

Texas Commission on Environmental Quality



DECISION OF THE COMMISSION REGARDING THE PETITION FOR RULEMAKING FILED BY BOOTH, AHRENS & WERKENTHIN ON BEHALF OF TARRANT REGIONAL WATER DISTRICT

Docket No. 2013-0306-RUL

On March 27, 2013, the Texas Commission on Environmental Quality (Commission) considered the petition for rulemaking filed by Booth, Ahrens & Werkenthin on behalf of Tarrant Regional Water District. The petition, filed on February 6, 2013, requests that the agency initiate rulemaking to amend 30 TAC Chapter 311, Subchapter G, to revise the definitions of the Benbrook Lake Watershed and Water Quality Area and to impose a total phosphorus effluent limitation of one milligram per liter for new or amended permits authorizing discharges greater than, or equal to, 0.10 million gallons per day (MGD) to the Benbrook Lake Water Quality Area, and for new or amended permits authorizing discharges greater than or equal to 0.25 MGD to the Benbrook Lake Watershed.

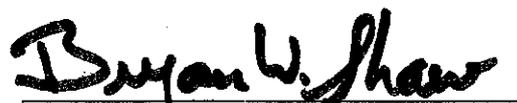
IT IS THE DECISION OF THE COMMISSION pursuant to the Administrative Procedure Act, Texas Government Code, § 2001.021 and Texas Water Code § 5.102 and § 5.103 to deny the petition for rulemaking.

The Commission determined that additional stakeholder input is necessary to insure that all issues relating to the petition are fully explored and all potentially impacted entities have an opportunity to participate. The Commission directs the Executive Director to solicit stakeholder input on all the issues raised in the petition and on any other issues that are relevant to the issues raised in the petition and take appropriate action. Furthermore, the Commission directs the Executive Director to report back to the commission within nine months unless rulemaking has been initiated following the stakeholder input.

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

Issued date: **APR 01 2013**

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY


Bryan W. Shaw, Ph.D., Chairman