

Chairman Kathleen White
Commissioner Larry Soward

AGENDA

Wednesday, January 24, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

HEARING REQUEST(S)/REQUEST(S) FOR RECONSIDERATION

- Item 1. **Docket No. 2006-1437-MWD.** Consideration of the application by the **D-Bar-B Water-Wastewater Supply Corporation** for a new wastewater permit, proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014628001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 24,000 gallons per day. The wastewater treatment facility is located approximately 1/2 mile north of the point where Dowdy Ferry Road crosses the Trinity River, on the east side of Dowdy Ferry Road in Dallas 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. (Marc Friberg, June Ella Martinez)

Deny hearing requests, adopt the Executive Director's Response to Comments, and grant the new wastewater permit. KW/LS; all agree.

- Item 2. **Docket No. 2006-0700-WR.** Consideration of an application by **Dean P. Mikeska** to divert and use, at a combined maximum rate of 2.23 cfs (1,000 gpm), an amount not to exceed 700 acre feet of water per year from the Little River, tributary of the Brazos River, Brazos River Basin. The applicant seeks to appropriate this water to irrigate directly or store in an off-channel reservoir and subsequently divert to irrigate 700 acres out of a 1,211 acre tract in **Bell County**, Texas. The off-channel reservoir has a surface area of eight (8) acres and a storage capacity of 144 acre-feet, and is located 17 miles southeast of the City of Belton and 6.5 miles southwest of the City of Rogers. The Commission will consider hearing requests, responses to the requests, and replies thereto. (Ross Henderson, David Koinm)

During the discussion on this matter, the Applicant stated he was not requesting a hearing, and he withdrew his application; the Commission then dismissed this matter as moot, and stated that given the Applicant's withdrawal of the application, the hearing request of the Brazos River Authority was moot. KW/LS; all agree.

- Item 3. **Docket No. 2005-1686-DIS.** Consideration of hearing requests on a petition from Galilee Partners, L.P., (Petitioner), for the creation of **Maypearl Water Control and Improvement District No.1** of **Ellis County**, Texas, pursuant to Texas Water Code Chapters 49 and 51. The Commission will also consider hearing requests and related responses and replies. (TCEQ Internal Control No. 04212005-D01; Rob Cummins, Christiaan Siano)

Grant the hearing requests of Ellis County Commissioner's Court, Ellis-Prairie Soil Conservation District, and Mountain Peak SUD, refer the matter to ADR for a period of 4-6 weeks then, if necessary,

to SOAH with a hearing duration of 9 months; direct the Executive Director to participate; request the ALJ provide Findings of Fact and Conclusions of Law in their Order. KW/LS; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 4. **Docket No. 2005-0937-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **La Roca Ready Mix, Inc. in Liberty County**; TCEQ ID No. RN104553359; 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. (Justin Lannen, Jennifer Cook)

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

Item 5. **Docket No. 2005-0233-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **Union Carbide Corporation in Galveston County**; TCEQ ID No. RN100219351; 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. (Shannon Strong, Jennifer Cook)

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

Item 6. **Docket No. 2006-0904-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **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 Texas Administrative Code ch. 60. (Rebecca Johnson, Steven Lopez)

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

Item 7. **Docket No. 2006-1221-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **ConocoPhillips Pipe Line Company in Gaines County**; RN100212778; 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. (Jessica Rhodes, Steven Lopez)

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

Item 8. **Docket No. 2006-0736-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Exxon Mobil Corporation in Harris County**; RN102212925; 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. (John Muennink, Steven Lopez)

Item remanded to the Executive Director per the General Counsel.

Item 9. **Docket No. 2006-1094-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Southwestern Bell Telephone, L.P. in El Paso**

County; RN102387826; 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. (Trina Grieco, Steven Lopez)

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

Item 10. **Docket No. 2006-0514-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **U.S. Department of the Army Corpus Christi Army Depot in Nueces County**; RN100223197; 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. (Libby Hogue, Steven Lopez)

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

Item 11. **Docket No. 2006-0804-AIR-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Thomas Steel Drums, Inc. in Tarrant County**; RN100688738; 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. (Cheryl Thompson, Steven Lopez)

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

Item 12. **Docket No. 2006-0811-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **LYONDELL-CITGO Refining LP in Harris County**; RN100218130; 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. (Trina Grieco, Steven Lopez)

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

Item 13. **Docket No. 2006-0957-AIR-E.** Consideration of an Agreed Order assessing administrative penalties against **E. R. Carpenter, L.P. in Harris County**; RN100210830; 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.

