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Chairman H.S. Buddy Garcia
Commissioner Larry R. Soward
Commissioner Bryan W. Shaw, Ph.D. Wednesday, April 16, 2008

AGENDA

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Item continued from the April 2, 2008 agenda.

- Item 1. [Docket No. 2007-1174-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **Cities of Waco, Woodway, Bellmead, Lacy Lakeview, Robinson and Hewitt in McLennan County**; RN102097235; 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. (Merrilee Hupp, Bryan Sinclair)

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

Item continued from the April 2, 2008 agenda.

- Item 2. [Docket No. 2007-0179-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Randolph Water Supply Corporation in Fannin County**; RN102915469; 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. (Sidney Wheeler, Bryan Sinclair)

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

AGENDA

Wednesday, April 16, 2008

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. 2008-0141-AIR](#). Consideration of application by **Transit Mix Concrete & Materials Company** for New Air Quality Standard Permit for Concrete Batch Plants, Permit No. 80840 to authorize the construction and the operation of a concrete batch plant. The proposed facility is located at 3372 US Highway 175, in Kaufman, **Kaufman 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. (Shelley Stratmann, Andrea Casey)

Deny all requests, adopt the Executive Director's Response to Comments, and approve issuance of Standard Permit No. 80840. LS/BS; all agree.

AGRICULTURAL ENFORCEMENT AGREED ORDER

- Item 2. [Docket No. 2007-0513-AGR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Roel Stoker dba Ned Tex Dairy** in **Erath County**; TCEQ ID No. RN101527570; 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 Hammer, Jennifer Cook)

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

AIR QUALITY ENFORCEMENT AGREED ORDERS

- Item 3. [Docket No. 2007-1574-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **BP Amoco Chemical Company** in **Galveston County**; RN102536307; 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. (Aaron Houston, Bryan Sinclair)

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

- Item 4. [Docket No. 2007-1570-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Barney M. Davis, LP** in **Nueces County**; RN100642040; 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. 2007-1737-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Eastman Cogeneration L.P. in Harrison County**; RN100542695; 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. (Aaron Houston, Bryan Sinclair)

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

Item 6. [Docket No. 2007-1422-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Louisiana-Pacific Corporation in Jasper County**; RN100215169; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Daniel Siringi, Bryan Sinclair)

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

Item 7. [Docket No. 2007-0760-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **E. I. du Pont de Nemours and Company in Orange County**; RN100542711; 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. (Suzanne Walrath, Bryan Sinclair)

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

Item 8. [Docket No. 2007-1471-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Equistar Chemicals, LP in Harris County**; RN103773206; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Terry Murphy, Bryan Sinclair)

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

Item 9. [Docket No. 2007-1490-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **ONEOK Hydrocarbon Southwest, LLC in Chambers County**; RN100209949; 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. (J. Craig Fleming, Bryan Sinclair)

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

Item 10. [Docket No. 2007-1576-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **WTG Jameson, L.P. in Runnels County**; RN100210285; for air quality

violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Daniel Siringi, Bryan Sinclair)

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

Item 11. [Docket No. 2007-1489-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Weirich Bros., Inc.** in **Kimble County**; RN101935492; 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. (Sidney Wheeler, Bryan Sinclair)

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

Item 12. [Docket No. 2007-1470-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Viridis Energy (Texas), LP** in **Chambers County**; RN102663085; 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. (Roshondra Lowe, Bryan Sinclair)

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

Item 13. [Docket No. 2007-1545-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Valero Refining-Texas, L.P.** in **Nueces County**; RN100211663; 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, Bryan Sinclair)

Item continued to the June 4, 2008 agenda. LS/BS; all agree.

