

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)]. Updates to backup documents will be noted by a purple indicator. Finally, the Commissioners may discuss or consider posted items in an order other than the order posted.

On March 16, 2020, in accordance with section 418.016 of the Texas Government Code, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location. Pursuant to that suspension, the public will not be able to attend the Agenda in person but may attend telephonically or via webinar or view the meeting on the web at no cost.

To watch or listen to the meeting:

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Members of the public who would like to address the Commission on an item for which the Commission is accepting comment, must register as indicated below and access the meeting via webcast by following this [link](#) and entering Webinar ID 338-588-363. Those without internet access may call (512) 239-3313 before the meeting begins for assistance in accessing the meeting telephonically.

To register, please call (512) 239-3313 or email agenda@tceq.texas.gov. Please complete this [Public Participation Form](#) or provide the following information: 1. Agenda item number; 2. Name; 3. Affiliation; 4. Address; 5. Phone number; 6. whom you represent (self or company/client); and 7. whether you wish to address the Commission, are available for questions from the Commission, or would like to be noted as present for the record.

Registration for agenda will conclude at 9:30 a.m. Please register before this time. Late registration could result in your missing the opportunity to comment on your item.

Chairman Jon Niermann
Commissioner Emily Lindley
Commissioner Bobby Janecka

AGENDA

August 26, 2020

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.

<https://www.gotomeeting.com/webinar/join-webinar> / Webinar ID 338-588-363
(562) 247-8422 / Access Code 230-393-870

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 1 **Docket No. 2020-0839-MWD.**

Consideration of the application by Great Escapes Opportunity Zone Fund, LLC, for a new Texas Pollutant Discharge Elimination System Permit No. WQ0015802001, which authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 25,000 gallons per day. The facility will be located at 16740 Albert Voelker Road, in Travis County, Texas 78621. The Commission will also consider requests for hearing or reconsideration, related responses and replies, public comment, and the Executive Director's response to comments. (Gordon R. Cooper, Harrison Malley)

Grant the hearing requests of John Leader and Jerry Douglas; Deny all other hearing requests and request for reconsideration; Refer the application to SOAH for a contested case hearing concerning the following issues: a) Whether the draft permit is adequately protective of the health of the requestors, their families, and the environment; b) Whether the draft permit is protective of terrestrial life, including livestock; and c) Whether the draft permit complies with applicable requirements to abate and control nuisance odors, as set forth in 30 Texas Administrative Code § 309.13(e); and Set the hearing duration for the proceeding at 180 days from the date of the preliminary hearing to the issuance of the Proposal for Decision. EL/BJ; all agree.

USE DETERMINATION MATTER

Item 2 **Docket No. 2020-0748-MIS-U.**

Consideration of the appeal filed by the Chief Appraiser of Dimmit Central Appraisal District with regard to the Executive Director's positive use determination on Application No. 23065, dated May 13, 2020, for Black Mountain Sand Eagle Ford LLC's dust collection system at the Carrizo Facility located in Dimmit County, Texas. The Commission will also consider the application and all timely responses and reply briefs. (Elizabeth Sartain, Don Redmond)

Deny the appeal of Dimmit Central Appraisal District and Affirm the Executive Director's positive use determination on Application No. 23065. BJ/EL; all agree.

TOTAL MAXIMUM DAILY LOAD MATTERS

Item 3 **[Docket No. 2019-0460-TML.](#)**

Consideration for adoption of One Total Maximum Daily Load for Indicator Bacteria in Carancahua Bay of the Colorado-Lavaca Coastal Basin in Calhoun, Jackson, Wharton, and Matagorda Counties. Notice of a public meeting to receive comments on the draft TMDL was published in the April 24, 2020, issue of the *Texas Register* (45 TexReg 2738). (Kerry Niemann, Stefanie Skogen) (Project No. 2019-103-TML-NR)

Joint Motion for Items 3 and 4.