DRY CLEANER ENFORCEMENT AGREED ORDERS

Item 14. **Docket No. 2006-0725-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Catalina Contreras dba AAA Cleaners in El Paso County**; RN104443403; 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 15. **Docket No. 2006-1485-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Adelia R. Robinson dba Crickets Cleaners** in **Bowie County**; RN104967179; 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. (Thomas Greimel, Steven Lopez)

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

Item 16. **Docket No. 2006-1202-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Fallbrook Enterprises, Inc. dba Deluxe Cleaners 2** in **Harris County**; RN104989967; 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 17. **Docket No. 2006-1606-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Chinh V. Phan dba P & T Cleaners** in **Harris County**; RN103955928; 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 18. **Docket No. 2006-1449-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Long Le dba One Day Cleaners** in **Dallas County**; RN103961991; 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 19. **Docket No. 2006-1087-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **North Lauderdale, Inc. dba Tip Top Cleaners and dba Vogue Cleaners** in **Harris County**; RN104963533 and RN104983861; 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. (Suzanne Walrath, Steven Lopez)

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

Item 20. **Docket No. 2006-1386-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Tok Ward dba MHL Cleaners** in **Denton County**; RN104953187; 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 21. **Docket No. 2006-1043-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **L A F Enterprises, Inc. dba Comet Cleaners 1 and dba Comet Cleaners 2** in **Hidalgo County**; RN103989786 and RN104202171; 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. (Marlin Bullard, Steven Lopez)

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

Item 22. **Docket No. 2006-1288-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **J&M Royal, Inc. dba \$1.19 Spencer Cleaners** in **Harris County**; RN104553078; 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 23. **Docket No. 2006-1378-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Sun Ok Ha dba J Cleaners** in **Bell County**; RN103963831; 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. (Thomas Greimel, Steven Lopez)

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

Item 24. **Docket No. 2006-1157-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Hong Enterprises, LLC dba Comet Cleaners** in **Harris County**; RN104084777; 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. (Thomas Greimel, Steven Lopez)

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

Item 25. **Docket No. 2006-0840-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Fresh, Inc. dba Prince Cleaners** in **Denton County**; RN103953576; 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. (Thomas Greimel, Steven Lopez)

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

Item 26. **Docket No. 2006-1235-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Iqbal Abdul Aziz dba US Star Cleaners** in **Harris County**; RN104004429; 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. (Epifanio Villarreal, Steven Lopez)

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

Item 27. **Docket No. 2006-1238-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Trikut Devi, Inc. dba Dryclean Plus in Brazoria and Galveston Counties**; RN104026760 and RN104066774; 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. (J. Craig Fleming, Steven Lopez)

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

Item 28. **Docket No. 2006-1236-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Ahmed Jafferally dba Tip Top Cleaners in Harris County**; RN104026539; 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. (Epifanio Villarreal, Steven Lopez)

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

Item 29. **Docket No. 2006-1388-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Sung Jin Corporation dba Lisa Cleaners 1 in Dallas County**; RN104990924; 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 30. **Docket No. 2006-1148-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **SB & AB Corporation dba Able Cleaners in Harris County**; RN100990480 and RN104160890; 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. (Rajesh Acharya, Steven Lopez)

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

Item 31. **Docket No. 2006-1482-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Tin Nguyen dba Rice Cleaners in Harris County**; RN104449301; 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 32. **Docket No. 2006-1136-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Magdalena Bazanes Vasquez dba Rex Cleaners in Cameron County**; RN104094156; 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. (Suzanne Walrath, Steven Lopez)

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

Item 33. **Docket No. 2006-1279-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Ronald P. Schuler and Rusamee J. Schuler dba Port Neches Cleaners in Jefferson County**; RN104004056; 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. (Michael Meyer, Steven Lopez)

