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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

May 23, 2018

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. 2016-0530-WR.](#)**

Consideration of an amendment application filed by Guadalupe-Blanco River Authority (GBRA) to add mining and domestic use, and to add an additional place of use for the authorized water in DeWitt, Gonzales, Guadalupe and Comal Counties to its portion of Certificate of Adjudication No. 18-3863. GBRA also seeks to authorize an exempt interbasin transfer to those portions of Gonzales, DeWitt, Guadalupe and Comal Counties in the San Antonio and Lavaca River Basins and the Lavaca-Guadalupe Coastal Basin, and to add a 247 mile diversion segment beginning at the intersection of the Guadalupe River and Interstate Highway 35 in Comal County and extending downstream to the GBRA's Saltwater Barrier and Diversion Dam in Calhoun and Refugio Counties. GBRA's Certificate of Adjudication No. 18-3863 currently authorizes the diversion and use of not to exceed 3,000 acre feet of water per year from the perimeter of a reservoir created by the Salt Water Barrier and Diversion Dam owned by GBRA and authorized

by Certificate of Adjudication No. 18-5484 on the Guadalupe River, Guadalupe River Basin at a maximum combined diversion rate of 18.05 cfs for municipal, industrial, and agricultural purposes in Victoria, Calhoun, and Refugio Counties within the Guadalupe, San Antonio and Lavaca River Basins and the San Antonio-Nueces and Lavaca-Guadalupe Coastal Basins. The Commission will consider the application and timely filed hearing requests and responses. (Sarah Henderson, Dinniah Tadema)

Grant the hearing request of the City of Victoria; Direct the Chief Clerk to refer the application to the State Office of Administrative Hearings to conduct a contested case hearing; and Refer this matter to the Commission's Alternative Dispute Resolution program for settlement discussions to run concurrent with SOAH scheduling process. TB/JN; all agree.

MOTION TO OVERTURN

Item 2 **[Docket No. 2018-0379-AIR.](#)**

Consideration of the Motion to Overturn the Executive Director's issuance of Air Quality Permit No. 138152 to AES Generation Development, LLC. The permit authorizes the construction and operation of a gas-fired power plant at the Deepwater Power Plant facility located at 701 Light Company Road in Pasadena, Harris County, Texas. The Commission will also consider timely filed responses and replies to the Motion to Overturn. (Nimasha Weliwitigoda)

No action taken.

TOTAL MAXIMUM DAILY LOAD MATTER

Item 3 **[Docket No. 2018-0251-TML.](#)**

Consideration for approval to publish and solicit public comment on One Draft Total Maximum Daily Load for Indicator Bacteria in Sycamore Creek of the Trinity River Basin, in Tarrant County. (Kerry Niemann, Robert Brush) (Project No. 2018-022-TML-NR)

Approve for publication and public comment One Total Maximum Daily Load for Indicator Bacteria in Sycamore Creek of the Trinity River Basin, in Tarrant County, as recommended by the Executive Director. TB/JN; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 4 **[Docket No. 2017-0793-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Channel Energy Center, LLC in Harris County; RN100213107; 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, Michael Parrish)

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

Item 5 **[Docket No. 2016-1762-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of CITGO Refining and Chemicals Company L.P. in Nueces County; RN100238799; 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. (Joanna Hunsberger, Michael Parrish)

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

Item 6 **[Docket No. 2017-0994-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Huntsman Petrochemical LLC in Brazoria County; RN106492325; 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. (Jo Hunsberger, Michael Parrish)

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

Item 7 **[Docket No. 2017-0761-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Lone Star NGL Fractionators LLC in Chambers County; RN106018260; 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. (Abigail Lindsey, Michael Parrish)

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

Item 8 [**Docket No. 2016-1412-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of National Oilwell Varco, L.P. in Harris County; RN100213024; 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. (Shelby Orme, Michael Parrish)

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

Item 9 [**Docket No. 2016-1634-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of THE SHERWIN-WILLIAMS COMPANY in Ellis County; RN100212166; 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. (Abigail Lindsey, Michael Parrish)

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

Item 10 [**Docket No. 2016-1940-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of The Dow Chemical Company in Brazoria County; RN100225945; 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. (Abigail Lindsey, Michael Parrish)

