

Chairman Kathleen White
Commissioner Larry Soward

AGENDA

Friday, June 3, 2005

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

- Item 1. **Docket No. 2005-0339-RUL.** Consideration of the adoption of amendments to **30 TAC Chapter 101**, General Air Quality Rules; Subchapter F, Emissions Events and Scheduled Maintenance, Startup, and Shutdown Activities; Division 3, Operational Requirements, Demonstrations, and Actions to Reduce Excessive Emissions; Sections 101.221 - 101.223; and corresponding revisions to the Texas state implementation plan.

The adopted rulemaking would extend the expiration date of June 30, 2005, to January 15, 2006, unless the commission submits a revised version of Sections 101.221 - 101.223 to the Environmental Protection Agency (EPA) for review and approval. If the commission submits these revisions to the EPA, these sections would expire on June 30, 2006. The proposed rules were published in the April 8, 2005, issue of the *Texas Register* (30 TexReg 2030). (Steve Ligon, Janis Hudson) (Rule Project Number 2005-023-101-CE)

Approve the adoption of amendments to 30 TAC Chapter 101 and corresponding revisions to the Texas state implementation plan. KW/LS; all agree.

- Item 2. Consideration of Motions to Overturn concerning the Executive Director's dismissal or return of the applications by 2428 Partners, L.P., to create Winfield MUD Nos. 1, 2, 3, and 4; TCEQ Docket Nos. 2004-1711-DIS, 2004-1712-DIS, 2004-1713-DIS, and 2004-1710-DIS. (Hays and Travis Counties)

Grant the Motions to Overturn to the extent of remanding this item to the Executive Director. KW/LS; all agree.

- Item 3. Consideration of issuance of certificates of appreciation for Mickey Leland Program participants.

Authorize the Executive Director to use electronic signature for all three Commissioners for the Mickey Leland Program. KW/LS; all agree.

EXECUTIVE SESSION

Item 4. **Docket No. 1998-1154-EXE.** The Commission will meet in closed session to deliberate the appointment, employment, evaluation or duties of the Commission's Executive Director and/or General Counsel, as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Government Code. The Commission may also meet in open session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

No action taken.

Item 5. **Docket No. 1999-0024-EXE.** The Commission will conduct a closed meeting to receive legal advice and will discuss pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Commission employees, as permitted by Sections 551.071 and 551.074, the Open Meetings Act, codified as Chapter 551 of the Government Code. The Commission may also meet in open session to take action on a legal or personnel matters considered in the closed meeting as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

No action taken.

Item 6. **Docket No. 1999-0025-EXE.** The Commission will conduct a closed session to discuss their duties, roles, and responsibilities as Commissioners of the TCEQ pursuant to Section 551.074 of the Open Meetings Act, Codified as Chapter 551 of the Government Code. The Commission may also meet in open session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

No action taken.

(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 TWO (2) 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.)

REGISTRATION FOR AGENDA STARTS AT 8:45 A.M. UNTIL 9:30 A.M. PLEASE REGISTER BETWEEN THESE TIMES. LATE REGISTRATION COULD RESULT IN YOUR MISSING THE OPPORTUNITY TO COMMENT ON YOUR ITEM.

/s/ Greg Merrell
Assistant General Counsel,
Greg Merrell

6/15/2005
Date