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

Item 34. **Docket No. 2006-1042-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Danny Park dba Park Cleaners in Tarrant County**; RN104096383; 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. (Marlin Bullard, Steven Lopez)

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

Item 35. **Docket No. 2006-1008-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Lindsey Ngo dba Tammy's Cleaners in Travis County**; RN103962635; 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 36. **Docket No. 2006-1122-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Zaffar Hashim dba Zac's Cleaners in Harris County**; RN103994398; 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. (Harvey Wilson, Steven Lopez)

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

Item 37. **Docket No. 2006-1081-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Yarana, Inc. dba Omega Cleaners in Harris County**; RN103956223; 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. (Suzanne Walrath, Steven Lopez)

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

Item 38. **Docket No. 2006-1212-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Victor Resendiz dba Vics Alterations in Harris County**; RN104103775;

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. (Patricia Chawla, Steven Lopez)

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

Item 39. **Docket No. 2006-0913-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jesse Gibson dba ETC in Ellis County**; RN103997185; 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. (Colin Barth, Steven Lopez)

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

Item 40. **Docket No. 2006-1107-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Tuan Q. Tran dba Dior Cleaners in Harris County**; RN104253869 and RN104964721; 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. (J. Craig Fleming, Steven Lopez)

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

Item 41. **Docket No. 2006-1364-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Chang Soo Yoo and Young Yoo dba Cullen Dry Cleaners in Brazoria County**; RN100587229 and RN104061437; 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. (Samuel Short, Steven Lopez)

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

Item 42. **Docket No. 2006-0760-DCL-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Javier Moreno dba Comet Cleaners in Tarrant County**; RN102212578; 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. (Harvey Wilson, Steven Lopez)

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

Item 43. **Docket No. 2006-0838-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Comet Cleaners Franchise Group, LLC dba Comet Cleaners in Tarrant and Collin Counties**; RN104303193 and RN104213145; 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. (Judy Kluge, Steven Lopez)

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

Item 44. **Docket No. 2006-1366-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Brothers Together Inc. dba Deluxe Dry Cleaners and dba Enclave**

Cleaners in Harris County; RN104964713, RN104964747, and RN100565217; 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. (Samuel Short, Steven Lopez)

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

Item 45. **Docket No. 2006-1670-DCL-E.** Consideration of an Agreed Order assessing administrative penalties against **Binh T. Nguyen dba Ann Drapers and Cleaners in Harris County**; RN103967477; 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.

INDUSTRIAL HAZARDOUS WASTE ENFORCEMENT AGREED ORDERS

Item 46. **Docket No. 2006-0634-IHW-E.** Consideration of an Agreed Order assessing administrative penalties against **C.C. Crawford Retreading Company, Inc. in Ellis County**; RN103074746; for industrial & hazardous 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. (Alison Echlin, Steven Lopez)

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

Item 47. **Docket No. 2006-0953-IHW-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Intergulf Corporation in Harris County**; RN101517852; for industrial & hazardous 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. (Libby Hogue, Steven Lopez)

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

Item 48. **Docket No. 2006-0754-IHW-E.** Consideration of an Agreed Order assessing administrative penalties against **Firestone Polymers, LLC in Orange County**; RN100224468; for industrial & hazardous 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. (Marlin Bullard, Steven Lopez)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 49. **Docket No. 2005-0916-IWD-E.** Consideration of an Agreed Order assessing administrative penalties against **CSA Limited, Inc. in Harris County**; TCEQ ID Nos. 04084 and RN102095882; for industrial waste discharge 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. (Lena Roberts, Jennifer Cook)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT DEFAULT ORDER

Item 50. **Docket No. 2005-1917-IWD-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Ray Long dba Ray Long Washout and Truck Service** in **Montague County**; TCEQ ID No. RN104712609; for water quality violations pursuant to Texas Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically Tex. Admin. Code ch. 60. (Shawn Slack, Jennifer Cook)

Approve the Default Order. KW/LS; all agree. Respondent appeared late and requested Reconsideration. KW/LS; all agree. Request was Granted and the Commission reconsidered the matter; Item continued to the March 28, 2007 agenda. KW/LS; all agree.

