

*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.*

*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, (562) 247-8422 and entering Access Code 365-079-123. The public may also view live TCEQ meetings on the TCEQ YouTube Channel at no cost at:*

***<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 navigating to:*

***<https://www.gotomeeting.com/webinar/join-webinar>*** and entering Webinar ID 578-221-763. *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](mailto:agenda@tceq.texas.gov). Please complete the Public Participation Form at:*

***[http://www.tceq.texas.gov/assets/public/comm\\_exec/agendas/comm/AgendaRegistrationForm.docx](http://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/AgendaRegistrationForm.docx)*** 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. Finally, the Commissioners may discuss or consider posted items in an order other than the order posted.*

Chairman Jon Niermann  
Commissioner Emily Lindley  
Commissioner Bobby Janecka

## **OLD BUSINESS AGENDA**

June 30, 2021

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.

<https://www.gotomeeting.com/webinar/join-webinar> / Webinar ID 578-221-763  
(562) 247-8422 / Access Code 365-079-123

*Continued from the June 9, 2021 Commissioners' Agenda*

**PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDER**

Item 1 **[Docket No. 2019-1661-PWS-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Laredo in Webb County; RN100524099; 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.

*Continued from the June 9, 2021 Commissioners' Agenda*

**AIR QUALITY ENFORCEMENT AGREED ORDER**

Item 2 **[Docket No. 2018-1411-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of The Quikrete Companies, LLC in Johnson County; RN100760396; 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. (Margarita Dennis, Michael Parrish)

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

# NEW BUSINESS AGENDA

June 30, 2021

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

9:30 A.M.

<https://www.gotomeeting.com/webinar/join-webinar> / Webinar ID 578-221-763  
(562) 247-8422 / Access Code 365-079-123

### **HEARING REQUESTS/REQUESTS FOR RECONSIDERATION**

Item 1

#### **Docket No. 2021-0225-DIS.**

Consideration of a petition by Poetry Road, LLC (Petitioner) for the creation of Poetry Road Municipal Utility District of Rockwall County (District). The Petitioner requests that the Commission create the District pursuant to Article XVI, Section 59, of the Texas Constitution, Chapters 49 and 54, Texas Water Code; and Chapter 293, Title 30 Texas Administrative Code. The proposed District would contain approximately 79.655 acres within Rockwall County. The proposed District is not located within the corporate limits or extraterritorial jurisdiction of any city. The Commission will consider all timely filed hearing requests and related responses and replies. (Chris Ulmann, Kayla Murray) (TCEQ Internal Control No. D-05222020-049)

Grant the hearing request of Brian Hoepfner; Refer the matter to SOAH for a contested case hearing on the petition; Establish a hearing duration of 180 days; and Refer the matter to the Commission's Alternative Dispute Resolution Program to run concurrently with SOAH's preliminary hearing scheduling efforts. BJ/EL; all agree.

### **EMERGENCY ORDER**

Item 2

#### **Docket No. 2021-0574-UCR-E.**

Consideration of whether to affirm, modify, or set aside the Emergency Order Appointing a Temporary Manager of a Water Utility issued on May 5, 2021, 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 Margenell Smith, Executor of the Estate of Marion J. Smith; RN101272060 and TCEQ PWS ID No. TX1520094; RN101451417 and TCEQ PWS ID No. TX1520062; RN 101221117 and TCEQ PWS ID No. TX1520106; RN 101270890 and TCEQ PWS ID No. TX1520152; to ensure continued operation of the Utility and to provide

continuous and adequate service to the customers. The Utility is located in Lubbock County, Texas. The Emergency Order appointed Intermediary Solutions Holdings LLC as temporary manager of the Utility. (Benjamin Warms)

Affirm the ED's May 5, 2021, Emergency Order appointing Intermediary Solutions Holdings LLC as temporary manager for the water utility owned and operated by the Estate of Marion J. Smith with the following modification: Change the number 4409 in Finding of Fact paragraph 4 to 4406 and Issue an Order approving the ED's Emergency Order as modified by this motion. EL/BJ; all agree.

