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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 Jon Niermann
Commissioner Emily Lindley

AGENDA

August 28, 2019

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

MOTION TO OVERTURN

Item 1

[Docket No. 2019-0202-MSW.](#)

Consideration of Motions to Overturn the Executive Director's re-approval of the application by MedCare Environmental Solutions, Inc., for Medical Waste Processing Registration No. 40294. The registration authorizes a medical waste processing facility to be located at 9119 Billy the Kid Street, El Paso, El Paso County. The Commission will also consider timely filed responses from the Executive Director, Office of Public Interest Counsel, and MedCare Environmental Services, Inc.; and the Movants' replies to the Motions to Overturn.

Overturn the Executive Director's re-issuance of Registration No. 40294 to MedCare Environmental Solutions, Inc. and Deny MedCare Environmental Solutions, Inc.'s registration application because MedCare submitted false information as provided in 30 Texas Administrative Code § 326.61(g). EL/JN; all agree.

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 2 **Docket No. 2019-0667-MWD.**

Consideration of the application by City of South Houston for a major amendment to Texas Pollutant Discharge Elimination System Permit No. WQ0010287001 to authorize the removal of the total mercury effluent limits. The facility is located at 206 Michigan Street, in the City of South Houston, Harris County, Texas 77587. The Commission will also consider requests for hearing and reconsideration, related responses and replies, public comment, and the Executive Director's Response to Comments. (Sonia Bhuiya, Ashley McDonald)

Grant the hearing requests of Amy Barefield, Lisa Gray, Lauren Meyers, and Benjamin Randall Patterson; Deny the remaining hearing requests and all requests for reconsideration; Refer the matter to the commission's Alternative Dispute Resolution Program to run concurrently with the SOAH preliminary hearing scheduling efforts; Refer the matter to SOAH for a contested case hearing on the following issues: a) Whether the draft permit should include a total mercury effluent limitation to adequately protect the health of the requestors and their families, wildlife, aquatic life, and under the applicable Texas Surface Water Quality Standards; the water quality and uses of the receiving waters; b) Whether the applicant's compliance history raises issues regarding the applicant's ability to comply with the material terms of the permit that warrant denying or altering the terms of the draft permit; Deny the remaining issues; and Specify that the maximum duration of the hearing is 180 days from the preliminary hearing to issuance of the Proposal for Decision. EL/JN; all agree.

EMERGENCY ORDER

Item 3 **Docket No.2019-0923-UCR-E.**

Consideration of whether to affirm, modify, or set aside the Emergency Order Appointing a Temporary Manager of a Water Utility issued on July 3, 2019, by the Executive Director of the Texas Commission on Environmental Quality pursuant to Tex. Water Code chs. 5 and 13, Tex. Health & Safety Code ch. 341, and the rules of the Texas Commission on Environmental Quality, to address the abandonment of a retail public utility ("Utility") by CASTLE WATER, INC.; TCEQ PWS ID No. TX1840002; RN101283679; to ensure continued operation of the Utility and to provide continuous and adequate service to the customers. The Utility is located in Weatherford, Parker County, Texas. The Emergency Order appointed Mark Patterson as temporary manager of the Utility. (Adam Taylor, Janice Hernandez)

Adopt the ED's Proposed Order modifying and affirming the July 3, 2019, Emergency Order appointing Mark Patterson as temporary manager for CASTLE WATER, INC. EL/JN; all agree.

SUPERFUND MATTER

Item 4 **[Docket No. 2019-0818-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 Mineral Wool Insulation Manufacturing Company Proposed State Superfund site, Rogers, Bell County, RN100828037. The Order includes the description of the selected remedial action, the listing of the site on the state registry of Superfund sites, and a determination of responsible parties. The Order also includes the terms of settlement with certain responsible parties and requires the non-settling responsible parties to remediate the site. There are several large waste piles at the site and soil, sediment, and surface water in the cooling ponds are contaminated with metals. These contaminants have migrated off the site property to the east and into the sediment of a small drainage ditch. The proposed remedy is an on-site containment cell and institutional controls. The site consists of 19 acres and is located near the intersection of Shaw Road and Neroc Road within the City of Rogers, Bell County. (Monica Harris, P.G., Cullen McMorrow).

Adopt the ED's Proposed Administrative Order concerning the Mineral Wool Insulation Manufacturing Company State Superfund site. EL/JN; all agree.

