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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
Commissioner Jon Niermann

AGENDA

February 3, 2016

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. 2015-1763-MWD.](#)**

Consideration of the application by MSEC Enterprises, Inc., for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015341001 to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 130,000 gallons per day. The facility will be located approximately 1,700 feet south of the intersection of Mail Route Road and Farm-to-Market Road 2854, on the south side of Farm-to-Market Road 2854, in Montgomery County, Texas 77316. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (J. Alfonso Martinez III, Hollis Henley)

Deny the hearing requests filed by Paul Coombs, J. Duncan Cartwright, Joe Cartwright, and Martha Mayer; Issue new Texas Pollutant Discharge Elimination System Permit No. WQ0015341001 to MSEC Enterprises, Inc. as recommended by the Executive Director

and adopt the Executive Director's Response to Public Comment. TB/JN; all agree.

Item 2 [**Docket No. 2015-1118-WR.**](#)

Consideration of the application by Somervell County (Applicant) for Water Use Permit No. 12871, seeking authorization to maintain an existing on-channel dam and reservoir (Reservoir C) with a maximum capacity of 4.5 acre-feet of water for recreation purposes on Squaw Creek, tributary of the Paluxy River, tributary of the Brazos River, Brazos River Basin, and two off-channel reservoirs (Reservoirs A and B) with a combined maximum capacity of 32 acre-feet in Somervell County. Applicant also seeks authorization to use the bed and banks of Squaw Creek to convey 350 acre-feet of Brazos River Authority (BRA) contract water released from Squaw Creek Reservoir approximately 3.6 miles downstream for diversion and from a point on Reservoir C at a maximum rate of 0.89 cfs (400 gpm) for storage in Reservoirs A and B and subsequent diversion and use for agricultural purposes to irrigate 160.74 acres of a 200-acre tract in Somervell County. The Commission will consider all timely filed hearing requests and related responses and replies. (Chris Kozlowski, Ruth Takeda)

Deny the hearing request of Joe Williams and Issue the Water Use Permit No. 12871 to Somervell County as recommended by the Executive Director. JN/TB; all agree.

DISTRICTS MATTER

Item 3 [**Docket No. 2015-1277-DIS.**](#)

Consideration of a petition by Cypress 600 Development Partners LP (Petitioner), for dissolution of Harris County Municipal Utility District No. 318 (District). The Applicant requests that the Commission dissolve the District pursuant to Texas Water Code, Sections 49.321 to 49.327 and Title 30 of the Texas Administrative Code, Sections 293.131 to 293.136. The district was created by the 69th Legislature in 1985 and contains approximately 203.4829 acres of land located in Harris County. (TCEQ Internal Control No. 07232015-036) (Ren Berra, Linda Horng)

Grant the petition filed by Cypress 600 Development Partners LP to dissolve the Harris County Municipal Utility District No. 318; Adopt the Proposed Order filed by the Executive Director on January 15, 2016; and Instruct the Chief Clerk to file a certified copy of the order in the deed records of Harris County and with the Secretary of State. TB/JN; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 4 [**Docket No. 2015-0678-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/JN; all agree.

Item 5 **Docket No. 2013-1755-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties against Devon Gas Services, L.P. in Wise County; RN100223619; for air 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/JN; all agree.

Item 6 **Docket No. 2015-0595-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of E. I. du Pont de Nemours and Company in Jefferson County; RN100216035; 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/JN; all agree.

Item 7 **Docket No. 2011-1356-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Enterprise Products Operating LLC in Chambers and Harris Counties; RN102323268, RN100210665, and RN102984911; 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. (Amancio R. Gutierrez, Candy Garrett)

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

Item 8 **[Docket No. 2015-0454-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Houston Refining LP in Harris County; RN100218130; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Amancio R. Gutierrez, Candy Garrett)

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

Item 9 **[Docket No. 2014-1389-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Hydril Company in Harris County; RN102332673; 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/JN; all agree.

Item 10 **[Docket No. 2015-0780-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against R. R. Donnelley & Sons Company in Harris County; RN100215011; 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/JN; all agree.

