

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
January 26, 2011

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
9:30 A.M.
12100 Park 35 Circle
Room 201S, Bldg. E

PROPOSALS FOR DECISION

- Item 1. [**TCEQ Docket No. 2009-0033-AIR; SOAH Docket No. 582-09-2005.**](#)
Consideration of the Administrative Law Judges' March 29, 2010 Proposal for Decision and December 1, 2010 Proposal for Decision on Remand and Order regarding the application of **Las Brisas Energy Center, LLC** for Air Quality Permit No. 85013, Prevention of Significant Deterioration Air Quality Permit No. PSD-TX-1138, Plant-wide Applicability Limit Permit No. PAL41, and Hazardous Air Pollutant Permit No. HAP48 pursuant to rules of the Texas Commission on Environmental Quality in 30 TAC Chapter 116 and the Texas Clean Air Act, Texas Health and Safety Code Chapter 382, to construct four petroleum coke-fired steam-electric generating units and associated facilities. The units would be located at 6059 Joe Fulton Corridor, Corpus Christi, **Nueces County**, Texas. The Commission previously considered the Administrative Law Judges' March 29, 2010 Proposal for Decision at its June 30, 2010 afternoon Agenda. 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. (Erin Selvera, Ben Rhem)
- Item 2. [**TCEQ Docket No. 2009-0372-UCR; SOAH Docket No. 582-09-3549.**](#)
Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the application of **Wiedefeld Water Works, Inc.** to change its water rates/tariffs under Certificate of Convenience and Necessity No. 12052 in **Kerr, Kendall and Medina Counties**, pursuant to rules of the Texas Commission on Environmental Quality in 30 TAC Chapters 80 and 291 and Texas Water Code, Chapter

13. The Commission will also consider the application, related filings, record evidence and exhibits, exceptions and replies. (Kamal Adhikari, Stefanie Skogen)

Item 3. [**TCEQ Docket No. 2009-0862-MSW-E; SOAH Docket No. 582-10-1474.**](#)
Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Downstream Environmental, L.L.C.** in **Harris County**, Texas; RN101662617; regarding municipal solid waste and water quality 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. The Commission will also consider timely filed exceptions and replies. (Jennifer Cook)

Item 4. [**TCEQ Docket No. 2009-1612-PST-E; SOAH Docket No. 582-10-3449.**](#)
Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties against and requiring certain actions of **Earnest M. Teel** in **Anderson County**, Texas; RN101802007; regarding petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. The Commission will also consider timely filed exceptions and replies. (Marshall Coover)

Cont'd to
March 9, 2011
Agenda

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 5. [**Docket No. 2010-1711-AIR.**](#)
Consideration of application by **Splendora Ready Mix, Inc.** for registration to use the Air Quality Standard Permit for Concrete Batch Plants, Registration No. 91552 which would authorize the construction of a permanent concrete batch plant. The plant site is located at 26670 Midline Rd, Splendora, **Montgomery 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. (Catherine Chinni, Alexis Lorick)

Item 6. [**Docket No. 2010-0837-WR.**](#)
Consideration of the application by the **City of Lubbock** for an amendment to Permit No. 3985 to authorize the diversion and use of all historic and future discharges of Canadian River Basin surface water-based return flows and groundwater-based return flows, including up to 10,081 acre-feet per year currently authorized for discharge by TPDES Permit No 10353-002, for agricultural, municipal, industrial and recreational purposes anywhere within **Lubbock** and **Lynn Counties**, and to convey such return flows using the bed and banks of the North Fork Double Mountain Fork Brazos River from the discharge point authorized by TPDES Permit No. 10353-002 to a downstream diversion point. The discharge point authorized by TPDES Permit No. 10353-002 is located near the point where F.M. 400 in Lubbock County crosses the North Fork Double Mountain Fork Brazos River, and the most downstream point of diversion sought is located approximately 14,300 feet downstream of the discharge, near the point where C.R. 7300 in Lubbock County crosses the North Fork Double Mountain Fork Brazos River, approximately 4.5 miles northeast of the City of Slaton, Texas in Lubbock County. Existing Water Use Permit No. 3985 authorizes the City of Lubbock

to use, within the Brazos River Basin, 22,910 acre-feet of return flows per year created as a result of the City's use of municipal water purchased from the Canadian River Municipal Water Authority. The Commission will also consider requests for hearing or reconsideration, related responses and replies, and public comment. (Robin Smith, Ron Ellis)