TOTAL MAXIMUM DAILY LOAD MATTERS

Item 5 **[Docket No. 2018-1561-TML.](#)**

Consideration for adoption of Two Total Maximum Daily Loads (TMDLs) for Indicator Bacteria in the Navasota River below Lake Limestone of the Brazos River Basin, in Brazos, Grimes, Leon, Limestone, Madison, and Robertson Counties. Notice of a public meeting to receive comments on the TMDLs was published in the February 15, 2019, issue of the *Texas Register* (44 TexReg 743). (Kerry Niemann, Stefanie Skogen) (Project No. 2019-052-TML-NR)

Joint Motion for Items 5 and 6.

Adopt the Two Total Maximum Daily Loads and the corresponding Implementation Plan for Indicator Bacteria in the Navasota River below Lake Limestone of the Brazos River Basin, as recommend by the Executive Director. EL/JN; all agree.

Item 6 [**Docket No. 2018-1562-TML.**](#)

Consideration for approval of an Implementation Plan (I-Plan) for Two Total Maximum Daily Loads for Indicator Bacteria in the Navasota River below Lake Limestone of the Brazos River Basin, in Brazos, Grimes, Leon, Limestone, Madison, and Robertson Counties. Notice of a public meeting to receive comments on the draft I-Plan was published in the February 15, 2019, issue of the *Texas Register* (44 TexReg 743). (Kerry Niemann, Stefanie Skogen) (Project No. 2019-053-TML-NR)

Joint Motion for Items 5 and 6.

Adopt the Two Total Maximum Daily Loads and the corresponding Implementation Plan for Indicator Bacteria in the Navasota River below Lake Limestone of the Brazos River Basin, as recommend by the Executive Director. EL/JN; all agree.

AUDIT MATTER

Item 7 [**Docket No. 2019-0661-AUD.**](#)

Consideration and approval of the TCEQ Chief Auditor's Office Fiscal Year 2020 Audit Plan. (Michael K. Hardison)

Approve the Chief Auditor's Fiscal Year 2020 Audit Plan. JN/EL; all agree.

WATERMASTER BUDGET MATTERS

Item 8 [**Docket No. 2019-0988-BGT.**](#)

Consideration of Fiscal Year 2020 assessment of annual costs for Watermaster operations in the Brazos Watermaster Program. Pursuant to Texas Water Code Sections 11.329 and 11.455 and 30 Tex. Admin. Code Sections 12.1, 12.3, 12.5, and 304.61 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster assessment of annual costs for the fiscal year beginning September 1, 2019 and ending August 31, 2020, and approve \$855,211.34 as the amount to be assessed for annual costs for water right holders. The Brazos Watermaster Program consists of the Brazos River Basin including and below Possum Kingdom Lake (Laurie Gharis, Shea Pearson).

Joint Motion for Items 8 – 11.

Approve the Concho River, Rio Grande, South Texas, and Brazos Watermaster budgets for Fiscal Year 2020 and Issue the Executive Director's four Proposed Orders assessing the annual costs of those Watermaster programs. EL/JN; all agree.

Item 9 **Docket No. 2019-0989-BGT.**

Consideration of Fiscal Year 2020 assessment of annual costs for Watermaster operations in the Concho River Watermaster Program. Pursuant to Texas Water Code Sections 11.329 and 11.558 and 30 Tex. Admin. Code Sections 12.1, 12.3, 12.5, and 304.61 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster assessment of annual costs for the fiscal year beginning September 1, 2019 and ending August 31, 2020, for water right holders in the Concho River Watermaster Program and approve \$239,477.43 as the amount to be assessed for annual costs. The Concho River Watermaster Program consists of the Concho River segment of the Colorado River Basin that includes the Concho River and all of its tributaries, downstream on the main stem of the Concho River to a point on the Concho River prior to reaching, and upstream of the O.H. Ivie Reservoir located at and including the diversion point of Certificate of Adjudication No. 14-1393 (River Order No. 4954450000) in Concho County (Laurie Gharis, Shea Pearson).

Joint Motion for Items 8 – 11.

Approve the Concho River, Rio Grande, South Texas, and Brazos Watermaster budgets for Fiscal Year 2020 and Issue the Executive Director's four Proposed Orders assessing the annual costs of those Watermaster programs. EL/JN; all agree.

