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Backup documents filed with the OCC and distributed to the Commissioners will be added to this document daily until 5:00 p.m. Friday before the given agenda date. Updates to backup documents will be noted by a purple indicator. Documents filed less than five days before the agenda date will not be added to this document. Please note that some documents such as those of irregular size (i.e. oversized maps) cannot be viewed here and that color documents will be posted here in black and white. Finally, parties are still required to submit an original and 11 copies of documents filed for Commission consideration (30 TAC § 1.10(d)).

Chairman H.S. Buddy Garcia
Commissioner Larry R. Soward
Commissioner Bryan W. Shaw, Ph.D. AGENDA
Friday, February 8, 2008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Item 1. [TCEQ Docket No. 2004-0049-AIR; SOAH Docket No. 582-05-0593](#); Consideration of the City of El Paso's Motion to Continue the Texas Commission on Environmental Quality's Consideration of the Application by **ASARCO Incorporated** (ASARCO) for renewal of Air Quality Permit No. 20345. Permit No. 20345 authorizes operation of the ASARCO copper smelting plant that is located at 2301 West Paisano Road, El Paso, **El Paso County**, Texas.

Deny the City of El Paso's Motion to Continue and its Supplement to the Motion. BG/BS; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 2. [Docket No. 2007-1204-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Azteca Milling, L.P.** in **Deaf Smith County**; RN102166758; 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. (Bryan Elliott, Bryan Sinclair)

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

Item 3. [Docket No. 2007-0116-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Bayer MaterialScience LLC** in **Chambers County**; RN100209931; 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. (Harvey Wilson, Bryan Sinclair)

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

- Item 4. [Docket No. 2007-1062-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Exxon Mobil Corporation in Kleberg County**; RN102488517; 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. (Audra L. Ruble, Bryan Sinclair)

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

- Item 5. [Docket No. 2007-0800-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Invista S.a.r.l. in Orange County**; RN104392626; 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. (Audra L. Ruble, Bryan Sinclair)

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

- Item 6. [Docket No. 2007-0812-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **ExxonMobil Oil Corporation in Jefferson County**; RN102450756; 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. (Lindsey Jones, Bryan Sinclair)

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

- Item 7. [Docket No. 2007-1192-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Signal Hill Wichita Falls Power, LP in Wichita County**; RN100216134; 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. (Harvey Wilson, Bryan Sinclair)

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

- Item 8. [Docket No. 2006-1576-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **DCP Midstream, LP in Jim Wells County**; TCEQ ID No. RN100210822; 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. LS/BS; all agree.

- Item 9. [Docket No. 2006-1852-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Connors Construction, Inc. in Limestone County**; TCEQ ID No. RN104416318; 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. (Shawn Slack, Jennifer Cook)

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

Item 10. [Docket No. 2007-0796-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texmark Chemicals, Inc.** in **Harris County**; RN100238740; 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. (Terry Murphy, Bryan Sinclair)

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

Item 11. [Docket No. 2005-0295-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Price Construction, Ltd.** in **Lubbock County**; TCEQ ID No. RN102743747; 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 Mosley, Jennifer Cook)

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

Item 12. [Docket No. 2005-2011-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Motiva Enterprises LLC** in **Jefferson County**; TCEQ ID No. RN100209451; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Kathleen Decker, Jennifer Cook)

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

Item 13. [Docket No. 2005-1696-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Circle K Stores Inc.** in **El Paso County**; TCEQ ID No. RN102777497; 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. (Jacquelyn Boutwell, Jennifer Cook)

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

Item 14. [Docket No. 2005-1884-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Red Dog Track, Inc.** in **Palo Pinto County**; TCEQ ID No. RN103217485; 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. (Kathleen C. Decker, Jennifer Cook)

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

Item 15. [Docket No. 2006-0527-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Enbridge Pipelines East Texas L.P.** in **Freestone County**; TCEQ ID No. RN100224914; 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. (Kathleen C. Decker, Jennifer Cook)

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

- Item 16. [Docket No. 2007-1216-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Republic Plastics, Ltd. in Guadalupe County**; RN100851211; 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, Bryan Sinclair)

