

WYNNE - Items 20 to end of agenda  
BIRDWELL - Acting Chairman OB1; 1-19  
JOHNSON

UNCONTESTED AGENDA

Wednesday, January 31, 1990

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 1. APPLICATION NO. 18-2074C BY GUADALUPE-BLANCO RIVER AUTHORITY TO AMEND CERTIFICATE OF ADJUDICATION NO. 18-2074, AS AMENDED. For Commission consideration and action. Applicant seeks to amend Certificate No. 18-2074, as amended, which allows, until December 31, 1990, the authority to use 3000 acre-feet per annum of water authorized for municipal use from Canyon Reservoir on the Guadalupe River in Comal County for irrigation and recreational purposes, to extend this temporary authorization until December 31, 2000. (JORDAN/SMITH:tls)

APPROVED, CJ/JB

Item 2. APPLICATION NO. 4066A BY MARIAN W. FLEMING FOR A SECTION 11.122 WATER USE PERMIT. For Commission consideration and action. Applicant seeks authorization to (1) change the location of the authorized diversion point on Bear Creek, (2) include a recently constructed four acre-foot off-channel reservoir, and (3) divert from Bear Creek at the new diversion point directly to the land or into the newly formed off-channel reservoir for subsequent use, approximately 5 miles northwest of Addicks, Harris County, Texas. (JORDAN/SMITH:rma)

APPROVED, CJ/JB

Item 3. APPLICATION NO. 23-2436A TO AMEND CERTIFICATE OF ADJUDICATION NO. 23-2436 BY THE CITY OF LAREDO, TEXAS WATER CODE SECTION 11.122. FOR COMMISSION ACTION. Applicant seeks authorization to amend certificate No. 23-2436 to change the purpose of use from irrigation to municipal to be used within the city's service area, and to change the point of diversion to a point on the north, or left, bank of the Rio Grande, approximately 1-3/4 miles northwest of Laredo, Webb County, Texas. (JORDAN/SMITH:jme)

APPROVED, CJ/JB

Item 4. APPLICATION BY BAKER & ASSOCIATES JOINT VENTURE NO. 4 FOR AN EXTENSION OF TIME PURSUANT TO TEXAS WATER CODE SECTION 11.145. FOR COMMISSION ACTION. Applicant seeks to extend the time for completion of the dam authorized under Permit No. 5101 from the current completion date of December 23, 1989 to December 23, 1990. Permit No. 5101 authorizes an 8.6 acre-foot reservoir and dam on an unnamed tributary of Little Bear Creek, Trinity River Basin in Tarrant County for recreational purposes. (JORDAN/SMITH:jme)

APPROVED, CJ/JB

Item 5. APPLICATION BY RANDY K. ROBERTS AND WIFE, DEBRA LOU ROBERTS TO

AMEND CERTIFICATE OF ADJUDICATION NO. 12-3670 TO DESIGNATE THE PLACE OF USE. FOR COMMISSION ACTION. Applicant seeks to designate the place of use as directed under Certificate No. 12-3670 to a specific 701.44-acre tract located approximately 26 miles east of Farwell, Parmer County, Texas. (JORDAN/SMITH/jme)

APPROVED, CJ/JB

Item 6. APPLICATION NO. 4211A BY SMITH INVESTMENT COMPANY, A GENERAL PARTNERSHIP D/B/A TAPATIO SPRINGS TO AMEND PERMIT NO. 3928 TO AUTHORIZE USE OF THE BED AND BANKS TO CONVEY GROUNDWATER TO A RECREATIONAL RESERVOIR FOR SUBSEQUENT DIVERSION FOR IRRIGATION PURPOSES. FOR COMMISSION ACTION. Applicant seeks authorization to use the bed and banks of Frederick Creek to convey groundwater from two wells into Reservoir No. 3 for storage and subsequent diversion for irrigation purposes in Kendall County. (JORDAN/SMITH/lb)

APPROVED, CJ/JB

Item 7. APPLICATION NO. 21-3093A BY CHARLES H. THALMAN TO AMEND CERTIFICATE NO. 21-3093. FOR COMMISSION ACTION. Applicant seeks to amend the authorization to divert 75 acre-feet of water per annum from Soldier Slough, tributary of the Nueces River to also allow the diversion of not to exceed one acre-foot of water per annum for mining purposes out of the 75 acre-feet total used for irrigation in Dimmit County, Texas. (JORDAN/SMITH/lb)

APPROVED, CJ/JB

Item 8. APPLICATION NO. 5261 BY THE MORAN CORPORATION FOR A SECTION 11.121 WATER USE PERMIT. For Commission consideration and action. Applicant seeks authorization to use an existing reservoir with a capacity of 65 acre-feet on an unnamed tributary of Weirs Creek, San Jacinto River Basin, Montgomery County for in-place recreational use. (JORDAN/SMITH:rma)

APPROVED, CJ/JB

Item 9. APPLICATION BY BRAZOS COAL LIMITED, A TEXAS GENERAL PARTNERSHIP, FOR AN EXTENSION OF TIME PURSUANT TO TEXAS WATER CODE SECTION 11.145. FOR COMMISSION ACTION. Applicant seeks to extend the time for completion of the reservoir complex authorized under Water Use Permit No. 5081 from the current completion date of October 31, 1989 to October 31, 1991. The reservoir complex is located on unnamed tributaries of Lick Creek and Alum Creek, Brazos River Basin, approximately 11 miles southeast of Bryan, Brazos County, Texas. (JORDAN/SMITH/jme)

