

The Agenda document below includes hyperlinks (docket numbers highlighted in blue) that enable the user to view agenda backup documents [documents pertaining to a particular matter that have been filed with the Office of the Chief Clerk (OCC)]. To view all agenda backup in person including those documents not found in the hyperlinks below, please visit OCC at 12100 Park 35 Circle, Building F, Suite 1101 (30 TAC § 1.10).

Updates to backup documents will be noted by a purple indicator. 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 7 copies of documents filed for Commission consideration (30 TAC § 1.10(d)).

Chairman Bryan W. Shaw, Ph.D., P.E.
Commissioner Toby Baker

AGENDA

August 19, 2015

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

PROPOSAL FOR DECISION

Item 1 [**TCEQ Docket No. 2013-0374-MLM-E; SOAH Docket No. 582-14-2870.**](#)

Consideration of the Administrative Law Judge's Proposal for Decision and Order assessing administrative penalties against and requiring certain actions of Ted Booher and Rapid Marine Fuels, LLC d/b/a Rapid Environmental Services, LLC in Harris County, Texas; RN101061422; regarding violations of the state's industrial and hazardous waste and used oil programs pursuant to Tex. Water Code Chapters 5, 7, and 26; Tex. Health & Safety Code Chapters 361 and 371; and the rules of the Texas Commission on Environmental Quality. The Commission will also consider the record, timely related filings, exceptions and replies. (David A. Terry)

Adopt the ALJ's Proposed Order and the Exceptions to the Ordering Provisions as recommended by the ED and agreed to by the ALJ in his letter dated July 1, 2015. TB/BS; all agree.

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 2 [**Docket No. 2015-0840-MWD.**](#)

Consideration of the application by New Braunfels Utilities for a major amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010232002 to authorize the relocation of the wastewater treatment plant, the relocation of Outfall 001, and an increase in the volume of discharged domestic wastewater from an annual average flow not to exceed 1,100,000 gallons per day to an annual average flow not to exceed 4,900,000 gallons per day. The existing facility is located approximately 700 feet southwest of the crossing of Gruene Loop Road over the Guadalupe River, in Comal County, Texas 78131. The relocated domestic wastewater treatment facility will be located on a 30.1 acre tract on the northeast corner of the intersection of Highway 46 (Loop 337) and Gruene Road, approximately 1.8 miles northwest of Interstate Highway 35 on Highway 46 in Comal County, Texas 78130. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (Sonia Bhuiya, Michael Parr).

Grant the hearing requests of Brad Bechtol, Harvey Heideman, Josephine Heideman, Skylar Koepp, and Scott Roots; Refer the matter to the Commission's Alternative Dispute Resolution Program to run concurrently with the SOAH scheduling process; Refer the matter to SOAH for a contested case hearing on the following issues: A) Whether the activities proposed to be regulated by the Draft Permit will adversely affect the requesters use and enjoyment their properties; B) Whether the Draft Permit complies with the applicable water quality standards; C) Whether the Draft Permit complies with TCEQ's Anti-Degradation standards; D) Whether the proposed site for the new facility complies with the applicable location standards; E) Whether the application sufficiently demonstrates that the requested increase in flow is warranted; F) Whether the Draft Permit adequately accounts for applicant's compliance history; and G) Whether the Draft Permit contains sufficient measures to prevent nuisance odors from emanating from the proposed facility; and Specify that the maximum duration of the hearing is nine months from the preliminary hearing to issuance of the Proposal for Decision. TB/BS; all agree.

Item 3 [**Docket No. 2015-0987-AIR.**](#)

Consideration of application by Columbia Packing Co., Inc. for Air Quality Permit No. 106009, which would authorize the operation of two smokehouse units and two boilers. The plant site is located at 2807 E. 11th St, Dallas, Dallas County, Texas. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's Response to Comments. (Joel Stanford, Sierra Redding)

Item continued to the September 9, 2015 Agenda.

