

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## DECISION OF THE COMMISSION REGARDING THE PETITION FOR RULEMAKING FILED BY K-3 RESOURCES, LP

Docket No. 2009-1531-RUL

On November 4, 2009, the Texas Commission on Environmental Quality (Commission) considered the petition for rulemaking filed by Bracewell & Giuliani LLP on behalf of K-3 Resources, LP. The petition, filed on September 18, 2009, requests that the agency initiate emergency rulemaking to reduce the requirements of Environmental Impairment insurance required of Class B sewage sludge operators by repealing 30 Texas Administration Code § 37.9105(b)(2).

IT IS THE DECISION OF THE COMMISSION pursuant to Administrative Procedure Act (APA), Texas Government Code, § 2001.021 and Texas Water Code, § 5.102 to instruct the Executive Director to examine the issues in the petition and to initiate rulemaking in this matter. In addition the Commission finds that K-3's request for an emergency rulemaking is denied.

This Decision constitutes the decision of the Commission required by the APA, § 2001.021(c).

Issued date: **NOV 05 2009**

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

A handwritten signature in black ink that reads "Bryan W. Shaw". The signature is written in a cursive style with a large, sweeping flourish at the end.

Bryan W. Shaw Ph.D., Chairman