

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



DECISION OF THE COMMISSION REGARDING THE PETITION FOR RULEMAKING FILED BY AN INDIVIDUAL ON BEHALF OF THE LANDOWNERS AND CITIZENS OF ELLIS COUNTY

TCEQ Docket No. 2013-0939-RUL

On June 18, 2013, the Texas Commission on Environmental Quality (Commission) considered the petition for rulemaking filed by an individual. The petition, filed on May 13, 2013, requests that the agency initiate rulemaking to amend 30 Texas Administrative Code Chapter 312, in order to prohibit the land application of sewage sludge in, or within, three miles of a city limit in a county with a population of 140,000 or more that is located adjacent to a county with a population between 2,000,000 and 4,000,000.

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 instruct the executive director to examine the issues in the petition and to initiate a rulemaking proceeding to address nuisance odor issues at bulk sewage sludge land application sites on a statewide basis. As part of this rulemaking proceeding, the Commission instructs the executive director to initiate stakeholder engagement and to report back to the Commission with findings and recommended actions, if any, within five months of this agenda.

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

Issued date: **JUN 24 2013**

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ENVIRONMENTAL QUALITY


Bryan W. Shaw, Ph.D., Chairman