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDER

Item 51. **Docket No. 2006-1031-MLM-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Terry Harrington** in **Orange County**; RN104808589; for air quality and municipal solid waste violations pursuant to Tex. Health & Safety Code chs. 361 and 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (John Barry, Steven Lopez)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 52. **Docket No. 2006-1180-MWD-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Hallsville** in **Harrison County**; RN102181872; 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. (Ruben Soto, Steven Lopez)

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

Item 53. **Docket No. 2006-0986-MWD-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Newport Municipal Utility District** in **Harris County**; RN102689437; 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. (Brent Hurta, Steven Lopez)

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

Item 54. **Docket No. 2006-1391-MWD-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Spring Creek Utility District in Montgomery County**; RN101514792; 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, Steven Lopez)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 55. **Docket No. 2006-1328-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **C & L Services, LP in Johnson County**; RN102822319; 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. (Judy Kluge, Steven Lopez)

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

Item 56. **Docket No. 2006-0493-PST-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **ZSA Investment Inc. dba J's Shoppers Mart in Guadalupe County**; RN102259504; 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. (Thomas Greimel, Steven Lopez)

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

Item 57. **Docket No. 2006-0696-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **Lubbock Independent School District in Lubbock County**; RN101780948; 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. (Judy Kluge, Steven Lopez)

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

Item 58. **Docket No. 2005-1014-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **Valley Star, Inc. dba Mike's Grocery in Jefferson County**; TCEQ ID No. RN102249604; 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. (Deanna Sigman, Jennifer Cook)

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

Item 59. **Docket No. 2004-0452-PST-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Abdul Kanzani dba Super Maks Grocery in Jefferson County**; TCEQ ID No. RN101742963; 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. (Kathleen C. Decker, Jennifer Cook)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDER

Item 60. **Docket No. 2006-0312-PST-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Susan Montgomery in Taylor County**; TCEQ ID No. RN102248838; 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. (Kathleen C. Decker, Jennifer Cook)

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

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 61. **Docket No. 2005-1074-PWS-E.** Consideration of an Agreed Order assessing administrative penalties against **Redford Water Supply in Presidio County**; TCEQ ID No. RN101266054; 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.

Item 62. **Docket No. 2006-1068-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Monarch Utilities I L.P. dba Oak Trail Shores Public Water Supply in Hood County**; RN101380848; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 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 63. **Docket No. 2006-0833-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Marek Family Enterprises, Inc. dba Kuntry Korner 4 in Atascosa County**; RN101847051; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Deana Holland, Steven Lopez)

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

Item 64. **Docket No. 2006-0832-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Maple Water Supply Corporation in Bailey County**; RN101458156; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Brent Hurta, Steven Lopez)

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

Item 65. **Docket No. 2006-0982-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Gary Water Supply Corporation in Panola County**; RN101436004; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Yuliya Dunaway, Steven Lopez)

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

Item 66. **Docket No. 2006-0813-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Evant in Coryell County**; RN101396802; for drinking water quality violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Steven Lopez)

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

Item 67. **Docket No. 2004-1307-PWS-E.** Consideration of an Agreed Order assessing administrative penalties against **Charlie Brown dba Charlie Brown's Learning Center in Lubbock County**; TCEQ ID Nos. 1520154 and RN102678430; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Justin Lannen, Jennifer Cook)

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

Item 68. **Docket No. 2006-0041-PWS-E.** Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Concho Rural Water Corporation in Tom Green County**; TCEQ ID No. RN101215853; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Kari L. Gilbreth, Jennifer Cook)

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

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER

Item 69. **Docket No. 2006-0437-PWS-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Marguerite's, Inc. in Galveston County**; TCEQ ID No. RN101178507; for public water system violations pursuant to Tex. Water Code ch. 5, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality. (Lena Roberts, Jennifer Cook)

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

WASTEWATER OPERATOR CERTIFICATION ENFORCEMENT DEFAULT ORDER

Item 70. **Docket No. 2006-0438-WOC-E.** Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Robert Arimond in Montgomery County**; TCEQ ID No. RN 104917133; for water quality violations pursuant to Tex. Water Code chs. 7, 26,

and 37 and the rules of the Texas Commission on Environmental Quality. (Lena Roberts, Jennifer Cook)