### **DISTRICTS MATTER**

Item 3 [\*\*Docket No. 2020-0412-DIS.\*\*](#)

Consideration and hearing on a resolution from Denton County Fresh Water Supply District No.12 ("District") for additional powers. The District requests approval to exercise additional drainage powers as provided in Texas Water Code Sections 51.331-51.332 and 30 Texas Administrative Code Section 293.15. The District is located at the southeast corner of FM 1385 and Mobberly Road in Denton County and contains approximately 512.44 acres. (Daniel Harrison, Kayla Murray)

Grant the request by Denton County Fresh Water Supply District No. 12 for approval of additional drainage powers and Issue the Executive Director's Proposed Order. BJ/EL; all agree.

### **MISCELLANEOUS MATTER**

Item 4 [\*\*Docket No. 2021-0711-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 Texas Government Code § 2155.088, for the period of December 1, 2020 to February 28, 2021, as described in the TCEQ Interoffice Memorandum to the Commissioners and Executive Director dated June 30, 2021, and Docket No. 2021-0711-MIS. EL/BJ; all agree.

### **AIR QUALITY ENFORCEMENT AGREED ORDERS**

Item 5

**[Docket No. 2020-0894-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of BASF TOTAL Petrochemicals LLC in Jefferson County; RN100216977; 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. JN/EL; all agree.

Item 6

**[Docket No. 2019-1511-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Lone Star Specialty Products, LLC in Morris County; RN101627776; 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 7

**[Docket No. 2020-0016-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties against MarkWest Energy East Texas Gas Company, L.L.C. in Panola County; RN102198470 AND RN102704855; 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 8

**[Docket No. 2020-0691-AIR-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of OCI Beaumont LLC in Jefferson County; RN102559291; 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. JN/EL; all agree.

Item 9            [\*\*Docket No. 2020-0348-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Total Petrochemicals & Refining USA, Inc. in Harris County; RN100212109; 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. (Margarita Dennis, Michael Parrish)

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

Item 10           [\*\*Docket No. 2020-0941-AIR-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of WPX Energy Permian, LLC in Winkler County; RN109801324; 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. JN/EL; all agree.

**EDWARDS AQUIFER ENFORCEMENT AGREED ORDER**

Item 11           [\*\*Docket No. 2020-0189-EAQ-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against JSWC, Ltd. in Bexar County; RN102807989; for Edwards Aquifer violations pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Texas Commission on Environmental Quality, including specifically 30 Tex. Admin. Code ch. 60. (Katelyn Tubbs, Michael Parrish)

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

**MUNICIPAL SOLID WASTE ENFORCEMENT AGREED ORDER**

Item 12           [\*\*Docket No. 2019-1798-MSW-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Russbel Davila dba RDM Tire Service in Harris County; RN110849262; for waste tires 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. (Alain Elegbe, Michael Parrish)

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

### **MUNICIPAL SOLID WASTE ENFORCEMENT DEFAULT ORDER**

Item 13 [\*\*Docket No. 2019-0967-MSW-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of Scott W. Gray dba Larry's Mobile Home Service & Supplies in Orange County; RN106410640; 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. (Taylor Pearson, Janice Hernandez)

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

### **MUNICIPAL WASTE DISCHARGE ENFORCEMENT AGREED ORDERS**

Item 14 [\*\*Docket No. 2019-1492-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Aqua Texas, Inc. in Jefferson County; RN101524833; 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.

Item 15 [\*\*Docket No. 2020-0788-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Carolina Creek Christian Camps in Walker County; RN103196770; 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.

Item 16      **[Docket No. 2019-1753-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Breckenridge in Stephens County; RN102844917; 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 17      **[Docket No. 2019-1581-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Electra in Wichita County; RN101212611; 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. (Katelyn Tubbs, Michael Parrish)

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

Item 18      **[Docket No. 2019-1254-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Harker Heights in Bell County; RN101920395; 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. (Katelyn Tubbs, Michael Parrish)

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

Item 19      **[Docket No. 2019-1805-MWD-E.](#)**

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Olney in Young County;



RN101610335; 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. (Katelyn Tubbs, Michael Parrish)

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

Item 20 [\*\*Docket No. 2020-0476-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Pasadena in Harris County; RN101609774; 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.