MOTION TO OVERTURN

Item 7. [**Docket No. 2010-1886-MIS.**](#)

Consideration of a Motion to Overturn (titled a Motion for Reconsideration and/or Motion to Overturn) filed by the Citizens for Responsible Recycling regarding the Executive Director's October 28, 2010 approval of Scrap Storage Facility Registration No. 620073 for **Genan, Inc.** to transport, store, and process scrap tires at a facility to be located at 18038 Beaumont Highway in Houston, **Harris County**, Texas. The Commission will also consider timely filed responses and replies to the Motion to Overturn.

MISCELLANEOUS MATTERS

Item 8. [**Docket No. 2010-0875-DIS.**](#)

Update
attached
to hyperlink
1/24/11 5:00 PM

Discussion of compliance with the terms and conditions of the September 10, 2010 Compliance Agreement between the Executive Director of the Texas Commission on Environmental Quality ("TCEQ") and the **Kinney County Groundwater Conservation District**, TCEQ ID No. 5196450; and RN102880663. (Kelly Mills, Jim Sallans)

Item 9. [**Docket No. 2010-1971-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)

AGRICULTURAL ENFORCEMENT AGREED ORDERS

Item 10. [**Docket No. 2010-0863-AGR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Robert William Strona dba Kings X Dairy** in **Hill County**; RN102287703; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Steve Villatoro, Laurie Eaves)

Item 11. [**Docket No. 2010-0744-AGR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Stanley Haedge dba KOW Castle Dairy** in **Erath County**; RN102869708; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Harvey Wilson, Laurie Eaves)

AIR QUALITY ENFORCEMENT AGREED ORDERS

- Item 12. [**Docket No. 2010-1261-AIR-E.**](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Enterprise Products Operating LLC in Harris County**; RN102580834; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Todd Huddleson, Laurie Eaves)
- Item 13. [**Docket No. 2010-1266-AIR-E.**](#)
Consideration of an Agreed Order assessing administrative penalties against **Lone Star Industries, Inc. dba Buzzi Unicem USA in Nolan County**; RN100220847; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Podlipny, Laurie Eaves)
- Item 14. [**Docket No. 2010-0738-AIR-E.**](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Akzo Nobel Surface Chemistry LLC in Fort Bend County**; RN100219393; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Kirk Schoppe, Laurie Eaves)
- Item 15. [**Docket No. 2010-0854-AIR-E.**](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Flint Hills Resources, LP in Jefferson County**; RN100217389; 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, Laurie Eaves)
- Item 16. [**Docket No. 2010-1292-AIR-E.**](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Elgin-Butler Company in Bastrop County**; RN100724434; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Raymond Marlow, P.G., Laurie Eaves)
- Item 17. [**Docket No. 2010-1058-AIR-E.**](#)
Consideration of an Agreed Order assessing administrative penalties against **E. I. du Pont de Nemours and Company in Jefferson County**; RN100216035; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Miriam Hall, Laurie Eaves)

- Item 18. [Docket No. 2010-1223-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Budget Rent-A-Car of El Paso, Inc. in El Paso County**; RN102590932; 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. (Kirk Schoppe, Laurie Eaves)
- Item 19. [Docket No. 2010-0607-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Chevron Phillips Chemical Company LP in Harris County**; RN103919817; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Podlipny, Laurie Eaves)
- Item 20. [Docket No. 2010-0989-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Pencoco, Inc. in Austin County**; RN103899191; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (James Nolan, Laurie Eaves)
- Item 21. [Docket No. 2010-0887-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Prism Gas Systems I, L.P. in Harrison County**; RN102558939; 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. (Kirk Schoppe, Laurie Eaves)
- Item 22. [Docket No. 2010-0995-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Devon Gas Services, L.P. in Wise County**; RN100223619; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Todd Huddleson, Laurie Eaves)
- Item 23. [Docket No. 2010-0951-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Rhodia Inc. in Harris County**; RN100220581; 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. (Kirk Schoppe, Laurie Eaves)
- Item 24. [Docket No. 2010-0920-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Eagle Rock Field Services, L.P. in Hemphill County**; RN100227289; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and

the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Podlipny, Laurie Eaves)