Adopt the Total Maximum Daily Load and the corresponding Implementation Plan for Indicator Bacteria in Carancahua Bay in the Colorado-Lavaca Coastal Basin, as recommended by the Executive Director. BJ/EL; all agree.

Item 4 **[Docket No. 2019-0459-TML.](#)**

Consideration for approval of the Implementation Plan for One Total Maximum Daily Load for Indicator Bacteria in Carancahua Bay of the Colorado-Lavaca Coastal Basin in Calhoun, Jackson, Wharton, and Matagorda Counties. Notice of a public meeting to receive comments on the draft I-Plan was published in the April 24, 2020, issue of the *Texas Register* (45 TexReg 2738). (Kerry Niemann, Stefanie Skogen) (Project No. 2019-104-TML-NR)

Joint Motion for Items 3 and 4.

Adopt the Total Maximum Daily Load and the corresponding Implementation Plan for Indicator Bacteria in Carancahua Bay in the Colorado-Lavaca Coastal Basin, as recommended by the Executive Director. BJ/EL; all agree.

Item 5 **[Docket No. 2019-1366-TML.](#)**

Consideration for adoption of 23 Total Maximum Daily Loads for Indicator Bacteria, Dissolved Oxygen, and pH in Adams Bayou, Cow Bayou, and associated tributaries in the Sabine River Basin, in Jasper, Newton, and Orange Counties. Notice of a public meeting to receive comments on the draft TMDLs was published in the April 24, 2020, issue of the *Texas Register* (45 TexReg 2737). (Kerry Niemann, Stefanie Skogen) (Project No. 2020-004-TML-NR)

Adopt the 23 Draft Total Maximum Daily Loads for Indicator Bacteria, Dissolved Oxygen, and pH, in Adams Bayou, Cow Bayou, and associated tributaries in the Sabine River Basin, as recommend by the Executive Director. BJ/EL; all agree.

AUDIT MATTER

Item 6 **Docket No. 2020-0809-AUD.**

Consideration and Approval of the TCEQ Chief Auditor's Office Fiscal Year 2021 Audit Plan. (Michael K. Hardison)

Approve the Fiscal Year 2021 Annual Audit Plan, as proposed by the Chief Auditor. EL/BJ; all agree.

BUDGET MATTER

Item 7 **Docket No. 2020-0811-BGT.**

Consideration and approval of the Agency's FY 2021 Operating Budget. (Elizabeth Sifuentez Koch)

Approve the Commission's Fiscal Year 2021 Operating Budget, as proposed by the Executive Director. BJ/EL; all agree.

MISCELLANEOUS MATTERS

Item 8 **Docket No. 2020-1004-RES.**

Consideration of a resolution filed on July 28, 2020 by the Municipal Solid Waste Management and Resource Recovery Advisory Council (Advisory Council). The Advisory Council requests that the Texas Commission on Environmental Quality include an additional \$10 million appropriation request (\$5 million per fiscal year) from the Solid Waste Disposal Fees Account 5000 in its upcoming Legislative Appropriations Request, to be distributed to the Councils of Governments through the Regional Solid Waste Grants Program. (Charly Fritz, Ian Groetsch) (Non-Rule Project No. 2020-047-RES-NR)

No action taken.

Item 9 **Docket No. 2020-0498-MIS.**

In compliance with 30 Texas Administrative Code Sections 336.736(c) and 336.1235(c), Waste Control Specialists' financial assurance

mechanisms and cost estimates are reviewed to assure that sufficient funds are available for completion of the closure plan, assuming that the work has to be performed by an independent contractor. (Vaishali Tendolkar, Amie Robinson) (Non-Rule Project No. 2020-005-MIS-NR)

Approve Waste Control Specialists' financial assurance mechanisms and cost estimates, as recommended by the Executive Director. BJ/EL; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 10 **[Docket No. 2018-1308-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Blanchard Refining Company LLC in Galveston County; RN102535077; 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/EL; all agree.