PETITION FOR INQUIRY

Item 4 **Docket No. 2015-0844-MIS.**

Consideration of the Petition for Inquiry filed by Curtis Chubb, Ph.D. pursuant to Tex. Water Code § 36.1082 and 30 Tex. Admin. Code § 293.23, regarding the activities of Post Oak Savannah Groundwater Conservation District. Post Oak Savannah Groundwater Conservation District is part of Ground Water Management Area (GMA) 12. GMA 12 also includes Brazos Valley Groundwater Conservation District, Fayette County Groundwater Conservation District, Lost Pines Groundwater Conservation District, and Mid-East Texas Groundwater Conservation District (Bastrop, Brazos, Burleson, Falls, Fayette, Freestone, Lee, Leon, Limestone, Madison, Milam, Navarro, Robertson, and Williamson Counties). (Kelly Mills, Ron Olson)

Dismiss the Petition for Inquiry filed by Dr. Curtis Chubb. TB/BS; all agree.

TMDL MATTER

Item 5 **Docket No. 2014-1279-TML.**

Consideration for final approval of a draft Implementation Plan for Eleven Total Maximum Daily Loads for Bacteria in Waters of the Upper Gulf Coast in Brazoria, Chambers, Galveston, and Harris Counties. (Ron Stein, Robert Brush) (Project No. 2014-035-TML-NR.)

Approve the Implementation Plan for Eleven Total Maximum Daily Loads for Bacteria in Waters of the Upper Gulf Coast in Brazoria, Chambers, Galveston, and Harris Counties as recommended by the Executive Director. TB/BS; all agree.

AUDIT MATTER

Item 6 **Docket No. 2015-0767-AUD.**

Consideration and Approval of the TCEQ Chief Auditor's Office Fiscal Year 2016 Audit Plan. (Gary Leach)

Approve the Chief Auditor's Office Fiscal Year 2016 Audit Plan. TB/BS; all agree.

MISCELLANEOUS MATTERS

Item 7 **Docket No. 2015-0999-MIS.**

Consideration of the Executive Director's findings and recommendations on whether a watermaster should be appointed for the Red River Basin or the Canadian River Basin. Texas Water Code, Section 11.326(g) requires

that in river basins where no watermaster has been appointed, the executive director shall evaluate the river basin at least once every 5 years to determine whether a watermaster should be appointed, and report the findings and make recommendations to the commission. The commission shall include the findings and recommendations in the commission's biennial report to the Legislature. (Amy Settemeyer, Dinniah Tadema)

No Action Taken.

Item 8 **[Docket No. 2015-0831-MIS.](#)**

Consideration of material changes to contracts for goods and services awarded under Texas Government Code Chapter 2155. (Elizabeth West)

Approve issuance of the Resolution that acknowledges the material changes to the contracts for goods and services in accordance with Section 2155.088 of the Texas Government Code. TB/BS; all agree.

Item 9 **[Docket No. 2015-0830-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. (Elizabeth West)

Approve issuance of the Resolution that acknowledges the Executive Director's acceptance of these gifts. TB/BS; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 10 **[Docket No. 2014-1304-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of BASF Corporation in Brazoria County; RN100218049; 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. (Rachel Bekowies, Candy Garrett)

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

Item 11 **[Docket No. 2014-1877-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Chevron Phillips Chemical Company LP in

Jefferson County; RN100209857; 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. (Jessica Schildwachter, Candy Garrett)

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

Item 12 **[Docket No. 2014-1765-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DCP Midstream, LP in Hutchinson County; RN100216613; 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. (Carol McGrath, Candy Garrett)

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

Item 13 **[Docket No. 2015-0185-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of E. I. du Pont de Nemours and Company in Harris County; RN100225085; 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. (Jessica Schildwachter, Candy Garrett)

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

Item 14 **[Docket No. 2015-0062-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Enbridge G & P (East Texas) L.P. in Upshur and Camp Counties; RN100209477 and RN100223783; 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. (Farhaud Abbaszadeh, Candy Garrett)