Item 25. [**Docket No. 2010-1078-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 Texas Administrative Code ch. 60. (Kimberly Morales, Laurie Eaves)

Item 26. [**Docket No. 2010-0954-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Laredo Paving, Inc.** in **Webb County**; RN105468144; 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. (Kirk Schoppe, Laurie Eaves)

Item 27. [**Docket No. 2010-1150-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against **Citgo Refining and Chemicals Company L.P.** in **Nueces County**; RN102555166; 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, Laurie Eaves)

Item 28. [**Docket No. 2010-0970-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Craftmasters Powder Coating, Inc.** in **McLennan County**; RN105508436; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Audra Benoit, Laurie Eaves)

Item 29. [**Docket No. 2010-0609-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Shell Oil Company and Shell Chemical LP** 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 Texas Administrative Code ch. 60. (Rebecca Johnson, Laurie Eaves)

Item 30. [**Docket No. 2010-1511-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **DCP Midstream, LP** in **Ector County**; RN100222330; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (John Muennink, Laurie Eaves)

- Item 31. [Docket No. 2010-0573-AIR-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jose E. Alvarez dba Klassic Paint & Body Shop in Webb County**; RN105796247; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Miriam Hall, Laurie Eaves)

EDWARDS AQUIFER ENFORCEMENT AGREED ORDERS

- Item 32. [Docket No. 2010-0918-EAQ-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Rancho Sienna KC, LP in Williamson County**; RN105897698; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Marty Hott, Laurie Eaves)
- Item 33. [Docket No. 2010-1203-EAQ-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Pikoff Enterprise, Inc. in Williamson County**; RN105947691; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jordan Jones, Laurie Eaves)

FIELD CITATIONS

- Item 34. [Docket No. 2010-1719-PST-E.](#)
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Texans Texaco in Bell County**; RN101673218; 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. (Keith Frank, Laurie Eaves)
- Item 35. [Docket No. 2010-1800-WOC-E.](#)
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Zachary King in Hays County**; RN103616942; for occupational licensing violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 37, and the rules of the Texas Commission on Environmental Quality. (Kirk Schoppe, Laurie Eaves)
- Item 36. [Docket No. 2010-1718-WQ-E.](#)
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Nouveau Construction and Technology Services LP in Nueces County**; RN105982532; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Harvey Wilson, Laurie Eaves)

- Item 37. [Docket No. 2010-1784-WR-E.](#)
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **The Lane Construction Corporation in Lubbock County**; RN106012636; for water rights violations pursuant to Tex. Water Code ch. 37 and the rules of the Texas Commission on Environmental Quality. (Harvey Wilson, Laurie Eaves)
- Item 38. [Docket No. 2010-1804-WR-E.](#)
Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **3-T Exploration, Inc. in Smith County**; RN105996292; for water rights violations pursuant to Tex. Water Code ch. 11 and the rules of the Texas Commission on Environmental Quality. (Harvey Wilson, Laurie Eaves)

INDUSTRIAL OR HAZARDOUS WASTE ENFORCEMENT AGREED ORDERS

- Item 39. [Docket No. 2010-1061-IHW-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **GOODRICH CORPORATION in Harris County**; RN100868009; for industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Keith Frank, Laurie Eaves)
- Item 40. [Docket No. 2009-1848-IHW-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Exxon Mobil Corporation in Harris County**; RN102579307; for industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Clinton Sims, Laurie Eaves)
- Item 41. [Docket No. 2010-0243-IHW-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Equistar Chemicals, LP in Harris County**; RN100542281; for industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Michael Meyer, Laurie Eaves)

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

- Item 42. [Docket No. 2010-1032-IWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Gulf Coast Waste Disposal Authority in Harris County**; RN100219211; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Harvey Wilson, Laurie Eaves)

LICENSED IRRIGATORS ENFORCEMENT AGREED ORDERS

- Item 43. [Docket No. 2010-0885-LII-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Robert James Williamson dba Aspen Tree and Landscape in Travis County**; RN105922090; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (James Nolan, Laurie Eaves)
- Item 44. [Docket No. 2010-0754-LII-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Roberto Ortega dba Ortega's Lawn and Trees Service in Dallas County**; RN105912562; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Georgena Hawkins, Laurie Eaves)
- Item 45. [Docket No. 2010-1011-LII-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Chris L. Mayberry in Bexar County**; RN103395455; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Heather Podlipny, Laurie Eaves)

