approve the Agreed Order. JN/TB; all agree.

Item 27 [Docket No. 2016-1747-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of City of Liverpool in Brazoria County; RN101231231; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ryan Rutledge, Janice Hernandez)

Approve the Agreed Order. JN/TB; all agree.

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER

Item 28 [Docket No. 2016-1743-PWS-E.](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of TANK WORKS, INC. dba Brazos Bend Home & Ranch in Fort Bend County; RN101176592; 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, Janice Hernandez)

Approve the Default Order. JN/TB; all agree.

MISCELLANEOUS MATTER

Item 29 [Docket No. 2017-1102-MIS.](#)

Consideration of the adoption of revisions to New Technology Implementation Grant Program: Guidelines for Grants (RG-484). The adoption of the revisions to the guidelines would add new project categories to the New Technology Implementation Grant (NTIG) Program established under Texas Health and Safety Code (THSC), Chapter 391. The new project categories were added to THSC, Chapter 391, by Senate Bill 1731, 85th Texas Legislature, 2017, Regular Session. The purpose of the NTIG Program is to assist the implementation of new technologies to reduce emissions from facilities and other stationary sources in this state. The additional project categories include new technology projects that reduce emissions from upstream

and midstream oil and gas production, completions, gathering, storage, processing, and transmission activities through: the replacement or repower of stationary compressors or retrofit of a stationary compressor or engine/compressor; the installation of systems to reduce or eliminate the loss of gas, flaring of gas, or burning of gas using other combustion control devices; or the installation of systems that reduce flaring emissions and other site emissions by capturing waste heat to generate electricity solely for on-site service. (Steve Dayton, Dylan Dobecki) (Non-Rule Project No. 2017-033-OTH-NR)

Continued to the November 15, 2017 Agenda pursuant to 30 Texas Administrative Code § 10.4 and Commission Resolution 2009-0059-RES.

RULE MATTERS

Item 30 **[Docket No. 2017-0866-RUL.](#)**

Consideration for publication of, and hearing on, proposed repeal of Sections 114.610 - 114.612 and 114.616; and proposed new Sections 114.610 - 114.613 of 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles. The proposed rulemaking would implement Senate Bill (SB) 1731 from the 85th Texas Legislature, 2017, Regular Session, to implement a new Light-Duty Motor Vehicle Purchase or Lease Incentive Program (program) established under Texas Health and Safety Code, Chapter 386, Subchapter D. The proposed rulemaking would repeal the criteria and requirements pertaining to the previous program that ended in 2015, and would replace those sections with the criteria and requirements for the new program established under SB 1731. The new program would provide an incentive of up to \$5,000 for the purchase or lease of an eligible new light-duty motor vehicle powered by compressed natural gas or liquefied petroleum gas. An incentive of up to \$2,500 would be available for the purchase or lease of an eligible new light-duty motor vehicle powered by an electric motor that draws electricity from a hydrogen fuel cell or from a battery. The proposed new sections would include the eligibility criteria for applicants and the new light-duty motor vehicles that may qualify for the incentive. The proposed new sections would also include requirements and procedures for a manufacturer of an eligible new light-duty motor vehicle, an intermediate or final state manufacturer, or a manufacturer of compressed natural gas or liquefied petroleum gas systems to submit information on the new light-duty motor vehicle models or natural gas or liquefied petroleum gas systems and the vehicle models on which the systems are approved for installation that the manufacturer intends to sell in this state during the model year. Under the proposed rulemaking, the manufacturer reports would need to be submitted to the executive director, or the executive director's

designee, upon request initially and then no later than July 1 of each year preceding the new vehicle model year. (Steve Dayton, Sierra Redding) (Rule Project No. 2017-030-114-AI)

Continued to the November 15, 2017 Agenda pursuant to 30 Texas Administrative Code § 10.4 and Commission Resolution 2009-0059-RES.