Item 11 **[Docket No. 2019-1456-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of DCP Operating Company, LP in Moore County; RN100220052; for air quality violations pursuant to Tex. Health & Safety Code ch. 382 and 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/EL; all agree.

Item 12 **[Docket No. 2019-1729-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Phillips 66 Company in Hutchinson County; RN102495884; 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. (Danielle Porras, Michael Parrish)

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

Item 13

[Docket No. 2019-1601-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Targa Midstream Services LLC in Wise County; RN100238716; 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. JN/EL; all agree.

Item 14

[Docket No. 2019-1288-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Tokai Carbon CB Ltd. in Hutchinson County; RN100222413; 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. JN/EL; all agree.

Item 15

[Docket No. 2019-1782-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of WestRock Texas, L.P. in Jasper County; RN102157609; 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. JN/EL; all agree.

Item 16

[Docket No. 2019-1287-AIR-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Paso Del Norte Materials, LLC in El Paso County; RN110098357; for air quality violations pursuant to Tex. Health & Safety Code ch. 382 and Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Yuliya Dunaway, Michael Parrish)

Remand to the Executive Director, with instructions to refer it to the Office of Attorney General for enforcement. JN/EL; all agree.

AIR QUALITY ENFORCEMENT DEFAULT ORDER

Item 17 **[Docket No. 2017-1538-AIR-E.](#)**

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Gustavo Garcia dba Gugaru's Body Shop, Car Wash, and Detail in El Paso County; RN109717827; 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. (Ian Groetsch, Janice Hernandez)

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

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 18 **[Docket No. 2019-0803-IWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MILLER WASTE MILLS, INCORPORATED in Orange County; RN100590207; 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. JN/EL; all agree.

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 19 **[Docket No. 2018-1527-MLM-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Bell-Milam-Falls Water Supply Corporation in Bell County; RN101233922; for water quality and public drinking water violations pursuant to Tex. Health & Safety Code ch. 341, Tex. Water Code chs. 7 and 26, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Ronica Rodriguez, Michael Parrish)

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

Item 20 [Docket No. 2018-1353-MLM-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Kaufman in Kaufman County; RN102410461; 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/EL; all agree.

Item 21 [Docket No. 2019-1328-MLM-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of J & J Excavating & Materials Co. in Uvalde County; RN109620062; 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. (Steven Van Landingham, Michael Parrish)

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

MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDER

Item 22 [Docket No. 2019-0950-MSW-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Post in Garza County; RN102120474; 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. (Stephanie McCurley, Michael Parrish)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS

Item 23 [Docket No. 2019-0867-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Harris County Water Control and Improvement District No. 70 in Harris County; RN102183654; 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. JN/EL; all agree.

Item 24 [**Docket No. 2019-1324-MWD-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Lumberton Municipal Utility District in Hardin County; RN101919454; 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. (Stephanie Frederick, Michael Parrish)

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

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 25 [**Docket No. 2019-1446-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against H2 Transport, LLC in Sterling County; RN110834892; 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. (Tyler Smith, Michael Parrish)

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

Item 26 [**Docket No. 2019-0712-PST-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of WESTROAD BUSINESS, INC. dba Kroozin Market in Harris County; RN109195222; 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/EL; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT DEFAULT ORDERS

Item 27 [**Docket No. 2018-1079-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of JLS CONSULTING LLC in Taylor County; RN101434025; 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. (Kevin R. Bartz, Janice Hernandez)

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

Item 28 [**Docket No. 2018-1493-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of SADAF GLOBAL CORPORATION in Wharton County; RN101810687; 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 Default Order. JN/EL; all agree.

Item 29 [**Docket No. 2019-0049-PST-E.**](#)

Consideration of a Default Order assessing administrative penalties against Thind Holdings LLC dba On The Road 104 in Polk County; RN101823573; 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 Default Order. JN/EL; all agree.