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

DRY CLEANER ENFORCEMENT AGREED ORDER

Item 11 [**Docket No. 2017-0864-DCL-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Lai Nguyen dba Heights Super Cleaners in Harris County; RN103970562; for dry cleaner performance

standards and/or registration violations pursuant to Tex. Water Code chs. 5 and 7, Tex. Health & Safety Code ch. 374, and the rules of the Texas Commission on Environmental Quality. (Clayton Smith, Janice Hernandez)

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

EDWARDS AQUIFER ENFORCEMENT AGREED ORDER

Item 12 [Docket No. 2016-1918-EAQ-E.](#)

Consideration of an Agreed Order assessing administrative penalties against the City of Round Rock in Williamson County; RN105930580; 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. (Had Darling, Michael Parrish)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 13 [Docket No. 2016-1572-IWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Crestchem LLC in Chambers County; RN102286374; for water quality 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. (James Boyle, Michael Parrish)

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

Item 14 [Docket No. 2017-0625-IWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of LMP READYMIX, L.L.C. in Titus County; RN105346100; 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, Michael Parrish)

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

Item 15 [**Docket No. 2015-0110-IWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the U.S. Department of the Interior in Hardin County; RN102076700; for water quality 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. (Farhaud Abbaszadeh, Michael Parrish)

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

Item 16 [**Docket No. 2017-1171-IWD-E.**](#)

Consideration of an Agreed Order assessing reasonable service charges against United States Department of the Navy in Nueces County; RN101131332; 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. (Ryan Rutledge, Janice Hernandez)

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

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 17 [**Docket No. 2017-1303-MLM-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of ALCOA WORLD ALUMINA LLC in Calhoun County; RN100242577; for air quality and industrial solid waste violations pursuant to Tex. Health & Safety Code chs. 361 and 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Margarita Dennis, Michael Parrish)

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

Item 18 [**Docket No. 2016-0402-MLM-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of La Marque in Galveston County; RN101917284 and RN102048154; for petroleum storage tank 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. (Claudia Corrales, Michael Parrish)

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

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDERS

Item 19 [**Docket No. 2016-0206-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Uvalde in Uvalde County; RN102803921; for used oil and municipal solid waste violations pursuant to Tex. Health & Safety Code chs. 361 and 371, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality. (Rebecca Boyett, Michael Parrish)

Remanded to the Executive Director on May 17, 2018.

Item 20 [**Docket No. 2016-1366-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against SafZone Field Services, LLC dba SafZone Storage in Bexar County; RN109231498; for municipal solid waste violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jonathan Nguyen, Michael Parrish)

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

Item 21 [**Docket No. 2016-1345-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Thomas E. Click and Amanda M. Click in Victoria County; RN106303886; for municipal solid waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 361, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Lena Roberts, Janice Hernandez)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 22 **[Docket No. 2016-1063-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Blue Ridge in Collin County; RN102942588; 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. (Claudia Corrales, Michael Parrish)

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

Item 23 **[Docket No. 2017-0769-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of City of Kosse in Limestone County; RN101919702; 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. (Caleb Olson, Michael Parrish)

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

Item 24 **[Docket No. 2017-0081-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Leonard in Fannin County; RN101919322; 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. (Melissa Castro, Michael Parrish)

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

Item 25 **[Docket No. 2017-0872-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Clovercreek Municipal Utility District in Montgomery County; RN102844172; 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. (Caleb Olson, Michael Parrish)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 26 [Docket No. 2017-0720-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Jayesh A. Patel dba One Stop in Lubbock County; RN102848520; 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. (Ken Moller, Michael Parrish)

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

Item 27 [Docket No. 2015-0758-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MUHAMMAD KHAN, LLC F/K/A KHAN BROTHERS LLC DBA PAKCO 1 in Orange County; RN101443778; 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 Tex. Admin. Code ch. 60. (Margarita Dennis, Michael Parrish)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT AND SHUTDOWN ORDER

Item 28 [Docket No. 2016-1464-PST-E.](#)

Consideration of a Default and Shutdown Order assessing administrative penalties against and requiring certain actions of Leemak LP dba Teravista Q Mart in Williamson County; RN105622799; 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. (Amanda Patel, Janice Hernandez)

Remanded to the Executive Director on May 22, 2018.

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDERS

Item 29 [**Docket No. 2017-0456-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of ALINA ENTERPRISES, INC. dba King Grocery in Harris County; RN101434223; 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. (Ryan Rutledge, Janice Hernandez)

Adopt the Default Order. JN/TB; all agree.

