

Chairman Kathleen White
Commissioner Larry Soward

OLD BUSINESS AGENDA

Wednesday, December 6, 2006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Item continued from the November 1, 2006 agenda.

- Item 1. **Docket No. 2006-1797-BGT. CONSIDERATION OF FISCAL YEAR 2007 ASSESSMENT OF ANNUAL COSTS OF OPERATION FOR WATERMASTER OPERATIONS IN THE SOUTH TEXAS WATER DIVISION.** Pursuant to Texas Water Code Section 11.329; and TAC Section 12.1; 12.3; 12.5 and 304.61 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster costs of administration for the fiscal year beginning September 1, 2006, and ending August 31, 2007, for appropriators in the South Texas Water Division, which consists of the Nueces, San Antonio, Guadalupe, and Lavaca River Basins, as well as the Lavaca-Guadalupe Coastal Basin, the San Antonio-Nueces Coastal Basin, and the Nueces-Rio Grande Coastal Basin, except that part in **Hidalgo, Cameron, Willacy, and Starr counties**. The Executive Director requests approval of an assessment amount of Five Hundred Forty Thousand Two Hundred Fifty Four Dollars, with the assessment per account to consist of a \$50.00 base charge plus a use fee and/or storage fee calculated from the authorized acre-feet, and a penalty of 5.0% of any delinquent fee due imposed on a person who fails to pay the required fee when due and if the person fails to pay the fee within 30 days after the day which the fee is due, an additional 5.0% penalty shall be imposed. (Tracy Callen/Al Segovia/Robin Smith)

Approve fiscal year 2007 assessment of annual costs of operation for watermaster operations in the South Texas Water Division. KW/LS; all agree.

Item continued from the November 1, 2006 agenda.

- Item 2. **Docket No. 2006-1799-BGT. CONSIDERATION OF FISCAL YEAR 2007 ASSESSMENT OF ANNUAL COSTS OF OPERATION FOR WATERMASTER OPERATIONS IN THE CONCHO RIVER WATERMASTER PROGRAM.** Pursuant to Texas Water Code Section 11.329; and TAC Section 12.1; 12.3; 12.5 and 304.61 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster costs of administration for the fiscal year beginning September 1, 2006, and ending August 31, 2007, for appropriators in the Concho River Watermaster Program, which consists of the Concho River segment of the Colorado River Basin that includes the Concho River and all of its tributaries, downstream on the main stem of the Concho River to a point on the Concho River prior to reaching, and upstream of the O.H. Ivie Reservoir located at and including the diversion point of Certificate of Adjudication No. 14-1393 (River Order No. 4954450000) in **Concho County**. The Executive Director requests approval of an assessment amount of One Hundred Sixty Four Thousand One Hundred Thirty Nine Dollars, with the assessment per account to consist of a \$50.00 base charge plus a use fee and/or storage fee calculated from the authorized acre-feet, and a penalty of 5.0% of any delinquent fee due imposed on a person who fails to pay the required fee when due and if

the person fails to pay the fee within 30 days after the day which the fee is due, an additional 5.0% penalty shall be imposed (Tracy Callen/Al Segovia/Robin Smith)

Approve fiscal year 2007 assessment of annual costs of operation for watermaster operations in the Concho River Watermaster Program. KW/LS; all agree.

Item continued from the November 1, 2006 agenda.

Item 3. **Docket No. 2006-1798-BGT. CONSIDERATION OF FISCAL YEAR 2007 ASSESSMENT OF ANNUAL COSTS OF OPERATION FOR WATERMASTER OPERATIONS IN THE RIO GRANDE WATER DIVISION.** Pursuant to Texas Water Code Section 11.329; and TAC Section 12.1; 12.3; 12.5 and 303.71 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster costs of administration for the fiscal year beginning September 1, 2006, and ending August 31, 2007, for appropriators in the Rio Grande Water Division, which extends from Fort Quitman, Texas to the mouth of the Rio Grande River, excluding the watersheds of the Pecos and Devils Rivers; and includes that portion of the Nueces-Rio Grande Coastal Basin lying in **Hidalgo, Cameron, Willacy and Starr counties**. The Executive Director requests approval of an assessment amount of Six Hundred Thirty Two Thousand Dollars, with the assessment per account to consist of a \$50.00 base charge plus a use fee and/or storage fee calculated from the authorized acre-feet, and a penalty of 5.0% of any delinquent fee due imposed on a person who fails to pay the required fee when due and if the person fails to pay the fee within 30 days after the day which the fee is due, an additional 5.0% penalty shall be imposed. (Tracy Callen/Carlos Rubinstein/Robin Smith)

Approve fiscal year 2007 assessment of annual costs of operation for watermaster operations in the Rio Grande Water Division. KW/LS; all agree.