Item 10 **Docket No. 2019-0990-BGT.**

Consideration of Fiscal Year 2020 assessment of annual costs for Watermaster operations in the Rio Grande Water Division. Pursuant to Texas Water Code Section 11.329 and 30 Tex. Admin. Code Sections 12.1, 12.3, 12.5, and 303.71-303.73 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster assessment of annual costs for the fiscal year beginning September 1, 2019 and ending August 31, 2020, for water right holders in the Rio Grande Water Division, and approve \$985,888.42 as the amount to be assessed for annual costs. The Rio Grande Water Division extends from Fort Quitman, Texas to the mouth of the Rio Grande River, excluding the watersheds of the Pecos and Devils Rivers and including that portion of the Nueces-Rio Grande Costal Basin lying in Hidalgo,

Cameron, Willacy, and Starr Counties whose source of water is the Rio Grande (Laurie Gharis, Shea Pearson).

Joint Motion for Items 8 – 11.

Approve the Concho River, Rio Grande, South Texas, and Brazos Watermaster budgets for Fiscal Year 2020 and Issue the Executive Director's four Proposed Orders assessing the annual costs of those Watermaster programs. EL/JN; all agree.

Item 11 **Docket No. 2019-0991-BGT.**

Consideration of Fiscal Year 2020 assessment of annual costs for Watermaster operations in the South Texas Watermaster Division. Pursuant to Texas Water Code Section 11.329 and 30 Tex. Admin. Code Sections 12.1, 12.3, 12.5, and 304.61 of the Commission Rules, the Executive Director requests that the Commission consider Watermaster assessment of annual costs for the fiscal year beginning September 1, 2019 and ending August 31, 2020, for water right holders in the South Texas Water Division, and approve \$762,484.10 as the amount to be assessed for annual costs. The South Texas Water Division consists of the Nueces, San Antonio, Guadalupe, and Lavaca River Basins, as well as the Lavaca-Guadalupe Coastal Basin, the San Antonio-Nueces Coastal Basin, and the Nueces-Rio Grande Coastal Basin, except that part in Hidalgo, Cameron, Willacy, and Starr Counties (Laurie Gharis, Shea Pearson).

Joint Motion for Items 8 – 11.

Approve the Concho River, Rio Grande, South Texas, and Brazos Watermaster budgets for Fiscal Year 2020 and Issue the Executive Director's four Proposed Orders assessing the annual costs of those Watermaster programs. EL/JN; all agree.

MISCELLANEOUS MATTER

Item 12 **Docket No. 2019-0965-MIS.**

Consideration of material changes to contracts for goods and services awarded under Chapter 2155 of the Texas Government Code executed during the previous quarter. (Chris Gobert)

Approve issuance of the Executive Director's Proposed Resolution that acknowledges the material changes to contracts for goods and services in accordance with Section 2155.088 of the Texas Government Code for the period of March 1, 2019 to May 31, 2019, as described in the TCEQ Interoffice Memorandum to the Commissioners and Executive Director dated July 29, 2019 and Docket Number 2019-0965-MIS. EL/JN; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDER

Item 13 **Docket No. 2018-0505-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Exxon Mobil Corporation in Harris County; RN102579307; 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. (Johnnie Wu, Michael Parrish)

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

AIR QUALITY ENFORCEMENT DEFAULT ORDER

Item 14 **Docket No. 2018-0883-AIR-E.**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Javier Maldonado dba Auto Correct Paint and Body Shop in Brazos County; RN110053725; 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. (Elizabeth Carroll Harkrider, Janice Hernandez)

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

INDUSTRIAL AND HAZARDOUS WASTE ENFORCEMENT AGREED ORDER

Item 15 **Docket No. 2018-0571-IHW-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Gavilon Fertilizer, LLC in Victoria County; RN102345154; 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.

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDER

Item 16 [**Docket No. 2017-0137-MSW-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Dario Jaime Gonzalez dba Darios Tire Shop in Hidalgo County; RN109537613; 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. (Ian Groetsch, Janice Hernandez)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 17 [**Docket No. 2018-0201-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Corpus Christi in Nueces County; RN101610186; 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. (Sandra Douglas, Michael Parrish)

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

Item 18 [**Docket No. 2018-0805-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Rockdale in Milam County; RN101388288; 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. (Harley Hobson, Michael Parrish)

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

Item 19 [**Docket No. 2018-0956-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Stockdale in Wilson County; RN102916194; 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. (Steven Van Landingham, Michael Parrish)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDER

Item 20 [Docket No. 2018-0325-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of GALLOP PETROLEUM LLC in La Salle County; RN104068655; 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. (Elizabeth Harkrider, Janice Hernandez)

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

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDER

Item 21 [Docket No. 2018-0726-PST-E.](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Theophilus Goins in Harris County; RN102353976; 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. (Jake Marx, Janice Hernandez)