APPROVED, CJ/JB

Item 10. APPLICATION BY CITY OF RUSK AND BETTY J. MCLAIN FOR AN EXTENSION OF TIME TO COMPLETE MODIFICATIONS OF RUSK ORE MINE DAM AUTHORIZED UNDER CERTIFICATE OF ADJUDICATION NO. 06-3302. For Commission Action. Applicants are seeking a two year extension of time to complete the modifications of Rusk Ore Mine Dam on Mall Creek, Neches River Basin, authorized under Certificate No. 06-3302 from November 26, 1989 to November 26, 1991. (JORDAN/SMITH/wph)

APPROVED, CJ/JB

Item 11. CONSIDERATION OF THE CORRECTION AND CANCELLATION OF CERTIFICATE OF ADJUDICATION NO. 21-3113 HELD BY JOHN C. SPEARS, JR., AND WIFE, GERTRUDE A. SPEARS. The Certificate of Adjudication should have been issued in the name of John C. Spears, and wife, Gertrude A. Spears. (Persky)

APPROVED, CJ/JB

Item 12. APPLICATION NO. 21-3089A BY ERROL JOHNSON, ET.AL., TO AMEND CERTIFICATE OF ADJUDICATION 21-3089 TO EXTEND THE TERM INCLUDED IN THE CERTIFICATE. FOR COMMISSION ACTION. Applicant seeks authorization to extend the term included in Certificate 21-3089 to December 31, 1999 as pertaining to the additional authorizations under former Permit No. 3698 to irrigate 814 acres of land, approximately 4 miles northwest of Crystal City, Zavala County, Texas. (JORDAN/SMITH/jme)

APPROVED, CJ/JB

Item 13. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$2,500,000 BOND ISSUE APPROVED SEPTEMBER 14, 1982. For Commission consideration and action. Applicant requests approval of the use of \$103,358 in surplus funds for the engineering and construction of a 12-inch waterline to loop the District's existing system.

APPROVED, CJ/JB

Item 14. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55 FOR APPROVAL OF THE ISSUANCE OF \$1,285,000 IN UNLIMITED TAX AND REVENUE BONDS, 8.25% NET EFFECTIVE INTEREST RATE, SERIES 1990, TENTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,285,000 in tax and revenue bonds to finance utilities to serve Heritage Park Sections 15 and 16, and other small projects.

APPROVED, CJ/JB

Item 15. APPLICATION BY NORTHWEST HARRIS COUNTY MUD NO. 24; For Commission consideration and action. Applicant seeks approval for the levy of a standby fee against undeveloped property in the District, in the annual amount of \$225,000 to supplement the District's debt service account and \$25,000 to supplement the District's operating account.

REMANDED TO OFFICE OF HEARINGS EXAMINERS FOR HEARING TO BE HELD 2/27/90 AT 10:00 A.M. IN ROOM 543

Item 16. APPLICATION BY HUNGERFORD MUNICIPAL UTILITY DISTRICT NO. 1 OF WHARTON COUNTY FOR APPROVAL OF THE ISSUANCE OF \$160,000 IN UNLIMITED TAX AND REVENUE BONDS, 8.5% NET EFFECTIVE INTEREST RATE, SERIES 1990, SECOND ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$160,000 in unlimited tax and revenue bonds to construct a water supply plant and distribution system.

APPROVED, CJ/JB

Item 17. APPLICATION BY QUAIL VALLEY UTILITY DISTRICT OF FORT BEND COUNTY FOR APPROVAL OF THE USE SURPLUS FUNDS. For Commission consideration and action. Applicant seeks approval to use \$266,439.65 in surplus funds to reimburse the District's general fund for the construction of the insituform pipe

liners and the Water Plant No. 2 renovations projects.

APPROVED, CJ/JB

Item 18. APPLICATION BY COLORADO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 FOR APPROVAL OF A \$150,000 UNLIMITED TAX BOND ISSUE. For Commission consideration and action. The applicant seeks approval to finance the construction of water lines to replace existing galvanized water lines which have deteriorated due to corrosion.

APPROVED WITH DELETION OF RECOMMENDATION #5; CJ/JB

Item 19. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 81 FOR APPROVAL TO USE SURPLUS FUNDS; \$2,605,000 BOND ISSUE APPROVED MAY 31, 1979. For Commission consideration and action. Applicant seeks approval to use \$120,900 in surplus funds to finance refurbishment of the existing wastewater pumping station including the installation of an auxiliary power supply

APPROVED, CJ/JB

Item 20. Consideration of a Motion For Rehearing on the application by Lakeshore Utility Company, Inc., to increase retail water and sewer rates in Henderson County, Texas; Docket No. 7964-G. (This matter was heard on December 14, 1989 and was approved December 22, 1989.)

MOTION FOR REHEARING DENIED; MATTER REFERRED TO ATTORNEY GENERAL, JB/CJ

Item 21. Consideration of a Motion For Rehearing on an application by City of Glenn Heights for setting of water utility rates for outside city customers, Ellis County, Texas; Docket No. 7477-W. (This matter was considered November 30, 1989 and was order adopted December 18, 1989.)

MOTION FOR REHEARING OVERRULED, JB/CJ

Item 22. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF BRUNE PUMP COMPANY DBA CHINA SPRINGS WATER SUPPLY FOR A TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11945 TO PROVIDE WATER SERVICE IN MCLENNAN COUNTY, TEXAS; DOCKET NO. 8145-S. Recommendation: Adoption of agreement of parties. (Parker)

ADOPTED, CJ/JB

Item 23. APPLICATION OF 3278, INC. to transfer water Certificate of Convenience and Necessity No. 10125 in San Jacinto County (Application No. 8205-T)

APPROVED, CJ/JB

Item 24. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF INDIAN HILLS WATER COMPANY TO INCREASE RETAIL WATER RATES IN COMAL COUNTY, TEXAS; DOCKET NO. 7694-G. Applicant provides retail water service to approximately 60 customers. Recommendation: Adoption of agreement of parties. (Murphy)

APPROVED, CJ/JB

Item 25. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING

THE APPLICATION OF TERRA SOUTHWEST, INC. TO INCREASE RETAIL WATER RATES IN DENTON COUNTY, TEXAS; DOCKET NO. 8026-R. Applicant provides retail water service to approximately 226 customers. Recommendation: Adoption of agreement of parties. (O'Neal)

APPROVED, CJ/JB

Item 26. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF MILITARY HIGHWAY WATER SUPPLY CORPORATION FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10551 TO PROVIDE WATER SERVICE IN CAMERON AND HIDALGO COUNTIES, TEXAS; DOCKET NO. 8068-C. Recommendation: Adoption of agreement of parties.

