

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:

Members of the public may listen to the meeting telephonically by calling, toll-free, (415) 655-0052 and entering Access Code 161-876-029. The public may also view live TCEQ meetings on the TCEQ YouTube Channel at no cost at:

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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 entering Webinar ID 514-248-011. 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

December 16, 2020

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.

<https://www.gotomeeting.com/webinar/join-webinar> / Webinar ID 514-248-011
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PROPOSALS FOR DECISION

Item 1 **[TCEQ Docket No. 2018-0994-PWS-E; SOAH Docket No. 582-19-6975.](#)**

Consideration of the Administrative Law Judge's Proposal for Decision and Proposed Order assessing administrative penalties against 2012 Weatherford Holdings, LLC in Parker County, Texas; RN105596860; regarding public water system violations pursuant to Texas Health & Safety Code Chapter 341 and the rules of the Texas Commission on Environmental Quality. The Commission will also consider the record, timely related filings, exceptions and replies. (John S. Mercurief, II)

Adopt the ALJ's Proposed Order with the modifications recommended by the Executive Director's Exceptions and agreed to by the ALJ's Reply and Amend Conclusion of Law No. 18, which is the renumbered Conclusion of Law No. 17, to state, "Respondent did not meet its' burden to show that a lesser administrative penalty is justified under 30 Texas Administrative Code § 70.8 as demonstrated in Finding of Fact Nos. 5 - 9." JN/BJ; all agree.

Item 2 **[TCEQ Docket No. 2020-0070-LIC; SOAH Docket No. 582-20-2364.](#)**

Consideration of the Administrative Law Judge's Proposal for Decision and Order regarding the denial of the application filed by Donnell Baldwin for a Public Water System Water Operator License, pursuant to Texas Occupations Code Chapter 53 and 30 Texas Administrative Code Chapter 30. Mr. Baldwin's application listed Liberty County as his residence. The Commission will also consider the record, timely related filings, exceptions and replies. (Alicia Ramirez)

Adopt the ALJ's Proposed Order; Modify Conclusion of Law No. 6, to replace the word "crime" with "license," as recommend by OPIC's Exceptions and agreed with in the ALJ's Reply. EL/BJ; all agree.

HEARING REQUESTS/REQUESTS FOR RECONSIDERATION

Item 3 **[Docket No. 2020-1311-MWD.](#)**

Consideration of the application by City of Buda and Guadalupe-Blanco River Authority, for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0011060001, which authorizes the discharge of treated domestic wastewater at an annual average flow not

to exceed 3,500,000 gallons per day. The facility is located at 575 County Road 236, in the City of Buda, Hays County, Texas 78610. 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, Kathy Humphreys)

Find that there is no right to a hearing on this application pursuant to Texas Water Code § 26.028(d) and 30 Texas Administrative Code § 55.201(i)(5); Deny the hearing requests; Issue the renewal of TPDES Permit Number WQ0011060001, to the City of Buda and GBRA, as recommended by the Executive Director; and Adopt the Executive Director's Responses to Comments. JN/EL; all agree.

Item 4 **Docket No. 2020-1415-WR.**

Regarding Application No. 13631 by RR 417, LLC, to obtain a water use permit in Bandera County, Texas. The application seeks water use authorizations to maintain two existing reservoirs on Commissioners Creek in the Nueces River Basin for recreational purposes; to use the bed and banks of Commissioners Creek to convey 40 acre-feet of groundwater per year for subsequent diversion of groundwater for agricultural and recreational purposes in Bandera County; and to maintain the reservoirs with groundwater. The application does not request a new appropriation of water. (Ruth Takeda, Humberto Galvan)

Deny all hearing requests and Issue Water Use Permit No. 13631 to RR 417, LLC. BJ/EL; all agree.

MISCELLANEOUS MATTERS

Item 5 **Docket No. 2020-1499-MIS.**

Consideration and approval to invoke Rider 11 Reallocation of Revenue and Balances for Certain Accounts to provide funding to the Rio Grande Compact Commission for the continuation of Texas' lawsuit against New Mexico for the equitable distribution of water under the 1938 Compact. (Elizabeth Sifuentez Koch)

Approve the Executive Director's request to invoke Rider 11 Reallocation of Revenue and Balances for Certain Accounts to provide funding to the Rio Grande Compact Commission for continuation of Texas' lawsuit against New Mexico for the equitable distribution of water under the 1938 Compact. BJ/EL; all agree.

Item 6 [**Docket No. 2020-1436-MIS.**](#)

Consideration of gifts and donations of \$500.00 or more in value given to the TCEQ, submitted for approval in accordance with Chapter 575 of the Government Code, concerning acceptance of gifts by certain state agencies. (Yen Tran)

Approve issuance of the Resolution acknowledging the Executive Director's acceptance of the gifts and donations contained in the TCEQ Interoffice Memorandum to the Commissioners, dated November 24, 2020, Docket No. 2020-1436-MIS. EL/BJ; all agree.

