

# REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

## Proposed Rule Reviews

### Public Utility Commission of Texas

#### Title 16, Part 2

The Public Utility Commission of Texas (commission) publishes this notice of intention to review Chapter 26, Substantive Rules Applicable to Telecommunications Service Providers, in accordance with Texas Government Code §2001.039, Agency Review of Existing Rules. The text of the rule sections will not be published. The text of the rules may be found in the Texas Administrative Code, Title 16, Economic Regulation, Part 2, or through the commission's website at [www.puc.texas.gov](http://www.puc.texas.gov).

Texas Government Code §2001.039 requires that each state agency review and readopt, readopt with amendments, or repeal the rules adopted by that agency pursuant to Texas Government Code, Chapter 2001, Subchapter B, Rulemaking. As required by Texas Government Code §2001.039(e), this review is to assess whether the reasons for adopting or readopting a rule continue to exist. The commission requests specific comments from interested persons on whether the reasons for adopting each rule section in Chapter 26 continue to exist.

The commission has conducted a review of the rules based on comments received in response to the preliminary notice published in the *Texas Register* on March 3, 2023, at (48 TexReg 1368) and proposes repeals and amendments of several rules throughout the chapter. The commission contemporaneously proposes the repeals and amendments in the Proposed Rules section of the *Texas Register*.

If it is determined during this review that any other section of Chapter 26 needs to be repealed or amended, the repeal or amendment will be initiated under a separate proceeding. Thus, this notice of intention to review Chapter 26 has no effect on the sections as they currently exist.

Interested persons may file comments on the review of Chapter 26 electronically through the interchange on the commission's website or may submit comments to the filing clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326, by October 27, 2023. When filing comments, interested persons are requested to comment on the sections in the same order they are found in the chapter and to clearly designate which section is being commented upon. All comments should refer to Project Number 54589.

The notice of intention to review Chapter 26 is proposed for publication under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002, which provides the commission with the authority to adopt and enforce rules reasonably required in the exercise of its powers and jurisdiction and Texas Government Code §2001.039 which requires each state agency to review its rules every four years.

Cross Reference to Statutes: Texas Utilities Code Annotated, Title II, Public Utility Regulatory Act, §14.002; Texas Government Code §2001.039.

TRD-202303588

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: September 28, 2023



### Department of State Health Services

#### Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 97, Communicable Diseases

Subchapter A - Control of Communicable Diseases

Subchapter B - Immunization Requirements in Texas Elementary and Secondary Schools and Institutions of Higher Education

Subchapter C - Consent for Immunization

Subchapter D - Statewide Immunization of Children in Certain Facilities and by Hospitals, Physicians, and Other Health Care Providers

Subchapter E - Provision of Anti-Rabies Biologicals

Subchapter F - Sexually Transmitted Diseases Including Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV)

Subchapter G - Vaccination Stamps

Subchapter H - Tuberculosis Screening for Jails and Other Correctional Facilities

Subchapter I - Immunization Requirements for Residents of Texas Nursing Homes

Subchapter K - Respiratory Syncytial Virus

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 97, Communicable Diseases, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [HHSRulesCoordinationOffice@hhs.texas.gov](mailto:HHSRulesCoordinationOffice@hhs.texas.gov). The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([texas.gov](http://texas.gov)).

TRD-202303595  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: September 29, 2023



The Texas Health and Human Services Commission (HHSC), on behalf of Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

- Chapter 296, Texas Asbestos Health Protection
  - Subchapter A. General Provisions
  - Subchapter B. Definitions
  - Subchapter C. Standards of Conduct
  - Subchapter D. License and Registration
  - Subchapter E. Training Provider License and Training Courses
  - Subchapter F. License and Registration Fees
  - Subchapter G. State Licensing Examination
  - Subchapter H. License and Registration Provisions Related to Military Service Members, Military Veterans, and Military Spouses
  - Subchapter I. Accreditation
  - Subchapter J. Exemptions
  - Subchapter K. Asbestos Management in a Public Building, Commercial Building, or Facility
  - Subchapter L. General Requirements, and Practices and Procedures for Asbestos Abatement in a Public Building
  - Subchapter M. Alternative Asbestos Practices and Procedures in a Public Building
  - Subchapter N. Notifications
  - Subchapter O. Inspections and Investigations
  - Subchapter P. Recordkeeping
  - Subchapter Q. Compliance

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 296, Texas Asbestos Health Protection, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to

[HHSRulesCoordinationOffice@hhs.texas.gov](mailto:HHSRulesCoordinationOffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 296" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([texas.gov](http://texas.gov)).