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

WATER QUALITY ENFORCEMENT AGREED ORDERS

Item 71. **Docket No. 2004-0996-WQ-E.** Consideration of an Agreed Order assessing administrative penalties against **M & M General Contractors, Inc. dba M & M Limestone** in **Mitchell County**; TCEQ ID No. RN102842424; 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. (Lena Roberts, Jennifer Cook)

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

Item 72. **Docket No. 2006-0929-WQ-E.** Consideration of an Agreed Order assessing administrative penalties against **Timber Tech Texas, Inc.** in **Guadalupe County**; RN100846013; 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. (Brent Hurta, Steven Lopez)

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

MISCELLANEOUS

Item 73. **Docket No. 2006-2250-IRR.** Consideration of a Resolution to extend the existence of the **Irrigator Advisory Council** until February 1, 2013, and to appoint three members to the Irrigator Advisory Council of the Texas Commission on Environmental Quality. The Irrigator Advisory Council is an advisory council that advises the Commission on matters related to landscape irrigation in Texas. These new members would replace three members whose terms expire on February 1, 2007. (Candy Garrett, Jessica Luparello).

Approve the resolution extending the existence of the Irrigator Advisory Council and fill vacancies as recommended by the Executive Director. KW/LS; all agree.

GIFTS AND DONATIONS

Item 74. **Docket No. 2006-2056-MIS.** 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. (David Timberger)

Approve staff recommendations as reflected in the adopted Resolution including Exhibit A, which contains the names of the donors and descriptions and statements of the purposes of the gifts and which is attached to and incorporated in these minutes. KW/LS; all agree.

TMDL

Item 75. **Docket No. 2006-1921-TML.** Consideration for approval to publish and solicit public comment on one draft TMDL for bacteria in Gilleland Creek (Segment 1428C) of the Colorado River Basin, in Travis County. (Faith Hambleton, Marc Friberg)

Approve for publication and solicitation of public comment. KW/LS; all agree.

RULE MATTERS

Item 76. **Docket No. 2006-1864-RUL.** Consideration for publication of, and hearing on, proposed amendments to **30 TAC Chapter 114**, Subchapter G, Section 114.260, Transportation Conformity, and corresponding revisions to the state implementation plan (SIP).

The proposed rulemaking would incorporate recent federal transportation conformity revisions into the state's SIP and rule, including those from the six-year surface transportation reauthorization act of 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). In addition to addressing the SAFETEA-LU revisions, the rulemaking would also incorporate previous federal transportation conformity revisions and guidance that include: requesting states to incorporate into SIPs when regionally significant, non-federal project is considered adopted or approved by a non-federal entity; adding transportation-related PM2.5 precursors to the transportation conformity regulations; and deleting a previous quantitative PM10 and PM2.5 hot-spot analysis. (Marivel Rodriguez, Terry Salem) (Rule Project No. 2006-046-114-EN)

Approve for publication of, and hearing on, proposed amendments to 30 TAC Chapter 114, and corresponding revisions to the state implementation plan. KW/LS; all agree.

Item 77. **Docket No. 2006-0802-RUL.** Consideration of the adoption of amended Sections 350.2 - 350.4, 350.33, 350.34, 350.37, 350.51, 350.54, 350.71, 350.73 - 350.77, 350.79, 350.91 - 350.96, 350.111, and 350.134, and new Section 350.90 of **30 TAC Chapter 350**, Texas Risk Reduction Program.

The adopted rulemaking amends various provisions in the existing rules to update, clarify, correct errors, and reflect policy changes. The proposed rules were published in the September 8, 2006, issue of the *Texas Register* (31 TexReg 7257). (Maria Lebron, Courtney Sprague, and Les Trobman) (Rule Project No. 2005-033-350-PR)

Item continued to the February 7, 2007 agenda per the General Counsel.

Item 78. **Docket No. 2006-0673-RUL.** Consideration of the adoption of amendments to **30 TAC Chapter 90**, Innovative Programs, Subchapter A, Section 90.2; and Subchapter C, Sections 90.30, 90.36, 90.40, 90.42, and 90.44. The rules would modify the compliance requirements for participation in innovative programs, streamline the assessment of entities' environmental management systems for participation in TCEQ innovative programs, and make other changes to harmonize the rules with Texas Water Code, Sections 5.127 and 5.131. The proposed rules were published in the September 8, 2006, issue of the *Texas Register* (31 TexReg 7239). (Bob Gifford, Pinar Dogru) (Rule Project No. 2006-028-090-AD)

Adopt the amendments to 30 TAC Chapter 90. KW/LS; all agree.