LICENSED IRRIGATORS ENFORCEMENT DEFAULT ORDERS

- Item 46. [Docket No. 2010-0482-LII-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Lisa Glenn d/b/a Grow Baby Grow in Lamar County**; RN105886360; for landscape irrigation installer 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. (Sharesa Y. Alexander, Lena Roberts)
- Item 47. [Docket No. 2010-0858-LII-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Joe F. Slater in Hood County**; RN104805023; for landscape irrigation installer 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. (Stephanie J. Frazee, Lena Roberts)
- Item 48. [Docket No. 2010-0739-LII-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Robert Wood Vance in Bexar County**; RN103662250; for landscape irrigation installer 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. (Sharesa Y. Alexander, Lena Roberts)

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 49. [Docket No. 2010-0264-MLM-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Leticia Villarreal in Brooks County**; RN102779295; for municipal solid waste and petroleum storage tank 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. (Merrilee Hupp, Laurie Eaves)

Item 50. [Docket No. 2010-1092-MLM-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **RTI Hot Mix, Ltd. in Hays County**; RN101974335; for Edwards Aquifer and 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. (Samuel Short, Laurie Eaves)

Item 51. [Docket No. 2009-1937-MLM-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **KINSER RANCH, LLC in Travis County**; RN105223283; for municipal solid waste and water quality 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. (Danielle Porras, Laurie Eaves)

Update
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1/20/11 11:30 AM

Item 52. [Docket No. 2009-0639-MLM-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Mart in McLennan County**; RN101388544; for public drinking water and 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. (Andrea Linson-Mgbeoduru, Laurie Eaves)

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MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS

Item 53. [Docket No. 2009-1861-MSW-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Biomedical Waste Solutions, LLC in Jefferson County**; RN105008437; 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. (Tate Barrett, Laurie Eaves)

Item 54. [Docket No. 2010-0707-MSW-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **PAUL A. SAKAI DBA SAKAI FARMS in Hidalgo County**; RN106005804; for used oil violations pursuant to Tex. Health & Safety Code ch. 371, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Brianna Carlson, Laurie Eaves)

- Item 55. [Docket No. 2010-0594-MSW-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **ECO-KEEPER, LLC dba CENTRAL DISPOSAL SERVICE** in **Hays County**; RN105905376; 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. (Danielle Porras, Laurie Eaves)
- Item 56. [Docket No. 2010-0442-MSW-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jose Marco Rico, Martha Rico and Regina Tovar** in **Shelby County**; RN105569974; 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. (Rajesh Acharya, Laurie Eaves)
- Item 57. [Docket No. 2010-0048-MSW-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Port Arthur** in **Jefferson County**; RN100225390; for municipal solid 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. (Keith Frank, Laurie Eaves)

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

- Item 58. [Docket No. 2008-1421-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Briarwood Lutheran Ministries** in **Denton County**; RN102362498; 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. (Samuel Short, Laurie Eaves)
- Item 59. [Docket No. 2010-1057-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas Lehigh Cement Company LP** in **Hays County**; RN102597846; 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. (Lanae Foard, Laurie Eaves)
- Item 60. [Docket No. 2010-1053-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties against the **City of Bremond** in **Robertson County**; RN101720910; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jeremy Escobar, Laurie Eaves)

- Item 61. [Docket No. 2010-1110-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties against the **City of Blanket in Brown County**; RN104606561; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Marty Hott, Laurie Eaves)
- Item 62. [Docket No. 2010-1260-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Bellville in Austin County**; RN101612356; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Jordan Jones, Laurie Eaves)
- Item 63. [Docket No. 2009-0176-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Asherton in Dimmit County**; RN101721348; 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. (Samuel Short, Laurie Eaves)
- Item 64. [Docket No. 2009-0852-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Franklin in Robertson County**; RN101917425; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Brister, Laurie Eaves)
- Item 65. [Docket No. 2009-1954-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **City of Dodd City in Fannin County**; RN101608867; 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. (Phillip M. Goodwin, P.G., Lena Roberts)
- Item 66. [Docket No. 2010-1263-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Hallsville in Harrison County**; RN102181872; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Heather Brister, Laurie Eaves)
- Item 67. [Docket No. 2010-1176-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Brazoria County Municipal Utility District No. 21 in Brazoria County**; RN102923653; for water quality violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Marty Hott, Laurie Eaves)