Item 11 **[Docket No. 2015-0707-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Regency Field Services LLC in Crockett County; RN100217843; 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. (Raime Hayes-Falero, Candy Garrett)

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

Item 12 [**Docket No. 2015-0493-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Rentech Nitrogen Pasadena, LLC in Harris County; RN101621944; 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. (Amancio R. Gutierrez, Candy Garrett)

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

Item 13 [**Docket No. 2014-1332-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Samsung Austin Semiconductor, LLC in Travis County; RN100518026; 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. (Eduardo Heras, Candy Garrett)

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

Item 14 [**Docket No. 2015-0765-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of The Lubrizol Corporation in Harris County; RN100221589; 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. (Eduardo Heras, Candy Garrett)

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

Item 15 [**Docket No. 2015-0324-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Total Petrochemicals & Refining USA, Inc. in Jefferson County; RN102457520; 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. (Amancio R. Gutierrez, Candy Garrett)

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

Item 16 [Docket No. 2015-0034-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Enterprise Products Operating LLC in Chambers County; RN102323268; 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. (Raime Hayes-Falero, Candy Garrett)

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

EDWARDS AQUIFER ENFORCEMENT AGREED ORDERS

Item 17 [Docket No. 2015-0896-EAQ-E.](#)

Consideration of an Agreed Order assessing administrative penalties against APAC-TEXAS, Inc. in Williamson County; RN104158605; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jennifer Graves, Candy Garrett)

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

Item 18 [Docket No. 2015-0798-EAQ-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Austin Presidio Residential, LLC in Williamson County; RN106873615; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Cheryl Thompson, Candy Garrett)

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

INDUSTRIAL AND/OR HAZARDOUS WASTE ENFORCEMENT AGREED ORDER

Item 19 [Docket No. 2015-0621-IHW-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SPECIALIZED WASTE SYSTEMS, INC. in Harris County; RN102830684; 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 Tex. Admin. Code ch. 60. (Tiffany Maurer, Candy

Garrett)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 20 [**Docket No. 2015-0090-IWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Martin Operating Partnership L.P. in Jefferson County; RN102605136; 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. (Chris Bost, Candy Garrett)

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

Item 21 [**Docket No. 2015-0624-IWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Plainview BioEnergy, LLC in Hale County; RN101983278; 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. (Jason Fraley, Candy Garrett)

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

Item 22 [**Docket No. 2015-0645-IWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Total Petrochemicals & Refining 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 Tex. Admin. Code ch. 60. (Christopher Bost, Candy Garrett)

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

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 23 **[Docket No. 2015-0906-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Ranger Ready Mix, LLC in Williamson County; RN106919822; 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 Tex. Admin. Code ch. 60. (Alejandro Laje, Candy Garrett)

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

Item 24 **[Docket No. 2015-0022-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CEN-TEX PLATING CO., INC. in Travis County; RN100694405; 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. (Abigail Lindsey, Candy Garrett)

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

Item 25 **[Docket No. 2014-1698-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against SANTA ANITA RECLAMATION PROJECT, LLC in Hidalgo County; RN105389514; for industrial and hazardous waste and used tires 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/JN; all agree.

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS

Item 26 **[Docket No. 2015-0717-MSW-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CECIL THOMPSON TREE SERVICE, INC. in Travis County; RN108161928; 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. (Rebecca Boyett, Candy Garrett)

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

Item 27 **[Docket No. 2015-0588-MSW-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against TERRA TEXAS LAND COMPANY, LLC in Harris County; RN105659361; 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/JN; all agree.

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 28 **[Docket No. 2015-0177-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against the City of Baird in Callahan County; RN101720969; 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. (Had Darling, Candy Garrett)

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

Item 29 **[Docket No. 2015-0952-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Bogata in Red River County; RN101721157; 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. (Farhaud Abbaszadeh, Candy Garrett)

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

Item 30 **[Docket No. 2014-0729-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Crystal City in Zavala County;

RN101918233; 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. (Jill Russell, Candy Garrett)

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

Item 31 [**Docket No. 2014-1796-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against the City of La Coste in Medina County; RN101916617; 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)

Remanded to the Executive Director. TB/JN; all agree.

Item 32 [**Docket No. 2015-0599-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Lubbock in Lubbock County; RN101609949; 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. (Austin Henck, Candy Garrett)

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

Item 33 [**Docket No. 2014-1647-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Mullin in Mills County; RN102186756; 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. (Alejandro Laje, Candy Garrett)

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

Item 34 [**Docket No. 2014-0891-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and

requiring certain actions of the City of Savoy in Fannin County; RN102921988; 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. (Margarita Dennis, Candy Garrett)

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

Item 35 **Docket No. 2014-0052-MWD-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Gulf Coast Waste Disposal Authority in Harris County; RN102183340; 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. (Jill Russell, Candy Garrett)

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

Item 36 **Docket No. 2013-1708-MWD-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Horseshoe Village MHC, LLC in Williamson County; RN101715084; 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. (Cheryl Thompson, Candy Garrett)