APPROVED, CJ/JB

Item 27. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF KENNETH R. VAN ZANDT DBA CALVIN'S VILLAGE SUBDIVISION WATER SYSTEM TO INCREASE RETAIL WATER RATES IN HARRIS COUNTY, TEXAS; DOCKET NO. 8002-Q. Applicant provides retail water service to approximately 16 customers. Recommendation: Adoption of agreement of parties. (Murphy)

APPROVED, CJ/JB

Item 28. APPLICATION OF JACKIE NELL WATKINS DBA J & W UTILITY COMPANY for a water Certificate of Convenience and Necessity in Harris County (Application No. 8040-C)

APPROVED, CJ/JB

Item 29. APPLICATION OF FT. DAVIS ESTATES, INC. for a water Certificate of Convenience and Necessity in Jeff Davis County (Application No. 8160-C)

APPROVED, CJ/JB

Item 30. PETITION OF HARRY KAUFHOLD for termination of service of the Kaufhold water system and cancellation of water Certificate of Convenience and Necessity 10133 in Galveston County (Application No. 8298-Q)

APPROVED, CJ/JB

Item 31. APPLICATION OF GAU-RICH CORPORATION DBA RIVER OAKS WATER SYSTEM for a water Certificate of Convenience and Necessity in Chambers County (Application No. 8105-C)

APPROVED, CJ/JB

Item 32. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF LEXINGTON DEVELOPMENT COMPANY FOR CREATION OF FORT BEND MUD #60 TO SERVE UTILITY NEEDS OF DEVELOPMENT PLANNED IN FORT BEND COUNTY, TEXAS. Recommendation: Adoption of agreement of parties. (Sullivan)

DISTRICT CREATED, TEMPORARY DIRECTORS APPOINTED, CJ/JB

Item 33. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF KING INTERESTS CORPORATION TO TERMINATE WATER AND SEWER SERVICE TO THE AVIATOR'S CLUB IN HARRIS COUNTY, TEXAS; DOCKET NO. 7740-Q. Recommendation: Dismiss without prejudice. (Schmandt)

PETITION DISMISSED WITHOUT PREJUDICE, JB/CJ

Item 34. Consideration of a Motion For Rehearing on the Decision and Order concerning the remand of the 1973-76 rate dispute between the City of Farmers Branch and the City of Dallas. (This matter was heard on December 14, 1989 and was adopted on December 27, 1989.)

MOTION FOR REHEARING OVERRULED, JB/CJ

Item 35. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF SAN ANTONIO PRE-STRESSED CO. FOR PERMIT NO. 02961 to authorize the disposal of process wastewater through a recycling treatment system. The recycled process wastewater has an approximate daily average rate of 40,000 gallons in Bexar County, Texas, and Segment No. 1910 of the San Antonio River Basin. Recommendation: Issuance of permit. (Sahs)

APPROVED, JB/BW; CJ VOTING "NO"

Item 36. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF IRENE M. DIKES FOR PERMIT NO. 03085 to authorize the disposal by irrigation of wastes and wastewater from a dairy operation in Erath County, Texas, and Segment No. 1222 of the Brazos River Basin. Recommendation: Issuance of permit. (Limes)

APPROVED, JB/CJ

Item 37. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF STARLITE VILLAGE HOSPITAL, INC., FOR PERMIT NO. 13449-01 to authorize the disposal by irrigation of 11,000 gpd of treated domestic sewage effluent in Kerr County, Texas, and Segment No. 1806 of the Guadalupe River Basin. Recommendation: Issuance of permit. (Demerle)

APPROVED, JB/CJ

Item 38. Consideration of a Motion For Rehearing on an application by Champion International Corporation for renewal of it's industrial wastewater permit No. 01160 in Harris County, TX. (This matter was heard on December 7, 1989 and was adopted December 21, 1989.)

MOTION FOR REHEARING OVERRULED, CJ/JB

Item 39. APPLICATION BY Circle K Corporation for a Temporary Order to authorize a discharge of treated recovered groundwater from a Circle K site at 4400 I-10 in Orange, Orange County, Texas. Groundwater recovery and treatment equipment will be installed at the site for remediation of hydrocarbon-contaminated groundwater. Following treatment, the groundwater will be discharged via a series of drainage ditches to an I-10 roadside ditch; thence to Adams Bayou in Segment No. 0508 of the Sabine River Basin. The volume discharged shall not exceed 7,200 gallons per day, based on a rate of 5 gallons per minute. Circle K Corporation has stated that this request is justified in order to take remedial action and the surface water discharge is a necessary component of remediation of groundwater contamination at this site. The applicant further states that there are no feasible alternatives and that the discharge will not cause a significant hazard to human life and health, unreasonable damage to property, or economic loss to persons other than the applicant, nor will it present a

significant hazard to the uses that may be made of the receiving water. The Temporary Order, if issued, would authorize a discharge of treated recovered groundwater via a series of drainage ditches to an I-10 roadside ditch; thence to Adams Bayou in Segment No. 0508 of the Sabine River Basin, at a rate not to exceed 7,200 gallons per day. The Executive Director of the Texas Water Commission has recommended that the Order, if issued, be subject to the terms and conditions of the proposed Order. Authorization to discharge pursuant to this Order is to terminate 180 days from the date of issuance.

