

**Chairman Kathleen White
Commissioner Larry Soward**

**MARKED AGENDA
Friday, July 7, 2006
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
9:30 AM
12100 Park 35 Circle
Room 201S, Bldg. E**

- 1. Consideration of the TCEQ's Total Maximum Daily Load (TMDL) policies and process, including issues relating to program policies, the development process, timing, work schedule, internal review and the Environmental Protection Agency's review.**

Item presented by Tom Weber of the Chief Engineer's Office, James Davenport of the Water Quality Division, and Linda Brookins of Office of Compliance & Enforcement.

The Commission directed staff to revise the existing TSSWCB/TNRCC Memorandum of Agreement (MOA) relating to TMDLs. Additionally, the Commission will partner with the TSSWCB to select a task force to review the scientific methods and techniques used to develop bacteria TMDL; the task force will provide alternatives and recommendations to the Commission. The Commission will convene a joint meeting with the Board of the TSSWCB at which time the makeup, objectives and scope of work, and timeframe of the task force as well as revisions to the MOA will be considered. The executive director will review the agency's oversight and management of the CWA Sec. 303(d) List, including impaired waters in Categories 5(a), 5(b), and 5(c).

No action taken.

- 2. Closed Session:**
 - a. Docket No. 2006-0001-EXE. The Commission will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Commission's Executive Director, as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Government Code. The Commission may also meet in open session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.**

The Commissioners did not meet in executive session.

- b. **Docket No. 2006-0002-EXE.** The Commission will conduct a closed meeting to receive legal advice and will discuss pending or contemplated litigation, settlement offers, and/or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Commission employees, as permitted by Sections 551.071 and 551.074, the Open Meetings Act, codified as Chapter 551 of the Government Code. The Commission may also meet in open session to take action on a legal or personnel matters considered in the closed meeting as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

The Commissioners did not meet in executive session.

- c. **Docket No. 2006-0003-EXE.** The Commission will conduct a closed session to discuss their duties, roles, and responsibilities as Commissioners of the TCEQ pursuant to Section 551.074 of the Open Meetings Act, Codified as Chapter 551 of the Government Code. The Commission may also meet in open session to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Government Code.

The Commissioners did not meet in executive session.

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TCEQ COMMISSIONERS' WORK SESSION 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 THE OFFICE OF THE CHIEF CLERK AT (512) 239-3300 AT LEAST TWO (2) 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.

REGISTRATION FOR AGENDA STARTS AT 9:00 A.M. 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 AND ARCHIVED TCEQ MEETINGS ON THE INTERNET AT NO COST, AT: <http://www.texasadmin.com/cgi-bin/tnrcc.cgi>