

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 129-345-602. 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 493-956-499. 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

February 10, 2021

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.

<https://www.gotomeeting.com/webinar/join-webinar> / Webinar ID 493-956-499
(562) 247-8422 / Access Code 129-345-602

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 1

[Docket No. 2020-1427-MSW.](#)

Consideration of an application by the City of Denton for a major amendment to authorize the vertical and lateral expansion of the City of Denton Landfill, which operates under existing Municipal Solid Waste

Permit No. 1590A. The landfill is located at 1527 South Mayhill Road in the City of Denton, Denton 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. (Chandra Yadav, Kathy Humphreys, Sierra Redding)

Item 2

[Docket No. 2020-1057-MWD.](#)

**Hyperlink
Update**
2-9-2021
3:45 PM

Consideration of the application by City of San Angelo for renewal of TCEQ Permit No. WQ0010641003, which authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 16,300,000 gallons per day via evaporation and irrigation. This permit will not authorize a discharge of pollutants into water in the state. The wastewater treatment facility and disposal site are located at 1898 City Farm Road, in the City of San Angelo, in Tom Green County, Texas 76905. 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, Michael Parr)

Item 3

[Docket No. 2020-1428-MWD.](#)

Consideration of the application by City of Leander and Travisso, Ltd., for a major amendment to TCEQ Permit No. WQ0015042001, to authorize the removal of tree-top irrigation, a reduction in the subsurface area drip dispersal system irrigation acreage, and an increase in surface irrigation acreage and storage capacity. The domestic wastewater treatment facility is located at 2758 Durango Hills Drive, in the City of Leander, and the disposal areas are located throughout the Travisso development, in Travis County, Texas 78641. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (Tong Li, E.I.T., Harrison Cole Malley)

TOTAL MAXIMUM DAILY LOAD MATTER

Item 4

[Docket No. 2020-1213-TML.](#)

Consideration for approval to publish and solicit public comment on One Draft Total Maximum Daily Load for Indicator Bacteria in Hillebrandt Bayou, of the Neches-Trinity Coastal Basin, in Jefferson County. (Kerry Niemann, Stefanie Skogen) (Project No. 2020-054-TML-NR)

MISCELLANEOUS MATTER

Item 5

[Docket No. 2020-1263-RES.](#)

**Hyperlink
Update**
2-9-2021
4:00 PM

Consideration of a resolution to fill membership positions on the Galveston Bay Council (GBC). The GBC is a 41-member advisory body to the Texas Commission on Environmental Quality (commission), whose function is to advise the commission on the implementation of The Galveston Bay Plan, the Comprehensive Conservation and Management Plan for Galveston Bay. The nominations are for 25 of the 41 members. Membership includes representatives from federal agencies; state agencies; regional and local governments; environmental and citizen groups; the private sector; and a representative from research/academia. These membership positions are consistent with the Texas Government Code, Chapter 2110, State Agency Advisory Committees, as well as the requirements of the federal Clean Water Act, Section 320. (Lisa Marshall, Celia Castro) (Non-Rule Project No. 2020-056-RES-NR)

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 6

[Docket No. 2020-0943-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties against Gladioux Metals Recycling, LLC in Brazoria County; RN100210129; 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. (Yuliya Dunaway, Michael Parrish)

Item 7

[Docket No. 2020-0781-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Lucite International, Inc. in Jefferson County; RN102736089; 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 8

[Docket No. 2020-0092-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of 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 Tex. Admin. Code ch. 60. (Mackenzie Mehlmann, Michael Parrish)

Item 9

[Docket No. 2020-0367-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties against Southwest Shipyard, L.P. in Harris County; RN100248749; 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. (Yuliya Dunaway, Michael Parrish)

Item 10

[Docket No. 2020-0566-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Sulphur River Gathering LLC in Camp County; RN100223783; 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. (Johnnie Wu, Michael Parrish)

Item 11

[Docket No. 2020-0493-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties against WTG Jameson, LP in Coke County; RN101246478; 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. (Johnnie Wu, Michael Parrish)

Item 12

[Docket No. 2020-0543-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of BASF TOTAL Petrochemicals LLC and Total Petrochemicals & Refining USA, Inc. in Jefferson County; RN102457520; 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. (Richard Garza, Michael Parrish)

AIR QUALITY ENFORCEMENT DEFAULT ORDERS

Item 13

[Docket No. 2019-1176-AIR-E.](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Heartland Cabinetry and Furniture, Inc. in Tarrant County; RN100764133; 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.
(Christopher Mullins, Janice Hernandez)

Item 14

[Docket No. 2019-0436-AIR-E.](#)

**Hyperlink
Update**
2-9-2021
4:00 PM

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Lucky's Redi-Mix Co. LLC in DeWitt County; RN106526981; for air quality violations pursuant to Tex. Water Code chs. 5 and 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. (Taylor Pearson, Janice Hernandez)

**INDUSTRIAL HAZARDOUS WASTE ENFORCEMENT
AGREED ORDER**

Item 15

[Docket No. 2018-1657-IHW-E.](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of WOMACK TANK AND MANUFACTURING, LLC in Tom Green County; RN106755440; for industrial solid waste and hazardous waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jake Marx, Janice Hernandez)

**INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED
ORDER**

Item 16

[Docket No. 2020-0065-IWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Praxair, Inc. in Harris County; RN102146446; 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. (Stephanie Frederick, Michael Parrish)

**MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT
ORDER**

Item 17

[Docket No. 2019-1409-MSW-E.](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Paden Reed dba Everything Automotive in Polk County; RN110471778; for used oil violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 371,

and the rules of the Texas Commission on Environmental Quality.
(Taylor Pearson, Janice Hernandez)

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 18 [Docket No. 2019-1483-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Mabank in Kaufman County; RN101918845; 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. (Katelyn Tubbs, Michael Parrish)

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDER

Item 19 [Docket No. 2020-0500-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of INTERNATIONAL BUSINESS CONNECTION, INC. dba Quick Shop Food Mart in Tarrant County; RN101434736; 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. (John Fennell, Michael Parrish)

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDER

Item 20 [Docket No. 2019-0280-PST-E.](#)

Consideration of a Default Order assessing administrative penalties against TA & JP Company dba Discount Mart 4 in Titus County; RN102352192; 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 Warms, Janice Hernandez)

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDER

Item 21 [Docket No. 2020-0741-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Runge in Karnes County; RN101424083; 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)

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER

Item 22

[Docket No. 2019-1009-PWS-E.](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Francisco Espinosa dba FALL BRANCH ESTATES HOMEOWNERS ASSOCIATION, INC. in Kerr County; RN110438629; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Christopher Mullins, Janice Hernandez)

WATER QUALITY ENFORCEMENT AGREED ORDERS

Item 23

[Docket No. 2019-1174-WQ-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Copperas Cove in Coryell County; RN101702074; 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)

Item 24

[Docket No. 2020-0465-WQ-E.](#)

Consideration of an Agreed Order assessing administrative penalties against KPL South Texas, LLC in Jefferson County; RN105507289; 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)

PUBLIC COMMENT SESSION

Item 25

Docket No. 2021-0005-PUB.

The Commission will receive comments from the public on any matters within the jurisdiction of the Texas Commission on Environmental Quality in accordance with Texas Water Code Section 5.112, except for 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 26 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 27 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 28 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 29 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 129-345-602. 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/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 493-956-499. 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.