CONTINUED TO 02/14/90 AT 9:00 A.M.

Item 40. APPLICATION BY CITY OF JUSTIN for an amendment to Permit No. 11312-01 to authorize an increase the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 175,000 gallons per day to a volume not to exceed an average flow of 400,000 gallons per day. The proposed amendment would add effluent limitations for minimum dissolved oxygen concentration and upon completion of the expansion of the wastewater treatment facilities, effluent limitations will be made more stringent. The plant site is approximately 600 feet east of Farm-to-Market Road 156 and approximately 1,600 feet south of Farm-to-Market Road 407 (1st Street) in Denton County, Texas. The effluent is discharged into Trail Creek; thence to Denton Creek; thence to Lake Grapevine in Segment No. 0826 of the Trinity River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are high quality aquatic habitat. The designated uses for Segment No. 0826 area contact recreation, high quality aquatic habitat and public water supply. The effluent limitations in the draft permit will maintain and protect the existing instream uses, although some degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit based on the application submitted by the applicant and other information presently available.

APPROVED, CJ/JB

Item 41. APPLICATION BY SOUTHWESTERN BARGE FLEET SERVICE, INC. for an amendment to Permit No. 02605 in order to add Outfall 003 to regulate the discharge of once through cooling water from a heat exchanger. The amendment would add effluent limitations for benzene and naphthalene at Outfall 001. The permit currently authorizes a discharge of treated wash water from barges via Outfall 001 at a volume not to exceed an average flow of 50,000 gallons per day plus a variable discharge of steam condensate via Outfall 002, which will remain the same. The plant site is at 18310 Market Street Road, Harris County, Texas. The effluent is discharged into a barge slip, approximately 1600 feet south of the Interstate Highway 10 Bridge, on the west bank of the San Jacinto River in Segment No. 1005 of the San Jacinto River Basin. The Executive Director of the Texas Water Commission has prepared a draft permit based on the application submitted by the applicant and other information presently available. The designated uses for the receiving waters of Segment No. 1005 are noncontact

recreation and high quality aquatic habitat. The effluent limits in the draft permit are expected to maintain the instream criteria required to protect these uses. This proposed permit is not anticipated to cause significant degradation of the high quality receiving waters. All determinations concerning effluent limits required to meet instream criteria, antidegradation and all other conditions of the proposed permit are considered preliminary and subject to additional review and/or revision.

APPROVED, CJ/JB

Item 42. APPLICATION BY CITY OF RANKIN for a minor amendment to Permit No. 10601-01 to authorize a decrease in the disposal of treated domestic wastewater effluent by irrigation from a volume not to exceed an average of 180,000 gallons per day to a volume not to exceed an average of 150,000 gallons per day. The proposed amendment would also revise the irrigation crop from 60 acres of alfalfa to 27 acres of bermuda and 33 acres of wheat. The irrigation area is adjacent to the plant site. Application rates for the irrigated land shall not exceed 3.36 acre-feet/acre/year. No discharge of pollutants into the waters of the State. The plant and irrigation sites are approximately 1-1/2 miles southwest of the intersection of U.S. Highway 67 and Farm-to-Market Road 349 in Upton County, Texas. The plant and irrigation sites are in the drainage area of Upper Pecos River in Segment No. 2311 of the Rio Grande Basin.

APPROVED, CJ/JB

Item 43. APPLICATION BY STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION has initiated a minor amendment to Permit No. 11299-01 in order to update the terms and format and to include a specific term of ten years. The permit regulates the disposal of treated domestic wastewater effluent from a highway rest area by irrigation on 5 acres of grassland. The disposal volume is not to exceed an average of 15,000 gallons per day. Application rates for the irrigated land shall not exceed 2.1 acre-feet/acre/year. No discharge of pollutants into the waters of the State is authorized by this permit. The plant site is on the south side of IH 10, 4.3 miles west of the intersection of IH 10 and State Highway 71 near Glidden in Colorado County, Texas. The plant site and irrigated land are in the drainage area of the Colorado River in Segment No. 1402 of the Colorado River Basin.

APPROVED, CJ/JB

Item 44. APPLICATION BY CITY OF ADRIAN for renewal of Permit No. 12364-01 which authorizes disposal of treated domestic wastewater effluent by evaporation and irrigation on 8 acres of pastureland. The disposal volume is not to exceed an average of 25,000 gallons per day. The facility and the irrigated acreage are approximately 1.1 miles north-northwest of the intersection of Interstate Highway 40 and Farm-to-Market Road 290; 1 mile north of the City of Adrian adjacent to the Matador Ranch Road, in Oldham County, Texas. The plant site and irrigation area are in the drainage area of Segment No. 0100 of the Canadian River Basin. Application rates for the irrigated land shall not exceed 4.5 acre-feet/acre/year. No discharge of pollutants into the waters of the State is authorized by this permit. The Executive Director of the Texas Water Commission has prepared a draft permit which, if



approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit. It is proposed that the expiration date of the renewed permit be specified as midnight, ten years after date of Commission approval.

