

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)]. Updates to backup documents will be noted by a purple indicator. Finally, the Commissioners may discuss or consider posted items in an order other than the order posted.

On March 16, 2020, in accordance with section 418.016 of the Texas Government Code, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location. Pursuant to that suspension, the public will not be able to attend the Agenda in person but may attend telephonically or via webinar or view the meeting on the web at no cost.

To watch or listen to the meeting:

Members of the public may listen to the meeting telephonically by calling, toll-free, (562) 247-8422 and entering Access Code 318-464-230. The public may also view live TCEQ meetings on the TCEQ YouTube Channel at no cost at:

<https://www.tceq.texas.gov/agency/decisions/agendas/webcasts.html>

To address the Commission at the meeting:

Members of the public who would like to address the Commission on an item for which the Commission is accepting comment, must register as indicated below and access the meeting via webcast by following this [link](#) and entering Webinar ID 545-920-075. Those without internet access may call (512) 239-3313 before the meeting begins for assistance in accessing the meeting telephonically.

To register, please call (512) 239-3313 or email agenda@tceq.texas.gov. Please complete this [Public Participation Form](#) or provide the following information: 1. Agenda item number; 2. Name; 3. Affiliation; 4. Address; 5. Phone number; 6. whom you represent (self or company/client); and 7. whether you wish to address the Commission, are available for questions from the Commission, or would like to be noted as present for the record.

Registration for agenda will conclude at 9:30 a.m. Please register before this time. Late registration could result in your missing the opportunity to comment on your item.

AGENDA

January 27, 2021

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.

<https://www.gotomeeting.com/webinar/join-webinar> / Webinar ID 545-920-075
(562) 247-8422 / Access Code 318-464-230

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 1

[Docket No. 2020-1426-AIR.](#)

Consideration of application by Tycon Ready Mix LLC for the approval of a registration to use the Air Quality Standard Permit for Concrete Batch Plants, Registration No. 159582, which would authorize construction of a permanent concrete batch plant. The plant site is located at the following driving directions: from the intersection of Hunters Trail and County Road 139 (Burkett Road), go north on County Road 139 for approximately 180 feet, site entrance will be on the right, Flint, Smith 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. (Don Nelon, Sierra Redding)

Item 2

[Docket No. 2020-1429-MWD.](#)

Consideration of the application by Crossroads 10445, LP. has applied for new Texas Pollutant Discharge Elimination System Permit No. WQ0015810001 to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 10,000 gallons per day. The facility will be located at 10445 U.S. Highway 183 South, in Travis County, Texas 78747. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's Response to Comments. (Sonia Bhuiya, Stefanie Skogen)

Item 3

[Docket No. 2020-1560-MWD.](#)

Consideration of the application by Quadvest, L.P. for new Texas Pollutant Discharge Elimination System Permit No. WQ0015825001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 750,000 gallons per day. The facility will be located at 0.9 mile north of the intersection of Cypress Rosehill Road and Farm-to-Market Road 2920, in Harris County, Texas 77377. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's Response to Comments. (Sonia Bhuiya, Kathy Humphreys)

TOTAL MAXIMUM DAILY LOAD MATTERS

Item 4

[Docket No. 2020-1172-TML.](#)

Consideration for approval to publish and solicit public comment on Two Draft Total Maximum Daily Loads for Indicator Bacteria in the Caney Creek Watershed, of the Brazos-Colorado Coastal Basin, in Brazoria,

Matagorda, and Wharton Counties. (Kerry Niemann, Stefanie Skogen)
(Project No. 2020-050-TML-NR)

Item 5

[Docket No. 2020-1170-TML.](#)

Consideration for approval to publish and solicit public comment on One Draft Total Maximum Daily Load for Indicator Bacteria in Arenosa Creek of the Bays and Estuaries Basin, in Jackson, Lavaca, and Victoria Counties. (Kerry Niemann, Stefanie Skogen) (Project No. 2020-052-TML-NR)

Item 6

[Docket No. 2020-1171-TML.](#)

Consideration for approval to publish and solicit public comment on the Draft Implementation Plan for One Total Maximum Daily Load for Indicator Bacteria in Arenosa Creek, of the Bays and Estuaries Basin, in Jackson, Lavaca, and Victoria Counties. (Kerry Niemann, Stefanie Skogen) (Project No. 2020-051-TML-NR)

AGRICULTURAL ENFORCEMENT AGREED ORDER

Item 7

[Docket No. 2020-0389-AGR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of HT & T, LLC in Waller County; RN106739022; 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)

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 8

[Docket No. 2020-0927-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Blaine Larsen Farms, Inc. in Hartley County; RN109220137; 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. (Danielle Porras, Michael Parrish)

Item 9

[Docket No. 2019-1198-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Chevron Phillips Chemical Company LP in Brazoria County; RN100825249; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7 and the

rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Mackenzie Mehlmann, Michael Parrish)

Item 10 [**Docket No. 2020-0385-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Chevron Phillips Chemical Company LP in Brazoria County; RN100825249; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Mackenzie Mehlmann, Michael Parrish)

Item 11 [**Docket No. 2020-0777-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Enterprise Products Operating LLC in Chambers County; RN102323268; 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 12 [**Docket No. 2019-0688-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Formosa Plastics Corporation, Texas in Calhoun County; RN100218973; 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. (Michaella Garza, Michael Parrish)

Item 13 [**Docket No. 2019-1618-AIR-E.**](#)