Item 21 [\*\*Docket No. 2020-0331-MWD-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Fort Bend County Municipal Utility District No. 134A in Fort Bend County; RN104956511; 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. (Mark Gamble, Michael Parrish)

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

**PETROLEUM STORAGE TANK ENFORCEMENT AGREED ORDERS**

Item 22 [\*\*Docket No. 2019-0866-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Syed Sajid in Dallas County; RN101545572; 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. (Berenice Munoz, Michael Parrish)

Continued to a future Agenda. JN/EL; all agree.

Item 23 [\*\*Docket No. 2018-0725-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of TEXAS KSD ENTERPRISE INC dba Savannah Food & Deli in Jefferson County; RN101774040; 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. (Berenice Munoz, Michael Parrish)

Remanded to the Executive Director. JN/EL; all agree.

Item 24 [\*\*Docket No. 2019-0798-PST-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against and requiring certain actions of Big Diamond, LLC dba Corner Store 3937 in Bexar County; RN102055415; 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. (Roslyn Dubberstein, Janice Hernandez)

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

**PUBLIC WATER SYSTEM ENFORCEMENT AGREED ORDERS**

Item 25 [\*\*Docket No. 2019-0627-PWS-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Barstow in Ward County; RN101241719; 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 26 [\*\*Docket No. 2019-1132-PWS-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Rose City in Orange County; RN102676269; 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. JN/EL; all agree.

Item 27      [\*\*Docket No. 2020-0560-PWS-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of SOHNA Investments, Inc. in Harris County; RN101248029; 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. (Samantha Salas, Michael Parrish)

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

**PUBLIC WATER SYSTEM ENFORCEMENT DEFAULT ORDER**

Item 28      [\*\*Docket No. 2019-1478-PWS-E.\*\*](#)

Consideration of a Default Order assessing administrative penalties against and requiring certain actions of NICO-TYME WATER CO-OP, INC. in Bexar County; RN101215788; for public drinking water violations pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Texas Commission on Environmental Quality. (Roslyn Dubberstein, Janice Hernandez)

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

**WATER QUALITY ENFORCEMENT AGREED ORDERS**

Item 29      [\*\*Docket No. 2019-0629-WQ-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of Perma Pom LLC in Wharton County; RN102833282; 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 30      [\*\*Docket No. 2020-1282-WQ-E.\*\*](#)

Consideration of an Agreed Order assessing administrative penalties against ROESCHCO CONSTRUCTION, INC. in Collin County; RN111075743; 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.

### **MONTHLY ENFORCEMENT REPORT**

Item 31 **[Docket No. 2021-0100-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 32 **[Docket No. 2021-0563-PET.](#)**

Consideration of a petition for rulemaking under Section 20.15 of 30 TAC Chapter 20, Rulemaking. The petition was filed with the Texas Commission on Environmental Quality (commission) on May 3, 2021 by Perales, Allmon, & Ice on behalf of Ingleside on the Bay Coastal Watch Association, Port Aransas Conservancy, and Hillcrest Residents Association (petitioners). The petitioners requested that the commission add new sections to 30 TAC Chapter 295 and Chapter 297 to prescribe measures to minimize impingement and entrainment at desalination facilities. (Kathy Ramirez, Ruth Takeda) (Project No. 2021-018-PET-NR)

Deny the petition for rulemaking filed by Perales, Allmon, & Ice on behalf of Ingleside on the Bay Coastal Watch Association, Port Aransas Conservancy, and Hillcrest Residents Association, because the Commission's existing rules on impingement and entrainment at desalination facilities under Texas Water Code Chapter 18 are sufficient and the proposed new rules under Texas Water Code Chapter 11 are unnecessary. BJ/EL; all agree.

### **RULE MATTER**

Item 33 **[Docket No. 2020-1005-RUL.](#)**

Consideration of the adoption of amended Sections 115.111, 115.112, 115.119, 115.121, and 115.357 and new Sections 115.170 - 115.181, and 115.183 of 30 TAC Chapter 115, Control of Air Pollution from Volatile Organic Compounds, and corresponding revisions to the state

implementation plan. The adoption would implement Federal Clean Air Act reasonably available control technology for all volatile organic compounds emission sources addressed in the United States Environmental Protection Agency's Control Techniques Guidelines for the Oil and Natural Gas Industry (CTG) and would apply to the Dallas-Fort Worth (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties) and Houston-Galveston-Brazoria (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties) nonattainment areas for the 2008 eight-hour ozone National Ambient Air Quality Standard. The proposed rules were published in the January 29, 2021, issue of the *Texas Register* (46 TexReg 767). (John Lewis, Amy Browning; Rule Project No. 2020-038-115-AI)

Adopt the new and amended sections of 30 Texas Administrative Code Chapter 115, and the corresponding revisions to the State Implementation Plan, as recommend by the Executive Director. EL/BJ all agree.

