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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.      Wednesday, May 7, 2008

## AGENDA

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

#### **HEARING REQUESTS/REQUESTS FOR RECONSIDERATION**

Item 1. [Docket No. 2008-0292-AIR](#). Consideration of application by **Huntsman Petrochemical Corporation** to amend and renew Air Quality Permit No. 20160. The site is located at 6001 Highway 366, Port Neches, **Jefferson 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. (Troy Dalton , Amy Browning)

Deny the hearing request, adopt the Executive Director's Response to Comments and issue the renewal of the air permit. BS/LS; all agree.

#### **PROPOSAL FOR DECISION MATTERS**

Item 2. [TCEQ Docket No. 2005-1818-PWS-E; SOAH Docket No. 582-07-0267](#). Consideration of the Administrative Law Judge's Proposal for Decision and Default Order assessing administrative penalties and requiring certain actions of **Dirgin Water Supply Corporation** in **Rusk County**, Texas; TCEQ ID. Nos. RN101438778 and PWS No. 2010013; regarding public water supply violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. The Commission will also consider any timely filed exceptions and replies. (Lena Roberts)

Item continued to a future agenda to be determined by the General Counsel. LS/BS; all agree.

Item 3. [TCEQ Docket No. 2006-1654-PWS-E; SOAH Docket No. 582-07-3175](#). Consideration of the Administrative Law Judge's Proposal for Decision and Default Order assessing administrative

penalties and requiring certain actions of **Tommy Joe Thomas dba Deer Trail Mobile Home Park** in **Harris County**; RN101237923; for public water system violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. The Commission will also consider timely filed exceptions and replies. (Dinniah M. Chahin)

Adopt the ALJ's proposed Order with the exceptions filed by the Executive Director. LS/BS; all agree.

#### **AGRICULTURAL ENFORCEMENT AGREED ORDER**

Item 4. [Docket No. 2007-1414-AGR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **San Angelo Feed Yard, Ltd.** in **Tom Green County**; RN101513364; 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.

#### **AIR QUALITY ENFORCEMENT AGREED ORDERS**

Item 5. [Docket No. 2006-2045-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lide Industries, Inc.** in **Freestone County**; TCEQ ID No. RN101698439; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Kathleen C. Decker, Jennifer Cook)

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

Item 6. [Docket No. 2007-1734-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Air Liquide Large Industries U.S. LP** in **Harris County**; RN100233998; 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 7. [Docket No. 2007-1433-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Builders Marble Company** in **Collin County**; RN104491055; 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. (Jorge Ibarra, P.E., Bryan Sinclair)

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

Item 8. [Docket No. 2007-1620-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Davis Gas Processing, Inc.** in **Crockett and Callahan Counties**; RN100245182 and RN100227735; 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 9. [Docket No. 2007-1230-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Equistar Chemicals, LP** in **Harris County**; RN100542281; 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 10. [Docket No. 2007-1253-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **International Paper Company** in **Polk County**; RN100543073; 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. 2007-1722-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Liberty Pressure Pumping, L.P.** in **Erath County**; RN105276521; 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)

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

- Item 12. [Docket No. 2007-1659-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **The Goodyear Tire & Rubber Company** in **Jefferson County**; RN102561925; 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 13. [Docket No. 2007-1448-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Sunoco Pipeline L.P.** in **Scurry County**; RN100215128; 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 14. [Docket No. 2007-1437-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Rohm and Haas Texas Incorporated** in **Harris County**; RN100223205; 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 15. [Docket No. 2007-1357-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties against **Peace Partners Car Wash, L.L.C. in El Paso County**; RN102704095; 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 16. [Docket No. 2007-1546-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lyondell Chemical Company in Harris County**; RN100633650; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Nadia Hameed, Bryan Sinclair)

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

- Item 17. [Docket No. 2007-1929-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Leisure Pools USA Trading, Inc. in Bexar County**; RN100578939; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Miriam Hall, Bryan Sinclair)

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

- Item 18. [Docket No. 2007-1449-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **GB Biosciences Corporation in Harris County**; RN100238492; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Miriam Hall, Bryan Sinclair)

