

Texas Commission on Environmental Quality



DECISION OF THE COMMISSION REGARDING THE PETITION FOR RULEMAKING FILED BY MS. NANCY HERNANDEZ

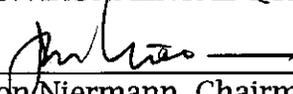
Docket No. 2018-1136-PET
Non-Rule Project No. 2018-037-PET-NR

On October 3, 2018, the Texas Commission on Environmental Quality (Commission) considered the petition for rulemaking filed by Ms. Nancy Hernandez (Petitioner). The Petitioner filed the request on August 15, 2018 and requested that the Commission amend Section 213.23(a)(2) of 30 Texas Administrative Code (30 TAC) Chapter 213, Edwards Aquifer, by modifying the rule to enhance public notification methods.

IT IS THEREFORE ORDERED BY 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. The decision to deny the petition is based on our conclusion that the requested revisions are not necessary considering the executive director's stated intention to consider further procedural changes to the recently implemented Edwards Aquifer Protection program's electronic notification process. Pursuant to 30 TAC §213.23(a)(2) and Texas Water Code (TWC), §26.137, electronic copies of applications are now distributed to affected incorporated cities, groundwater conservation districts, and counties in which the proposed regulated activity will be located. The executive director holds annual Edwards Aquifer Program Meetings which are scheduled for October 22, and October 23, 2018. These meetings are held to receive formal comments.

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

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY



Jon Niermann, Chairman

10/8/18

Date Signed