AIR QUALITY ENFORCEMENT AGREED ORDERS

Item 7 [**Docket No. 2019-1069-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Chevron Phillips Chemical Company LP in Jefferson County; RN100209857; for air quality violations pursuant to Tex. Health & Safety Code ch. 382, Tex. Water Code ch. 7, and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Amanda Diaz, Michael Parrish)

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

Item 8 [**Docket No. 2020-0589-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of INVISTA S.a r.l. in Orange County; RN104392626; 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. (Toni Red, Michael Parrish)

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

Item 9 [**Docket No. 2020-0440-AIR-E.**](#)

Consideration of an Agreed Order assessing administrative penalties against Mauser USA, LLC in Harris County; RN100211002; 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. (Yuliya Dunaway, Michael Parrish)

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

Item 10 **Docket No. 2020-0416-AIR-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Thomas Watson Company, LLC in DeWitt County; RN109408955; 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. BJ/EL; all agree.

INDUSTRIAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 11 **Docket No. 2019-1583-IWD-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of BAILEY BARK MATERIALS, INC. in Nacogdoches County; RN105241756; 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. BJ/EL; all agree.

MULTI-MEDIA MATTER ENFORCEMENT AGREED ORDERS

Item 12 **Docket No. 2020-0197-MLM-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of M & P CONSTRUCTION CO. in Bandera County; RN105597140; for municipal solid waste and aggregate production operation violations pursuant to Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 7 and 28A, 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. BJ/EL; all agree.

Item 13

[Docket No. 2019-1088-MLM-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of New NGC, Inc. dba National Gypsum in Kimble County; RN105937403; for air quality and water quality 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. (Had Darling, Michael Parrish)

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

MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDER

Item 14

[Docket No. 2019-0383-MWD-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of OUTBACK ON THE LAKE, L.L.C. in Trinity County; RN101522621; 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. BJ/EL; all agree.

PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS

Item 15

[Docket No. 2019-1144-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Jerry Ung dba KU Food Mart in Tarrant County; RN102385887; 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. (Hailey Johnson, Michael Parrish)

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

Item 16

[Docket No. 2019-1748-PST-E.](#)

Consideration of an Agreed Order assessing administrative penalties against RMR Retail, Inc. dba Fuel Depot 30 in Harris County; RN102852548; 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. (Karolyn Kent, Michael Parrish)

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

Item 17 **Docket No. 2020-0196-PST-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SAHAR BUSINESS INC dba Quick Stop in Harris County; RN101444354; 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. BJ/EL; all agree.

Item 18 **Docket No. 2020-0521-PST-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of US Lama, Inc dba Quick Track 66 and dba Quick Track 71 in Lubbock County; RN102401585 and RN102404217; 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. (Hailey Johnson, Michael Parrish)

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

Item 19 **Docket No. 2019-0701-PST-E.**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of H & A BUSINESS INC dba Bigs 303 in Frio County; RN101905974; 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 Richardson, Michael Parrish)

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

PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS

Item 20 **[Docket No. 2020-0681-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Timpson in Shelby County; RN101387686; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Samantha Salas, Michael Parrish)

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

Item 21 **[Docket No. 2019-1395-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Corix Utilities (Texas) Inc. in Llano County; RN101202778; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Miles Wehner, Michael Parrish)

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

Item 22 **[Docket No. 2019-1358-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of East Newton Water Supply Corporation in Newton County; RN101270130; 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. (Miles Wehner, Michael Parrish)

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

Item 23 **[Docket No. 2019-1632-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SAGERTON WATER SUPPLY CORPORATION in Haskell County; RN101218386; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Miles Wehner, Michael Parrish)

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

PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDERS

Item 24 [**Docket No. 2019-1205-PWS-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Reyes Cantu dba Mi Taco Village and Ernesto M. Cantu dba Mi Taco Village in Lubbock County; RN103140802; 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 Default Order. BJ/EL; all agree.

Item 25 [**Docket No. 2019-0127-PWS-E.**](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Woodhaven MHC, Ltd. in Denton County; RN102692886; 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 Default Order. BJ/EL; all agree.

WATER QUALITY ENFORCEMENT AGREED ORDER

Item 26 [**Docket No. 2019-0939-WQ-E.**](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of KIM R. SMITH LOGGING, INC. in Rusk County; RN110778396; 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. BJ/EL; all agree.

MONTHLY ENFORCEMENT REPORT

Item 27 [**Docket No. 2020-0154-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.

PETITION FOR RULEMAKING

Item 28 **[Docket No. 2020-1450-PET.](#)**

Consideration of a Petition for Rulemaking filed by the Texas On-Site Wastewater Association, Inc., to amend 30 Texas Administrative Code Chapters 30 and 285, concerning on-site sewage disposal systems and the licensing of on-site sewage disposal system professionals. (Shannon Frazier, Cole Malley) (Rule Project No. 2021-003-PET-NR)

Initiate rulemaking to examine the issues raised in the Petition for Rulemaking filed by Texas On-Site Wastewater Association Inc., concerning amendments to 30 Texas Administrative Code Chapters 30 and 285. BJ/EL; all agree.