RENEWED, CJ/JB

Item 45. CITY OF ANAHUAC for renewal of Permit No. 10396-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 400,000 gallons per day. The wastewater treatment facilities are on the west bank of the West Fork of Double Bayou, approximately 1/2 mile south of the intersection of Paskey Road and the West Fork of Double Bayou in Chambers County, Texas. The effluent is discharged into the West Fork of Double Bayou adjacent to the plant site; thence to the Trinity Bay in Segment No. 2422 of the Bays and Estuaries. All determinations concerning effluent limits required to meet instream criteria, antidegradation, uses and criteria for unclassified receiving waters and all other conditions of the proposed permit are considered preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations have been made more stringent. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 46. APPLICATION BY CITY OF AVERY for renewal of Permit No. 10733-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 144,000 gallons per day. The wastewater treatment facilities are on Mill Creek, approximately one-half mile northeast of the City of Avery in Red River County, Texas. The effluent is discharged into Mill Creek; thence to the Red River in Segment No. 0202 of the Red River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are limited aquatic habitat life. The designated uses for Segment No. 0202 are contact recreation, high quality aquatic habitat and public water supply. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. effective January 1, 1993, effluent limitations will be made more stringent. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 47. APPLICATION BY CITY OF ELKHART for renewal of Permit No. 10735-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 123,000 gallons per day. The plant site is approximately 1000 feet west of Brown Street, 1000 feet south of State Highway 294, and 0.25 mile southwest of the central business district of Elkhart in Anderson County, Texas. The effluent is discharged into an unnamed tributary adjacent to the plant; thence to Box Creek; thence to the Trinity River in Segment No. 0804 of the Trinity River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are no significant aquatic life. The designated uses for Segment No. 0804 are noncontact recreation and high quality aquatic habitat. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 48. APPLICATION BY CITY OF FLATONIA for renewal of Permit No. 10101-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The wastewater treatment facilities are approximately 500 feet north of Interstate Highway 10 and 1300 feet east of State Highway 95, on the north side of the City of Flatonia in Fayette County, Texas. The effluent is discharged to Big Fivemile Creek; thence to Peach Creek; thence to the Guadalupe River in Segment No. 1803 of the Guadalupe River Basin. The uses for the unclassified receiving waters in the area of this discharge (Big Fivemile Creek) have been determined to be no significant aquatic life uses. The designated uses for the receiving waters of Segment No. 1803 are contact recreation, high quality aquatic life, and public water supply. The effluent limits in the draft permit are expected to maintain the instream uses. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit. All determinations concerning effluent limits required to meet instream criteria, antidegradation, uses and criteria for unclassified receiving waters and all other conditions of the proposed permit are considered preliminary and subject to additional review and/or revision. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 49. APPLICATION BY CITY OF GROVES for renewal of Permit No. 10094-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,290,000 gallons per day from the South Wastewater Treatment Facilities. The plant site is on Taft Avenue, approximately 1 mile southeast of the intersection of Taft Avenue and State Highway 73 in Jefferson County, Texas. The effluent is discharged into the Sabine-Neches Canal in Segment No. 0703 of the Neches-Trinity Coastal Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The designated uses for Segment No. 0703 are contact recreation and high quality aquatic habitat. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. Effective January 1, 1993, effluent limitations for copper will be added and provisions for dechlorinating the chlorinated effluent will be added. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 50. APPLICATION BY CITY OF YORKTOWN for renewal of Permit No. 10323-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 260,000 gallons per day. The wastewater treatment facilities are approximately 0.7 mile southeast of the intersection of State Highway 72 and State Highway 119, at the south end of Eckhardt Street in the City of Yorktown, DeWitt County, Texas. The effluent is discharged into Yorktown Creek; thence to Fifteenmile Creek; thence to Coletto Creek in Segment No. 1807 of the Guadalupe River Basin. All determinations concerning effluent limits required to meet instream criteria, antidegradation, uses and criteria for unclassified receiving waters, and all other conditions of the proposed permit are considered preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 51. APPLICATION BY ALABAMA-COUSHATTA INDIAN RESERVATION & TRIBAL COUNCIL for renewal of Permit No. 11562-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 80,000 gallons per day. The wastewater treatment facilities are adjacent to and west of

Park Road 56, approximately one mile south of the intersection of Park Road 56 and U.S. Highway 190, 16 miles east of the City of Livingston in Polk County, Texas. The effluent is discharged into Tombigbee Creek below Tombigbee Lake; thence to Bear Creek; thence to Big Sandy Creek; thence to Village Creek in Segment No. 0608 of the Neches River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are no significant life. The designated uses for Segment No. 0608 are contact recreation, quality aquatic habitat and public water supply. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 52. APPLICATION BY GRD DEVELOPMENT COMPANY, INCORPORATED for renewal of Permit No. 12876-01 which authorizes disposal of treated domestic wastewater from an amusement park by irrigation on 148 acres on which cotton and alfalfa are grown. The disposal volume from the Magic Landing Sewage Treatment Plant is not to exceed an average of 109,000 gallons per day. The plant site is approximately 5600 feet west and 3500 feet north of the Horizon City Overpass of Interstate Highway 10 in El Paso County, Texas. The irrigated land is adjacent to and generally northwest of the plant site. The plant site is in the drainage area of the Rio Grande in Segment No. 2307 of the Rio Grande Basin. Application rates for the irrigated land shall not exceed 5.6 acre-feet/acre/year. No discharge of pollutants into the waters of the State is authorized by this permit. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 53. APPLICATION BY CROSBY MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11388-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 800,000 gallons per day. The wastewater treatment facilities are at 5703 Avenue E, which is approximately one-half mile southwest of the intersection of Farm-to-Market Road 2100 and the Southern Pacific Railroad, in the City of Crosby, Harris County, Texas. The effluent is discharged into Jackson Bayou; thence into the San Jacinto River in Segment No. 1001 of the San Jacinto River Basin. In

accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are no significant aquatic life for Jackson Bayou above the confluence of Gum Gully and limited aquatic life for Jackson Bayou below the confluence of Gum Gully. The designated uses for Segment No. 1001 are contact recreation and high quality aquatic habitat. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that the flow has been decreased to an average of 770,000 gallons per day to correspond with the current treatment facilities. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 54. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 157 for renewal of Permit No. 11906-01 which authorizes a discharge of treated domestic wastewater effluent in phases with the final phase being a volume not to exceed an average flow of 2,800,000 gallons per day from the Dinner Creek Village Wastewater Treatment Plant No. 1. The plant site is at 19355 Aspen Trail, on the northern bank of Dinner Creek and approximately 2,000 feet south of Farm-to-Market Road 529 (Freeman Road) in Harris County, Texas. The effluent is discharged into Dinner Creek; thence to Langham Creek; thence to Bear Creek; thence to South Mayde Creek; thence to Buffalo Bayou in Segment No. 1014 of the San Jacinto River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are limited aquatic life. The designated uses for Segment No. 1014 are contact recreation and limited quality aquatic habitat. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been revised in the interim phase from 2 mg/l to 4 mg/l. Effective January 1, 1991, provisions for dechlorinating the chlorinated effluent will be added. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 55. APPLICATION BY EL DORADO UTILITY DISTRICT has applied to the Texas Water Commission for renewal of Permit No. 11302-01 which authorizes a discharge of treated domestic wastewater effluent in phases with the final phase being a volume not to exceed an average flow of 900,000 gallons per day. The wastewater treatment facilities are immediately south of and adjacent to Garners Bayou, approximately 1/2 mile east of the Old Humble Road crossing of Garners Bayou and 2 miles east of U. S. Highway 59, in Harris County, Texas. The effluent is discharged into Garners Bayou; thence to Greens Bayou; thence to the Houston Ship Channel in Segment No. 1006 of the San Jacinto River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are limited aquatic life. The designated uses for Segment No. 1006 are navigation and industrial water supply. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations have been revised in the interim phase from 2 mg/l to 4 mg/l. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 56. APPLICATION BY GREATER WHITEHOUSE UTILITY CO., INC. for renewal of Permit No. 12910-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 41,300 gallons per day from the Quail Run Wastewater Treatment Facilities. The plant site is at the intersection of Quail Lane and Bobwhite Lane, approximately 1 3/8 miles southwest of the intersection of State Highway 110 and Farm-to-Market Road 346 in Smith County, Texas. The effluent is discharged into an unnamed tributary of Brier Branch; thence to Brier Branch; thence to West Mud Creek; thence to Mud Creek; thence to the Angelina River in Segment No. 0611 of the Neches River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff has determined the existing uses for the receiving water in the area of the proposed discharge and whether the proposed discharge will cause significant degradation to any high quality waters in the area. The uses for the unclassified receiving waters are no aquatic life uses. The designated uses for Segment No. 0611 are contact recreation, high quality aquatic habitat and public water supply. The effluent limitations in the draft permit will maintain and protect the existing instream uses, and no significant degradation of high quality receiving waters is anticipated. All determinations are preliminary and subject to additional review and/or revision. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. It is proposed that the

expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.  
RENEWED, CJ/JB

- Item 57. APPLICATION BY BIG THREE INDUSTRIAL GAS, INC. for renewal of Permit No. 02284 which authorizes a discharge of cooling tower blowdown and floor drain and wash water at a volume not to exceed an average flow of 40,000 gallons per day from Dallas Air Separation Plant. The plant site is on the southeast corner of the intersection of Hard Rock and Oakdale Roads in the City of Grand Prairie, Dallas County, Texas. The effluent is discharged into the West Fork of the Trinity River, Segment No. 0805 of the Trinity River Basin. The designated uses for the receiving waters of Segment No. 0805 are noncontact recreation and limited quality aquatic habitat. The effluent limits in the draft permit are expected to maintain the instream criteria required to protect these uses. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit. All determinations concerning effluent limits required to meet instream criteria, antidegradation, and all other conditions of the proposed permit are considered preliminary and subject to additional review and/or revision. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

- Item 58. APPLICATION BY STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION for renewal of Permit No. 12951-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,000 gallons per day from the Johnson County Rest Area - Northbound Lane Sewage Treatment Plant. The plant site is on the northbound right-of-way of Interstate Highway 35W, approximately 0.8 miles north of the intersection of Interstate Highway 35W and Farm to Market Road 917 in Johnson County, Texas. The effluent is discharged into an unnamed tributary of Walnut Creek; thence to Walnut Creek; thence to Joe Pool Lake in Segment No. 0838 of the Trinity River Basin. The uses for the unclassified receiving waters in the area of this discharge, an unnamed tributary of Walnut Creek, have been determined to be no significant aquatic life. The designated uses for the receiving waters of Segment No. 0838 are contact recreation, high quality aquatic habitat, and public water supply. The effluent limits in the draft permit are expected to maintain the instream uses. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that effluent limitations for minimum dissolved oxygen concentration have been added. All determinations concerning effluent limits required to meet instream criteria, antidegradation, uses and criteria for unclassified receiving waters and all other conditions of the proposed permit are considered preliminary and subject to additional review and/or revision. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/JB

Item 59. APPLICATION BY SOUTHWESTERN ELECTRIC POWER COMPANY for a permit (Proposed Permit No. SW-39080) in order to operate a facility for the receipt, storage and transfer of Class I non-hazardous, industrial solid waste as part of the operation of their electric transmission and distribution system in northeast Texas. The facility will receive PCB-contaminated or PCB-containing capacitors, transformers, switches, etc. which are removed from Southwestern Electric Power Company's electric system and brought to its Longview Service Center. The authorized wastes consist of dielectric fluids removed from the electric components and miscellaneous waste solids associated with operations at the technical center. The storage and transfer facility consists of two abutting storage buildings with a maximum capacity of 17,820 gallons for PCBs and PCB-contaminated liquid, soil, or debris stored in drums; up to 90 PCB transformers or similar electrical equipment; and up to 56 boxes containing PCB and non-PCB capacitors. Waste is to be stored on-site until final disposition at an authorized commercial facility. No discharge or disposal of wastes is authorized by this permit. The Longview Service Center is located at 1221 Karnes Road on a 19.5-acre site on the west side of Karnes Road (aka FM 1845), 0.1 mile south of its intersection with FM 2205 and approximately 0.9 mile north of its intersection with Hwy. 259, in Longview, Gregg County, Texas. This site is in the drainage area of Segment 0505 of the Sabine River Basin (north latitude 32°29'16", west longitude 94°46'10").