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

- Item 17. [Docket No. 2007-1002-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Dallas Fort Worth Rail Terminal LLC in Tarrant County**; RN104958509; 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. (Lindsey Jones, Bryan Sinclair)

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

DRY CLEANER ENFORCEMENT AGREED ORDERS

- Item 18. [Docket No. 2007-1006-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Juan J. Rodriguez dba Camp Cleaners in Dallas County**; RN102935673; for a dry cleaner registration violation 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. (Clinton Sims, Bryan Sinclair)

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

- Item 19. [Docket No. 2006-1053-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Puthy Chea dba Alpine Cleaners in Dallas County**; TCEQ ID No. RN104962055; 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. (Barham A. Richard, Jennifer Cook)

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

- Item 20. [Docket No. 2006-1183-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jack Nguyen dba K & K Dry Cleaners in Harris County**; TCEQ ID No. RN100908599; 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. (Patrick Jackson, Jennifer Cook)

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

- Item 21. [Docket No. 2006-1497-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **125 Max Drycleaning Center, LLC dba 1.25 Max Dryclean in Harris County**; TCEQ ID No. RN103992012; 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. (Benjamin O. Thompson, Jennifer Cook)

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

Item 22. [Docket No. 2006-1244-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **River Oaks Brothers, Inc. dba River Oaks Cleaners in Harris County**; TCEQ ID No. RN100557479; 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. (Mary E. Coleman, Jennifer Cook)

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

Item 23. [Docket No. 2006-1158-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Mai Bui Nguyen dba Superior Cleaners and dba Country Cleaners in Brazoria and Fort Bend Counties**; TCEQ ID Nos. RN104085170, RN104090766, and RN104066824; for dry cleaner registration violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 374, and the rules of the Texas Commission on Environmental Quality. (Shawn Slack, Jennifer Cook)

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

Item 24. [Docket No. 2006-0841-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Desi Services Incorporated dba Silver Cleaners in Tarrant County**; RN103959615; 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, Bryan Sinclair)

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

Item 25. [Docket No. 2006-1499-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties against **Sung Ja Hwang dba Jasper Cleaners in Bell County**; TCEQ ID No. RN104086582; 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. (Mary E. Coleman, Jennifer Cook)

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

DRY CLEANER ENFORCEMENT DEFAULT ORDERS

Item 26. [Docket No. 2006-1118-DCL-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Ken Young dba Paramount Cleaners in Harris County**; TCEQ ID No. RN104998638; 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. (Mary Hammer, Jennifer Cook)

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

Item 27. [Docket No. 2006-1427-DCL-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Mimi Hoang Investment Inc. dba Rich Cleaners in Harris County**; TCEQ ID Nos. RN104411582, RN101637320, and RN104411574; 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. (Mary E. Coleman, Jennifer Cook)

Item remanded to the Executive Director.

Item 28. [Docket No. 2006-1445-DCL-E](#). Consideration of a Default Order assessing administrative penalties against **Nhan Q. Ha dba 7-7 Cleaners and Alterations in Harris County**; TCEQ ID No. RN103041158; 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. (Benjamin O. Thompson, Jennifer Cook)

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

Item 29. [Docket No. 2006-1403-DCL-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Gerry L. Woods dba Ruby's Laundry Dry Cleaners in Dallas County**; TCEQ ID No. RN104967047; 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. (Dinniah M. Chahin, Jennifer Cook)

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

Item 30. [Docket No. 2006-1559-DCL-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Billy C. Jones dba National Dry Cleaners in Harris County**; TCEQ ID No. RN104402268; for a dry cleaner registration violation pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 374, and the rules of the Texas Commission on Environmental Quality. (Dinniah M. Chahin, Jennifer Cook)

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

EDWARDS AQUIFER ENFORCEMENT AGREED ORDERS

Item 31. [Docket No. 2007-1386-EAQ-E](#). Consideration of an Agreed Order assessing administrative penalties against **Dionysus Group L.L.P. dba The Vineyard at Florence Section 1** in Williamson County; RN105242887; for Edwards Aquifer 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. (Samuel Short, Bryan Sinclair)

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

Item 32. [Docket No. 2007-0977-EAQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Superior Stone Inc. in Bell County**; TCEQ ID No. RN104796594; 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. (Kathleen C. Decker, Jennifer Cook)

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

EDWARDS AQUIFER ENFORCEMENT DEFAULT ORDER

Item 33. [Docket No. 2007-0112-EAQ-E](#). Consideration of a Default Order assessing administrative penalties against **Jose J. Espinoza** in **Williamson County**; TCEQ ID No. RN105086110; for Edward's Aquifer 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 Default Order. LS/BS; all agree.