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

- Item 19. [Docket No. 2007-0558-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **ConocoPhillips Company in Hutchinson County**; RN102495884; 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 20. [Docket No. 2007-1642-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **AK/HA Manufacturing, LLC in Jefferson County**; RN100214238; 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 21. [Docket No. 2007-0794-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Southwest Shipyard, L.P. in Harris County**; TCEQ ID No. RN100248749; 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)

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

Item 22. [Docket No. 2007-2045-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. (John Muennink, Bryan Sinclair)

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

Item 23. [Docket No. 2007-0899-AIR-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Clint West dba West Contracting in Jefferson County**; RN105096317; 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 24. [Docket No. 2007-1658-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. (Trina Grieco, Bryan Sinclair)

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

#### **AIR QUALITY ENFORCEMENT DEFAULT ORDERS**

Item 25. [Docket No. 2007-0579-AIR-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Francisco Terrazas dba San Jose Custom Shutters in El Paso County**; TCEQ ID No. RN100816693; 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. (Anna Cox, Jennifer Cook)

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

Item 26. [Docket No. 2005-0463-AIR-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Joseph Yarbrough in Young County**; TCEQ ID No. RN104384649; 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 Default Order. LS/BS; all agree.

### **DRY CLEANER ENFORCEMENT AGREED ORDER**

- Item 27. [Docket No. 2006-1143-DCL-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Frances Alvarez dba Frans Laundry in Jones County**; TCEQ ID No. RN100610005; 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 Richard, Jennifer Cook)

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

### **FIELD CITATIONS**

- Item 28. [Docket No. 2008-0025-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Dixie Gas Station, Inc. dba Dixie Gas Station in Dallas County**; RN101953925; 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 29. [Docket No. 2006-0641-PST-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Koyote Ranch-Bandera Unit L.P. dba Koyote Mercantile in Bandera County**; RN104281241; 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 30. [Docket No. 2007-1948-WOC-E](#). Consideration of a Field Citation assessing administrative penalties and requiring certain actions of **Edward Longoria in Lamb County**; RN104009642; for occupational license 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.

### **INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

- Item 31. [Docket No. 2007-1879-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **TOTAL PETROCHEMICALS USA, INC. in Harris County**; RN100212109; 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 32. [Docket No. 2007-1773-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **New Waverly Ventures Ltd. Co. in Walker County**; RN100214493; 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 33. [Docket No. 2007-1802-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Wolf Hollow I, L.P. in Hood County**; RN100219195; 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. (Jorge Ibarra, P.E., Bryan Sinclair)

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

Item 34. [Docket No. 2007-1847-IWD-E](#). Consideration of an Agreed Order assessing administrative penalties against **Sealy Concrete, Inc. in Austin County**; RN100241579; 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.

#### **LICENSED IRRIGATORS ENFORCEMENT AGREED ORDER**

Item 35. [Docket No. 2007-1819-LII-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Sammy Rene Lugo in Nueces County**; RN105305312; for occupational licensing 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 36. [Docket No. 2006-1775-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Huntsman Petrochemical Corporation in Jefferson County**; RN100217389 and RN104340013; for air quality and public drinking water violations pursuant to Tex. Health & Safety Code chs. 341 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. (Daniel Siringi, Bryan Sinclair)

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

Item 37. [Docket No. 2007-1716-MLM-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **McEachern Enterprises, Inc. dba Superior Clean Can in Williamson County**; RN105148852; for Edwards Aquifer and 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.

#### **MULTI-MEDIA MATTER ENFORCEMENT DEFAULT ORDER**

Item 38. [Docket No. 2005-0393-MLM-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Feroz Ali Momin dba Snappy Mart in Harris County**; TCEQ ID No. RN102702339; for water quality and 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 Default Order. LS/BS; all agree.