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

Item 15 **[Docket No. 2014-0804-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of NCI Group, Inc. in Harris County;

RN100213545; 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. (Farhaud Abbaszadeh, Candy Garrett)

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

Item 16 **[Docket No. 2014-1728-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Shell Chemical LP in Harris County; RN100211879; 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. (Carol McGrath, Candy Garrett)

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

Item 17 **[Docket No. 2014-1245-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Shell Oil Company in Harris County; RN100211879; 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. (Rachel Bekowies, Candy Garrett)

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

Item 18 **[Docket No. 2014-1162-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of WTG Jameson, LP in Coke County; RN101246478; 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. (Farhaud Abbaszadeh, Candy Garrett)

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

Item 19 **[Docket No. 2014-0911-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against CITGO Refining and Chemicals Company L.P. in Nueces County;

RN100238799; for air quality violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jennifer Cook, Lena Roberts)

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

AIR QUALITY ENFORCEMENT DEFAULT ORDER

Item 20 **[Docket No. 2014-0116-AIR-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of GOOD TIME STORES, INC. d/b/a Good Time Store 26 in El Paso County; RN101695245; for air quality 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. (J. Amber Ahmed, Lena Roberts)

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

INDUSTRIAL HAZARDOUS WASTE ENFORCEMENT AGREED ORDER

Item 21 **[Docket Number. 2013-0500-IHW-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of PETRO-TECH ENVIRONMENTAL, LLC in Harris County; RN105198527; for industrial and hazardous waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Texas Administrative Code ch. 60. (Steven VanLandingham, Candy Garrett)

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

IRRIGATION LICENSING ENFORCEMENT DEFAULT ORDERS

Item 22 **[Docket No. 2014-1878-LII-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Joshua G. Duke in Gregg County; RN105764138; for landscape irrigation installation violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occ. Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (J. Amber Ahmed, Lena Roberts)

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

Item 23 **[Docket No. 2014-1810-LII-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of John Clark Zimmerman in Tarrant County RN106838287; for landscape irrigation installation violations pursuant to Tex. Water Code chs. 7 and 37, Tex. Occ. Code ch. 1903, and the rules of the Texas Commission on Environmental Quality. (Jess Robinson, Lena Roberts)

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

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 24 **[Docket No. 2013-1700-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Baker Hughes Oilfield Operations, Inc. in Jim Wells County; RN100695758; for municipal solid waste, industrial and hazardous waste, water quality and used oil violations pursuant to Tex. Health & Safety Code chs. 361 and 371, 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. (Larry Butler, Candy Garrett)

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

Item 25 **[Docket No. 2014-0769-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Calumet San Antonio Refining, LLC in Bexar County; RN101485183; for industrial and hazardous waste and water quality violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Keith Frank, Candy Garrett)

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

Item 26 **[Docket No. 2012-2619-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Skellytown in Carson County; RN102796968 and RN102675006; for public drinking water and water

quality violations pursuant to Tex. Health & Safety Code Ch. 341, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Heather Brister, Candy Garrett)

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

Item 27 **[Docket No. 2014-0102-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DE DIETRICH (USA), INC. in Nueces County; RN101634590; for water quality and industrial hazardous waste violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code chs. 361 and 371, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Thomas Greimel, Candy Garrett)

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

MULTI-MEDIA MATTER ENFORCEMENT DEFAULT ORDER

Item 28 **[Docket No. 2014-1335-MLM-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of SOTEX OILFIELD SERVICES, LLC. in Tom Green County; RN106692643; for water quality and municipal solid waste violations pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 361 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Tracy Chandler, Lena Roberts)

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

MUNICIPAL SOLID WASTE MATTER ENFORCEMENT AGREED ORDERS

Item 29 **[Docket No. 2014-1670-MSW-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of AG-LAND DISTRIBUTION, INC. in Lubbock County; RN107798126; 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 Tex. Admin. Code ch. 60. (Steven Van Landingham, Candy Garrett)