Item 14. [Docket No. 2007-1425-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **TOTAL PETROCHEMICALS USA, INC.** in **Harris County**; RN100212109; 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. (Roshondra Lowe, Bryan Sinclair)

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

Item 15. [Docket No. 2007-1141-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas Petrochemicals LP** in **Harris County**; RN100219526; 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, Bryan Sinclair)

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

Item 16. [Docket No. 2007-1431-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Targa North Texas LP** in **Young County**;

RN102553955; 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. (James Nolan, Bryan Sinclair)

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

Item 17. [Docket No. 2007-1181-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Southwest Convenience Stores, LLC dba 7-Eleven in El Paso County**; RN102056538, RN102028636, RN102056835, RN102048048, RN102044005, RN102028883, RN102017514, RN102011822, RN102048030, RN102011277, RN100826262, RN102384666, RN102395274, RN102388816, and RN100825728; 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 18. [Docket No. 2007-1487-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Pelican Refining Company, LLC in Harris County**; RN100210483; 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 19. [Docket No. 2007-1731-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Oxy Vinyls, LP in Harris County**; RN100224674; 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. (Aaron Houston, Bryan Sinclair)

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

AIR QUALITY ENFORCEMENT DEFAULT ORDER

Item 20. [Docket No. 2006-0836-AIR-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Houston Precast, Inc. in Montgomery County**; TCEQ ID No. RN104960497; 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 Default Order. LS/BS; all agree.

EDWARDS AQUIFER ENFORCEMENT DEFAULT ORDER

Item 21. [Docket No. 2007-0220-EAQ-E](#). Consideration of a Default Order assessing administrative penalties against **Milo Drive, Inc. in Bexar County**; TCEQ ID No. RN105116677; 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)

Item continued to the May 21, 2008 agenda. LS/BS; all agree.

FIELD CITATIONS

Item 22. [Docket No. 2007-1922-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Doggett Heavy Machinery Services, Ltd. in Hidalgo County**; RN102847365; 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 23. [Docket No. 2007-1916-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Icon Builders, L.L.C. dba Cypresswood Crossing Apartments and Offsite Utilities in Orange County**; RN105338115; 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, Steve Lopez)

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

Item 24. [Docket No. 2007-1969-WQ-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Weekley Homes, L.P. in Tarrant County**; RN105363683; 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 25. [Docket No. 2007-0673-IHW-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Taylorcraft Aviation, L.L.C. in Cameron County**; TCEQ ID No. RN105066286; for industrial hazardous waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Xavier Guerra, Jennifer Cook)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 26. [Docket No. 2007-1555-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **R. A. Bagwell Oil Company, Inc. in Runnels County**; RN105006472; 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. (Lynley Doyen, Bryan Sinclair)

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

LICENSED IRRIGATORS ENFORCEMENT AGREED ORDER

Item 27. [Docket No. 2007-1647-LII-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jesus Martinez dba Ideal Landscapes in Travis County**; RN105324222; 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. (Elvia Maske, Bryan Sinclair)

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

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 28. [Docket No. 2007-1533-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Amigo's Fuel Center, L.P. in Frio County**; RN105187181; 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. (Clinton Sims, Bryan Sinclair)

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

Item 29. [Docket No. 2006-1974-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Harlingen in Cameron County**; TCEQ ID No. RN102327509; 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 Tex. Admin. Code ch. 60. (Jim Sallans, Jennifer Cook)

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

MULTI-MEDIA MATTER ENFORCEMENT DEFAULT ORDERS

Item 30. [Docket No. 2007-1041-MLM-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Daryl Major in San Jacinto County**; TCEQ ID No. RN105212153; for municipal solid waste and air quality violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code chs. 361 and 382, 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 31. [Docket No. 2006-0778-MLM-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Anna Jeffcoat dba Lakeshore Sites Water Company**

in **Haskell County**; TCEQ ID No. RN101207108; for water rights and public water supply violations pursuant to Tex. Water Code chs. 7 and 11, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality. (Jim Sallans, Jennifer Cook)

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

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS

Item 32. [Docket No. 2007-1583-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Arbor Care, Inc. in Harris County**; RN104893987; 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. (Clinton Sims, Bryan Sinclair)

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

Item 33. [Docket No. 2006-0656-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of San Angelo in Tom Green County**; TCEQ ID No. RN102289576; for municipal solid waste violations pursuant to 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 Agreed Order. LS/BS; all agree.

MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT ORDER

Item 34. [Docket No. 2007-0642-MSW-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Armando Alvarez in Cameron County**; TCEQ ID No. RN104461793; 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. (Gary K. Shiu, Jennifer Cook)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 35. [Docket No. 2007-1710-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Aus-Tex Parts & Services, Ltd. in Hays County**; RN102314218; 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. (Pamela Campbell, Bryan Sinclair)

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

Item 36. [Docket No. 2007-1683-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Gorman in Eastland County**; RN101917516; 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. (Thomas Jecha, Bryan Sinclair)

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

- Item 37. [Docket No. 2007-1629-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties against the **City of Trinidad in Henderson County**; RN101609378; 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. (Andrew Hunt, Bryan Sinclair)

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

- Item 38. [Docket No. 2007-1532-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Scurry-Rosser Independent School District in Kaufman County**; RN103930160; 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 39. [Docket No. 2007-1614-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Restaurant Service, L.L.C. in Harris County**; RN102184033; 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. (Lynley Doyen, Bryan Sinclair)

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

- Item 40. [Docket No. 2007-1723-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Redwater in Bowie County**; RN102179371; 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. (Andrew Hunt, Bryan Sinclair)

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

- Item 41. [Docket No. 2007-1746-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Port Terminal Railroad Association in Harris County**; RN102800356; 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. (Rajesh Acharya, Bryan Sinclair)

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

- Item 42. [Docket No. 2007-1444-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Pinehurst in Orange County**; RN100528918; 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. (Merrilee Hupp, Bryan Sinclair)

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

- Item 43. [Docket No. 2007-0283-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Palmer in Ellis County**; RN102092962; 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 44. [Docket No. 2007-0913-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Harris County Municipal Utility District No. 278 in Harris County**; RN103177382; 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 45. [Docket No. 2007-1436-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Corpus Christi in Nueces County**; RN101610327 and RN101610400; 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. (Andrew Hunt, Bryan Sinclair)

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

- Item 46. [Docket No. 2007-1499-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Diocese of Galveston-Houston in Montgomery County**; RN101523215; 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. (Lynley Doyen, Bryan Sinclair)

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

- Item 47. [Docket No. 2007-1060-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Strawn in Palo Pinto County**; RN102896024; 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.

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 48. [Docket No. 2007-1571-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Marina Bello dba Bello's Korner Store in Bexar County**; RN101912053; 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 49. [Docket No. 2007-1501-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Dallas Area Rapid Transit dba DART East Dallas Support Services Overhaul Shop in Dallas County**; RN100662550; 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. (Shontay Wilcher, Bryan Sinclair)

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

Item 50. [Docket No. 2007-1122-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Neches Food Store in Orange County**; RN102363074; 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 51. [Docket No. 2007-1393-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **San Antonio Water System in Bexar County**; RN103111340; 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. (Wallace Myers, Bryan Sinclair)

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

Item 52. [Docket No. 2007-1535-PST-E](#). Consideration of an Agreed Order assessing administrative penalties against **Z Q Inc. dba Max Mart in Bexar County**; RN102485976; 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 53. [Docket No. 2005-0023-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Mohammad A. Ghene dba Super Food Mart 12 in Smith County**; TCEQ ID No. RN102430840; 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. (Mary Hammer, Jennifer Cook)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDERS

Item 54. [Docket No. 2007-0571-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Shoukat Hussain dba Speedee Mart in Harris County**; TCEQ ID No. RN102372810; 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. (Patrick Jackson, Jennifer Cook)

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

Item 55. [Docket No. 2007-0982-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Troy Brown in Upshur County**; TCEQ ID No. RN101891877; 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 Richard, Jennifer Cook)

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

Item 56. [Docket No. 2006-0206-PST-E](#). Consideration of a Default Order assessing administrative penalties against **Lowell Johnson dba Cason Country Store in Morris County**; TCEQ ID No. RN101869154; 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. (Kari Gilbreth, Jennifer Cook)

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

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 57. [Docket No. 2007-1382-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Blackland Water Supply Corporation in Rockwall County**; RN101253805; 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 58. [Docket No. 2007-0535-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of West Tawakoni in Hunt County**; RN101423671; for 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 59. [Docket No. 2007-1454-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas H2O, Inc. in Hood County**; RN105197180; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Bryan Sinclair)

