

*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**

June 7, 2017

### **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

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

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

Item 1

##### **[Docket No. 2017-0491-MWD.](#)**

Consideration of the application by Big Sky Trails, Ltd, for new Texas Pollutant Discharge Elimination System Permit No. WQ0015479001 to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 680,000 gallons per day. The facility will be located approximately 1 mile northwest of the intersection of U.S. Highway 380 and Jackson Road, and approximately 8 miles west of the City of Krum, in Denton County, Texas 76259. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (Michael Parr, Sonia Bhuiya)

#### **AIR QUALITY ENFORCEMENT AGREED ORDER**

Item 2

##### **[Docket No. 2016-1297-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Florestone Products Co. in Grayson County; RN104120100; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of

the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Rajesh Acharya, Michael Parrish)

**INDUSTRIAL AND HAZARDOUS WASTE ENFORCEMENT AGREED ORDER**

Item 3 [\*\*Docket No. 2015-1162-IHW-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of COATS INTERNATIONAL HOLDINGS, INC. in Dallas County; RN106033285; 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 Tex. Admin. Code ch. 60. (Steven Van Landingham, Michael Parrish)

**MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

Item 4 [\*\*Docket No. 2015-1523-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Angus in Navarro County; RN102806734; 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. (Alejandro Laje, Michael Parrish)

Item 5 [\*\*Docket No. 2015-0943-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Pasadena in Harris County; RN101608693; 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. (Jason Fraley, Michael Parrish)

Item 6 [\*\*Docket No. 2014-1609-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Hamshire-Fannett Independent School District in Jefferson County; RN102334877; 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. (Melissa Castro, Michael Parrish)

Item 7 [\*\*Docket No. 2016-0132-MWD-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Meadowland Utility Corporation in Brazoria County; RN102815198; 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)

Item 8 [\*\*Docket No. 2015-1326-MWD-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Mount Vernon in Franklin County; RN102962230; 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. (Jason Fraley, Michael Parrish)

#### **PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS**

Item 9 [\*\*Docket No. 2016-1716-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of SABIR, INC. d/b/a STOP N DRIVE #7 in Jefferson County; RN101867992; 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. (Isaac Ta, Janice Hernandez)

Item 10 [\*\*Docket No. 2016-1157-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties against BALQUES INC. dba Sunshine 3 in Grayson County; RN102646726; 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 Tex. Admin. Code ch. 60. (John Fennell, Michael Parrish)

Item 11 [\*\*Docket No. 2016-1832-PST-E.\*\*](#)  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CROCKETT EXPRESS, INC. dba Bigs 3830 in Houston County; RN105019574; 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. (Rebecca Boyett, Michael Parrish)

Item 12

**[Docket No. 2016-1652-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CSTORE VENTURES INC dba Kwik Stop in Llano County; RN101636447; 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)

Item 13

**[Docket No. 2016-1980-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Dupre Logistics LLC in Jefferson County; RN100648096; 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. (Keith Frank, Michael Parrish)

**PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDER**

Item 14

**[Docket No. 2016-0633-PST-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Sharif & Associates, Inc. d/b/a Texan Stop 2 in Morris County; RN102228202; 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. (Isaac Ta, Janice Hernandez)

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

Item 15

**[Docket No. 2016-0750-PST-E.](#)**

**Hyperlink  
Update  
6-6-2017  
4:30 PM**

Consideration of a Default and Shutdown Order assessing administrative penalties against and requiring certain actions of G & RAZI INVESTMENT, INC. dba Seidels Country Store in Bastrop County; RN101497634; 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)

## **PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS**

Item 16

### **[Docket No. 2016-1264-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Clay Water Supply Corporation in Burleson County; RN101188639; for public water supply violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 5, and the rules of the Texas Commission on Environmental Quality. (Steven Van Landingham, Michael Parrish)

Item 17

### **[Docket No. 2016-1664-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Coleman County Special Utility District in Coleman County; RN101212520; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jason Fraley, Michael Parrish)

Item 18

### **[Docket No. 2016-2082-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of KEMPNER WATER SUPPLY CORPORATION in Lampasas County; RN101197549; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Sandra Douglas, Michael Parrish)

Item 19

### **[Docket No. 2015-1476-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Scott W. Gray dba Iwanda Mobile Home Park in Orange County; RN101245751; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ryan Byer, Michael Parrish)

## **PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER**

Item 20

### **[Docket No. 2015-1767-PWS-E.](#)**

**Remanded  
to the  
Executive  
Director**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of the City of Danbury in Brazoria County; RN101253607; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Isaac Ta, Janice Hernandez)

## **WATER QUALITY ENFORCEMENT AGREED ORDER**

Item 21

### **[Docket No. 2016-1327-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Federal Bureau of Prisons in Tarrant County; RN105804470; 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. (Jake Marx, Janice Hernandez)

## **MONTHLY ENFORCEMENT REPORT**

Item 22

### **[Docket No. 2017-0626-MIS](#)**

Consideration of the Texas Commission on Environmental Quality Monthly Enforcement Report, submitted for discussion in accordance with Texas Water Code § 7.003. (Bryan Sinclair, Melissa Cordell)

## **PETITION FOR RULEMAKING**

Item 23

### **[Docket No. 2017-0534-PET.](#)**

**Hyperlink  
Update**  
6-5-2017  
3:45 PM

Consideration of a petition for rulemaking under Section 20.15 of 30 TAC Chapter 20, Rulemaking. The petition was filed with the Texas Commission on Environmental Quality (commission) on April 13, 2017, by Jed Anderson (petitioner). The petitioner requests the commission modify 30 TAC Chapter 1, Purpose of Rules, General Provisions, regarding the commission's rulemaking procedures. The request specifically concerns the stated purpose of rules and amending regulatory requirements. (Janis Hudson) (Project No. 2017-023-PET-NR)

## **PUBLIC COMMENT SESSION**

Item 24

### **[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.

## **EXECUTIVE MEETING**

**Item 25      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.

**Item 26      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.

**Item 27      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.

**Item 28      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.

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

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