RULE MATTERS

Item 29 **[Docket No. 2020-1109-RUL.](#)**

Consideration for publication of, and hearing on, proposed amendments to 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, Sections 116.12, 116.150, 116.151, 116.160, 116.910, 116.911, 116.920, 116.1010, 116.1011, and 116.1530; the proposed repeal of Section 116.16 and Section 116.128, and repeal of Subchapter H: Division 1, Sections 116.770 - 116.773; Division 2, Sections 116.774 - 116.781, 116.783, 116.785 - 116.788, 116.790; Division 3, Sections 116.793 - 116.807; Division 4, Sections 116.810 - 116.814, 116.816, 116.820, 116.840 - 116.842, 116.850, 116.860, and 116.870; and corresponding revisions to the State Implementation Plan. The proposed rulemaking would align Chapter 116 rules relating to the applicability of Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) requirements with recent guidance and adopted rules for Project Emissions Accounting issued by the United States Environmental Protection Agency, comply with congressional intent for the federal PSD and NNSR programs, and encourage emissions decreases that might not otherwise occur or would be delayed. The proposed rulemaking would also repeal obsolete rules associated with the permitting of grandfathered facilities. (Michael Wilhoit, Terry Salem) (Rule Project No. 2020-001-116-AI)

Approve the publication of, and hearing on, certain amendments to 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, and repeal of 30 TAC Chapter 116, Subchapter H, Permits for Grandfather Facilities and

related sections, and corresponding revisions to the State Implementation Plan, as recommended by the Executive Director. EL/BJ; all agree.

Item 30 [**Docket No. 2020-0353-RUL.**](#)

Consideration of the adoption of amended Section 17.14 and Section 17.17 of 30 TAC Chapter 17, Tax Relief for Property Used for Environmental Protection; and amended Sections 18.25, 18.26, and 18.30 of 30 TAC Chapter 18, Rollback Relief for Pollution Control Requirements. The adoption will revise the Tier I Tables in Section 17.14(a) and Section 18.25(a) consistent with the Tax Relief for Pollution Control Property Advisory Committee's formal recommendations. The adopted revisions add heat recovery steam generators with a partial use determination of 65% and 11 other pollution control property items to both Tier I Tables. Other revisions are adopted to accommodate the addition of the Tier I Table property items at a partial use percentage. The rulemaking adoption also implements Senate Bill 2, Section 44 from the 86th Texas Legislature, 2019, Regular Session, which requires rulemaking to revise the title of Chapter 18 from Rollback Relief for Pollution Control Requirements to Voter-Approval Tax Rate Relief for Pollution Control Requirements. Finally, the rulemaking adoption will fulfill the commission's statutory and regulatory requirements to review and update the property included on the Chapters 17 and 18 Expedited Review Lists (ERL) and Tier I Tables. The proposed rules were published in the July 31, 2020, issue of the *Texas Register* (45 TexReg 5303 and 5308). (Elizabeth Sartain, Don Redmond) (Rule Project No. 2020-031-018-AI)

Adopt the amended Sections of 30 Texas Administrative Code Chapters 17 and 18, as recommend by the Executive Director. BJ/EL; all agree.

Item 31 [**Docket No. 2019-1749-RUL.**](#)

Consideration of the adoption of amended Sections 39.403, 50.113, 55.101, 55.201, 331.2, 331.5, 331.7, 331.47, 331.64, and 331.121, and repealed Section 331.17 and Section 331.18 of 30 Texas Administrative Code Chapters 39, Public Notice, 50, Action on Applications and Other Authorizations, 55, Requests for Reconsideration and Contested Case Hearings; Public Comment, and 331, Underground Injection Control. Consistent with other Texas Commission on Environmental Quality rules and the United States Environmental Protection Agency's regulations, the adoption will amend and repeal rules for pre-injection units associated with nonhazardous, noncommercial injection wells to remove the requirements to permit or register pre-injection units under Chapter 331 and will result in a streamlined underground injection control permit application process. The proposed rules were published

in the August 14, 2020, issue of the *Texas Register* (45 TexReg 5596, 5599, 5602, and 5607). (Tamara Young, Don Redmond) (Rule Project No. 2016-022-331-WS)

Adopt amended Sections of 30 Texas Administrative Code Chapters 39, 50, 55, and 331 and Repeal Sections 331.17 and 331.18, as recommended by the Executive Director. BJ/EL; all agree.

PUBLIC COMMENT SESSION

Item 32 **Docket No. 2020-0005-PUB.**

The Commission will receive comments from the public on any matters within the jurisdiction of the Texas Commission on Environmental Quality 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 33 **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 34 **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 35 **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 36 **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.

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.

TO WATCH OR LISTEN TO THE MEETING:

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**[HTTPS://WWW.TCEQ.TEXAS.GOV/AGENCY/DECISIONS/AGENDAS/WEB
CASTS.HTML](https://www.tceq.texas.gov/agency/decisions/agendas/webcasts.html)**

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 ENTERING WEBINAR ID 514-248-011. 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.

/s/ Elaine Lucas
Assistant General Counsel
Elaine Lucas

January 13, 2021
Date