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 30 [**Docket No. 2019-0525-PWS-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Chico in Wise County; RN101273076; 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, Michael Parrish)

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

Item 31 **[Docket No. 2020-0084-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of MAXWELL Water Supply Corporation in Caldwell County; RN101456424; 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/EL; all agree.

Item 32 **[Docket No. 2020-0221-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Monarch Utilities I L.P. in Hood County; RN101380848; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Amanda Conner, Michael Parrish)

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

Item 33 **[Docket No. 2020-0213-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Webb County in Webb County; RN102698719; 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. JN/EL; all agree.

Item 34 **[Docket No. 2019-1450-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of West Harris County Municipal Utility District No. 9 in Harris County; RN101397552; 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, Michael Parrish)

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

Item 35 **[Docket No. 2019-0401-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of CATEX Acquisitions, LLC in Lee County; RN101217347; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Clayton Smith, Janice Hernandez)

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

WATER QUALITY ENFORCEMENT AGREED ORDER

Item 36 **[Docket No. 2019-1486-WQ-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against Johnson Bros. Corporation, a Southland Company in Walker County; RN110012838; 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/EL; all agree.

MONTHLY ENFORCEMENT REPORT

Item 37 **[Docket No. 2020-0150-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 38 **[Docket No. 2019-1554-RUL.](#)**

Consideration of the adoption of amendments to 30 TAC Chapter 290, Public Drinking Water, Section 290.39 and Section 290.122. The adopted rulemaking implements House Bill (HB) 3552, 86th Texas Legislature, 2019, Regular Session, to require public water systems to notify their customers prior to permanently terminating the addition of fluoride to drinking water. The proposed rules were published in the May 15, 2020, issue of the *Texas Register* (45 TexReg 3207). (Patrick Kading, Ruth Takeda) (Rule Project No. 2020-007-290-OW)

Adopt the amendments to 30 Texas Administrative Code Chapter 290, as recommended by the Executive Director. EL/BJ; all agree.

EXECUTIVE MEETING

Item 39 Docket No. 2020-0001-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 40 Docket No. 2020-0002-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 41 Docket No. 2020-0003-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 42 **Docket No. 2020-0004-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.

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**TO ADDRESS THE COMMISSION AT THE MEETING:
MEMBERS OF THE PUBLIC WHO WOULD LIKE TO ADDRESS THE
COMMISSION ON AN ITEM FOR WHICH THE COMMISSION IS
ACCEPTING COMMENT, MUST REGISTER AS INDICATED BELOW AND
ACCESS THE MEETING VIA WEBCAST BY FOLLOWING THIS [LINK](#) AND
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ACCESS MAY CALL (512) 239-3313 BEFORE THE MEETING BEGINS FOR
ASSISTANCE IN ACCESSING THE MEETING TELEPHONICALLY.**

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AGENDA@TCEQ.TEXAS.GOV. PLEASE COMPLETE THIS [PUBLIC
PARTICIPATION FORM](#) OR PROVIDE THE FOLLOWING INFORMATION:
1. AGENDA ITEM NUMBER; 2. NAME; 3. AFFILIATION; 4. ADDRESS; 5.
PHONE NUMBER; 6. WHOM YOU REPRESENT (SELF OR
COMPANY/CLIENT); AND 7. WHETHER YOU WISH TO ADDRESS THE
COMMISSION, ARE AVAILABLE FOR QUESTIONS FROM THE
COMMISSION, OR WOULD LIKE TO BE NOTED AS PRESENT FOR THE
RECORD.**

**REGISTRATION FOR AGENDA WILL CONCLUDE AT 9:30 A.M. PLEASE
REGISTER BEFORE THIS TIME. LATE REGISTRATION COULD RESULT
IN YOUR MISSING THE OPPORTUNITY TO COMMENT ON YOUR ITEM.**

/s/ Elaine Lucas
Assistant General Counsel
Elaine Lucas

September 10, 2020
Date