

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 Jon Niermann
Commissioner Emily Lindley

AGENDA

July 10, 2019

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. 2019-0442-MWD.](#)**

Consideration of the Application by Joshua Land Farm LLC for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015663001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 300,000 gallons per day. The facility will be located approximately 2.4 miles west of the intersection of Chisholm Trail and Farm-to-Market Road 917, and 500 feet east of County Road 1010, in Johnson County, Texas 76058. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (John O. Onyenobi, Shea Pearson)

Deny the hearing request of Sue Beaton, Issue TPDES Permit No. WQ0015663001 to Joshua Land Farm LLC, as recommended by the Executive Director; and Adopt the Executive Director's Response to Comment. EL/JN; all agree.

Item 2 [Docket No. 2019-0577-AIR.](#)

Consideration of application by BRAUNTEX MATERIALS, INC. for the approval of a registration to use the Air Quality Standard Permit for Concrete Batch Plants, Registration No. 154995, which would authorize the construction and operation of a permanent concrete batch plant located at 1504 Wald Road, New Braunfels, Comal 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. (Don Nelson, Betsy Peticolas)

Deny the hearing request of Mark Friesenhahn; Issue Standard Permit Registration No. 154995 to BRAUNTEX MATERIALS, INC., as recommend by the Executive Director; and Adopt the Executive Director's Response to comment. JN/EL; all agree.

Item 3 [Docket No. 2019-0665-AIR.](#)

Consideration of application by Bosque Solution LLC for the approval of a registration to use the Air Quality Standard Permit for Concrete Batch Plants, Registration No. 152013, which would authorize the construction and operation of a permanent concrete batch plant located at 7327 Gibson Cemetery Road, Mansfield, Tarrant 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. (Don Nelson, Amy Browning)

Grant the hearing requests by Patricia Baines, Rene Luna, Shawn Moore, Vicki Polson, Misty Smitherman, Larry Smitherman, and Paula Wright Stewart; Refer the hearing requests of Alisa Brown and Richard Wayne Brown to SOAH to determine if they are affected persons under Texas Health and Safety Code § 382.058(c); Deny all other hearing requests and requests for reconsideration; Refer the application to SOAH for a contested case hearing concerning the following issues: a) Whether the permit will be protective of the health and safety of the requesters and their families, including sensitive subgroups, and physical property, b) Whether the permit will negatively affect air quality, c) Whether the proposed permit will be protective of general welfare, including vegetation, animals, and the environment, and d) Whether the permit will be protective against dust emissions generated from the proposed plant, including nuisance dust emissions; Deny all remaining issues; and Set a hearing duration of 180 days from the date of the preliminary hearing until the issuance of the Proposal for Decision. JN/EL; all agree.

SUPERFUND MATTER

Item 4 [Docket No. 2019-0705-SPF.](#)

Consideration of an Administrative Order, as authorized under Subchapter F of the Texas Solid Waste Disposal Act, Tex. Health & Safety Code §§ 361.001-.992, with additional authorities from Subchapters I, K, and L of the Act, for the Hall Street State Superfund site, Galveston County, RN105167787. The Order includes the description of the selected remedial action and a determination of responsible parties. The Order also requires the responsible parties to remediate the site. The groundwater at the site is contaminated with semi-volatile and volatile organic compounds. The proposed remedy for on-site groundwater is a Plume Management Zone (PMZ) to control and prevent the use of and exposure to the groundwater. The proposed remedy for on-site groundwater also includes limited insitu groundwater treatment. The proposed remedy for off-site groundwater is a PMZ and/or decontamination using in-situ groundwater treatment. The site consists of approximately 12 acres and is located at the northeast corner of the intersection of 20th Street (formerly Hall Street) and California Avenue in a mixed rural and residential area in Galveston County. (Terry Andrews, P.G., Theda Strickler)

Adopt the Executive Director's Proposed Administrative Order concerning the Hall Street State Superfund Site. EL/partial agree.

AGRICULTURAL ENFORCEMENT DEFAULT ORDER

Item 5 **[Docket No. 2016-0516-AGR-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Fabian Almeida dba Ecu Farm in Johnson County; RN102343985; 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. (Audrey Liter, Janice Hernandez)

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

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 6 **[Docket No. 2018-0978-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Fibergrate Composite Structures Incorporated in Erath County; RN100212026; 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, Michael Parrish)

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

Item 7 [**Docket No. 2018-0862-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. (Amanda Diaz, Michael Parrish)

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

Item 8 [**Docket No. 2016-2055-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against Cogent Midstream Westex, LLC in Sterling County; RN106588601; 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. (Clayton Smith, Janice Hernandez)

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

**INDUSTRIAL AND HAZARDOUS WASTE ENFORCEMENT
AGREED ORDERS**

Item 9 [**Docket No. 2018-0671-IHW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Diamond Shamrock Refining Company, L.P. in Moore County; RN100210517; 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. (Danielle Porras, Michael Parrish)