TRD-202303684  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: October 4, 2023



The Texas Health and Human Services Commission (HHSC), on behalf of Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

- Chapter 297, Indoor Air Quality
  - Subchapter A Government Buildings

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 297, Indoor Air Quality, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [HHSRulesCoordinationOffice@hhs.texas.gov](mailto:HHSRulesCoordinationOffice@hhs.texas.gov).

When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 297" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([texas.gov](http://texas.gov)).

TRD-202303685  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: October 4, 2023



## Adopted Rule Reviews

### Commission on State Emergency Communications

#### Title 1, Part 12

The Commission on State Emergency Communications (CSEC) has concluded the statutory review of its Chapter 254 rules. Based on its review, CSEC readopts without amendment §§254.1, 254.3, and 254.4. In the Adopted Rules section of this issue of the *Texas Register*, CSEC adopts amendments to §254.2, relating to CSEC's Poison Control Coordinating Committee, to extend the duration of the committee to September 1, 2029.

CSEC's notice of intent to review its Chapter 254 rules was published in the August 11, 2023 issue of the *Texas Register* (48 TexReg 4401). Proposed amended §254.2 was published in the August 11, 2023 issue of the *Texas Register* (48 TexReg 4359). The review assessed and determined that the original reasons and justifications for adopting each rule continue to exist and remain valid, and are within the agency's legal authority as certified by legal counsel. For amended §254.2, CSEC provides its reasoned justification and certification of legal authority.

No comments were received regarding CSEC's notice of review. This notice concludes CSEC's review of its Chapter 254 rules.

TRD-202303581

Patrick Tyler

General Counsel

Commission on State Emergency Communications

Filed: September 28, 2023



Health and Human Services Commission

**Title 26, Part 1**

The Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code:

Chapter 551, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions

Subchapter A Introduction

Subchapter B Application Procedures

Subchapter C Standards for Licensure

Subchapter D General Requirements for Facility Construction

Subchapter F Inspections, Surveys, and Visits

Subchapter G Abuse, Neglect, and Exploitation; Complaint and Incident Reports and Investigations

Subchapter H Enforcement

Subchapter J Respite Care

Subchapter L Provisions Applicable to Facilities Generally

Notice of the review of this chapter was published in the August 4, 2023, issue of the *Texas Register* (48 TexReg 4283). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 551 in accordance with §2001.039 of the Government Code, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 551. Any appropriate amendments to Chapter 551 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 551 as required by the Government Code, §2001.039.

TRD-202303599

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: September 29, 2023



The Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code:

Chapter 566, Texas Home Living (TxHmL) Program and Community First Choice (CFC) Certification Standards

Notice of the review of this chapter was published in the August 18, 2023, issue of the *Texas Register* (48 TexReg 4527). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 566 in accordance with §2001.039 of the Government Code, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 566. Any appropriate amendments to Chapter 566 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 566 as required by the Government Code, §2001.039.

TRD-202303601

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: September 29, 2023



Texas Commission on Environmental Quality

**Title 30, Part 1**

The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 20, Rulemaking, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for readoption, readoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the February 24, 2023, issue of the *Texas Register* (48 TexReg 1157) and an extension of the public comment was published in the April 7, 2023, issue of the *Texas Register* (48 TexReg 1875).

The review assessed whether the initial reasons for adopting the rules continue to exist, and TCEQ has determined that those reasons exist. The rules in Chapter 20 are required because they describe the process TCEQ must use to adopt rules. The rules are necessary to ensure rules adopted by TCEQ comply with Administrative Procedure Act rulemaking requirements and are enforceable.

**Public Comment**

The public comment period closed on April 14, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 20 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202303619

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: September 29, 2023



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 25, Environmental Testing Laboratory Accreditation and Certification, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for re-adoption, re-adoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the January 20, 2023, issue of the *Texas Register* (48 TexReg 230).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 25 are required because they provide the requirements for accreditation and certification of environmental testing laboratories. Texas Water Code (TWC), §5.134 requires, with certain exceptions, all environmental testing laboratory data and analyses used in TCEQ decisions regarding any matter under TCEQ's jurisdiction relating to permits or other authorizations, compliance matters, enforcement action, or remedial action must be from an accredited environmental testing laboratory. The rules are specifically required by TWC, §5.802 which requires TCEQ to adopt rules for the voluntary environmental testing laboratory accreditation program.