#### **MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS**

Item 39. [Docket No. 2007-1394-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Fort Bend Regional Landfill, LP in Fort Bend County**; RN102803913; for municipal solid waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Colin Barth, Bryan Sinclair)

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

Item 40. [Docket No. 2006-0077-MSW-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jaime Garcia in Jim Wells and Brooks Counties**; TCEQ ID No. RN104799101; for municipal solid waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 36, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Alfred Oloko, Jennifer Cook)

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

#### **MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

Item 41. [Docket No. 2007-1670-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Brazos River Authority and Lower Colorado River Authority in Williamson County**; RN100822600; 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 42. [Docket No. 2007-1856-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **Town of Van Horn in Culberson County**; RN103014999; 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 43. [Docket No. 2007-1768-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **SPX Corporation in Harris County**; RN102202462; 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 44. [Docket No. 2007-1760-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Southside Place in Harris County**; RN101384758; 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 45. [Docket No. 2007-1696-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Prairie View A & M University in Waller County**; RN102078532; 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 46. [Docket No. 2007-1673-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Orange County Water Control and Improvement District No. 2 in Orange County**; RN101614030; 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 47. [Docket No. 2007-1718-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Monarch Utilities I L.P. in Wood County**; RN102287091; 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. (John Muennink, Bryan Sinclair)

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

Item 48. [Docket No. 2007-1046-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **McMullen County Water Control & Improvement District No. 1 and McMullen County in McMullen County**; RN101919611; 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. (James Nolan, Bryan Sinclair)

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

Item 49. [Docket No. 2007-1579-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Lakeshore Utility Company in Henderson County**; RN102671153; 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. (Elvia Maske, Bryan Sinclair)

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

Item 50. [Docket No. 2007-1889-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Hooks in Bowie County**; RN101916468; 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 51. [Docket No. 2007-1806-MWD-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the **City of Hemphill in Sabine County**; RN101918134; 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.

#### **PETROLEUM STORAGE TANKS ENFORCEMENT AGREED ORDERS**

Item 52. [Docket No. 2007-0291-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Abdul Oliwi dba Fina Gas Station in Tarrant County**; TCEQ ID No. RN101541308; 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 Agreed Order. LS/BS; all agree.

Item 53. [Docket No. 2007-1349-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Rudolphs, Inc. dba The Store in Lavaca County**; RN101723641; 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 54. [Docket No. 2007-1706-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Petro Stopping Centers, L.P. dba Petro Stopping Center 4 in Jefferson County**; RN102424884; 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.

Item 55. [Docket No. 2007-1721-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Mo Vac Service Company of Alice in Karnes County**; RN101905529; 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 56. [Docket No. 2007-1087-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Mohammed Basheer dba Exxon 45 in Galveston County**; RN101814010; for petroleum storage tank violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Rajesh Acharya, Bryan Sinclair)

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

Item 57. [Docket No. 2007-1652-PST-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Jim Wells County in Jim Wells County**; RN100535038; for petroleum storage tank violations pursuant to Tex. Water Code chs. 5, 7, and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Wallace Myers, Bryan Sinclair)

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

#### **PETROLEUM STORAGE TANKS ENFORCEMENT DEFAULT ORDERS**

Item 58. [Docket No. 2005-0270-PST-E](#). Consideration of a Default Order assessing administrative penalties against **Grayson Flying Service, Inc. dba Voyager Air Center in Grayson County**; TCEQ ID No. RN101563856; 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)

Item remanded to the Executive Director.

Item 59. [Docket No. 2007-0723-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Mohammad Arif dba Super Stop 4 in Orange County**; TCEQ ID No. RN103001798; 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 60. [Docket No. 2005-1241-PST-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Mohamed Ahmed Al Bataineh dba Harvest Food Store** in **Harris County**; TCEQ ID No. RN100925064; 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. (Gary K. Shiu, Jennifer Cook)

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

### **PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS**

- Item 61. [Docket No. 2007-1458-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **TurboCare, Inc.** in **Harris County**; RN101235489; 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 62. [Docket No. 2007-1507-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Palo Duro Service Company, Inc.** in **Wise County**; RN102324217; for public water supply violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Christopher Keffer, Bryan Sinclair)

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

- Item 63. [Docket No. 2007-1284-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Christ Community Church of Houston dba Christ Community Church** in **Harris County**; RN104415914; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Rajesh Acharya, Bryan Sinclair)

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

- Item 64. [Docket No. 2008-0022-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Hilco United Services, Inc.** in **Hill County**; RN102693108; 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 65. [Docket No. 2007-1680-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Kent Distributors, Incorporated** in **Midland County**; RN102925633 and RN101454270; for public water supply violations pursuant to Tex. Health &

Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality.  
(Christopher Keffer, Bryan Sinclair)

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

- Item 66. [Docket No. 2007-1247-PWS-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Happy Hill Farm Children's Home, Inc.** in **Somervell County**; RN101236990; 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.