FIELD CITATIONS

Item 34. [Docket No. 2007-1563-OSI-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Marshall Hubbard** in **Crockett County**; RN105240543; for on-site sewage violations pursuant to Tex. Health & Safety Code ch. 366, Tex. Water Code chs. 7 and 37, and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 35. [Docket No. 2007-1827-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Annona Manufacturing Company** in **Red River County**; RN101639441; 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, Bryan Sinclair)

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

Item 36. [Docket No. 2007-0454-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Kerrville Fast Wash, Inc. dba Five Points Chevron** in **Kerr County**; RN100535491; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 341 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. LS/BS; all agree.

Item 37. [Docket No. 2007-1690-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Skyway Business, Inc. dba Eagle Mart 3** in **Harris County**; RN101793586; 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, Bryan Sinclair)

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

Item 38. [Docket No. 2007-0458-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Performance Food Group of Texas, Inc.** in **Victoria County**; RN101432979; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 341 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. LS/BS; all agree.

Item 39. [Docket No. 2006-0639-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Meador Chrysler-Plymouth, Inc. dba Meador Chrysler Jeep** in **Tarrant County**; RN102050481; 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, Bryan Sinclair)

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

Item 40. [Docket No. 2007-1692-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Lube Center Management LTD. dba Jiffy Lube 699** in **Dallas County**; RN101564516; 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. LS/BS; all agree.

Item 41. [Docket No. 2007-1398-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **St Marys Hall** in **Bexar County**; RN101770683; 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. LS/BS; all agree.

Item 42. [Docket No. 2007-1717-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Edna Derrick** in **Jasper County**; RN105067953; for occupational licensing violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 37, and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Steve Lopez)

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

Item 43. [Docket No. 2006-0895-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Ruben D. Serna** in **Jim Hogg County**; RN104960182; for municipal solid waste licensing violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 37, and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 44. [Docket No. 2007-1829-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Samuel Dean Paddock** in **Grayson County**; RN103456455; for licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 45. [Docket No. 2007-1562-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Rosendo Moreno** in **San Patricio County**; RN103932497; for water quality violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 46. [Docket No. 2007-1749-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Alex P. McCloskey** in **San Patricio County**; RN103397733; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 47. [Docket No. 2007-1702-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Greg Maddox** in **Hill County**; RN105299861; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 48. [Docket No. 2007-1561-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Larry G. Little** in **Dickens County**; RN103479135; for water quality violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 49. [Docket No. 2007-1361-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Thomas R. Lansford Jr.** in **LaSalle County**; RN105115307; for occupational licensing violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 37, and the rules of the Texas Commission on Environmental Quality. (Melissa Keller, Bryan Sinclair)

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

Item 50. [Docket No. 2007-1703-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Eldon Blount Construction dba Castle Ridge Estates** in **Ector County**; RN104934484; 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. (Melissa Keller, Bryan Sinclair)

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

Item 51. [Docket No. 2007-1704-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Jay Mills Contracting Incorporated** in **Erath County**; RN105278154; 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. (Melissa Keller, Bryan Sinclair)

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

Item 52. [Docket No. 2007-1691-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Shepherd Place Homes, Inc. dba Shepherd Place Homes Shamrock Ridge** in **Kaufman County**; RN105303747; 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. (Melissa Keller, Bryan Sinclair)

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

Item 53. [Docket No. 2007-1689-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Panorama Properties, Ltd. dba Cadence Custom Homes Strathmore** in **Tarrant County**; RN105282164; 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. (Melissa Keller, Bryan Sinclair)

