

*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)).*

## **OLD BUSINESS AGENDA**

August 23, 2017

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

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

Continued from the August 2, 2017 Agenda.

Item 1      **[Docket No. 2017-0197-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SHRI SWAMIKRUPA, INC. in Colorado County; RN101442291; 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. (Michaëlle Garza, Michael Parrish)

# AGENDA

August 23, 2017

## 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. 2016-0763-PST-E; SOAH Docket No. 582-17-0875.\*\*](#)

Consideration of the Administrative Law Judge's Proposal for Decision and Proposed Order assessing administrative penalties against and requiring certain actions of Myong Rehman dba KP Foods in Bastrop County, Texas; RN101490498; regarding petroleum storage tank violations pursuant to Tex. Water Code ch. 26 and the rules of the Texas Commission on Environmental Quality. The Commission will also consider the record, timely related filings, exceptions and replies. (Clayton Smith)

Item 2 [\*\*TCEQ Docket No. 2016-0290-PST-E; SOAH Docket No. 582-17-1688.\*\*](#)

Consideration of the Administrative Law Judge's Proposal for Decision and Proposed Order assessing administrative penalties against Pradhan and Company, Inc. dba Express Food in Tarrant County, Texas; RN102261773; regarding petroleum storage tank violations pursuant to Tex. Water Code ch. 26 and the rules of the Texas Commission on Environmental Quality. The Commission will also consider the record, timely related filings, exceptions and replies. (Clayton Smith)

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

Item 3 [\*\*Docket No. 2017-0741-MWD.\*\*](#)

Consideration of the application by Texas Providence Investments, LLC, for new Texas Pollutant Discharge Elimination System Permit No. WQ0015460001 to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 8,000 gallons per day. The facility will be located at 13722 Kluge Road, in Cypress, Harris County, Texas 77429. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public

comment, and the Executive Director's response to comments. (John O. Onyenobi, Ashley McDonald)

Item 4 [\*\*Docket No. 2017-0688-MSW.\*\*](#)

Consideration of an application by The City of Farmers Branch for proposed major amendment, Municipal Solid Waste Permit No. 1312B, to authorize the horizontal and vertical expansion of an existing Type I municipal solid waste landfill in Denton County. The existing Camelot Landfill facility is located at 580 Huffines Boulevard, Lewisville, Texas 75056. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's Response to Comments. (Dwight Russell, Diane Goss)

Item 5 [\*\*Docket No. 2017-0740-MWD.\*\*](#)

Consideration of the application by Quadvest, L.P., for new Texas Pollutant Discharge Elimination System Permit No. WQ0015452001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 0.060 million gallons per day (MGD) in the Interim I phase, 0.24 MGD in the Interim II phase, and 0.75 MGD in the Final phase. The wastewater treatment facility will be located approximately 1000 feet north-northeast of the intersection of Paul Campbell Loop Road and Plum Drive, in Liberty County, Texas 77327. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (Julian Centeno, Jr., Linda Horng)

Item 6 [\*\*Docket No. 2017-0906-AIR.\*\*](#)

Consideration of application by Cherry Crushed Concrete, Inc., for Air Quality Permit No. 139955, to authorize the construction of a new concrete crushing plant to be located at 9200 Winfield Road, Houston, Harris 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. (Bill Moody, Amy Prescott)

**BUDGET MATTER**

Item 7 [\*\*Docket No. 2017-1052-BGT.\*\*](#)

Consideration and Approval of the Agency's FY 2018 Operating Budget. (Elizabeth Sifuentez Koch and Liz Day)

## **AUDIT MATTER**

Item 8 **[Docket No. 2017-0745-AUD.](#)**

Consideration and approval of the TCEQ Chief Auditor's Office Fiscal Year 2018 Audit Plan. (Carlos Contreras)

## **AIR QUALITY ENFORCEMENT AGREED ORDERS**

Item 9 **[Docket No. 2017-0373-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against KM Liquids Terminals LLC in Harris County; RN100224815; 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)

Item 10 **[Docket No. 2016-1081-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Odfjell Terminals (Houston) Inc. in Harris County; RN100218411; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Carol McGrath, Michael Parrish)

Item 11 **[Docket No. 2017-0173-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Targa Midstream Services LLC in Wise County; RN100238716; 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)

Item 12 **[Docket No. 2016-1909-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Texas Eastern Transmission, LP in Dewitt County; RN100212547; 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 WASTE DISCHARGE ENFORCEMENT AGREED ORDER**

Item 13 [\*\*Docket No. 2016-2118-IWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against US Ecology Texas, Inc. in Nueces County; RN101445666; 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. (Caleb Olson, Michael Parrish)