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

Item 30 [**Docket No. 2014-1886-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Angelina County; RN101947323; 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 Tex. Admin. Code ch. 60. (Keith Frank, Candy Garrett)

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

Item 31 [**Docket No. 2014-0782-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Gary Tidrow in Haskell County; RN106473424; 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 Tex. Admin. Code ch. 60. (Keith Frank, Candy Garrett)

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

Item 32 [**Docket No. 2014-1094-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Hidalgo County; RN107448920; 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 Tex. Admin. Code ch. 60. (Margarita Dennis, Candy Garrett)

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

Item 33 [**Docket No. 2013-2144-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Juan Antonio Diaz d/b/a Tony's Tire Service and d/b/a Tony's Tire Shop in Bexar County; RN105359392 and RN106967490; 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. (Jacquelyn Boutwell, Lena Roberts)

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

Item 34 [**Docket No. 2012-0646-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Edcouch in Hidalgo County; RN101916377; 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. (Ronica Rodriguez, Candy Garrett)

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

Item 35 [**Docket No. 2014-1418-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against the City of Lewisville in Denton County; RN102075298; 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. (Heather Brister, Candy Garrett)

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

Item 36 [**Docket No. 2013-1499-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the Town of Anthony in El Paso County; RN102805603; 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. (Jennifer Graves, Candy Garrett)

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

**PETROLEUM STORAGE TANK MATTER ENFORCEMENT
AGREED ORDERS**

Item 37 [**Docket No. 2015-0052-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DERRICK OIL & SUPPLY, INC. OF PORT ARTHUR, TEXAS in Jefferson County; RN102130580; 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. (Thomas Greimel, Candy Garrett)

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

Item 38 [**Docket No. 2015-0053-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DUBLIN STOP GROUP INC dba Dublin Stop in Erath County; RN102019536; 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. (Allyson Plantz, Candy Garrett)

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

Item 39 [**Docket No. 2015-0126-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of JENA BUSINESS, INC. dba The Store of Florence in Williamson County; RN102283710; 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. (James Baldwin, Candy Garrett)

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

Item 40 [**Docket No. 2013-1422-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against Spygoat, Inc. dba Econo Lube N Tune & Brakes in Bexar County; RN101639904; for petroleum storage tank violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Rebecca Boyett, Candy Garrett)

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

**PETROLEUM STORAGE TANK MATTER ENFORCEMENT
DEFAULT ORDER**

Item 41 [**Docket No. 2013-0520-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against L FAKIR INC. d/b/a West Hardy Diamond in Harris County; RN102435146; 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. (Tracy Chandler, Lena Roberts)

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

PUBLIC WATER SYSTEM MATTER ENFORCEMENT AGREED ORDERS

Item 42 [**Docket No. 2015-0025-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Follett in Lipscomb County; RN101409514; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jim Fisher, Candy Garrett)

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

Item 43 [**Docket No. 2014-1709-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Haskell in Haskell County; RN101429561; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Lisa Westbrook, Candy Garrett)

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

Item 44 [**Docket No. 2015-0303-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Stamford in Jones County; RN101392165; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Katie Hargrove, Candy Garrett)

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

Item 45 [**Docket No. 2015-0603-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Matagorda Waste Disposal and Water Supply Corporation in Matagorda County; RN101454627; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of

the Texas Commission on Environmental Quality. (Katelyn Samples, Candy Garrett)

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

Item 46 [**Docket No. 2014-1822-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the National Park Service in Gillespie County; RN101230373; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jason Fraley, Candy Garrett)

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

Item 47 [**Docket No. 2015-0098-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Richard Billings dba Oak Hills Ranch Water in Guadalupe County; RN101209914; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Michaelle Garza, Candy Garrett)

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

Item 48 [**Docket No. 2014-1788-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of RODELL WATER SYSTEM, INC. in Leon County; RN105061436; 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, Candy Garrett)