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

PUBLIC WATER SUPPLY ENFORCEMENT AGREED ORDERS

Item 22 [Docket No. 2018-1049-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Coleman in Coleman County; RN102424645; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (James Knittel, Michael Parrish)

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

Item 23 [**Docket No. 2017-1058-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Donald R. Cole dba Harmony Water System in Parker County; RN105197024; 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. (Yuliya Dunaway, Michael Parrish)

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

Item 24 [**Docket No. 2018-0618-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Nueces County Water Control and Improvement District 3 in Nueces County; RN101428233; 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. 2018-1162-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Permian Frac Sand, LLC in McCulloch County; RN107867327; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Michaëlle Garza, Michael Parrish)

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

Item 26 [**Docket No. 2018-0855-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of THE CONSOLIDATED WATER SUPPLY CORPORATION in Houston County; RN101285989; 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 27 [Docket No. 2018-1482-PWS-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Blair Water Supply Corporation in Taylor County; RN101437044; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Julianne Dewar, Michael Parrish)

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

PUBLIC WATER SUPPLY ENFORCEMENT DEFAULT ORDER

Item 28 [Docket No. 2017-1637-PWS-E.](#)

Consideration of a Default Order assessing administrative penalties against 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. (Ryan Rutledge, Janice Hernandez)

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

MONTHLY ENFORCEMENT REPORT

Item 29 [Docket No. 2019-0014-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.

QUADRENNIAL RULE REVIEWS

Item 30 [Docket No. 2018-1340-MIS.](#)

Consideration for the adoption of the rules review and re-adoption of 30 TAC Chapter 5, Advisory Committees and Groups. 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 March 15, 2019, issue of the *Texas Register* (44 TexReg 1449). (Rebekah Stanush, Alicia Ramirez) (Project No. 2019-016-005-AD)

Joint Motion for Items 30 – 34.

Adopt the rule reviews and readopt the rules in 30 Texas Administrative Code Chapters 5, 118, 291, 304, and 345, without amendment. EL/JN; all agree.

Item 31 [**Docket No. 2018-1575-MIS.**](#)

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 118, Control of Air Pollution Episodes. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the March 15, 2019, issue of the *Texas Register* (44 TexReg 1450). (Graham Bates, Betsy Peticolas) (Project No. 2019-055-118-AI)

Joint Motion for Items 30 – 34.

Adopt the rule reviews and readopt the rules in 30 Texas Administrative Code Chapters 5, 118, 291, 304, and 345, without amendment. EL/JN; all agree.

Item 32 [**Docket No. 2018-1471-MIS.**](#)

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 291, Utility Regulations. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the March 15, 2019, issue of the *Texas Register* (44 TexReg 1450). (Brian Dickey, Kayla Murray) (Project No. 2019-044-291-OW)

Joint Motion for Items 30 – 34.

Adopt the rule reviews and readopt the rules in 30 Texas Administrative Code Chapters 5, 118, 291, 304, and 345, without amendment. EL/JN; all agree.

Item 33 [**Docket No. 2018-1490-MIS.**](#)

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 304, Watermaster Operations. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the March 15, 2019, issue of the *Texas Register* (44 TexReg 1450). (Kathy Ramirez, Ruth Takeda) (Project No. 2019-048-304-OW)

Joint Motion for Items 30 – 34.

Adopt the rule reviews and readopt the rules in 30 Texas Administrative Code Chapters 5, 118, 291, 304, and 345, without amendment. EL/JN; all agree.

Item 34 **Docket No. 2018-1392-MIS.**

Consideration for the adoption of the rules review and readoption of 30 TAC Chapter 315, Pretreatment Regulations for Existing and New Sources of Pollution. This review is in accordance with Texas Government Code, Section 2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The proposal was published in the March 15, 2019, issue of the *Texas Register* (44 TexReg 1451). (Laurie Fleet, Celia Castro) (Project No. 2019-023-315-OW)

Joint Motion for Items 30 – 34.

Adopt the rule reviews and readopt the rules in 30 Texas Administrative Code Chapters 5, 118, 291, 304, and 345, without amendment. EL/JN; all agree.

EXECUTIVE MEETING

Item 35 **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.

No action taken.

Item 36 **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.

Approve a raise for the Executive Director's salary to the amount in House Bill 1, the General Appropriations Act, to be effective September 1, 2019. EL/JN; all agree.

Item 37 **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.

No action taken.

Item 38 **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.

No action taken.

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/ Greg Merrell
Assistant General Counsel
Greg Merrell

September 4, 2019
Date