#### **PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDERS**

- Item 67. [Docket No. 2006-1750-PWS-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Water Association of North Lake, Inc.** in **Denton County**; TCEQ ID No. RN101450047; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Mary Hammer, Jennifer Cook)

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

- Item 68. [Docket No. 2007-0101-PWS-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **Dora Mae Mekan dba Nick's Grocery 3** in **Wharton County**; TCEQ ID No. RN101651834; 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. (Benjamin O. Thompson, Jennifer Cook)

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

#### **SLUDGE ENFORCEMENT DEFAULT ORDER**

- Item 69. [Docket No. 2006-1942-SLG-E](#). Consideration of a Default Order assessing administrative penalties and requiring certain actions of **O'Boy Service Company, Inc.** in **Webb County**; TCEQ ID No. RN103017661; for sludge violations pursuant to Tex. Water Code chs. 5, 7, and 26, Tex. Health and 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.

#### **WASTEWATER OPERATOR CERTIFICATION ENFORCEMENT AGREED ORDER**

- Item 70. [Docket No. 2007-1864-WOC-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Matias G. Quintanilla** in **Bexar and McMullen Counties**; RN104237276; for occupational licensing violations pursuant to Tex. Water Code chs. 7 and 37 and the rules of the Texas Commission on Environmental Quality. (Elvia Maske, Bryan Sinclair)

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

### **WATER QUALITY ENFORCEMENT AGREED ORDERS**

- Item 71. [Docket No. 2007-1809-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Best Materials, Inc.** in **Robertson County**; RN104329735; 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 72. [Docket No. 2007-1644-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties against the **City of Plano** in **Collin County**; RN103099156; 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 73. [Docket No. 2007-1963-WQ-E](#). Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of **Kerr Materials, L.P.** in **Fayette County**; RN105376560; 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.

### **POST-CLOSURE MATTER**

- Item 74. [Docket No. 2006-0350-IHW](#). Consideration of the application by the **Premcor Refining Group, Inc.** for issuance of a post-closure order to authorize a closed correction action management unit at the Port Arthur refinery in **Jefferson County** pursuant to Tex. Health & Safety Code ch. 361; Tex. Water Code ch. 7; 40 Code of Federal Regulations Parts 264, 265, 270 and 271; and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 335. The facility is located at 1801 South Gulfway Drive, Port Arthur, Jefferson County, Texas. (Mary Talley, Susan Jere White, and Diane Goss)

Approve the application by the Premcor Refining Group, Inc. for issuance of a post-closure order. BS/LS; all agree.

### **TMDL MATTERS**

- Item 75. [Docket No. 2008-0221-TML](#). Consideration for approval to publish and solicit public comment on one draft **TMDL for bacteria in the Lower San Antonio River** (Segment 1901), of the San Antonio River Basin, in **Karnes, Goliad, Refugio, Dewitt, Wilson, Victoria, and Guadalupe Counties**. (Faith Hambleton, Marc Friberg)

Approve the publication and solicitation of public comment on one draft TMDL for bacteria in the Lower San Antonio River. LS/BS; all agree.

Item 76. [Docket No. 2008-0222-TML](#). Consideration for approval to publish and solicit public comment on six draft **TMDLs for bacteria in waters of the Upper Gulf Coast** (Segments 2421, 2422, 2423, 2424, 2432, and 2439), in the Galveston Bay System (Upper Galveston Bay, Trinity Bay, East Bay, West Bay, Chocolate Bay, and Lower Galveston Bay) along the Texas Upper Gulf Coast near Houston and Galveston, in **Brazoria, Galveston, Chambers, and Harris Counties**. (Faith Hambleton, Marc Friberg)

Approve the publication and solicitation of public comment on six draft TMDLs for bacteria in waters of the Upper Gulf Coast. LS/BS; all agree.