AGENDA

Wednesday, December 6, 2006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

AGRICULTURAL ENFORCEMENT AGREED ORDER

- Item 1. **Docket No. 2003-0523-AGR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **C.L. Hall dba Southfork Dairy and Douglas Hall in Rains County**; TCEQ ID No. RN101519841; for dairy operation 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. (Jim Sallans, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

- Item 2. **Docket No. 2005-1783-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **3M Company in Travis County**; RN100218692; 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 Texas Administrative Code ch. 60. (Jason Kemp, David Van Soest)

Approve the Agreed Order. KW/LS; all agree.

- Item 3. **Docket No. 2006-0713-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Equistar Chemicals, LP in Harris County**; RN103773206; 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 Texas Administrative Code ch. 60. (Rebecca Johnson, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

- Item 4. **Docket No. 2006-0602-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **LANXESS Corporation in Chambers County**; RN104680871; 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 Texas Administrative Code ch. 60. (Kimberly Morales, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 5. **Docket No. 2006-1260-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **TRI State Electric, Ltd. in El Paso County**; RN100818558; 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 Texas Administrative Code ch. 60. (Daniel Siringi, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 6. **Docket No. 2004-1427-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **W&W Fiberglass Tank Company in Gray County**; TCEQ ID No. RN102004314; for air quality violations pursuant to Tex. Health & Safety Code chs. 370 and 382, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch.60. (Shannon Strong, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

Item 7. **Docket No. 2006-1005-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **Oxy Vinyls, LP in Harris County**; RN102518065; 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 Texas Administrative Code ch. 60. (Nadia Hameed, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 8. **Docket No. 2006-0905-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lide Industries, Inc. in Freestone County**; RN101698439; 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 Texas Administrative Code ch. 60. (Miriam Hall, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 9. **Docket No. 2004-1640-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Union Oil Company of California dba UNOCAL Beaumont Terminal in Jefferson County**; TCEQ ID No. RN102596210; 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. (Laurencia Fasoyiro, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

Item 10. **Docket No. 2005-2030-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **Federal Bureau of Prisons in El Paso County**; TCEQ ID No. RN100811066; 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. (Robert R. Mosley, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