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

INDUSTRIAL OR HAZARDOUS WASTE ENFORCEMENT DEFAULT ORDER

Item 54. [Docket No. 2004-0443-IHW-E](#). Consideration of a Default Order assessing administrative penalties against **Mark McKillip** in **Comanche County**; TCEQ ID No. RN103780896; for industrial and hazardous waste violations pursuant to Tex. Water Code chs. 7 and 26, Texas Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jim Sallans, Jennifer Cook)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 55. [Docket No. 2007-1071-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Halliburton Energy Services, Inc.** in **Harris County**; RN101720241; 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. (J. Craig Fleming, Bryan Sinclair)

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

Item 56. [Docket No. 2007-1021-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Lubbock in Lubbock County**; RN102545142; 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, Bryan Sinclair)

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

Item 57. [Docket No. 2007-0965-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Vopak Terminal Galena Park, Inc. in Harris County**; RN103137790; 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, Bryan Sinclair)

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

Item 58. [Docket No. 2007-0877-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Lone Star Stone of Texas, Inc. in Hill County**; RN104432273; 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. (Rebecca Johnson, Bryan Sinclair)

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

LICENSED IRRIGATORS ENFORCEMENT AGREED ORDERS

Item 59. [Docket No. 2007-1142-LII-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Keith Boyd Martin dba Cyclone Enterprises in Polk County**; RN105212864; for landscape irrigator occupational license violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (John Shelton, Bryan Sinclair)

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

Item 60. [Docket No. 2007-0048-LII-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jarrod L. Meyer in Smith County**; RN104846183; for landscape irrigator occupational license violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Cheryl Thompson, Bryan Sinclair)

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

Item 61. [Docket No. 2007-0406-LII-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Alberto Ramos Jr. in Hidalgo County**; RN103369724; for landscape irrigator occupational license violations pursuant to Tex. Water Code chs. 7 and 37,

Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Shontay Wilcher, Bryan Sinclair)

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

LICENSED IRRIGATORS ENFORCEMENT DEFAULT ORDERS

Item 62. [Docket No. 2006-2040-LII-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Brendan L. Wachtendorf** in **McLennan County**; TCEQ ID No. RN103608964; for landscape irrigator installer 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. LS/BS; all agree.

Item 63. [Docket No. 2007-0109-LII-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Gary Lee Humelsine** in **Tarrant and Dallas Counties**; TCEQ ID No. RN105137681; for landscape irrigator installer 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. (Benjamin O. Thompson, Jennifer Cook)

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

Item 64. [Docket No. 2007-0559-LII-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Nicolas Amezcuita** in **Harris County**; TCEQ ID No. RN105062970; for landscape irrigator installer 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. (Benjamin O. Thompson, Jennifer Cook)

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

Item 65. [Docket No. 2007-0261-LII-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Adrian Lionel Villarreal** in **Harris County**; TCEQ ID No. RN105120752; for landscape irrigator installer 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. (Benjamin O. Thompson, Jennifer Cook)

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

Item 66. [Docket No. 2007-0587-LII-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Rocky Hunt** in **Comal and Bexar Counties**; TCEQ ID No. RN105179105; for landscape irrigator installer violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occupations Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Anna Cox, Jennifer Cook)

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

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

- Item 67. [Docket No. 2007-0929-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Southern Forest Products, L.L.C.** in **Newton County**; RN102336757; for water quality and industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Merrilee Hupp, Bryan Sinclair)

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

- Item 68. [Docket No. 2002-1302-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Venus** in **Johnson County**; TCEQ ID Nos. RN101612505 and RN102080686; 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 30 Tex. Admin. Code ch. 60. (Shawn Slack, Jennifer Cook)

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

- Item 69. [Docket No. 2004-0295-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties against the **City of Waco** in **McLennan County**; TCEQ ID No. RN101384212; for public drinking water violations pursuant to Texas Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Shawn Slack, Jennifer Cook)

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

MULTI-MEDIA MATTER ENFORCEMENT DEFAULT ORDERS

- Item 70. [Docket No. 2007-0123-MLM-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Hebert Construction Services, Inc.** in **Tarrant County**; TCEQ ID No. RN105076905; for industrial and 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. (Shawn Slack, Jennifer Cook)

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

- Item 71. [Docket No. 2006-1807-MLM-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Jesse J. Garcia dba Longhorn Sandblasting** in **Travis County**; TCEQ ID No. RN105020333; for municipal hazardous waste and air quality violations pursuant to Texas Health & Safety Code chs. 361 and 382, Texas Water Code ch. 7, 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. LS/BS; all agree.

