

**Chairman Kathleen White
Commissioner Larry Soward
Commissioner Martin Hubert**

**MARKED AGENDA
Friday, December 8, 2006
Texas Commission on Environmental Quality
9:30 a.m.
Room 201S, Building E
12100 Park 35 Circle**

1. Discussion of the Monthly Enforcement Report.

Item presented by Anne Dobbs, Program Specialist with the Enforcement Division, and John Racanelli, Manager of the Revenue Section in the Financial Administration Division.

No action taken.

2. Consideration of policy alternatives and issues concerning the use of biodiesel under the Texas Low Emission Diesel (TxLED) Program.

The Commissioners agreed that the December 31, 2006 deadline for approved or pending alternative emission plans to which the TxLED program applies should be extended for 1 year to December 31, 2007. This extension will keep in place all current TxLED terms, conditions and compliance requirements. Additionally, the Commissioners requested that the Executive Director initiate formal rulemaking as soon as possible to extend the December 31, 2006 deadline and urged the Executive Director to exercise discretion in enforcing the current policy until the deadline is extended.

Commenters:

Mike Nasi representing the Biodiesel Coalition of Texas (BCOT)

Casey Kelley representing Oryxe Energy International.

No action taken.

3. Consideration of TCEQ legislative recommendations as proposed by the Executive Director.

Item presented by Leonard Olson, Director of the Intergovernmental Relations Division.

Approve the TCEQ legislative recommendations as proposed by the Executive Director.

KW/LS; all agree.

4. Discussion of state and federal legislative issues potentially affecting the TCEQ. The commission may consider legislative proposals and federal rulemakings, as well as

other state actions and states' participation in federal legislative and regulatory activities.

This item was not discussed.

- 5. PUBLIC COMMENT SESSION: The Commission will receive comments from the public on any matters within the jurisdiction of the TCEQ, with the exception of pending permitting matters or other contested cases which are subject to the ex parte prohibition found in Texas Government Code §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.**

There were no registrants for this item.

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>