#### **MISCELLANEOUS MATTER**

Item 34 **[Docket No. 2020-1110-MIS.](#)**

Consideration of the adoption of an air quality standard permit for marine loading operations under Texas Health and Safety Code, Section 382.05195, Standard Permit, and 30 Texas Administrative Code Chapter 116, Subchapter F, Standard Permits. The new non-rule standard permit authorizes stationary facilities, or groups of facilities, at a site that conducts marine loading operation activities. Public notice of the proposed general permit was published in the December 18, 2020 issue of the *Texas Register* (45 TexReg 9309). (Melanie Nelon, Sierra Redding) (Non-Rule Project No. 2020-030-OTH-NR)

Adopt the air quality standard permit for marine loading operations, as recommend by the Executive Director. BJ/EL; all agree.

#### **STATE IMPLEMENTATION PLAN**

Item 35 **[Docket No. 2020-0924-SIP.](#)**

Consideration for the adoption of the 2021 Regional Haze State Implementation Plan (SIP) Revision to address the regional haze requirements of Federal Clean Air Act, §169A. The SIP revision addresses regional haze in Big Bend and Guadalupe Mountains National Parks and Federal Class I areas located outside Texas that may be affected by emissions from within the state. The SIP revision contains the core federal Regional Haze Rule (40 Code of Federal

Regulations §51.308) requirements, including: calculations of baseline; current and natural visibility conditions; progress-to-date and the uniform rate of progress; a long-term strategy for regional haze; reasonable progress goals; a monitoring strategy; and a statewide emissions inventory. (Margaret Earnest, John Minter) (Non-Rule Project No. 2019-112-SIP-NR)

Adopt the 2021 Regional Haze SIP Revision, as recommend by the Executive Director. EL/BJ; all agree.

### **MONTHLY PUBLIC WATER SYSTEM REPORT**

Item 36 **Docket No. 2021-0309-MIS.**

Consideration of agency post-incident response actions related to the February 2021 severe winter storm, including plans to evaluate factors that impacted public water system response and recovery actions.

No action taken.

### **EXECUTIVE MEETING**

Item 37 **Docket No. 2021-0001-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 38 **Docket No. 2021-0002-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 39      Docket No. 2021-0003-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 40      Docket No. 2021-0004-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 FIVE (5) 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:**

**MEMBERS OF THE PUBLIC MAY LISTEN TO THE MEETING TELEPHONICALLY BY CALLING, TOLL-FREE, (562) 247-8422 AND ENTERING ACCESS CODE 365-079-123. THE PUBLIC MAY ALSO VIEW LIVE TCEQ MEETINGS ON THE TCEQ YOUTUBE CHANNEL AT NO COST AT:**

**[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 NAVIGATING TO:**

**[HTTPS://WWW.GOTOMEETING.COM/WEBINAR/JOIN-WEBINAR](https://www.gotomeeting.com/webinar/join-webinar) AND ENTERING WEBINAR ID 578-221-763. 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](mailto:AGENDA@TCEQ.TEXAS.GOV). PLEASE COMPLETE THE PUBLIC PARTICIPATION FORM AT:**

**[HTTP://WWW.TCEQ.TEXAS.GOV/ASSETS/PUBLIC/COMM\\_EXEC/AGENDAS/COMM/AGENDAREGISTRATIONFORM.DOCX](http://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/agendaregistrationform.docx) 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. FINALLY, THE COMMISSIONERS MAY DISCUSS OR CONSIDER POSTED ITEMS IN AN ORDER OTHER THAN THE ORDER POSTED.**

/s/ Ron Olson  
Assistant General Counsel  
Ron Olson

July 14, 2021  
Date