- Item 68. [Docket No. 2010-1215-MWD-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Waelder in Gonzales County**; RN102916046; 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. (Lanae Foard, Laurie Eaves)

ON SITE SEWAGE FACILITY AUTHORIZATION ENFORCEMENT DEFAULT ORDERS

- Item 69. [Docket No. 2010-0496-OSS-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Erasmus Garcia in McCulloch County**; RN105691786; for on-site sewage system installer violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 366, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Sharesa Y. Alexander, Lena Roberts)
- Item 70. [Docket No. 2010-0385-OSS-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Greg Larson and Karla Larson in McCulloch County**; RN105804231; for on-site sewage system installer violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 366, and the rules of the Texas Commission on Environmental Quality. (Sharesa Y. Alexander, Lena Roberts)

PETROLEUM STORAGE TANKS ENFORCEMENT AGREED ORDERS

- Item 71. [Docket No. 2010-1107-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Dauva, LLC dba One Stop Mart in Harris County**; RN102445293; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Tate Barrett, Laurie Eaves)
- Item 72. [Docket No. 2010-0925-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Q M MARKETS, INC. dba Quick Mart 2 in Brazoria County**; RN102853488; 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. (Mike Pace, Laurie Eaves)
- Item 73. [Docket No. 2010-1146-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **ADIL AND WASEEM INC. dba Shop-N-Go in Harris County**; RN102440187; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Rajesh Acharya, Laurie Eaves)

- Item 74. [Docket No. 2010-1481-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **RAHEELA ENTERPRISES INC. dba Fast Break Texaco in Harris County**; RN101446706; 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. (Cara Windle, Laurie Eaves)
- Item 75. [Docket No. 2010-0805-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Yeung Realty, Inc. dba Stop & Go 1 and Stop & Go 2 in Victoria and Calhoun Counties**; RN102365939 and RN102363173; 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. (Todd Huddleson, Laurie Eaves)
- Item 76. [Docket No. 2010-1049-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Joseph David Fitts in Dewitt County**; RN101843498; 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. (Keith Frank, Laurie Eaves)
- Item 77. [Docket No. 2010-1098-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **STAR FUELS, INC. dba Star Fuels Clarewood in Harris County**; RN102449485; 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. (Philip Aldridge, Laurie Eaves)
- Item 78. [Docket No. 2010-0897-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **MURPHY OIL USA, INC. dba Murphy USA 6553 in El Paso County**; RN102221306; 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. (Philip Aldridge, Laurie Eaves)
- Item 79. [Docket No. 2010-0953-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **AMAKANOJIYA, INC dba Walkers Food Store in Galveston County**; RN101747632; 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. (Michael Meyer, Laurie Eaves)

- Item 80. [Docket No. 2010-1131-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **NOORANI & BROTHERS, INC. dba Shop N Go** in **Harris County**; RN103020822; 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. (Keith Frank, Laurie Eaves)
- Item 81. [Docket No. 2010-1042-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **Independent Oil Company dba Fuel Mart** in **Hill County**; RN101671709; 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. (Mike Pace, Laurie Eaves)
- Item 82. [Docket No. 2010-1170-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties against **RETAIL MAX INC. dba Step N Go** in **Jefferson County**; RN102359528; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Judy Kluge, Laurie Eaves)
- Item 83. [Docket No. 2010-1083-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **NABIL ENTERPRISES, INC. dba Shop N Go 9** in **Harris County**; RN101433993; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Tate Barrett, Laurie Eaves)
- Item 84. [Docket No. 2010-0933-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Charania, Inc.** in **Jasper County**; RN102016904; 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 Jecha, P.G., Laurie Eaves)
- Item 85. [Docket No. 2010-1014-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **STEINHAGEN OIL COMPANY, INC. dba Fastlane No. 28** in **Jefferson County**; RN101905560; 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. (Philip Aldridge, Laurie Eaves)
- Item 86. [Docket No. 2010-1290-PST-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **NOGALES PRODUCE, INC. dba Nogales Produce** in **Dallas**

County; RN101536662; 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. (Judy Kluge, Laurie Eaves)