The rules are necessary to ensure the data used by TCEQ in its decisions are of known and documented quality.

#### Public Comment

The public comment period closed on February 21, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 25 continue to exist and re-adopts these sections in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202303623

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: September 29, 2023



The Texas Commission on Environmental Quality (commission) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 33, Consolidated Permit Processing, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for re-adoption, re-adoption with amendments, or repeal each of its rules every four years. The commission published its Notice of Intent to Review these rules in the May 5, 2023, issue of the *Texas Register* (48 TexReg 2394).

The review assessed whether the initial reasons for adopting the rules continue to exist and the commission has determined that those reasons exist. The rules in 30 TAC Chapter 33 are required because they implement House Bill 1228, 75th Texas Legislature, 1997, codified in the Texas Water Code, Chapter 5, Subchapter J, Consolidated Permit Processing. Chapter 33 allows the commission to issue, on the request of the applicant, a consolidated permit. If the plant, facility, or site is required to have more than one permit and the applications for all permits are filed within a 30-day period, the commission may conduct coordinated application reviews. Federal operating permits may not be consolidated with other permits under this chapter.

#### Public Comment

The public comment period closed on June 6, 2023. The commission did not receive comments on the rules review of this chapter.

As a result of the review the commission finds that the reasons for adopting the rules in 30 TAC Chapter 33 continue to exist and re-adopts these sections in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202303626

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: September 29, 2023



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 90, Innovative Programs, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for re-adoption, re-adoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the May 5, 2023, issue of the *Texas Register* (48 TexReg 2394).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 90 are required because Chapter 90 implements the requirement for TCEQ to adopt rules in Texas Water Code (TWC), §5.755, relating to incentives for enhanced environmental performance based on a person's compliance history and any voluntary measures undertaken by the person to improve environmental quality.

The chapter implements TWC, §5.758, which requires TCEQ to adopt rules to specify procedures for obtaining an exemption from a statute or commission rule if the applicant for a Regulatory Flexibility Order proposes to control or abate pollution by use of an alternative method or standard that is as protective or more protective than the standard prescribed by the statute or commission rule that would otherwise apply.

Finally, Chapter 90 also implements TWC, §5.127, which requires TCEQ to adopt rules for a comprehensive program that provides regulatory incentives to encourage the use of environmental management systems.

#### Public Comment

The public comment period closed on June 6, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 90 continue to exist and re-adopts these sections in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202303628

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: September 29, 2023



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for re-adoption, re-adoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to

Review these rules in the May 5, 2023, issue of the *Texas Register* (48 TexReg 2394).

The review assessed whether the initial reasons for adopting the rules continue to exist, and the commission has determined that those reasons exist for the rules in Chapter 116, Subchapters A - G and I - M.

The rules in Chapter 116 are required because the Texas Clean Air Act (TCAA), Texas Health and Safety Code, Chapter 382, authorizes TCEQ to issue permits and permit amendments to construct or modify a facility that may emit air contaminants. The rules in Chapter 116 establish the requirements for the New Source Review (NSR) permitting program and are also necessary to effectively administer the requirements of the TCAA and applicable portions of the federal Clean Air Act (FCAA), 42 United States Code §7401, *et seq.*

The types of air quality authorizations included in the rules in Chapter 116 are: de minimis facilities and sources; standard permits; NSR case-by-case permits; flexible permits; prevention of significant deterioration permits; and nonattainment permits. The rules provide specific requirements for applications for permit renewals, plant-wide applicability limits, portable facilities, and FCAA, §112(g) hazardous air pollutant permits, as well as emergency orders to respond to catastrophes.

The chapter includes rules adopted to implement statutes with deadlines for issuing permits for electric generating facilities, multiple plant permits, and permits for specific designated facilities (commonly referred to as FutureGen).

Finally, the chapter also includes rules to implement best available retrofit technology associated with the Regional Haze regulations adopted by the United States Environmental Protection Agency (EPA).

Most of the rules in Chapter 116 are incorporated into Texas' State Implementation Plan (SIP) to meet the requirements of FCAA, Title I.