**Hyperlink
Update**
1-21-2021
11:30 AM

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Motiva Enterprises LLC in Jefferson County; RN100209451; 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. (Margarita Dennis, Michael Parrish)

Item 14 [**Docket No. 2020-0401-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Targa Midstream Services LLC in Chambers County; RN100222900; 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. (Toni Red, Michael Parrish)

Item 15

[Docket No. 2020-0747-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties against Targa Pipeline Mid-Continent WestTex LLC in Reagan County; RN106726854; 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. (Mackenzie Mehlmann, Michael Parrish)

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 16

[Docket No. 2020-0132-IWD-E.](#)

**Hyperlink
Update**
1-21-2021
11:30 AM

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MONTEREY MUSHROOMS, INC. in Madison County; RN100831312; 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)

Item 17

[Docket No. 2019-1733-IWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Sequa Corporation in Harris County; RN100217926; 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)

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDER

Item 18

[Docket No. 2020-0234-MLM-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of T.F.R. ENTERPRISES, INC. in Williamson County; RN106043144; 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 Tex. Admin. Code ch. 60. (Berenice Munoz, Michael Parrish)

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDER

Item 19 [Docket No. 2019-0608-MSW-E.](#)

Consideration of an Agreed Order assessing administrative penalties against Liberty Tire Recycling, LLC in Bexar County; RN104370275; for used tires 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. (John Fennell, Michael Parrish)

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 20 [Docket No. 2020-0563-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties against Montgomery County Municipal Utility District No. 112 in Montgomery County; RN104815238; 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. (Christopher Moreno, Michael Parrish)

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDER

Item 21 [Docket No. 2020-0577-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of QUICK TRACK INC. in Tarrant County; RN103028874; 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)

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 22 [Docket No. 2019-1789-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DEANVILLE WATER SUPPLY CORPORATION in Burleson County; RN101442085; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341

and the rules of the Texas Commission on Environmental Quality.
(Aaron Vincent, Michael Parrish)

Item 23 [**Docket No. 2019-1684-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SIMPLY AQUATICS, INC. in Montgomery County; RN101651925; 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)

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDERS

Item 24 [**Docket No. 2017-1574-PWS-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Donald S. Fletcher dba Equestrian Estates in Erath County; RN101239077; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jake Marx, Janice Hernandez)

Item 25 [**Docket No. 2018-0709-PWS-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of CIRCLE "R" RANCHETTES RECREATION AND COMMUNITY CORPORATION in Tarrant County; RN101256063; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jake Marx, Janice Hernandez)

Item 26 [**Docket No. 2019-1751-PWS-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Stewart McCrary dba Country Pines R V Park in Harrison County; RN101200988; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Roslyn Dubberstein, Janice Hernandez)

SLUDGE ENFORCEMENT AGREED ORDER

Item 27 [**Docket No. 2020-0106-SLG-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of T.O.F.S., LLC in Lubbock County; RN106901150; 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 Tex. Admin. Code ch. 60. (Steven Van Landingham, Michael Parrish)

WATER QUALITY ENFORCEMENT AGREED ORDER

Item 28 [**Docket No. 2020-0898-WQ-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against the City of Friendswood in Galveston County; RN111033395; 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)

MONTHLY ENFORCEMENT REPORT

Item 29 [**Docket No. 2020-1556-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)

EXECUTIVE MEETING

Item 30 **Docket No. 2021-0001-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 31 **Docket No. 2021-0002-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 32 Docket No. 2021-0003-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 33 Docket No. 2021-0004-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.

**TO WATCH OR LISTEN TO THE MEETING:
MEMBERS OF THE PUBLIC MAY LISTEN TO THE MEETING TELEPHONICALLY BY CALLING, TOLL-FREE, (562) 247-8422 AND ENTERING ACCESS CODE 318-464-230. THE PUBLIC MAY ALSO VIEW**

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

TO ADDRESS THE COMMISSION AT THE MEETING:

MEMBERS OF THE PUBLIC WHO WOULD LIKE TO ADDRESS THE COMMISSION ON AN ITEM FOR WHICH THE COMMISSION IS ACCEPTING COMMENT, MUST REGISTER AS INDICATED BELOW AND ACCESS THE MEETING VIA WEBCAST BY FOLLOWING THIS [LINK](#) AND ENTERING WEBINAR ID 545-920-075. THOSE WITHOUT INTERNET ACCESS MAY CALL (512) 239-3313 BEFORE THE MEETING BEGINS FOR ASSISTANCE IN ACCESSING THE MEETING TELEPHONICALLY.

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AGENDA@TCEQ.TEXAS.GOV. PLEASE COMPLETE THIS [PUBLIC PARTICIPATION FORM](#) OR PROVIDE THE FOLLOWING INFORMATION:

1. AGENDA ITEM NUMBER; 2. NAME; 3. AFFILIATION; 4. ADDRESS; 5. PHONE NUMBER; 6. WHOM YOU REPRESENT (SELF OR COMPANY/CLIENT); AND 7. WHETHER YOU WISH TO ADDRESS THE COMMISSION, ARE AVAILABLE FOR QUESTIONS FROM THE COMMISSION, OR WOULD LIKE TO BE NOTED AS PRESENT FOR THE RECORD.

REGISTRATION FOR AGENDA WILL CONCLUDE AT 9:30 A.M. PLEASE REGISTER BEFORE THIS TIME. LATE REGISTRATION COULD RESULT IN YOUR MISSING THE OPPORTUNITY TO COMMENT ON YOUR ITEM.