DRY CLEANER ENFORCEMENT AGREED ORDERS

Item 11. **Docket No. 2006-1166-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Bark Investments, Inc. dba Classic Cleaners in Taylor County**; RN104960380; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality. (Thomas Greimel, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 12. **Docket No. 2006-1182-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Kwang Sool Shin dba Bell Cleaners in Harris County**; RN100712256; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 13. **Docket No. 2006-0964-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Sohyon Park dba Canal Cleaners in Tarrant County**; RN104959739; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Cheryl Thompson, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 14. **Docket No. 2006-0890-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Emil B. Corporation dba One Hour Mac Cleaners, Whytes Cleaners, MacArthur Cleaners (Irving), and MacArthur Cleaners (Lewisville) in Dallas and Denton Counties**; RN102338266; RN103956249; RN103956314; RN103956215; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (A. Sunday Udoetok, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 15. **Docket No. 2006-0843-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Desi Services, Inc. dba Dixie Cleaners in Dallas County**; RN104028345; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Judy Kluge, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 16. **Docket No. 2006-1054-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Ngocdung Thi Nguyen dba BP Cleaners in Collin County**; RN104962139; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Dana Shuler, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 17. **Docket No. 2006-1249-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Hoai Huong Nguyen dba Beh's Cleaners Alterations and Shoe Repair in Harris County**; RN104966809; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Cari-Michel La Caille, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 18. **Docket No. 2006-1478-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Song Choe Bracamonte dba Song's Cleaners in Bell County**; RN103979019; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Judy Kluge, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 19. **Docket No. 2006-0786-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **S & A Lee Corporation dba Metrocrest Cleaners in Dallas County**; RN100763945; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Cheryl Thompson, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 20. **Docket No. 2006-0978-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Young Chol Kim dba Regency Cleaners in Dallas County**; RN100648856; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Samuel Short, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 21. **Docket No. 2006-0991-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jennifer Nguyen dba Railyard Cleaners in Travis County**; RN103993713; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 22. **Docket No. 2006-0763-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Chun Lee dba Quorum Cleaners in Dallas County**; RN103956967; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Cari-Michel La Caille, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 23. **Docket No. 2006-0794-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **PNH Star Enterprises, Inc. dba Dry Clean USA in Tarrant County;** RN104967013; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Jorge Ibarra, P.E., Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 24. **Docket No. 2006-0979-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **NIMI's, Inc. dba Ray Stuart's Cleaners in Dallas County;** RN103959805; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Samuel Short, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 25. **Docket No. 2006-0789-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Kee Ja Rhee dba Lone Star Cleaners in Tarrant County;** RN104028279; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Jorge Ibarra, P.E., Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 26. **Docket No. 2006-1124-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Judy's Super Drycleaner, Inc. dba Conroe Super Dry Cleaners in Montgomery County;** RN104096334; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Libby Hogue, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 27. **Docket No. 2006-1167-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Kyu I. Robinson dba Kim's Alterations & Cleaning in Bexar County;** RN104960455; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Jason Godeaux, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 28. **Docket No. 2006-0997-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Webera, Inc. dba Max Dry Clean Super Store in Dallas County;** RN104992847; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality. (Judy Kluge, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 29. **Docket No. 2006-0785-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Summerside Cleaners Corporation in Collin County**; RN100587542; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Jorge Ibarra, P.E., Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 30. **Docket No. 2006-1224-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Ha Kim Hoang Huy Le dba Star Dry Cleaning in Harris County**; RN103996419; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 31. **Docket No. 2006-0719-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Jack Brown Cleaners, Inc. dba One Price Cleaners in Travis County**; RN104200571, RN104200654; for dry cleaning registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Harvey Wilson, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 32. **Docket No. 2006-1383-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Sharon Dodd dba Hometown Cleaners in Wise County**; RN104096516; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Judy Kluge, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 33. **Docket No. 2006-0919-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Karl Tatsch dba Hill Country Cleaners and Hill Country Cleaners & Laundry in Llano County**; RN103958807 and RN104089891; for dry cleaner registration violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality. (Dana Shuler, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 34. **Docket No. 2006-0784-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Amin M. Tirmizi dba Hassell's Cleaners in Dallas County**; RN100547314; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Jorge Ibarra, P.E., Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 35. **Docket No. 2006-0627-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Graff Cleaners, Inc. dba Main Street Cleaners, dba Modern Cleaners, dba Prestige Cleaners** in **Victoria and Wharton Counties**; RN104062062, RN104062088, and RN104062070; for dry cleaner violations pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Jorge Ibarra, P.E., Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 36. **Docket No. 2006-0824-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Gimmarino Group Inc. dba Lapels Dry Cleaning** in **Dallas County**; RN104964119; for a dry cleaner registration violation pursuant to Tex. Health & Safety Code ch. 374, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Deana Holland, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

FIELD CITATIONS

Item 37. **Docket No. 2006-1753-PST-E.** Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **John Baig dba Lucky Food Center** in **Fannin County**; RN101382257; 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 Texas Administrative Code ch. 60. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/LS; all agree.

Item 38. **Docket No. 2006-0926-PST-E.** Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Kingsville ISD** in **Kleberg County**; RN101873024; 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 Texas Administrative Code ch. 60. (Melissa Keller, David Van Soest)

Approve the Field Citation. KW/LS; all agree.

Item 39. **Docket No. 2006-0776-PWS-E.** Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Robert Vincent Hart** in **Comal County**; RN103715892; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, David Van Soest)

Approve the Field Citation. KW/LS; all agree.