### **RULE MATTERS**

Item 77. [Docket No. 2008-0184-RUL](#). Consideration for publication of, and hearing on, proposed amendments to Sections 11.1 and 11.3 of **30 TAC Chapter 11**, Contracts. The proposed rulemaking would reflect the implementation of House Bill 3560, 80th Legislature, Regular Session, 2007. The proposed rulemaking relates to the transfer of Historically Underutilized Business program responsibilities from the Texas Building and Procurement Commission to the Texas Comptroller of Public Accounts, Texas Procurement and Support Services. In addition, this proposed rulemaking reflects the transfer of authority for bid opening and tabulation from Texas Building and Procurement Commission to the Texas Comptroller of Public Accounts, Texas Procurement and Support Services. (Joe McGill, Greg Dickenson) (Rule Project No. 2008-009-011-AS)

Approve for publication of, and hearing on, proposed amendments to Sections 11.1 and 11.3 of 30 TAC Chapter 11. LS/BS; all agree.

Item 78. [Docket No. 2007-1611-RUL](#). Consideration for adoption of an amendment to **30 TAC Chapter 116**, Control of Air Pollution by Permits for New Construction or Modification, Subchapter D, Permit Renewals, Section 116.315, Permit Renewal Submittal, and corresponding revisions to the state implementation plan. The adoption would implement Senate Bill 1673, passed in the 80th Legislature, 2007, that provides for submission of a preconstruction renewal application concurrently with a preconstruction amendment application under certain circumstances. This rulemaking would specify that the amendment application must be filed not more than three years before the date the permit is scheduled to expire and must be subject to notice requirements under the Texas Health and Safety Code, Section 382.056, Notice of Intent to Obtain Permit or Permit Review; Hearing. The proposed rules were published in the December 21, 2007 issue of the *Texas Register* (32 TexReg 9533). (Becky Southard, John Minter) (Rule Project No. 2007-024-116-PR)

Adopt amendment to 30 TAC Chapter 116 and corresponding revisions to the state implementation plan. BS/LS; all agree.

Item 79. [Docket No. 2007-0804-RUL](#). Consideration of the adoption of amendments to Sections 305.43, 305.62 and 305.70 of **30 TAC Chapter 305**, Consolidated Permits and amendments to Sections 330.57 and 330.59 of **30 TAC Chapter 330**, Municipal Solid Waste. The adoption would allow the submittal of a limited application for some changes to permits that currently meet the definition of a major amendment for a municipal solid waste (MSW) facility; clarify that MSW

Temporary Authorizations could apply to either major or minor changes to a permit or registration; specify that the means of transferring MSW permits is a permit modification; identify new activities as allowable permit and registration modifications; require public notice for some MSW permit modifications not currently requiring a public notice; require some currently classified MSW permit modifications to be processed as major amendments; revise MSW notice requirements by expanding the distance for mailed notice for new permits and major amendments; and require signs to be posted at MSW facilities submitting applications for new permits and permit amendments. The proposed rules were published in the November 30, 2007 issue of the *Texas Register* (32 TexReg 8681). (Jeff Davis, Anthony Tatu) (Rule Project No. 2007-001-305-PR)

Adopt the proposed amendments to Chapters 305 and 330, as revised by the 5/2/08 Executive Director filings, with the changes made by Commissioner Soward from the dais, as modified by the Executive Director. LS/BS; all agree.

### **EXECUTIVE MEETING**

Item 80. **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 an Executive Meeting.

Item 81. **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 an Executive Meeting.

Item 82. **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 an 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)**

OLD BUSINESS AGENDA

Wednesday, May 7, 2008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Item continued from the May 17, 2006, June 28, 2006, and August 9, 2006 agendas.

- Item 1. [TCEQ Docket No. 2004-0839-AIR; SOAH Docket No. 582-05-1040](#). Consideration of the Administrative Law Judge's Proposal for Decision and order regarding the application of **Southern Crushed Concrete, Inc.** to change the location of a previously permitted portable concrete crushing facility in **Harris County**, Texas. The Commission will also consider timely public comments, the application, related filings, exceptions and replies.

Adopt the ALJ's PFD, proposed order, and the ED's response to public comment with the following change: Add finding of fact to the order stating that applicant has agreed to the new special permit conditions. Issue the permit with the additional special permit conditions proposed by the ALJ and agreed to by the applicant. Deny all outstanding motions. BS/BG; LS opposed

**(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/ Tracy Gross  
Assistant General Counsel,  
Tracy Gross

6-2-2008  
Date