#### Public Comment

The public comment period closed on June 6, 2023. Comments were received on this review from the EPA Region 6.

#### Comments

EPA provided a variety of comments and concerns about the major and minor NSR provisions. A summary of EPA's comments is provided below:

A. TCEQ should evaluate 30 TAC §116.119 to determine whether threshold or emission limits below which an emission unit needs to obtain NSR authorization, and thus included in a title V permit if applicable, should be established. Additionally, this rule does not identify applicable permits by rule (PBR) considered as insignificant emission units. The TCEQ further implements this rule in determining exclusion of insignificant emission units from title V permits; however, this rule has not been approved into Texas' SIP.

B. TCEQ should consider revising 30 TAC §116.151 to clarify that nonattainment permit requirements are linked to an area's designation status for air pollutants at the time of permit issuance. This recommendation is to ensure that the language in 30 TAC §116.151 aligns with the language in 30 TAC §116.150(a) which includes "...as of the date of issuance of the permit...". EPA also emphasizes that netting applies to any source meeting the definition of major source based on sitewide emissions, not just those holding a major source permit.

C. EPA stated that there are concerns that PBRs are not being appropriately incorporated into NSR permits. This potentially allows for circumvention of major NSR requirements by not establishing enforceable limits and avoids cumulative increases through multiple PBR authorizations. TCEQ should review the scope and implementation of

30 TAC §116.116 to ensure internal commission guidance aligns with regulations on the use of PBRs in lieu of permit amendments and how those PBRs are incorporated into permits when a permit is amended or renewed.

D. TCEQ should review rules and/or guidance to ensure that the appropriate definition of Best Available Control Technology (BACT) is implemented for major sources and that the definition of BACT used for Prevention of Significant Deterioration BACT determinations is no less stringent than the Federal definition of BACT.

E. EPA stated that Plant-Wide Applicability Limit (PAL) permits are frequently renewed at existing PAL when emissions calculated in accordance with 40 CFR 52.21(aa)(6) are well below 80 percent of the current PAL. TCEQ should review the scope and implementation of PAL permits rules to ensure limits are properly adjusted at renewal and include a written rationale for the limit which is subject to public review and comment.

F. TCEQ should review the use of "retrospective review" under Chapter 116. Specifically, guidance that the use of rules and attainment status that were in place at the time a source was constructed or modified is used instead of rules and major source thresholds and applicability in place at the time of the retrospective review. EPA expressed concern that this could result in a source being authorized in violation of an existing National Ambient Air Quality Standards. EPA acknowledged that the opposite could also occur where a source could be subject to more stringent requirements if the designation is less stringent.

G. EPA stated that, at the time of SIP approval, their interpretation of 30 TAC §116.120 was that a permit or permit amendment was "*automatically void*" if one of the conditions in §116.120(a)(1)-(3) occurs unless there is a request for an extension of time; however, the rule as written does not expressly state when the extension must be requested. TCEQ should review the scope and implementation of 30 TAC §116.120 to clarify the timing for submitting construction extension requests as well as ensure appropriate health impacts reviews and reviews of BACT/Lowest Achievable Emission Rate/netting or offsets are completed prior to approval of a second extension and limit executive director discretion on extension requests.

H. EPA stated that they would like TCEQ to consider environmental justice principles in all permitting activities, particularly in ensuring active engagement with communities located near facilities and potentially impacted by permitting actions. TCEQ should also review all rules to consider what authority TCEQ currently has when considering other permitted facilities within the area of a pending permitting action to consider how all facilities may contribute to community risk.

#### Response to all comments

**TCEQ recognizes that the EPA has expressed concern about several aspects of the Chapter 116 rules implementing the NSR permitting program. As stated in the May 5, 2023, *Texas Register* notice of this rules review, TCEQ is not considering any rule amendments to the Chapter 116 rules as part of this review action. The NSR authorization mechanism implemented by Chapter 116 is an essential component of the agency's air permitting program, and TCEQ finds that the reasons that the Chapter 116 rules were initially adopted continue to exist. TCEQ is readopting Chapter 116 without change. TCEQ will consider these comments as ongoing stakeholder input for possible future policy or rulemaking action.**

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 116 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202303629

Charmaine Backens  
Deputy Director, Environmental Law Division  
Texas Commission on Environmental Quality  
Filed: September 29, 2023