Item 40. **Docket No. 2006-1794-WQ-E.** Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **CLW, Inc.** in **Polk County**; RN102569860; for stormwater violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Melissa Keller, Steven Lopez)

Approve the Field Citation. KW/LS; all agree.

INDUSTRIAL HAZARDOUS WASTE ENFORCEMENT AGREED ORDER

Item 41. **Docket No. 2005-1891-IHW-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Burlington Northern and Santa Fe Railway Company in Washington County**; RN104474382; for industrial & hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 5 and 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Thomas Greimel, David Van Soest)

Approve the Agreed Order. KW/LS; all agree.

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 42. **Docket No. 2005-0774-IWD-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Calpine Corporation and Calpine Central, L.P. in Harris County**; RN100222033; 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 Texas Administrative Code ch. 60. (Catherine Albrecht, David Van Soest)

Approve the Agreed Order. KW/LS; all agree.

Item 43. **Docket No. 2003-1357-IWD-E.** Consideration of an Agreed Order assessing administrative penalties against **Igloo Products, Corp. in Harris County**; TCEQ ID No. RN101919280; 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. (Kari L. Gilbreth, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

LICENSED IRRIGATORS ENFORCEMENT DEFAULT ORDERS

Item 44. **Docket No. 2002-1186-LII-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Grover G. Bruce Jr. in Tarrant County**; TCEQ ID No. RN103461729; for landscape irrigator installer violations pursuant to Tex. Water Code chs. 7, 34, and 37, Tex. Occ. Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Laurencia Fasoyiro, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

Item 45. **Docket No. 2005-1220-LII-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Alfred Howard Smith in Denton County**; TCEQ ID No. RN103259586; for landscape irrigator occupational license violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occ. Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Lena Roberts, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 46. **Docket No. 2005-1089-MLM-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **City of China in Jefferson County**; TCEQ ID Nos. RN101721686 and RN101276855; for water quality and public water supply violations pursuant to Tex. Health & Safety Code ch. 341, 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. (Jacquelyn Boutwell, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

Item 47. **Docket No. 2006-1022-MLM-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Weldon W. Alders dba Texaba Subdivision in Montgomery County**; RN101232700; for drinking water quality and public water utilities violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Jorge Ibarra, P.E., Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDER

Item 48. **Docket No. 2005-1935-MSW-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Miguel A. Lozano in Bexar County**; RN104666227; 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 Texas Administrative Code ch. 60. (Colin Barth, David Van Soest)

Approve the Agreed Order. KW/LS; all agree.

MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT ORDERS

Item 49. **Docket No. 2006-0254-MSW-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Marcario Gonzales, Jr. in Waller County**; TCEQ ID No. RN104441860; for municipal solid 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. (Kathleen Decker, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

Item 50. **Docket No. 2006-0416-MSW-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Tommy Hooton in Johnson County**; TCEQ ID No. RN104703129; for municipal solid 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. (Kathleen Decker, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 51. **Docket No. 2006-0670-MWD-E.** Consideration of an Agreed Order assessing administrative penalties against **City of Austin in Travis County**; RN102806635, 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 Texas Administrative Code ch. 60. (Harvey Wilson, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 52. **Docket No. 2004-1165-PST-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Cal Farleys Girlstown USA in Cochran County**; RN102343191; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7, and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Cheryl Thompson, David Van Soest)

Approve the Agreed Order. KW/LS; all agree.

Item 53. **Docket No. 2006-1121-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **Hung Nguyen dba Super K Food Store in Harris County**; RN101447514; 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 Texas Administrative Code ch. 60. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 54. **Docket No. 2006-0898-PST-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas Lucky 7 Beer & Wine, Inc. in Tarrant County**; RN102344892; for petroleum storage tank 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 Texas Administrative Code ch. 60. (Harvey Wilson, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 55. **Docket No. 2006-0704-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **Ann Vaughn in Wichita County**; RN104896436; 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 Texas Administrative Code ch. 60. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 56. **Docket No. 2006-0662-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **I. B. Cheaper's, LP dba IB Cheapers Fuel & Beer Emporium in Orange County**; RN104467139; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on

Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Thomas Greimel, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 57. **Docket No. 2006-0981-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **A & M Holding, Inc. dba Texas Wawa Food Mart in Harris County**; RN101788685; 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 Texas Administrative Code ch. 60. (Rajesh Acharya, Steven Lopez)

Approve the Agreed Order. KW/LS; all agree.