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS

Item 72. [Docket No. 2007-0992-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties against **Pulte Homes of Texas, L.P. in Denton County**; RN105138325; 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. (Marlin Bullard, Bryan Sinclair)

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

Item 73. [Docket No. 2006-1217-MSW-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Eddie Beale dba Johnsons Tire Service in Nacogdoches County**; TCEQ ID No. RN104605845; 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. (Lena Roberts, Jennifer Cook)

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

Item 74. [Docket No. 2007-1018-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas Department of Transportation in San Jacinto County**; RN105274500; 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. (Cynthia McKaughan, Bryan Sinclair)

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

MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT ORDERS

Item 75. [Docket No. 2006-1945-MSW-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Michael Daniel dba Mikes Tire in Leon County**; TCEQ ID No. RN104381843; for municipal solid waste violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Barham A. Richard, Jennifer Cook)

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

Item 76. [Docket No. 2003-0302-MSW-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Marcos Mariscal in Hidalgo County**; TCEQ ID Nos. 455150025 and RN102864790; 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. (Lena Roberts, Jennifer Cook)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 77. [Docket No. 2007-0691-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Aqua Development, Inc. dba Aqua Texas, Inc. in Fort Bend County**; RN102343233; 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, Bryan Sinclair)

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

Item 78. [Docket No. 2006-1934-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Murchison in Henderson County**; TCEQ ID No. RN101720530; 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. (Mary E. Coleman, Jennifer Cook)

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

Item 79. [Docket No. 2006-0019-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Galveston in Galveston County**; TCEQ ID No. RN102342680; 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. (Mary E. Coleman, Jennifer Cook)

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

Item 80. [Docket No. 2005-0076-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Marfa in Presidio County**; TCEQ ID No. RN102078276; 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. (Tracy Chandler, Jennifer Cook)

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

Item 81. [Docket No. 2007-0915-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Warren Independent School District in Tyler County**; RN101512044; 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. (Heather Brister, Bryan Sinclair)

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

Item 82. [Docket No. 2007-1024-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **Town of Prosper in Collin County**; RN100604321; 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. (Marlin Bullard, Bryan Sinclair)

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

Item 83. [Docket No. 2007-0487-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Stockdale in Wilson County**; RN102916194; 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. (Cheryl Thompson, Bryan Sinclair)

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

Item 84. [Docket No. 2007-1359-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Liberty in Liberty County**; RN102078128; 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. (Libby Hogue, Bryan Sinclair)

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

Item 85. [Docket No. 2007-1180-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Fort Bend County Municipal Utility District No. 116 in Fort Bend County**; RN102943131; 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, Bryan Sinclair)

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

Item 86. [Docket No. 2007-0891-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Five Nine Seven Limited Partnership dba Ramblewood Mobile Home Park in Brazos County**; RN101275378; 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. (Samuel Short, Bryan Sinclair)

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

ON SITE SEWAGE FACILITY INSTALLERS ENFORCEMENT AGREED ORDER

Item 87. [Docket No. 2007-0898-OSI-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Billy W. Askins in Shelby County**; RN103306254; for occupational license violations pursuant to Tex. Health & Safety Code ch. 366, Tex. Water Code chs. 7 and 37, and the rules of the Texas Commission on Environmental Quality. (Rajesh Acharya, Bryan Sinclair)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 88. [Docket No. 2007-0801-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Cantu-Alaniz-Martinez, Inc. dba Tiger Mark II** in **Jim Wells County**; RN102433745; 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, Bryan Sinclair)

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

Item 89. [Docket No. 2007-0285-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Jong Hwan Oh dba J. C. Phillips** in **Harris County**; RN102369261; 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. (Philip DeFrancesco, Bryan Sinclair)