Item 87. [**Docket No. 2010-1071-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against **Flying J Inc. dba Flying J Travel Plaza Orange in Orange County**; RN102056827; 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. (Judy Kluge, Laurie Eaves)

Item 88. [**Docket No. 2008-0377-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Hector Silva, Sr. in Frio County**; RN101737773; 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. (Peipey Tang, Lena Roberts)

Item 89. [**Docket No. 2010-1219-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Saeed Zoobairie dba Oasis Mart in Travis County**; RN101434280; 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, Laurie Eaves)

Item 90. [**Docket No. 2010-1142-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against **Woochun Chung dba Bay Texaco in Harris County**; RN100874056; 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. (Michael Meyer, Laurie Eaves)

Item 91. [**Docket No. 2009-1475-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **KD ALLSEASON, INC. d/b/a K D All Season 1 in Harris County**; RN101908721; for petroleum storage tank violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Xavier Guerra, Lena Roberts)

Item 92. [**Docket No. 2010-1229-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **PARKWAY FOOD MART, INC. dba Parkway Food Mart in Fort Bend County**; RN102267622; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Andrea Park, Laurie Eaves)

PETROLEUM STORAGE TANKS ENFORCEMENT DEFAULT ORDERS

- Item 93. [Docket No. 2010-0832-PST-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Ramon Aguilar in Jefferson County**; RN101722809; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Sharesa Y. Alexander, Lena Roberts)
- Item 94. [Docket No. 2009-2055-PST-E.](#)
Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Anna S. Fuller d/b/a FULLER OIL CO., Dude Fuller d/b/a FULLER OIL CO., and Prissy F. Knighten d/b/a FULLER OIL CO. in Hardin County**; RN100532803; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Sharesa Y. Alexander, Lena Roberts)

PETROLEUM STORAGE TANKS ENFORCEMENT DEFAULT AND SHUTDOWN ORDERS

- Item 95. [Docket No. 2010-0377-PST-E.](#)
Consideration of a Default and Shutdown Order assessing administrative penalties and requiring certain actions of **Jerry F. Waneck in Bastrop County**; RN101699528; 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. (Tammy L. Mitchell, Lena Roberts)
- Item 96. [Docket No. 2010-0300-PST-E.](#)
Consideration of a Default and Shutdown Order assessing administrative penalties and requiring certain actions of **R.G.B. Transportation Company, Inc. in El Paso County**; RN101654804; 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. (Peipey Tang, Lena Roberts)

Remanded to
the Executive
Director

- Item 97. [Docket No. 2010-0611-PST-E.](#)
Consideration of a Default and Shutdown Order assessing administrative penalties and requiring certain actions of **Londonderry Enterprises, Inc. d/b/a New Londonderry Food Mart in Harris County**; RN102901535; 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. (Tammy L. Mitchell, Lena Roberts)

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PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

- Item 98. [Docket No. 2010-0902-PWS-E.](#)
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Craig E. Adams in Harris County**; RN102320231; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water

Code ch. 5, and the rules of the Texas Commission on Environmental Quality.
(Stephen Thompson, Laurie Eaves)

Item 99. [Docket No. 2010-0681-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **Mary Alice Gonzalez dba Skate Plex in Randall County**; RN101218147; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Laurie Eaves)

Item 100. [Docket No. 2010-1129-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **Southwest Shipyard, L.P. in Harris County**; RN100248749; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Laurie Eaves)

Item 101. [Docket No. 2010-0963-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Collinsville in Grayson County**; RN101387173; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Stephen Thompson, Laurie Eaves)

Item 102. [Docket No. 2010-1172-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Wright City Water Supply Corporation in Smith County**; RN101238459; 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, Laurie Eaves)

Item 103. [Docket No. 2010-1024-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties against **Thomas B. Stucker in Montgomery County**; RN101272391; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Katy Schumann, Laurie Eaves)

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to hyperlink
1/20/11 11:30 AM

Item 104. [Docket No. 2010-1067-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Teague in Freestone County**; RN101417012; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Stephen Thompson, Laurie Eaves)

Item 105. [Docket No. 2010-0869-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **CVS Pharmacy, Inc. in Harris County**; RN102878139; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water

Code ch. 5, and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Laurie Eaves)

Item 106. [**Docket No. 2010-1106-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Swenson Water Supply Corporation in Stonewall County**; RN101278083; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Laurie Eaves)