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

Item 60. [Docket No. 2007-1311-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Texas Department of Transportation in Hale County**; RN101209740; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Tel Croston, Bryan Sinclair)

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

Item 61. [Docket No. 2007-1516-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Tatum in Rusk County**; RN101255800; 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 62. [Docket No. 2007-1440-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Southside Place in Harris County**; RN101178978; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Bryan Sinclair)

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

Item 63. [Docket No. 2007-0779-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Sour Lake in Hardin County**; RN101395945; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Bryan Sinclair)

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

Item 64. [Docket No. 2007-1794-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Petrolia in Clay County**; RN102677937; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Stephen Thompson, Bryan Sinclair)

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

Item 65. [Docket No. 2007-1727-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lumberton Municipal Utilities District in Hardin County**; RN102678927; for public drinking water violations pursuant to Tex. Health & Safety

Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Bryan Sinclair)

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

Item 66. [Docket No. 2007-1627-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Gregory in San Patricio County**; RN101384956; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Stephen Thompson, Bryan Sinclair)

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

Item 67. [Docket No. 2007-1402-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Hale Center in Hale County**; RN101383982; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Bryan Sinclair)

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

Item 68. [Docket No. 2007-1540-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Hamilton in Hamilton County**; RN101383586; 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 69. [Docket No. 2007-1086-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Jayton in Kent County**; RN101385128; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Tel Croston, Bryan Sinclair)

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

Item 70. [Docket No. 2007-1537-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Clara Hills Civic Association in Burleson County**; RN101208882; for public water supply violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Andrea Linson-Mgbeoduru, Bryan Sinclair)

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

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER

Item 71. [Docket No. 2005-1718-PWS-E](#). Consideration of a Default Order assessing administrative penalties against **Hinas Lodging Company dba Budget Inn Express in Colorado County**;

TCEQ ID No. RN101442291; 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 Default Order. LS/BS; all agree.

POST-CLOSURE MATTER

Item 72. [Docket No. 2006-0351-IHW](#). Consideration of the application by the **Chevron Environmental Management Company** for issuance of a post-closure order to authorize a closed corrective action management unit at the El Paso refinery in **El Paso County** 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. 335. The corrective action management unit is located in El Paso, El Paso County approximately 1 miles east-southeast of the intersection of Interstate Highway 10 and Trowbridge Drive. (Vaishali Tendolkar, Amie Dutta Richardson, Susan Jere White)

Approve the issuance of a post-closure order to authorize post closure care for a corrective action management unit at the El Paso refinery. BS/LS; all agree.

PETITION TO REVOKE

Item 73. [Docket No. 2007-0652-MWD](#). Consideration of a petition to revoke TCEQ Water Quality Permit Number WQ0010385002 issued to the **City of Bellville**, filed by Eric Allmon, with Lowerre & Frederick on behalf of Ms. Yulanda Turner. The facility is located at 307 W. Hickory, approximately 4500 feet southwest of the Austin County Courthouse and approximately 1 mile south-southwest of the intersection of State Highway 36 and State Highway 159 with Farm-to-Market Road 1456 in the City of Bellville in **Austin County**, Texas. (John Williams, Firoj Vahora)

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

MISCELLANEOUS

Item 74. [Docket No. 2007-0274-UCR](#). Consideration of a request for a Commission Order approving a contract designating service areas between the **City of Wylie**, water certificate of convenience and necessity (CCN) No. 10186, and **Wylie Northeast Water Supply Corporation (WSC)**, water CCN No. 12117, in **Collin County**, Texas pursuant to section 13.248 of the Texas Water Code. Currently, Wylie Northeast WSC holds a CCN for the area in question. The City of Wylie and Wylie NortheastWSC have agreed that the area would be better served by a single water utility provider. Under the contract, Wylie Northeast WSC will transfer approximately 35.41 acres of its CCN area to Wylie and Wylie will be the sole retail water service provider in this area. There are no customers in this area and there will be no transfer of facilities under the Agreement. (Kayla Murray, Lisa Fuentes)

Approve the contract designating service areas between the City of Wylie and Wylie Northeast Water Supply Corporation. LS/BS; all agree.

GIFTS AND DONATIONS

- Item 75. [Docket No. 2008-0297-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. BS/LS; all agree.