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

Item 90. [Docket No. 2007-0710-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Angus Mims dba Rusk Realty Co.** in **Rusk County**; TCEQ ID No. RN102050614; 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. (Anna Cox, Jennifer Cook)

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

Item 91. [Docket No. 2007-0959-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Billy Derouen** in **Hardin County**; RN103098067; 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. (Thomas Greimel, Bryan Sinclair)

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

Item 92. [Docket No. 2004-1232-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jesus Jorge Flores, Sr. dba Corner Stop** in **Hidalgo County**; TCEQ ID No. RN102225448; 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. (Rebecca M. Combs, Jennifer Cook)

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

Item 93. [Docket No. 2005-1522-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Jogesh Amin dba Sema Texaco** in **Dallas County**; TCEQ ID No. RN101434314; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health and Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Shawn Slack, Jennifer Cook)

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

Item 94. [Docket No. 2007-0702-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Flying J Inc. dba Flying J Travel Plaza Orange in Orange County**; TCEQ ID No. RN102056827; for petroleum storage tank violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Gary K. Shiu, Jennifer Cook)

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

Item 95. [Docket No. 2004-2067-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Edward Jong Kim dba D&J Grocery in Denton County**; TCEQ ID No. RN102275674; 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. (Rebecca M. Combs, Jennifer Cook)

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

Item 96. [Docket No. 2007-0570-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **James Carnes in Angelina County**; TCEQ ID No. RN105111470; 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. (Kari L. Gilbreth, Jennifer Cook)

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

Item 97. [Docket No. 2003-0971-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Honey Stop Food Marts, Inc. fka Honey Stop Properties, Inc. in Gregg County**; TCEQ ID Nos. RN102828274 and RN102456613; 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. LS/BS; all agree.

Item 98. [Docket No. 2005-1422-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Ali's Grocery, Inc. dba Raadiyah Chevron in Brazoria County**; TCEQ ID No. RN102833423; 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. (Rebecca M. Combs, Jennifer Cook)

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

Item 99. [Docket No. 2006-1568-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Pathan Investments, Inc. dba Time Out in Jefferson County**; TCEQ ID No. RN102890407; for petroleum storage tank violations pursuant to Tex. Water Code ch. 7, Tex.

Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including 30 Tex. Admin. Code ch. 60. (Benjamin O. Thompson, Jennifer Cook)

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

Item 100. [Docket No. 2007-1369-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Tutle & Tutle Trucking, Inc. dba TNT Trucking in Johnson County**; RN101534469; 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, Bryan Sinclair)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDERS

Item 101. [Docket No. 2007-0495-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Brooks Special Company in Cameron County**; TCEQ ID No. RN105029896; 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. (Barham A. Richard, Jennifer Cook)

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

Item 102. [Docket No. 2004-1803-PST-E](#). Consideration of a Default Order assessing administrative penalties against **Ali Bukhari dba Honey Stop and Sue Bukhari dba Honey Stop in Harris County**; TCEQ ID No. RN102716024; 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. (Jacquelyn Boutwell, Jennifer Cook)

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

Item 103. [Docket No. 2007-0173-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Dale Craghead dba Col-Tex Stations in Mitchell County**; TCEQ ID No. RN101813715; 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. (Lena Roberts, Jennifer Cook)

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

Item 104. [Docket No. 2007-0553-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Rodney Hyer in Ochiltree County**; TCEQ ID No. RN101864080; 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. (Barham Richard, Jennifer Cook)

Item remanded to the Executive Director. LS/BS; all agree.

