

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**DECISION OF THE COMMISSION
REGARDING THE PETITION FOR RULEMAKING
FILED BY FIBER TECHNOLOGY CORPORATION**

Docket No. 2013-0557-RUL

On April 23, 2013, the Texas Commission on Environmental Quality (Commission) considered the petition for rulemaking filed by Fiber Technology Corporation.

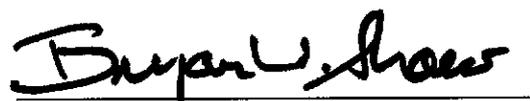
The petition, filed on March 11, 2013, requests that the agency initiate rulemaking to require the following amendments to 30 Texas Administrative Code Chapter 290, Public Drinking Water, concerning the rules and regulations which govern water storage. The petition sought to amend § 290.43(c) by adding a new American Water Works Association water storage tank standard (AWWA D121) for Bolted Aboveground Thermosetting Fiberglass-Reinforced Plastic Panel-Types Tanks. The petition also sought to amend § 290.43(c) by including language exempting modular convex panel-based roofs from having a slope of 0.75 inch per foot.

IT IS THE DECISION OF THE COMMISSION pursuant to Administrative Procedure Act, Texas Government Code, § 2001.021 and Texas Water Code, § 5.102 to deny the petition because the current rule already provides for design and construction of potable water storage facilities based upon current AWWA standards and existing agency rules allow for the evaluation of new technologies through an exception process.

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

Issued date: MAY 03 2013

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Bryan W. Shaw, Ph.D., Chairman