STATE IMPLEMENTATION PLAN

- Item 76. [Docket No. 2007-1244-SIP](#). Consideration of the adoption of revisions to the state implementation plan to meet the requirements of the Federal Clean Air Act (FCAA), Section 110(a)(2)(D)(i), relating to the **interstate transport of Eight-Hour Ozone and Fine Particulate Matter** (PM2.5). The revisions reference existing nitrogen oxides control strategies to reduce the concentration of eight-hour ozone in Texas, as well as reference the state's participation in the Federal Clean Air Interstate Rule (CAIR) to reduce transport of PM2.5. Additionally, the revisions verify that the Prevention of Significant Deterioration and Nonattainment New Source Review permitting programs and the Protection of Visibility programs are being implemented in Texas. The revisions, once adopted, would fulfill Texas' obligation regarding interstate transport of eight-hour ozone and PM2.5 under Section 110(a)(2)(D)(i) of the FCAA. (Kim Herndon, Terry Salem) (Project No. 2007-057-SIP-NR)

Adopt revisions to the state implementation plan to meet the requirements of the Federal Clean Air Act relating to the interstate transport of Eight-Hour Ozone and Fine Particulate Matter. BS/LS; all agree.

RULE MATTERS

- Item 77. [Docket No. 2008-0057-RUL](#). Consideration for publication of, and hearing on, proposed amendments to **30 TAC Chapter 117**, Control of Air Pollution from Nitrogen Compounds; Subchapter B, Combustion Control at Major Industrial, Commercial, and Institutional Sources in Ozone Nonattainment Areas; Division 3, Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources; Sections 117.340 and 117.345; and Subchapter D, Combustion Control at Minor Sources in Ozone Nonattainment Areas; Division 1, Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources; Sections 117.2035 and 117.2045 and corresponding revisions to the state implementation plan. The proposed rulemaking would allow for an output-based emissions monitoring alternative to the fuel flow meter requirement for stationary internal combustion engines and gas turbines at major and minor sources of nitrogen oxides in the Houston-Galveston-Brazoria ozone nonattainment area. The proposed changes would add monitoring flexibility for owners and operators of engines and turbines and is consistent with an option currently allowed under Chapter 117 for similar units in the Dallas-Fort Worth ozone nonattainment Area. Output-based monitoring is at least as accurate as input-based fuel flow meters. (Jay C. Tonne, P.E., Andrea Casey) (Rule Project No. 2008-008-117-EN)

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

Item 78. [Docket No. 2007-0997-RUL](#). Consideration for publication of, and hearing on, proposed amendments to Sections 290.44, 290.46, and 290.47 of **30 TAC Chapter 290**, Public Drinking Water, Subchapter D, Rules and Regulations for Public Water Systems.

The proposed rulemaking would implement Section 11 of House Bill (HB) 4, HB 1391, and Section 2.28 of Senate Bill 3, 80th Legislature, 2007. The proposed rulemaking would establish rules for structures that are connected to a public water supply system and have a rainwater harvesting system for indoor use and establish standards for maintaining sufficient water pressure for service to fire hydrants in residential areas served by a public utility in municipalities with a population of 1,000,000 or more. (Cindy Haynie, Stefanie Skogen) (Rule Project No. 2007-046-290-PR)

Approve for publication of, and hearing on, proposed amendments to Sections 290.44, 290.46, and 290.47 of 30 TAC Chapter 290 as revised by the Executive Director. BS/LS; all agree.

Item 79. [Docket No. 2008-0307-RUL](#). Consideration for publication of, and hearing on, proposed amendments to Sections 334.2, 334.8, 334.21, 334.42, 334.45, 334.47, 334.49, 334.50, 334.54, 334.71, 334.84, 334.128, 334.301, 334.302, and 334.303 of **30 TAC Chapter 334**, Underground and Aboveground Storage Tanks. The proposed rulemaking would implement House Bill (HB) 3554 and HB 1956, 80th Legislature, 2007, Regular Session. The rulemaking would extend the Petroleum Storage Tank (PST) reimbursement program (and related remediation and reimbursement deadlines) for eligible Leaking Petroleum Storage Tank (LPST) sites; eliminate annual registration fees for underground and aboveground storage tanks; address financial assurance requirements for underground storage tanks (USTs); incorporate Secondary Containment requirements in Federal law (The Energy Policy Act of 2005); and amend certain technical standards for UST systems related to Federal requirements (Anton E. Rozsypal, Jr., Cullen McMorrow) (Rule Project No. 2007-037-334-PR)