Item 58. **Docket No. 2005-0043-PST-E.** Consideration of a Agreed Order assessing administrative penalties against **Marvin's Chevron Service Center, Inc. dba Marvin's Chevron in Nueces County**; TCEQ ID Nos. 31786 and RN101794097; 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. (Alfred Oloko, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

Item 59. **Docket No. 2003-1292-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **Sampri Investments, LLC dba Sammy's #4 in Harris County**; TCEQ ID Nos. 66954 and RN102248127; 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. (Alfred Oloko, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

Item 60. **Docket No. 2004-0445-PST-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Yari Enterprises, Inc., dba Git N Go in Brazoria County**; TCEQ ID No. RN102245263; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7, and 26, and Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Kathleen C. Decker, Jennifer Cook)

Item continued to the January 10, 2007 agenda.

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDERS

Item 61. **Docket No. 2006-0136-PST-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Kingwood Petroleum, LLC dba Country Boy Food Store 4 in Nacogdoches County**; TCEQ ID No. RN102961323; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7, and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Robert R. Mosley, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

- Item 62. **Docket No. 2005-0412-PST-E.** Consideration of a Default Order assessing administrative penalties of **Charles Cole dba Milestone Financial Ximena and dba Granbury Grocery & Gas in Tarrant County**; TCEQ ID Nos. 40263 and RN102028842; 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. (Justin Lannen, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT AND SHUTDOWN ORDER

- Item 63. **Docket No. 2005-1832-PST-E.** Consideration of a Default and Shutdown Order assessing administrative penalties and requiring certain actions of **ECO Himal Incorporated dba Denton Food Mart in Tarrant County**; TCEQ ID No. RN101447076; 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. (Robert R. Mosley, Jennifer Cook)

Approve the Default and Shutdown Order. KW/LS; all agree.

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

- Item 64. **Docket No. 2004-0220-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of West Tawakoni in Hunt County**; RN101423671; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Laurie Eaves, David Van Soest)

Item continued to the January 10, 2007 agenda.

- Item 65. **Docket No. 2004-0237-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Mardoche Abdelhak dba Trailer City Water Co in Bexar County**; TCEQ ID Nos. 0150131 and RN101652048; 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. (Kathleen C. Decker, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

- Item 66. **Docket No. 2005-1804-PWS-E.** Consideration of an Agreed Order assessing administrative penalties against **Quail Valley Estates, Inc. dba Quail Valley Estates Mobile Homes in Hardin County**; TCEQ ID No. RN102671062; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rachael Gaines, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

Item 67. **Docket No. 2005-0742-PWS-E.** Consideration of an Agreed Order assessing administrative penalties against **Live Oak Golf Country Club Inc., in Aransas County;** TCEQ ID Nos. 0040031 and RN101263176; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Shana L. Horton, Jennifer Cook)

Approve the Agreed Order. KW/LS; all agree.

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDERS

Item 68. **Docket No. 2005-1861-PWS-E.** Consideration of a Default Order assessing administrative penalties against **Kent F. Baltzell dba Oak Hill Acres Mobile Home Subdivision in Bexar County;** TCEQ ID No. RN101223865; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Robert R. Mosley, Jennifer Cook)

Item remanded to the Executive Director.

Item 69. **Docket No. 2005-1826-PWS-E.** Consideration of a Default Order assessing administrative penalties against **JOPA Sports & Entertainment, Inc. in Montgomery County;** TCEQ ID No. RN101272391; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Shana L. Horton, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

Item 70. **Docket No. 2006-0098-PWS-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Intercontinental Water Supply Corporation in Harris County;** TCEQ ID No. RN102698651; for public drinking water and public utilities violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 13, and the rules of the Texas Commission on Environmental Quality. (Shana L. Horton, Jennifer Cook)

Approve the Default Order. KW/LS; all agree.