APPROVED, JB/CJ

Item 60. APPLICATION BY CHEMICAL WASTE MANAGEMENT, INC. for minor amendments to Permit No. WDW-70 (EPA I.D. No. TXD-000761254) and Compliance Plan No. CP-WDW-70 which authorize operation of a commercial, Class I hazardous industrial solid waste storage and processing facility associated with a commercial waste disposal well, and post-closure care for all existing landfill cells. This facility receives waste from on-site and from off-site generators for storage, processing, and disposal by deep well injection. The proposed amendments would revise the plans, schedules and language of the permit and compliance plan in regard to new personnel, rules and regulations and permitting standards; and revise closure cost estimates due to required compliance and adjustments which have been made because of inflation and the company's compliance with the original permit provisions. The wastes managed at the facility include ignitable, EP toxic, corrosive, toxic, reactive, and acutely hazardous aqueous and organic waste materials. The facility is located at 6901 Greenwood Drive (County Road 33) approximately one-half mile south of State Highway 357 in the City of Corpus Christi, Nueces County, Texas. This location is in the drainage area of Segment 2485 of the Nueces-Rio Grande Coastal Basin (north latitude 27°42'45", west longitude 97°27'46").

APPROVED, JB/CJ

Item 61. APPLICATION BY WESTINGHOUSE ELECTRIC CORPORATION URANIUM RESOURCES DEPARTMENT for amendments production area authorizations to consolidate Permits Nos. UR01942-031 (Production Area No. 3); UR01942-041 (Production Area No. 4); and UR01942-061 (Production Area No. 6) at the Bruni in situ uranium mine into a single production area, Production Area No. 1, under Permit No. UR01942-031. Production Areas Nos. 3, 4 and 6 are 6.9 acres, 9.5 acres and 14.9 acres respectively.



The three production areas are contiguous and are surrounded by a monitor well ring. Westinghouse has requested that the areas be combined in order to simplify the restoration process. During restoration efforts, the company piped and pumped these areas into a single entity to improve the effectiveness of restoring the groundwater. The restoration table for the proposed permit has been recalculated from the current restoration tables by obtaining a weighted average. Westinghouse is requesting a variance on several of the restoration parameters and has met criteria set forth in 31 TAC 331.107(f)(2) for consideration of an amendment to restoration table values. The restoration table proposed for amended Permit No. UR01942-031 reflects restoration values requested by Westinghouse and recommended by Commission staff. The Bruni Project is approximately seven (7) miles north of Bruni along FM 2050, within Survey Nos. 2-81, 660, 661 and 701½ in Webb County, Texas. The permit area covers 1,480 acres. The production zone is in the Catahoula Formation from a depth of approximately 130 feet to 190 feet. Prior to mining the water in the area was used primarily for watering cattle.

APPROVED, JB/CJ

OLD BUSINESS

TEXAS WATER COMMISSION

Wednesday, January 31, 1990

9:00 a.m.  
Room 118

Item carried forward from Agenda of November 28, 1989.

- Item 1. APPLICATION NO. TA-6262 BY THE R.E. HABLE COMPANY FOR A TEMPORARY WATER USE PERMIT, TEXAS WATER CODE SECTION 11.138. For Commission consideration and action. Applicant seeks authorization to divert and use 20 acre-feet of water within a 3-year period from tributaries of the Red River, Red River Basin from 6 diversion points for industrial use (highway construction) approximately 11 miles north of Sherman, Grayson County, Texas. (JORDAN/SMITH/jme)

APPROVED, CJ/JB

WYNNE  
BIRDWELL  
JOHNSON

CONTESTED AGENDA

Wednesday, January 31, 1990

TEXAS WATER COMMISSION

2:00 p.m.  
Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ARCHEM COMPANY. (Smith, R.)

CONTINUED to 02/21/90 at 2:00 p.m.

Item 2. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF THE CITY OF FORT WORTH; Docket No. 7857 -C for a Certificate of Convenience and Necessity to provide water service in Tarrant and Denton Counties, Texas. Recommendation: Issuance of CCN.

ADOPTED AS PROPOSED; EXCEPTIONS OVERRULED, CJ/JB

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF R. J. SMELLEY, CO., INC.; PERMIT NO. 02422. (Ligarde)

ADOPTED WITH PENALTIES, JB/BW

Item 4. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF WIEBE DE VRIES FOR PERMIT NO. 03086 to authorize the disposal by irrigation of partially treated wastewater effluent from a dairy operation in Erath County, Texas, and Segment No. 1221 of the Brazos River Basin. Applicant also seeks authorization to dispose of manure solids as fertilizer for improved pasture. Recommendation: Issuance of permit. (Murphy)

PROPOSAL ADOPTED WITH MODIFICATIONS AND ADDITION AS DISCUSSED; OVERRULING EXCEPTIONS NOT INCORPORATED INTO THE CHANGES, JB/CJ

SUPPLEMENTAL AGENDA

Wednesday, January 31, 1990

TEXAS WATER COMMISSION

2:00 p.m.  
Room 118

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION REQUESTING THE SETTING OF INTERIM RATES IN THE APPLICATION OF HANCO UTILITIES DBA TRI-COUNTY UTILITIES FOR A RATE INCREASE, DOCKET NO. 8245-R. (Smith, S.)