Approve for publication of, and hearing on, proposed amendments to Sections 334.2, 334.8, 334.21, 334.42, 334.45, 334.47, 334.49, 334.50, 334.54, 334.71, 334.84, 334.128, 334.301, 334.302, and 334.303 of 30 TAC Chapter 334. LS/BS; all agree.

Item 80. [Docket No. 2007-1640-RUL](#). Consideration of the adoption of amendments to Sections 37.825, 37.830, 37.835, 37.840, 37.845, 37.855, 37.870 and 37.885, and new Section 37.867 of **30 TAC Chapter 37**, Financial Assurance. The adoption of these rules would implement House Bill 1956, 80th Legislature, 2007, Regular Session. It would also require underground storage tank (UST) owners or operators to include evidence of financial assurance along with self-certification forms; require UST owners or operators to empty their tanks within 90 days of a termination of their financial assurance coverage unless they obtain coverage; and clarify and simplify the wording of financial assurance mechanisms to minimize confusion. (Rob Norris, Cullen McMorrow) The proposed rules were published in the December 21, 2007 issue of the *Texas Register* (32 Tex Reg 9527). (Rule Project No. 2007-038-037-AS)

Adopt amendments to Sections 37.825, 37.830, 37.835, 37.840, 37.845, 37.855, 37.870 and 37.885, and new Section 37.867 of 30 TAC Chapter 37. BS/LS; all agree.

EXECUTIVE MEETING

Item 81. **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 the Executive Meeting.

Item 82. **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 the Executive Meeting.

Item 83. **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 the 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. AND WILL CONTINUE 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)

AGENDA

Wednesday, April 16, 2008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

1:00 P.M.

12100 Park 35 Circle

Room 201S, Bldg. E

Item 1. [TCEQ Docket No. 2005-2018-MWD-E; SOAH Docket No. 582-07-0105](#). Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties and requiring certain actions of **Clear Lake City Water Authority dba Robert T. Savely Water Reclamation Facility** in **Harris County**, Texas; TCEQ ID Water Quality No. WQ0010539001; regarding violations pursuant to the Texas Water Code and the rules of the Texas Commission on Environmental Quality. The Commission will also consider timely filed exceptions and replies. (Lena Roberts)

Item continued to the October 8, 2008 agenda. LS/BS; all agree.

Item 2. [TCEQ Docket No. 2006-1746-AIR; SOAH Docket No. 582-07-2610](#). Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the application of **Lonestar Prestress Mfg., Inc.** for a Specialty Mix Concrete Batch Plant Standard Air Quality Permit to authorize a specialty mix concrete batch plant at 9316 Reid Lake Drive, **Harris County**, Houston, Texas. The Commission will also consider timely public comments and the Executive Director's Response to such comments, the application, related filings, and exceptions and replies. (Doug Brown)

Adopt the ALJ's Order, with the Executive Director's revised Response to Comments and issue the permit. BS/LS; all agree.

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TCEQ AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO CONTACT OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE. PERSONS WHO DESIRE THE ASSISTANCE OF AN INTERPRETER IN CONJUNCTION WITH THEIR ORAL PRESENTATION AT THIS TCEQ AGENDA ARE REQUESTED TO CONTACT THE OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST FIVE (5) WORK DAYS PRIOR TO THE AGENDA SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

REGISTRATION FOR AGENDA STARTS AT 12:30 P.M. AND WILL CONTINUE UNTIL 1:00 P.M. PLEASE REGISTER BETWEEN THESE TIMES. LATE REGISTRATION COULD RESULT IN YOUR MISSING THE OPPORTUNITY TO COMMENT ON YOUR ITEM.

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

/s/ John Sedberry
Assistant General Counsel,
John Sedberry

5-30-2008
Date