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

Item 10 [**Docket No. 2017-0117-IHW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of ECOWATER INDUSTRIES, LLC in Jefferson County; RN100594530; for industrial and hazardous waste

and industrial 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. (Ken Moller, Michael Parrish)

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

Item 11 [**Docket No. 2018-0739-IHW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against Harden Cabinets LLC in Denton County; RN106017643; 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. (Margarita Dennis, Michael Parrish)

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

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 12 [**Docket No. 2017-1532-MLM-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against TROY CONSTRUCTION, LLC in Brazoria County; RN109444711; for air and municipal solid waste violations pursuant to Tex. Health & Safety Code chs. 361 and 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Epifanio Villarreal, Michael Parrish)

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

Item 13 [**Docket No. 2017-1639-MLM-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Hilario Ramirez Perez in Hidalgo County; RN107804247; for air quality and municipal solid waste violations pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code chs. 361 and 382, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Jess Robinson, Janice Hernandez)

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

MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT ORDER

Item 14 [**Docket No. 2018-0150-MSW-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of William Gates in Shelby County; RN109783803; 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. (Audrey Liter, Janice Hernandez)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 15 [**Docket No. 2018-0384-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Johnny D. Gravis, Katherine Gravis, Helen Ainsworth, Joan Martin Gravis, and William Roy Gravis in Jasper County; RN101780500; 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 Scott, Michael Parrish)

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

Item 16 [**Docket No. 2018-0183-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against KIM'S CONVENIENCE STORES, INC. dba Smith Tex Express, dba Kims 35, and dba Kims 36 in Cass County; RN101820058, RN101841542, and RN101846079; 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. (Carlos Molina, Michael Parrish)

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

Item 17 [**Docket No. 2018-0938-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MCCART INVESTMENTS INC dba C &

D Kwik Stop 2 in Tarrant County; RN102781150; 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. (Carlos Molina, Michael Parrish)

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

Item 18 [**Docket No. 2018-0859-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Orlando Guerra, Jr. dba Pepes in Zapata County; RN102792355; 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. (Stephanie McCurley, Michael Parrish)

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

Item 19 [**Docket No. 2018-0902-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Signature Car Wash I, Ltd. in Collin County; RN101534873; 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. (Stephanie McCurley, Michael Parrish)

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

Item 20 [**Docket No. 2018-0566-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against Big Baraka International, LLC dba Save & Smile in Bexar County; RN102478690; 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. (John S. Mercurief II, Janice Hernandez)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDER

Item 21 [Docket No. 2017-0916-PST-E.](#)

Consideration of a Default Order assessing administrative penalties against E & J SONS, LLC dba Johnny's Country Corner in Rusk County; RN102715182; 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. (Adam Taylor, Janice Hernandez)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT AND SHUTDOWN ORDER

Item 22 [Docket No. 2018-0267-PST-E.](#)

Consideration of a Default and Shutdown Order assessing administrative penalties against and requiring certain actions of A-2 Convenience LLC dba Super Stop 181 in Wilson County; RN101447712; 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. (Taylor Pearson, Janice Hernandez)

Adopt the Default and Shutdown Order. EL/JN; all agree.

PUBLIC WATER SUPPLY ENFORCEMENT AGREED ORDERS

Item 23 [Docket No. 2018-1124-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of 3S Leasing, LLC in Midland County; RN110307634; 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, Michael Parrish)

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

Item 24 [Docket No. 2018-0922-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. (Soraya Bun, Michael Parrish)

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

Item 25 **[Docket No. 2018-1089-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Grady Independent School District in Martin County; RN101195030; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Soraya Bun, Michael Parrish)

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

Item 26 **[Docket No. 2018-1274-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Horseshoe Lodges, LLC in Midland County; RN110305471; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Toni Red, Michael Parrish)

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

Item 27 **[Docket No. 2018-0327-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Lake Livingston Water Supply Corporation in Polk County; RN105711907; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Ross Luedtke, Michael Parrish)

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

Item 28 **[Docket No. 2018-0244-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of PALO DURO SERVICE COMPANY, INC. in Parker County; RN101266153; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules

of the Texas Commission on Environmental Quality. (Yuliya Dunaway, Michael Parrish)

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

Item 29 **[Docket No. 2018-1161-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SILVER CREEK VILLAGE WATER SUPPLY CORPORATION in Burnet County; RN101459725; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Marla Waters, Michael Parrish)

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

Item 30 **[Docket No. 2019-0119-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Walter J. Carroll Water Company, Inc. in Ellis County; RN102688041; 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, Michael Parrish)

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

Item 31 **[Docket No. 2019-0184-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Walter J. Carroll Water Company, Inc. in Ellis County; RN102681970; 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, Michael Parrish)