ED MOTION GRANTED, JB/CJ

SUPPLEMENTAL CONTESTED AGENDA

Wednesday, January 31, 1990

TEXAS WATER COMMISSION

2:00 p.m.  
Room 118

Item 6. APPROVAL OF BUDGET AMENDMENTS FOR FIRST QUARTER OF FY90.

CONTINUED TO 02/01/90 AT 10:00 A.M., ROOM 123; BUDGET AMENDMENTS  
ADOPTED, JB/BW

Item 7. The Commission will meet in executive session to discuss pending or contemplated litigation, and to discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Commission employees, as permitted by TEX. REV. CIV. STAT. ANN. art. 6252-17 sections 2(e) and (g). No final action, decision or vote with regard to any matter considered in closed session shall be made in the absence of further notice issued in accordance with Article 6252-17.

NOT CONSIDERED; NO ACTION TAKEN.

EMERGENCY SUPPLEMENTAL CONTESTED AGENDA

Wednesday, January 31, 1990

TEXAS WATER COMMISSION

2:00 a.m.  
Room 118

- Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR AN EMERGENCY ORDER FROM THE COMMISSION ORDERING INDUSTRIAL UTILITIES SERVICE, INC. TO PROVIDE AN EMERGENCY INTERCONNECTION WITH STANDLEY UTILITY SERVICE CORPORATION FOR THE PROVISION TEMPORARY SEWER SERVICE. (Petrov)

(A imminent threat to public health and safety will result if Standley Utility Service Corporation is unable to provide sewer service to its customers in Harris County. If emergency order is approved the matter will be set for hearing, February 21, 1990 at 2:00 p.m., to be affirmed, modified or set aside.)

EMERGENCY ORDER NO. 90-5E ISSUED AND SET FOR HEARING 02/14/90 AT 2:00 P.M. TO AFFIRM, MODIFY OR SET ASIDE, JB/CJ

OLD BUSINESS

TEXAS WATER COMMISSION

Wednesday, January 31, 1990

2:00 p.m.

Items carried forward from Agenda of December 14, 1989.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ACID DELINTERS, INC. (SWR No. 39164). (Dickman)

CONTINUED TO 03/21/90 AT 2:00 P.M.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF GATX TERMINALS CORPORATION, SWR NO. 30573. (Dickman)

ADOPTED WITH ADMINISTRATIVE AND DEFERRED PENALTIES, CJ/JB

Item carried forward from Agenda of February 23, March 9, March 16, April 20, May 11, August 17, October 12, November 16, and December 14, 1989.

- Item 3. APPLICATION BY TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON AND TARRANT COUNTIES FOR APPROVAL OF A \$1,780,000 UNLIMITED TAX BOND ISSUE AND THE USE OF \$250,000 IN SURPLUS FUNDS. For Commission consideration and action. Application requests approval of the bond issue and the use of surplus funds to reimburse the developer for construction of facilities in Lake Forest Village, Sections 3 and 4, the expansion to the sewage treatment plant, and to finance construction of a lift station and force main.

CONTINUED to 03/07/90 at 2:00 p.m.

Item carried forward from Agenda of November 2, December 7 and 14, , 1989.

- Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORTS AND PETITIONS FOR ORDERS ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TONY BELTMAN DAIRY, NO PERMIT; TEXAS-DUTCH DAIRY, NO PERMIT; GRAND CANYON DAIRY, PERMIT NO. 02950; AZTEX DAIRY, PERMIT NO. 02953; CEDARWOOD DAIRY, NO PERMIT; SHERMAN WILLIAMSON DAIRY, NO PERMIT; JOE CROUCH DAIRY, NO PERMIT; FRI-TEX DAIRY, PERMIT NO. 02714; AND JONGSMA DAIRY, NO PERMIT. (Ligarde)

CONTINUED TO 02/14/90 AT 2:00 P.M.

ADDENDUM TO OLD BUSINESS

TEXAS WATER COMMISSION

Wednesday, January 31, 1990

2:00 p.m.  
Room 118

Item carried forward from Agenda of January 24, 1990.

- Item 5. APPLICATION BY U.S. AIR FORCE/LAUGHLIN AIR FORCE BASE, 47 ABG/CC for a permit (Proposed Permit No. HW-50258, EPA ID No. TX 2571524105) to operate a Class I hazardous industrial solid waste management facility at Laughlin Air Force Base. The permit would authorize operation of an existing all-weather container storage building having a total capacity of 18,000 gallons. The wastes managed at this facility are industrial hazardous wastes such as waste solvents, which are incidental to the maintenance and support of aircraft used to train U.S. Air Force pilots. The wastes managed are acutely hazardous, ignitable, toxic, corrosive, reactive, and EP toxic liquids, sludges and solids. Authorized wastes may be received from off-site federal facilities. Laughlin Air Force Base occupies a 3,908-acre tract of land which is positioned along the southside of U.S. Highway 90, approximately 5.0 miles east of the Highway 90/San Felipe River Bridge in the City of Del Rio, Val Verde County, Texas. This location is in the drainage area of Segment 2304 of the Rio Grande Basin (north latitude 29°21'15", west longitude 100°47'30").

APPROVED, CJ/BJ

Item carried forward from Agenda of December 7 and 12, 1989, and January 17, 1990.

- Item 6. CONSIDERATION OF AN EXAMINER'S MEMORANDUM CONCERNING THE SCOPE OF REMAND OF BROWNING-FERRIS, INC., PERMIT NO. WDW-171 (AN APPLICATION TO DISPOSE OF HAZARDOUS WASTE BY DEEP WELL INJECTION IN BRAZORIA COUNTY, TEXAS)

ORDER ADOPTED, CJ/JB