Item 107. [**Docket No. 2010-0892-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Good Shepherd Residential Treatment Centre, Inc. in Harris County**; RN101232692; for public water supply violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Laurie Eaves)

WASTEWATER OPERATOR CERTIFICATION ENFORCEMENT DEFAULT ORDER

Item 108. [**Docket No. 2010-0813-WOC-E.**](#)

Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Daniel Galvan, Jr. in Matagorda County**; RN104455647; for occupational licensing violations pursuant to Tex. Water Code chs. 7, 26 and 37 and the rules of the Texas Commission on Environmental Quality. (Sharesa Y. Alexander, Lena Roberts)

RULE MATTERS

Item 109. [**Docket No. 2010-0251-RUL.**](#)

Consideration of adoption of the repeal of and new Section 106.352 of **30 Texas Administrative Code (TAC) Chapter 106**, Permits by Rule and the issuance of a new non-rule air quality standard permit. Consideration of the withdrawal of the proposed repeal of Section 116.620 of **30 TAC Chapter 116**, Control of Air Pollution by Permits for New Construction or Modification. The rulemaking in Chapter 106 and the new air quality standard permit update control requirements based on the latest information on emissions from oil and gas production facilities while providing control flexibility, authorize maintenance, startup, and shutdown operations, and require a single site-wide authorization for oil and gas production facilities. The proposed Chapter 106 and Chapter 116 rule actions and the public notice of the new standard permit were published in the August 13, 2010, issue of the *Texas Register* (35 TexReg 6937, 6997, 7109, respectively). (Beecher Cameron, Benjamin Rhem) (Rule Project No. 2010-018-106-PR)

Item 110. [**Docket No. 2010-0878-RUL.**](#)

Consideration for publication of, and hearing on, proposed amendments to **30 TAC Chapter 114**, Control of Air Pollution from Motor Vehicles, Subchapter J, Operational Controls for Motor Vehicles, Division 2, Locally Enforced Motor Vehicle Idling

Limitations, Sections 114.512 and 114.517, and corresponding revisions to the state implementation plan. The proposed rulemaking would allow enforcement year-round; remove the expired prohibition for drivers using sleeper berths to idle in residential areas, school zones, and near hospitals; and remove expiration dates that are no longer applicable. Additionally, the proposed rulemaking would remove the duplicative exemption for a motor vehicle that has a gross vehicle weight rating of 14,000 pounds or less and replace it with a new exemption for armored vehicles; and retain the exemption for a motor vehicle when idling for heating or air conditioning while a driver is using the vehicle's sleeper berth for a government-mandated rest period and not within two miles of a facility offering external heating or conditioning, which expired on September 1, 2009. (Nina Castillo, Ross Henderson) (Rule Project No. 2009-054-114-EN)

Item 111. [Docket No. 2010-1397-RUL.](#)

Consideration for publication of, and hearing on, proposed amendment to Section 293.44 of **30 TAC Chapter 293**, Water Districts. The proposed rulemaking would facilitate regionalization and cooperative planning among water districts and other local government entities by providing clear authorization in the Commission's rules for a determination of a district's allowable cost participation in regional water, wastewater, and/or drainage facilities based on a cost-benefit analysis. (Greg Charles, Christiaan Siano) (Rule Project No. 2010-050-293-OW)

Item 112. [Docket No. 2010-0642-RUL.](#)

Consideration of the adoption of the repeal of Sections 115.541, 115.542, and 115.545; new Sections 115.540 - 115.542, and 115.545; and amendments to Sections 115.543, 115.544, 115.546, 115.547, and 115.549 of **30 TAC Chapter 115**, Control of Air Pollution from Volatile Organic Compounds and corresponding revisions to the state implementation plan. The adoption will reformat the existing rule to simplify and clarify rule requirements. The adopted rulemaking will also make changes that provide additional flexibility for affected owners or operators by allowing for the use of alternative control options. Adopted changes will also facilitate rule enforcement. The proposed rules were published in the August 13, 2010, issue of the *Texas Register* (35 TexReg 6976). (Eddy Lin, Amy Browning) (Rule Project No. 2009-036-115-EN)

Item 113. [Docket No. 2010-1526-RUL.](#)