Item 31 **Docket No. 2017-0867-RUL.**

Consideration for publication of, and hearing on, proposed amended Sections 114.620, 114.622, 114.623, 114.644, 114.650 - 114.653, and 114.680 - 114.682 of 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles, Subchapter K; and proposed repeal of Sections 114.648, 114.658, 114.660 - 114.662, and 114.670 - 114.672. If adopted, the amendments to Sections 114.620, 114.622, 114.623, 114.650 - 114.653, and 114.680 - 114.682 would be submitted to the United States Environmental Protection Agency (EPA) as a revision to the state implementation plan. The proposed rulemaking would implement portions of Senate Bill (SB) 1731 enacted by the 85th Legislature, 2017, Regular Session, which amended statutory provisions pertaining to programs that are part of the Texas Emissions Reduction Plan (TERP). The proposed rulemaking would amend existing rules implementing the Diesel Emissions Reduction Incentive Program established under Texas Health and Safety Code (THSC), Chapter 386, Subchapter C; the Texas Clean School Bus Program (TCSBP) established under THSC, Chapter 390; the Texas Clean Fleet Program (TCFP) established under THSC, Chapter 392; and the Seaport and Rail Yard Areas Emissions Reduction Program established under THSC, Chapter 386, Subchapter D - 1. The proposed changes include updates and revisions to program criteria and processes. The proposed rulemaking would repeal the expiration dates of the rules for the TCSBP and the TCFP. SB 1731 removed specific statutory expiration dates for the TERP programs and extended the programs until the commission publishes notification in the Texas Register of actions by the EPA designating areas in Texas as attainment or unclassifiable/attainment for National Ambient Air Quality Standards for ozone, or EPA has approved a redesignation substitute making a finding of nonattainment for an area, and all judicial reviews of the EPA actions and rules have been completed and upheld the findings or the limitations period to seek judicial review has expired. The proposed rulemaking would also repeal rules for the Alternative Fueling Facilities Program established under THSC, Chapter 393; and the Texas Natural Gas Vehicle Grants Program established under THSC, Chapter 394. The statutory rulemaking requirements for these two programs were removed by SB 1731. (Steve Dayton, Sierra Redding) (Rule Project No. 2017-031-114-AI)

Continued to the November 15, 2017 Agenda pursuant to 30 Texas Administrative Code § 10.4 and Commission Resolution 2009-0059-RES.

Item 32 [**Docket No. 2017-0767-RUL.**](#)

Consideration for publication of, and hearing on, proposed amended 30 TAC Chapter 220, Regional Assessments of Water Quality, Sections 220.4 and 220.6 and repealed 30 TAC Chapter 305, Consolidated Permits, Section 305.71. The proposed rulemaking would implement House Bill 3618, 85th Texas Legislature, 2017, relating to the timing of the expiration of water quality permits. (Laurie Fleet, Robert Brush) (Rule Project No. 2017-025-305-OW)

Approve the publication and hearing on the proposed amendments to 30 Texas Administrative Code Chapter 220 and the repeal of 30 Texas Administrative Code § 305.71 as recommended by the Executive Director. JN/ TB; all agree.

Item 33 [**Docket No. 2017-0894-RUL.**](#)

Consideration for publication of, and hearing on, a proposed amendment to Section 336.103 of 30 TAC Chapter 336, Radioactive Substance Rules. The proposed rulemaking would implement House Bill 2662, 85th Texas Legislature, 2017, Regular Session, to repeal the 5% gross receipts fee on all compact and federal waste disposal for the biennium beginning September 1, 2017. (Hans Weger, Amie Robinson) (Rule Project No. 2017-032-336-WS)

Approve the publication of, and hearing on, proposed amended Section 336.103 of 30 TAC Chapter 336 as recommended by the Executive Director. JN/TB; all agree.

PUBLIC COMMENT SESSION

Item 34 [**Docket No. 2017-0005-PUB.**](#)

The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ in accordance with Texas Water Code Section 5.112, with the exception of pending permitting matters or other contested cases which are subject to the ex parte prohibition found in Texas Government Code Section 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. Please note that the Commission's discussion of subjects for which public notice has not

been given are limited to statements of specific factual responses and recitation of existing policy.

No action taken.

EXECUTIVE MEETING

Item 35 Docket No. 2017-0001-EXE.

The Commission will conduct a closed meeting to receive legal advice from its attorney(s) and will discuss pending or contemplated litigation, and/or settlement offers, as permitted by Section 551.071 of the Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

The Commission did not meet in Executive Meeting.

Item 36 Docket No. 2017-0002-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, General Counsel, Chief Clerk, Public Interest Counsel, or Chief Auditor as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

The Commission did not meet in Executive Meeting.

Item 37 Docket No. 2017-0003-EXE.

The Commission will conduct a closed meeting to discuss the employment, evaluation, reassignment, duties, discipline or dismissal of a specific Commission employee(s) as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

The Commission did not meet in Executive Meeting.

Item 38 **Docket No. 2017-0004-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 Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

The Commission did not meet in Executive Meeting.

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.

SECTION 46.035 OF THE TEXAS PENAL CODE PROHIBITS HANDGUN LICENSEES FROM CARRYING THEIR HANDGUNS AT GOVERNMENT MEETINGS SUCH AS THIS ONE. THIS PROHIBITION APPLIES TO BOTH CONCEALED CARRY AND OPEN CARRY BY HANDGUN LICENSEES.

REGISTRATION FOR AGENDA STARTS AT 9:15 A.M. AND WILL CONTINUE UNTIL 10:00 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)**

s/ Elaine Lucas
Assistant General Counsel
Elaine Lucas

11/06/2017
Date