

*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**

September 27, 2019

### 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. 2019-0902-AIR.](#)**

Consideration of application by Ingram Concrete, LLC, for Air Quality Permit No. 152417L001, to authorize a rock crushing plant to be located at 1346 County Road 401, Nemo, Somervell 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. (Joel Stanford, Betsy Peticolas)

Item 2 **[Docket No. 2019-0901-MWD.](#)**

Consideration of the application by Camp Champions Texas L.P. for a new permit, TCEQ Permit No. WQ0015643001, to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 10,000 – 20,000 gallons per day (seasonal) via surface irrigation of 6.2 acres of non-public access grassland. This permit will not authorize a discharge of pollutants into water in the state. The wastewater treatment facility and disposal site will be located approximately 0.27 mile southwest of the intersection of County Road 125/Highland Drive and Farm-to-Market Road 1431, in Burnet County, Texas 78654. 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., Isaac Ta)

### **WATERMASTER EVALUATION**

Item 3 [\*\*Docket No. 2019-1090-MIS.\*\*](#)

Consideration of the Executive Director's findings and recommendation on whether a watermaster should be appointed for the Neches River and Sabine River Basins. Texas Water Code, Section 11.326(g) requires that in river basins where no watermaster has been appointed, the executive director shall evaluate the river basin at least once every 5 years to determine whether a watermaster should be appointed, and report the findings and make recommendations to the commission. The commission shall include the findings and recommendations in the commission's biennial report to the Legislature. (Laurie Gharis, Robin Smith)

### **MISCELLANEOUS MATTERS**

Item 4 [\*\*Docket No. 2018-1659-MIS.\*\*](#)

Consideration of the adoption of the Second Submission of the Draft 2018 Texas Integrated Report, for compliance with the requirements of the federal Clean Water Act, Sections 303(d) and 305(b), which is a compilation of documents and information which provides an overview of the state's surface water quality. The Second Submission of the Draft 2018 Texas Integrated Report would inform the regulated community and the public of water quality status of surface waters in the state. The Second Submission of the Draft 2018 Texas Integrated Report would also provide agencies with information to enable informed permitting decisions, resource allocations, and to determine where total maximum daily loads, watershed protection plans, and other water quality improvement efforts are needed. Notice of the proposed Second Submission of the Draft 2018 Texas Integrated Report was published in the May 31, 2019, issue of the *Texas Register* (44 TexReg 2771). The proposed Second Submission of the Draft 2018 Texas Integrated Report was posted on the commission's Water Quality Planning Division's website on May 31, 2019. (Michele Blair, Michael Parr) (Non-Rule Project No. 2019-064-OTH-NR)

Item 5 [\*\*Docket No. 2019-1226-MIS.\*\*](#)

**Hyperlink  
Update**  
9-17-2019  
11:00 AM

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. (Yen Tran)

## **AIR QUALITY ENFORCEMENT AGREED ORDERS**

- Item 6     **[Docket No. 2018-1138-AIR-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of INEOS Styrolution America LLC in Galveston County; RN104579487; 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. (Raime Hayes-Falero, Michael Parrish)
- Item 7     **[Docket No. 2018-0388-AIR-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of KMTEX, LLC in Jefferson County; RN100640283; 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 8     **[Docket No. 2018-0957-AIR-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of TPC Group LLC in Harris County; RN100219526; 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. (Amanda Diaz, Michael Parrish)
- Item 9     **[Docket No. 2018-0849-AIR-E.](#)**  
Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of ONEOK Hydrocarbon, L.P. in Chambers County; RN106123714; 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. (Soraya Bun, Michael Parrish)

## **AIR QUALITY ENFORCEMENT DEFAULT ORDERS**

- Item 10    **[Docket No. 2018-1521-AIR-E.](#)**  
Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Lee Exceptional Investments, LLC dba Exceptional Landscapes in Hood County; RN107569725; for air quality 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. (Logan Harrell, Janice Hernandez)

Item 11 [\*\*Docket No. 2018-0324-AIR-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of F & L Auto Body, LLC in El Paso County; RN101653699; for air quality 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. (Benjamin Warms, Janice Hernandez)

Item 12 [\*\*Docket No. 2018-0296-AIR-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Rene Perez dba Factory Garage Collision and Repair in El Paso County; RN110055977; for air quality 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. (Clayton Smith, Janice Hernandez)

**MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER**

Item 13 [\*\*Docket No. 2018-1013-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Rockdale in Milam County; RN101388288; 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. (Harley Hobson, Michael Parrish)

**PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS**

Item 14 [\*\*Docket No. 2018-0990-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of KASHISH CORPORATION dba Dairy Mart 7 in Tarrant County; RN105113302; 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. (Hailey Johnson, Michael Parrish)

Item 15

**[Docket No. 2018-1054-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of PERMANN, INC. dba Tanglewood Service Center in Tarrant County; RN100730076; 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. (Marla Waters, Michael Parrish)

Item 16

**[Docket No. 2018-1333-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Quik-Way Operating, LLC dba Day & Night 82 in Smith County; RN102388436; 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. (Danielle Porras, Michael Parrish)

Item 17

**[Docket No. 2018-1407-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of TA Operating LLC dba Denton Travel Center in Denton County; RN102469350; 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. (Tyler Richardson, Michael Parrish)

Item 18

**[Docket No. 2018-0895-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of HAIDER & SONS ENTERPRISES INC. dba Swift T in Dallas County; RN102463460; 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. (Jess Robinson, Janice Hernandez)

Item 19

**[Docket No. 2018-0660-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of K & Z Enterprises, LLC dba Quickway Food Store 1 in Tarrant County; RN101534790; 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. (Taylor Pearson, Janice Hernandez)

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

Item 20 [Docket No. 2018-0208-PST-E.](#)

Consideration of a Default and Shutdown Order assessing administrative penalties against and requiring certain actions of Bombay Trading, LLC dba Texan Stop 1 in Morris County; RN104805593; 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. (Taylor Pearson, Janice Hernandez)

**PUBLIC WATER SUPPLY ENFORCEMENT AGREED ORDERS**

Item 21 [Docket No. 2018-1492-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of C.V.W.S., Inc. in Harrison County; RN102691219; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (James Knittel, Michael Parrish)

Item 22 [Docket No. 2018-1154-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Strip Property Land and Water, LLC in Lubbock County; RN102315165; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ronica Rodriguez, Michael Parrish)

**PUBLIC WATER SUPPLY ENFORCEMENT DEFAULT ORDERS**

Item 23 [Docket No. 2018-0734-PWS-E.](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Karen Harwell dba Hallelujah Hill MHP in Harrison County; RN101176162; for public drinking water violations pursuant to Tex. Water Code ch. 5, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality. (Audrey Liter, Janice Hernandez)

Item 24

**[Docket No. 2017-1658-PWS-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of MAUKA WATER, LTD. in Johnson County; RN101174977; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ryan Rutledge, Janice Hernandez)

**WATER QUALITY ENFORCEMENT AGREED ORDER**

Item 25

**[Docket No. 2018-1015-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against JEREMY & WILL, INC. in Somervell County; RN109087684; for water quality and aggregate production operation violations pursuant to Tex. Water Code chs. 7, 26, and 28A and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Aaron Vincent, Michael Parrish)

**MONTHLY ENFORCEMENT REPORT**

Item 26

**[Docket No. 2019-0015-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)

**QUADRENNIAL RULE REVIEWS**

Item 27

**[Docket No. 2019-0110-MIS.](#)**

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 11, Contracts. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the April 26, 2019, issue of the *Texas Register* (44 TexReg 2173). (Chris Gobert, Patricia Scott) (Project No. 2019-081-011-AS)

Item 28

**[Docket No. 2018-1397-MIS.](#)**

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 314, Toxic Pollutant Effluent Standards. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the April 26,

2019, issue of the *Texas Register* (44 TexReg 2173). (Laurie Fleet, Kathy Humphreys) (Project No. 2019-027-314-OW)

Item 29

**Docket No. 2018-1398-MIS.**

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 319, General Regulations Incorporated into Permits. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the April 26, 2019, issue of the *Texas Register* (44 TexReg 2173). (Laurie Fleet, Celia Castro) (Project No. 2019-028-319-OW)

Item 30

**Docket No. 2018-1358-MIS.**

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 328, Waste Minimization and Recycling. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the April 26, 2019, issue of the *Texas Register* (44 TexReg 2174). (Susan Palachek, Colleen Ford) (Project No. 2019-017-328-AD)

**EXECUTIVE MEETING**

Item 31

**Docket No. 2019-0001-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 32

**Docket No. 2019-0002-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 33 **Docket No. 2019-0003-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 34 **Docket No. 2019-0004-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 TCEQ MEETINGS ON THE TCEQ  
YOUTUBE CHANNEL AT NO COST, AT:**

**[HTTPS://WWW.TCEQ.TEXAS.GOV/AGENCY/DECISIONS/AG  
NDAS/WEBCASTS.HTML](https://www.tceq.texas.gov/agency/decisions/agendas/webcasts.html)**