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

Item 37 **Docket No. 2015-0615-MWD-E.**

Consideration of an Agreed Order assessing administrative penalties against Richards Independent School District in Grimes County; RN101513489; 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. (Cheryl Thompson, Candy Garrett)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 38 **[Docket No. 2015-1050-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Dupre Logistics LLC in Harris and Tarrant Counties; RN100648096; 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. (Steven Van Landingham, Candy Garrett)

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

Item 39 **[Docket No. 2015-0658-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Michelle Keane dba Keanes Quickmart in Bell County; RN101673556; 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. (Holly Kneisley, Candy Garrett)

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

Item 40 **[Docket No. 2015-0976-PST-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Tom Van Nguyen dba Lisa Food Mart in Tarrant County; RN102010808; 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. (Margarita Dennis, Candy Garrett)

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

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 41 **[Docket No. 2015-1038-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Avery in Red River County; RN101386860; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on

Environmental Quality. (Ronica Rodriguez, Candy Garrett)

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

Item 42 **[Docket No. 2015-1113-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Goree in Knox County; RN101386704; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (David Carney, Candy Garrett)

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

Item 43 **[Docket No. 2015-0814-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. (Epifanio Villarreal, Candy Garrett)

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

Item 44 **[Docket No. 2015-1211-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Henrietta in Clay County; RN101258978; 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/JN; all agree.

Item 45 **[Docket No. 2015-0972-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Moran in Shackelford County; RN101392181; 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/JN; all agree.

Item 46 [**Docket No. 2015-1136-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of San Augustine in San Augustine County; RN103779302; 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/JN; all agree.

Item 47 [**Docket No. 2015-0860-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MOTIVA ENTERPRISES LLC in Jefferson County; RN100209451; 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/JN; all agree.

Item 48 [**Docket No. 2015-1053-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of ROWENA WATER SUPPLY CORPORATION in Runnels County; RN101450757; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Katy Montgomery, Candy Garrett)

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

Item 49 [**Docket No. 2015-0753-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of S.S.G. FUEL SERVICE, INC. dba King Shell in Harris County; RN101268472; 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. (Epifanio Villarreal, Candy Garrett)

Remanded to the Executive Director on January 29, 2016.

Item 50 [**Docket No. 2015-1052-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Stanton in Martin County; RN101392082; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Epi Villarreal, Candy Garrett)

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

WATER QUALITY ENFORCEMENT AGREED ORDERS

Item 51 [**Docket No. 2015-0680-WQ-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Dickinson in Galveston County; RN105576581; 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. (Larry Butler, Candy Garrett)

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

Item 52 [**Docket No. 2014-1538-WQ-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Ellinger Materials, LLC in Colorado County; RN107732570; for water quality and aggregate production operation violations pursuant to Tex. Water Code chs. 7, 26, and 28A and the rules of the Texas Commission on Environmental Quality. (Had Darling, Candy Garrett)

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

Item 53 [**Docket No. 2014-0752-WQ-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Tristar Aggregates 1, LLC in Bee County; RN107182149; for aggregate production operation and 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. (Had Darling, Candy Garrett)

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

Item 54 **Docket No. 2015-0789-WQ-E.**

Docket No. 2015-0789-WQ-E. Consideration of an Agreed Order assessing administrative penalties against San Felipe Stone, Inc. in Haskell County; RN105982839 and RN108348111; for aggregate production operation violations pursuant to Tex. Water Code chs. 7 and 28A and the rules of the Texas Commission on Environmental Quality. (Larry Butler, Candy Garrett)

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

PUBLIC COMMENT SESSION

Item 55 **Docket No. 2016-0004-PUB.**

The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ, with the exception of pending permitting matters or other contested cases which are subject to the ex parte prohibition found in Texas Government Code §2001.061. In the interest of time, speakers will be limited to three minutes each, with the total time for public comment limited to one hour.

No action taken.

EXECUTIVE MEETING

Item 56 **Docket No. 2016-0001-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 57 **Docket No. 2016-0002-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 58 **Docket No. 2016-0003-EXE.**

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

The Commission did not meet in Executive Meeting.

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TCEQ AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO CONTACT OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST SIX (6) 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.)

SECTION 46.035 OF THE TEXAS PENAL CODE PROHIBITS HANDGUN LICENSEES FROM CARRYING THEIR HANDGUNS AT GOVERNMENT MEETINGS SUCH AS THIS ONE. THIS PROHIBITION APPLIES TO BOTH CONCEALED CARRY AND

OPEN CARRY BY HANDGUN LICENSEES.

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/tceqa.shtml](http://www.texasadmin.com/tceqa.shtml)**

/s/ Barham A. Richard
Assistant General Counsel
Barham A. Richard

2/8/2016
Date