## **MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDER**

Item 14 [\*\*Docket No. 2016-1084-MLM-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Star Container Company Inc. in Mason County; RN105726475; for air quality and industrial and hazardous waste violations pursuant to Tex. Health & Safety Code chs. 361 and 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. (Keith Frank, Michael Parrish)

## **MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

Item 15 [\*\*Docket No. 2016-1648-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Boerne in Kendall County; RN105653398; 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 16 [\*\*Docket No. 2016-1621-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Galveston County Water Control and Improvement District No. 8 in Galveston County; RN102286341; 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)

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

Item 17

### **[Docket No. 2016-1663-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of DHP Sales & Services Inc dba Champs Food Mart in Harris County; RN102236270; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26, Texas Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Adam Taylor, Janice Hernandez)

Item 18

### **[Docket No. 2015-1093-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of GOLD STAR, LLC in Dallas County; RN101556918; 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)

Item 19

### **[Docket No. 2015-1734-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of HICKS OIL & BUTANE CO. in Cameron County; RN102965662; 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. (Clayton Smith, Janice Hernandez)

Item 20

### **[Docket No. 2015-1780-PST-E.](#)**

**Hyperlink  
Update**  
8-17-2017  
11:45 AM

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Jai Shree Ambe Corporation dba 18th Street Food Mart in McLennan County; RN102368925; for air quality violations pursuant to Tex. Water Code ch. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Ian Groetsch, Janice Hernandez)

Item 21

### **[Docket No. 2016-2091-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DFW FUEL CITY, INC. dba Fuel Town in Dallas County; RN101650554; 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)

Item 22

**[Docket No. 2016-1954-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of GoPetro Transport LLC in Nueces County; RN107747370; 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)

Item 23

**[Docket No. 2016-1290-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against OZMIR, INC. dba SUPER TRAC in Dallas County; RN101536092; 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. (Jason Fraley, Michael Parrish)

Item 24

**[Docket No. 2016-1982-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of YETI INVESTMENT LLC dba Kiranna 101 in Collin County; RN101443265; 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. (Benjamin Sakmar, Michael Parrish)

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

Item 25

**[Docket No. 2016-0724-PST-E.](#)**

Consideration of a Default and Shutdown Order assessing administrative penalties against and requiring certain actions of Naila Partners, Ltd. dba Handi Plus in Bexar County; RN101377158; 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. (Clayton Smith, Janice Hernandez)

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

- Item 26     **[Docket No. 2017-0122-PWS-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CAMP RIO VISTA, INC. in Kerr County; RN101242261; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Steven Hall, Michael Parrish)
- Item 27     **[Docket No. 2016-0680-PWS-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Crockett in Houston County; RN101394708; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Carol McGrath, Michael Parrish)
- Item 28     **[Docket No. 2016-1116-PWS-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Paducah in Cottle County; RN101385029; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Michaelle Garza, Michael Parrish)
- Item 29     **[Docket No. 2016-0673-PWS-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties against King Ranch, Inc. in Kleberg County; RN101279388; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Clayton Smith, Janice Hernandez)
- Item 30     **[Docket No. 2016-1788-PWS-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Gardendale Mobile Home Park, LLC in Ector County; RN101197283; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (James Fisher, Michael Parrish)
- Item 31     **[Docket No. 2016-2012-PWS-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Prestwick Investments III, LLC in



Tarrant County; RN101441111; 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)

Item 32 **[Docket No. 2016-2047-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Troy G. Waller dba Rockwell Acres Water System in Randall County; RN101451565; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Steven Hall, Michael Parrish)

Item 33 **[Docket No. 2016-1638-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Webb County; RN101176170; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Michaëlle Garza, Michael Parrish)

### **MONTHLY ENFORCEMENT REPORT**

Item 34 **[Docket No. 2017-0900-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)

### **RULE MATTER**

Item 35 **[Docket No.2016-1070-RUL.](#)**

Consideration for publication of, and hearing on, proposed amended Sections 307.2, 307.3, 307.6, 307.7, 307.9, and 307.10 of 30 Texas Administrative Code Chapter 307, Texas Surface Water Quality Standards. The proposed rulemaking would provide a periodic public review and revision of the State's surface water quality standards, as provided for in Texas Water Code, Section 26.023 and required by the federal Clean Water Act, Section 303(c). (Debbie Miller, Stefanie Skogen) (Rule Project No. 2016-002-307-OW)

## **EXECUTIVE MEETING**

**Item 36      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 37      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 38      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 39      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)**