Item 105. [Docket No. 2006-1880-PST-E](#). Consideration of a Default and Shutdown Order assessing administrative penalties and requiring certain actions of **Airtex Investments, Inc. dba Time Mart 10** in **Harris County**; TCEQ ID No. RN101849693; 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. (Lena Roberts, Jennifer Cook)

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

Item 106. [Docket No. 2006-0388-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Mohammad Majeed Arshad dba The Eagle Stop** in **Hill County**; TCEQ ID No. RN102239456; 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. (Rebecca M. Combs, Jennifer Cook)

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

Item 107. [Docket No. 2005-1344-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Hussain Mohammad Dhanji dba Bill's Drive In** in **Wharton County**; TCEQ ID No. RN103025011; 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. (Shawn Slack, Jennifer Cook)

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

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 108. [Docket No. 2007-1115-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Arp** in **Smith County**; RN101209732; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rebecca Clausewitz, Bryan Sinclair)

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

Item 109. [Docket No. 2005-1466-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties against **Mountain Breeze L.L.C.** in **Comal County**; TCEQ ID No. RN101202505; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jacquelyn Boutwell, Jennifer Cook)

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

Item 110. [Docket No. 2006-0405-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **HOE Water Supply Corporation** in **Harris County**; TCEQ ID No. RN101204220; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341, Texas Water Code chs. 7 and 13, and the rules of the Texas Commission on Environmental Quality. (Laurencia Fasoyiro, Jennifer Cook)

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

Item 111. [Docket No. 2007-0918-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Kia Enterprises, Inc. dba Iffi Stop 1 Food Market** in **Montgomery County**; RN101737534; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Epifanio Villarreal, Bryan Sinclair)

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

Item 112. [Docket No. 2007-1017-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Monarch Utilities I L.P.** in **Henderson County**; RN101380889; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Yuliya Dunaway, Bryan Sinclair)

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

Item 113. [Docket No. 2007-0621-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lukes Mobile Home Park, Inc.** in **Parker County**; RN101271245; 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. (Tel Croston, Bryan Sinclair)

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

SLUDGE ENFORCEMENT AGREED ORDER

Item 114. [Docket No. 2006-0554-SLG-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Thomas Marcantel** in **Leon County**; TCEQ ID No. RN103000170; for sludge removal violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jacquelyn Boutwell, Jennifer Cook)

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

WATER QUALITY ENFORCEMENT AGREED ORDERS

Item 115. [Docket No. 2007-1085-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Gabino Olmos dba Olmos Trucking & Hauling** in **Travis County**; RN105064364; 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. (Gary K. Shiu, Jennifer Cook)

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

Item 116. [Docket No. 2004-1073-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties against **KC Materials, Inc.** in **Comal County**; TCEQ ID No. RN104373931; 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. (Justin Lannen, Jennifer Cook)

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

Item 117. [Docket No. 2007-0910-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Westex Capital, Ltd. in Kendall County**; RN102785805; 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, Bryan Sinclair)

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

Item 118. [Docket No. 2006-1745-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Del Sol Development, Inc. in Dallas County**; TCEQ ID No. RN104959143; 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. (Tracy Chandler, Jennifer Cook)

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

Item 119. [Docket No. 2005-0964-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties against the **United States Department of the Air Force in Bexar County**; RN103915435; 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. (Xavier Guerra, Jennifer Cook)

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

Item 120. [Docket No. 2007-1027-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties against **Jack Bandy Construction, Inc. in Burnet County**; RN105229686; 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. (Dana Shuler, Bryan Sinclair)

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

WATER QUALITY ENFORCEMENT DEFAULT ORDER

Item 121. [Docket No. 2005-0050-WQ-E](#). Consideration of a Default Order assessing administrative penalties against **Cowboy Foundations and Construction, Inc. in Comal County**; TCEQ ID No. RN104332945; 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. (Benjamin O. Thompson, Jennifer Cook)

Item continued to the February 27, 2008 agenda. LS/BS; all agree.

EXECUTIVE MEETING

Item 122. **Docket No. 2008-0001-EXE.** The Commission will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director 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 meeting 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 Meeting.

Item 123. **Docket No. 2008-0002-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 meeting to take action on 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 Meeting.

Item 124. **Docket No. 2008-0003-EXE.** The Commission will conduct a closed meeting to discuss their duties, roles, and responsibilities as Commissioners of the TCEQ pursuant to Section 551.074 of the Open Meetings Act, Codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

The Commission did not meet in Executive Meeting.

(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)

/s/ Tracy Gross
Assistant General Counsel,
Tracy Gross

2/26/2008
Date