EXECUTIVE SESSION

Item 79. **Docket No. 2007-0001-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 Commission did not meet in Executive Session.

Item 80. **Docket No. 2007-0002-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 Commission did not meet in Executive Session.

Item 81. **Docket No. 2007-0003-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 Commission 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, January 24, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.
12100 Park 35 Circle
Room 201S, Bldg. E

Item continued from the March 29, 2006 and May 31, 2006 agendas.

- Item 1. **Docket No. 2005-0001-DIS.** Consideration of a Petition for the Conversion of **Maxwell Water Supply Corporation** to Maxwell Special Utility District in **Hays and Caldwell Counties** pursuant to Texas Water Code Sections 65.014 and 65.021, and 30 TAC Section 293.11. The Commission will also consider requests for hearing, and related responses and replies. (TCEQ Internal Control No. 09032004-D09; Rob Cummins, David Klein)

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

AGENDA

Wednesday, January 24, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle
Room 201S, Bldg. E

Item 1. **TCEQ Docket No. 2005-1748-PST-E; SOAH Docket No. 582-06-2081.** Consideration of the Administrative Law Judge's Proposal for Decision and Default Order assessing administrative penalties and requiring certain actions of **KR Mina, Inc. dba Fuqua Power Fuel** in **Harris County**, Texas; TCEQ PST Registration No. 17746; regarding petroleum storage tank violations pursuant to 30 Tex. Admin. Code § 37.815(a) and (b), and Tex. Water Code ch. 7. (Shana Horton)

Dismiss the ALJ's Proposed Order as moot. KW/LS; all agree.

Item 2. **Docket No. 2005-1748-PST-E.** Consideration of an Agreed Order assessing administrative penalties against **KR Mina, Inc. dba Fuqua Power Fuel** in **Harris County**; TCEQ ID No. RN100642099; 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. (Shana L. Horton, Jennifer Cook)

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

Item 3. **TCEQ Docket No. 2005-1582-IHW-E; SOAH Docket No. 582-06-2407.** Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Joe Boy Johnson** in **McCulloch County**, Texas; TCEQ Enforcement ID 26818, violations pursuant to 30 Texas Admin Code §§ 335.2(a) and 335.4, 40 Code of Federal Regulations § 270.1, and Tex. Water Code ch. 7. (Mark Curnutt)

Item continued to the February 21, 2007 agenda. LS/KW; all agree.

Item 4. **TCEQ Docket No. 2005-1919-PST-E; SOAH Docket No. 582-06-2414.** Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **A & S Corporation dba Shiloh Beverage** in **Collin County**, Texas; TCEQ Registration ID No.69100; regarding petroleum storage tank violations pursuant to 30 Tex. Admin. Code §§ 334.50(b)(1)(A), 334.50(d)(1)(B), 334.10(b)(1)(B), 334.48(c), and 115.246(7)(A) and Tex. Water Code §§ 26.345(c)(1), 26.3475(c)(1), and ch.7, and Tex. Health & Safety Code § 382.085(b). (Shawn Slack)

Adopt the Executive Director's revised Order, which incorporates his exceptions to the ALJ's proposed Order; reduce the administrative penalty by \$650.00 to \$3,250.00; and delete Ordering Provision Nos. 6 and 7 from the Executive Director's revised Order. KW/LS; all agree.

Item 5. **TCEQ Docket No. 2005-1563-PST-E; SOAH Docket No. 582-06-2056.** Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Sada Bahar, Inc. dba Kwik Mart 6** in **Ellis County**, Texas; TCEQ ID No. 16571; regarding petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality (Kathleen C. Decker)

Adopt the ALJ's Order and the Executive Director's exceptions, direct the General Counsel to develop a payment plan with a duration of 3 years. 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.)

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/s/ Tracy Gross
Assistant General Counsel,
Tracy Gross

3-21-2007
Date