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

SLUDGE ENFORCEMENT AGREED ORDER

Item 32 **[Docket No. 2017-0268-SLG-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Comal Ag Operations, LLC and Santa Rita Land & Cattle Holdings, Ltd. in Guadalupe County;

RN108531716; for municipal solid waste and water quality violations pursuant to Tex. Water Code ch. 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. (Elizabeth Carroll Harkrider, Janice Hernandez)

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

QUADRENNIAL RULE REVIEWS

Item 33 **[Docket No. 2018-1378-MIS.](#)**

Consideration for the adoption of the rules review and re-adoption of 30 TAC Chapter 40, Alternative Dispute Resolution Procedure. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for re-adoption each of their rules every four years. The proposal was published in the February 15, 2019, issue of the *Texas Register* (44 TexReg 718). (Kyle Lucas, Janis Hudson) (Project No. 2019-025-040-AD)

Joint Motion for Items 33 – 37.

Adopt the rule reviews and re-adopt the rules in 30 Texas Administrative Code Chapters 40, 115, 297, 329, and 342, without amendment. EL/JN; all agree.

Item 34 **[Docket No. 2018-1248-MIS.](#)**

Consideration for the adoption of the rules review and re-adoption of 30 TAC Chapter 115, Control of Air Pollution from Volatile Organic Compounds. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for re-adoption each of their rules every four years. The proposal was published in the February 1, 2019, issue of the *Texas Register* (44 TexReg 485). (Eddy Lin, Janis Hudson) (Project No. 2018-050-115-AI)

Joint Motion for Items 33 – 37.

Adopt the rule reviews and re-adopt the rules in 30 Texas Administrative Code Chapters 40, 115, 297, 329, and 342, without amendment. EL/JN; all agree.

Item 35 **[Docket No. 2018-1328-MIS.](#)**

Consideration for the adoption of the rules review and re-adoption of 30 TAC Chapter 297, Water Rights, Substantive. This review is in accordance with Texas Government Code, Section 2001.039, which

requires state agencies to review and consider for re-adoption each of their rules every four years. The proposal was published in the February 1, 2019, issue of the *Texas Register* (44 TexReg 485). (Kathy Ramirez, Robin Smith) (Project No. 2019-014-297-OW)

Joint Motion for Items 33 – 37.

Adopt the rule reviews and re-adopt the rules in 30 Texas Administrative Code Chapters 40, 115, 297, 329, and 342, without amendment. EL/JN; all agree.

Item 36 **[Docket No. 2018-1339-MIS.](#)**

Consideration for the adoption of the rules review and re-adoption of 30 TAC Chapter 329, Drilled or Mined Shafts. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for re-adoption each of their rules every four years. The proposal was published in the February 1, 2019, issue of the *Texas Register* (44 TexReg 485). (David Murry, Natasha Douglas) (Project No. 2019-001-329-WS)

Joint Motion for Items 33 – 37.

Adopt the rule reviews and re-adopt the rules in 30 Texas Administrative Code Chapters 40, 115, 297, 329, and 342, without amendment. EL/JN; all agree.

Item 37 **[Docket No. 2018-1367-MIS.](#)**

Consideration for the adoption of the rules review and re-adoption of 30 TAC Chapter 342, Regulation of Certain Aggregate Production Operations. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for re-adoption each of their rules every four years. The proposal was published in the February 1, 2019, issue of the *Texas Register* (44 TexReg 486). (Laurie Fleet, Michael Parr) (Project No. 2019-009-342-OW)

Joint Motion for Items 33 – 37.

Adopt the rule reviews and re-adopt the rules in 30 Texas Administrative Code Chapters 40, 115, 297, 329, and 342, without amendment. EL/JN; all agree.

PUBLIC COMMENT SESSION

Item 38 **[Docket No. 2019-0005-PUB.](#)**

The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ in accordance with Texas Water Code Section 5.112, except for pending permitting matters or other contested cases, which are subject to the *ex parte* prohibition found in Texas Government Code Section 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. Please note that the Commission's discussion of subjects for which public notice has not been given are limited to statements of specific factual responses and recitation of existing policy.

No action taken.

EXECUTIVE MEETING

Item 39 Docket No. 2019-0001-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 in Executive Session.

Item 40 Docket No. 2019-0002-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.

The Commission did not meet in Executive Session.

Item 41 Docket No. 2019-0003-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.

The Commission did not meet in Executive Session.

Item 42 **Docket No. 2019-0004-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 in Executive Session.

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 TCEQ MEETINGS ON THE TCEQ YOUTUBE CHANNEL AT NO COST, AT:
[HTTPS://WWW.TCEQ.TEXAS.GOV/AGENCY/DECISIONS/AGENDAS/WEBCASTS.HTML](https://www.tceq.texas.gov/agency/decisions/agendas/webcasts.html)**

/s/ Elaine Lucas
Assistant General Counsel
Elaine Lucas

July 25, 2019
Date