MOTION TO OVERTURN

Item 71. **TCEQ Docket Nos. 2006-1832-WR and 2006-1831-WR.** Consideration of the Motion to Overturn filed by the **City of Bryan** and the **City of College Station** concerning the Executive Director's September 21, 2006, decisions to return Application Nos. 5912 and 5913 pursuant to 30 Texas Administrative Code Section 281.18 without prejudice to its re-submission. The applications seek authorization to reuse current and future return flows derived from privately owned groundwater that are or will be discharged from the City of Bryan Burton Creek, Still Creek, and Turkey Creek treatment plants and the City of College Station Carters Creek and Lick Creek treatment plants. The applications also seek authorization to convey the return flows down the bed and banks of various watercourses throughout the Brazos River Basin and subsequently divert such flows from the Brazos River for municipal, industrial, and agricultural purposes. The commission will also consider any responses and replies. (Todd Chenoweth, Robin Smith)

Item continued to the December 13, 2006 agenda.

EXECUTIVE SESSION

Item 72. **Docket No. 2006-0001-EXE.** The Commission will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director and 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.

The Commissioners did not meet in Executive Session.

Item 73. **Docket No. 2006-0002-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.

The Commissioners did not meet in Executive Session.

Item 74. **Docket No. 2006-0003-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.

The Commissioners did not meet in Executive Session.

(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.

**THE PUBLIC CAN VIEW LIVE AND ARCHIVED TCEQ MEETINGS ON THE
INTERNET AT NO COST, AT: [HTTP://WWW.TEXASADMIN.COM/CGI-BIN/TNRCC.CGI](http://www.texasadmin.com/cgi-bin/tnrcc.cgi).**

OLD BUSINESS AGENDA

Wednesday, December 6, 2006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle

Room 201S, Bldg. E

- Item 1. **TCEQ Docket No. 2000-0396-IHW-E; SOAH Docket No. 582-04-0251.** Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Chester L. Slay, Jr., individually; Union Texas Limited Partnership; and Chester L. Slay, Jr., Trustee of Peckham Family Trust in Jefferson County, Texas;** TCEQ Solid Waste Registration No. 34799; regarding solid waste violations pursuant to 30 Tex. Admin. Code §§ 335.112(a)(9), 335.8(b), 335.62, 335.6(c), 335.2, 40 CFR §§ 265(J), 262.11, 270.1, Tex. Water Code § 26.121(a), and the rules of the Texas Commission on Environmental Quality.

Item continued to a future agenda to be determined by the Office of the General Counsel.

AGENDA

Wednesday, December 6, 2006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle

Room 201S, Bldg. E

- Item 1. **TCEQ Docket No. 2004-1868-PST-E; SOAH Docket No. 582-06-0243.** Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Hussain Ali in Bexar County, Texas**; TCEQ Registration ID No. 39671; regarding petroleum storage tank violations regarding maintenance of financial assurance, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Kari Gilbreth)

Adopt the ALJ's Order with the exceptions filed by the Executive Director and agreed to by the ALJ; direct the General Counsel to revise the Order to reflect a reduction of the overall penalty amount by 50% as justice may require. KW/LS; all agree.

- Item 2. **TCEQ Docket No. 2002-1429-UCR; SOAH Docket No. 582-03-2607.** Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the application of **Whiterock Water Supply Corporation** to amend Certificate of Convenience and Necessity (CCN) No. 12547 and to decertify a portion of CCN No. 10770 from the City of Mexia in **Limestone County, Texas**. The Proposal for Decision recommends that the Commission approve a settlement agreement between Whiterock Water Supply Corporation and the City of Groesbeck which designates service areas and customers to be served within the service area sought in Whiterock Water Supply Corporation's application pursuant to Texas Water Code, Section 13.248. The Commission may also consider the application, the settlement agreement between Whiterock Water Supply Corporation and the City of Groesbeck, and related filings. (Gabe Soto, Elsie Pascua)

Adopt the ALJ's Order with the addition of Finding of Fact No. 11, the modifications of Ordering provision Nos. 2 and 3, and the instruction to place an identifying notation on the ED's CCN map made by the Chairman at the dais. KW/LS; all agree.

(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 12:30 P.M. UNTIL 1:00 P.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/CGI-BIN/TNRCC.CGI](http://www.texasadmin.com/cgi-bin/tnrcc.cgi).

/s/ Matt Beeter
Assistant General Counsel,
Matt Beeter

1-3-2007
Date