Consideration for publication of, and hearing on, the proposed amendment to **30 TAC Chapter 328**, Waste Minimization and Recycling, Subchapter F, Management of Used or Scrap Tires, Section 328.66. The proposed rulemaking would remove the requirement for applicants of Land Reclamation Projects Using Tires (LRPUT) to publish public notice in counties adjoining the county where the facility is proposed to be located. (Brooke Jackson, Steve Shepherd) (Rule Project No. 2010-059-328-CE)

Item 114. [Docket No. 2011-1684-RUL.](#)

Consideration for publication of, and hearing on, proposed amendments to Section 334.560 of **30 TAC Chapter 334**, Underground and Aboveground Storage Tanks. The rulemaking would amend 30 TAC Chapter §334.560 "Reimbursable Cost Specifications" to increase certain reimbursable amounts relating to: (1) offsite access

fees charged by municipalities; (2) waste disposal costs; and (3) per diem costs. (Jonathan Walling, Cullen McMorrow) (Rule Project No. 2011-004-334-CE)

PUBLIC COMMENT SESSION

- Item 115. 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 116. **Docket No. 2011-0001-EXE.**
The Commission will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director and General Counsel, as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.
- Item 117. **Docket No. 2011-0002-EXE.**
The Commission will conduct a closed meeting to receive legal advice and will discuss pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Commission employees, as permitted by Sections 551.071 and 551.074, the Open Meetings Act, codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on legal or personnel matters considered in the closed meeting as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.
- Item 118. **Docket No. 2011-0003-EXE.**
The Commission will conduct a closed meeting to discuss their duties, roles, and responsibilities as Commissioners of the TCEQ pursuant to Section 551.074 of the Open Meetings Act, Codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

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

CONTACT THE OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST FIVE (5) WORK DAYS PRIOR TO THE AGENDA SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

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

**THE PUBLIC CAN VIEW LIVE AND ARCHIVED TCEQ MEETINGS ON THE INTERNET AT NO COST, AT:
[HTTP://WWW.TEXASADMIN.COM/tceq.shtml](http://www.texasadmin.com/tceq.shtml)**

AGENDA
January 26, 2011

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
1:00 P.M.
12100 Park 35 Circle
Room 201S, Bldg. E

PROPOSALS FOR DECISION

Item 1. [TCEQ Docket No. 2007-0362-IHW; SOAH Docket No. 582-07-2674.](#)

Consideration of the Administrative Law Judges' Supplemental Proposal for Decision and Order Following the Remand Hearing and Order regarding the application of **TexCom Gulf Disposal, L.L.C.** for nonhazardous Industrial Solid Waste Permit No. 87758 pursuant to rules of the Texas Commission on Environmental Quality in Texas Health and Safety Code Chapter 361 and 30 TAC Chapters 37, 305 and 335 to authorize the operation of a commercial nonhazardous industrial solid waste management facility for the storage and processing of Class I and Class II nonhazardous industrial solid waste generated on-site and received from off-site sources on a commercial basis. The proposed facility would be located at 16185 Creighton Road on the corner of Creighton Road and FM 3080, southeast of the City of Conroe, in **Montgomery County**, Texas. The Commission will also consider the Original Proposal for Decision issued on April 25, 2008. The Commission will also consider timely public comments and the Executive Director's Response to Comments; the application and related filings, exceptions and replies associated with the Original and Supplemental Proposal for Decision. (Diane Goss & Don Redmond)

Item 2. [TCEQ Docket No. 2007-0204-WDW; SOAH Docket No. 582-07-2673.](#)

Consideration of the Administrative Law Judges' Amended Proposal for Decision and Order Following Remand regarding the application of **TexCom Gulf Disposal, L.L.C.** for Underground Injection Control Permit Nos. WDW410, WDW411, WDW412, and WDW413 pursuant to rules of the Texas Commission on Environmental Quality in Texas Water Code Chapter 27 and 30 TAC Chapter 331 to authorize four Class I underground injection wells to dispose of nonhazardous industrial wastewater. The proposed facility would be located at 16185 Creighton Road on the corner of Creighton Road and FM 3080, southeast of the City of Conroe, in **Montgomery County**, Texas. The Commission will also consider the Original Proposal for Decision issued on April 25, 2008. The Commission will also consider timely public comments and the Executive Director's Response to Comments; the application and related filings, exceptions and replies associated with the Original and Supplemental Proposal for Decision. (Diane Goss & Don Redmond)

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