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

Item 49 [**Docket No. 2015-0049-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SALEM-ELM RIDGE WATER SUPPLY CORPORATION in Milam County; RN101453157; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Jessica Schildwachter, Candy Garrett)

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

Item 50 [**Docket No. 2015-0079-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SAM RAYBURN WATER, INC. in San Augustine County; RN101249787; 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. (Jim Fisher, Candy Garrett)

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

Item 51 [**Docket No. 2014-0129-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SPRING MEADOW MOBILE HOME PARK, LLC in Midland County; RN102316783; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Greg Zychowski, Candy Garrett)

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

Item 52 [**Docket No. 2015-0478-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of STANLEY MOBILE HOME PARK, LLC in Midland County; RN102688793; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ryan Byer, Candy Garrett)

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

WATER QUALITY MATTER ENFORCEMENT AGREED ORDERS

Item 53 [**Docket No. 2014-0759-WQ-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against PATRIOT DOZER SERVICE, L.L.C. dba TINDOL CONSTRUCTION in Bee County; RN107193724; for water quality violations pursuant to Tex. Water Code chs. 7, 26, and 28A and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jason Fraley, Candy Garrett)

Approve the Agreed Order. TB/ZC; all agree.

Item 54 **[Docket No. 2014-1374-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Weatherford Aerospace, Inc. in Parker County; RN100218734; 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. (Gregory Zychowski, Candy Garrett)

Approve the Agreed Order. TB/ZC; all agree.

RULE MATTERS

Item 55 **[Docket No. 2015-0868-RUL.](#)**

Consideration for publication of, and hearing on, proposed amended Section 20.15 of 30 TAC Chapter 20, Rulemaking. The proposed rulemaking would implement House Bill 763, 84th Texas Legislature, 2015, Regular Session, by amending Section 20.15 to: specifically provide that only an "interested person" may submit a petition for the adoption of rules, and define "interested person" in the context of rule petitions. (Kathy Humphreys) (Rule Project No. 2015-023-020-LS)

Approve the publication of, and hearing on, the proposed amendments to 30 TAC § 20.15 relating to Petitions for Adoption of Rules as recommended by the Executive Director. TB/BS; all agree.

Item 56 **[Docket No. 2015-0665-RUL.](#)**

Consideration for publication of, and hearing on, proposed amended Section 336.2; simultaneous proposal for repeal and new Section 336.357; and proposal of new Section 336.739 of 30 TAC Chapter 336, Radioactive Substance Rules. The proposed rulemaking revises the commission's rules concerning physical protection of radioactive material to ensure compatibility with federal regulations promulgated by the United States Nuclear Regulatory Commission and implements Senate Bill 347, 83rd Texas Legislature, 2013, Regular Session, by proposing new Section 336.739, to provide for volume reduction of low-level radioactive waste. (Bobby Janecka, Ron Olson, Amie Robinson) (Rule Project No. 2015-012-336-WS)

Approve for the publication of, and hearing on, the proposed new Chapter 336.739, proposed amended 336.2; repeal existing Chapter 336.357; and simultaneously propose new Chapter 336.357 as recommended by the Executive Director. TB/BS; all agree.

EXECUTIVE MEETING

Item 57 Docket No. 2015-0001-EXE.

The Commission will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director and General Counsel, as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

The Commission did not meet in Executive Meeting.

Item 58 Docket No. 2015-0002-EXE.

The Commission will conduct a closed meeting to receive legal advice and will discuss pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Commission employees, as permitted by Sections 551.071 and 551.074, the Open Meetings Act, codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on legal or personnel matters considered in the closed meeting as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

The Commission did not meet in Executive Meeting.

Item 59 Docket No. 2015-0003-EXE.

The Commission will conduct a closed meeting to discuss their duties, roles, and responsibilities as Commissioners of the TCEQ pursuant to Section 551.074 of the Open Meetings Act, Codified as Chapter 551 of the Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

The Commission did not meet in Executive Meeting.