Item 30 [**Docket No. 2016-1880-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against AL BARI INC dba AYESHA FOODS in Van Zandt County; RN101758423; 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. (Amanda Patel, Janice Hernandez)

Adopt the Default Order. JN/TB; all agree.

Item 31 [**Docket No. 2017-0753-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Martin Contreras and Otilia Contreras in Hale County; RN101905164; 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. (Ryan Rutledge, Janice Hernandez)

Adopt the Default Order. JN/TB; all agree.

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 32 [**Docket No. 2017-0363-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of 82L, LLC dba Tega Kid's Superplex in Lubbock County; RN108052325; for public drinking water violations

pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Steven Hall, Michael Parrish)

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

Item 33 [**Docket No. 2016-1839-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of FLO COMMUNITY WATER SUPPLY CORPORATION in Leon County; RN101440949; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Steven Hall, Michael Parrish)

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

Item 34 [**Docket No. 2017-1048-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Sun-N-Fun Association in Angelina County; RN101182848; 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, Michael Parrish)

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

Item 35 [**Docket No. 2016-0312-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Pioneer Natural Resources USA, Inc. in Midland County; RN106240799; 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. (Sarah Kim, Michael Parrish)

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

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER

Item 36 [**Docket No. 2016-1160-PWS-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Linda W. Ball in Harris County; RN102708153; 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. (Ryan Rutledge, Janice Hernandez)

Adopt the Default Order. JN/TB; all agree.

WATER QUALITY ENFORCEMENT AGREED ORDERS

Item 37 **[Docket No. 2017-0602-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Arlington in Tarrant County; RN104950134; 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. (Claudia Corrales, Michael Parrish)

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

Item 38 **[Docket No. 2015-0684-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of NORTH TEXAS SAND FARM, INC. in Grayson County; RN106876402; 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. (Had Darling, Michael Parrish)

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

Item 39 **[Docket No. 2016-0186-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Toll Dallas TX LLC in Tarrant County; RN105739247; 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, Michael Parrish)

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

WATER QUALITY ENFORCEMENT DEFAULT ORDER

Item 40 **Docket No. 2017-0462-WQ-E.**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of David Lee Brown in Hardin County; RN109165258; 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. (Lena Roberts, Janice Hernandez)

Adopt the Default Order. JN/TB; all agree.

MONTHLY ENFORCEMENT REPORT

Item 41 **Docket No. 2018-0293-MIS.**

Consideration of the Texas Commission on Environmental Quality Monthly Enforcement Report, submitted for discussion in accordance with Texas Water Code § 7.003. (Bryan Sinclair, Melissa Cordell)

No action taken.

RULE MATTER

Item 42 **Docket No. 2017-1640-RUL.**

Consideration for publication of, and hearing, on the proposed amendments to Sections 336.356, 336.1301, 336.1305, 336.1307, 336.1309 - 336.1311, and 336.1317 and the proposed repeal of Section 336.1313 of 30 TAC Chapter 336, Radioactive Substance Rules. The proposed rulemaking would add a requirement for licensees to minimize the introduction of residual radioactivity into the site, including the subsurface; adjust the surcharge fees for compact waste disposal; and remove the annual requirement for rate adjustment for disposal of Low-Level Radioactive Waste to allow flexibility to incorporate rate adjustments on an as-needed basis. (Hans Weger, Shannon Love) (Rule Project No. 2016-034-336-WS)

Approve the publication of, and hearing on, the proposed amendments and repeals to 30 TAC Chapter 336, as recommended by the Executive Director. TB/JN; all agree.

EXECUTIVE MEETING

Item 43 **Docket No. 2018-0001-EXE.**

The Commission will conduct a closed meeting to receive legal advice from its attorney(s) and will discuss pending or contemplated litigation, and/or settlement offers, as permitted by Section 551.071 of the Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

The Commission did not meet on this item.

Item 44 Docket No. 2018-0002-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, General Counsel, Chief Clerk, Public Interest Counsel, or Chief Auditor as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

No action taken.

Item 45 Docket No. 2018-0003-EXE.

The Commission will conduct a closed meeting to discuss the employment, evaluation, reassignment, duties, discipline or dismissal of a specific Commission employee(s) as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

No action taken.

Item 46 Docket No. 2018-0004-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 Texas Open Meetings Act, Chapter 551 of the Texas 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 Texas Government Code.

The Commission did not meet on this item.

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)**

Elaine Lucas
Assistant General Counsel
Elaine Lucas

06/01/2018
Date