

CONTESTED AGENDA

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF OUT-OF-TOWN RATEPAYERS OF THE TOWN OF HACKBERRY APPEALING RETAIL WATER RATES IN DENTON COUNTY, TEXAS; DOCKET NO. 9097-W. Applicant provides retail water service to approximately 79 customers. Recommendation: Denial of rate increase. (Sullivan)

Issue Proposed Order, JH/BJW

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AQUILA REALTY FUND, INC. - NO PERMIT. (SMITH, S.)

Continued to October 30, 1991 at 9:00 a.m.

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF RAYMOND KORENEK, DBA R.K.S. WATER COMPANY FOR VIOLATIONS OF CHAPTER 13 OF THE TEXAS WATER CODE. (Montelongo)

Continued to October 30. 1991 at 9:00 a.m.

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR A CORRECTIVE ACTION POST-CLOSURE CARE ORDER CONCERNING THE INDUSTRIAL ROAD/INDUSTRIAL METALS SITE IN CORPUS CHRISTI, TEXAS, TWC SOLID WASTE REGISTRATION NO. 31251. (Dickman)

Remand to Office Hearings Examiner

Item 5. CONSIDERATION OF THE EMERGENCY ADOPTION OF 31 TEXAS ADMINISTRATIVE CODE CHAPTER 320 ENTITLED "REGIONAL ASSESSMENTS OF WATER QUALITY" IMPLEMENTING PORTIONS OF SENATE BILL 818. (Ligarde/Manning)

Approve Staff Recommendation, JH/BJW

Item 6. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ROBERTS PEST CONTROL, INC., SWR NO. 39995. (Warneke)

Remand to Office Hearings Examiner

Item 7. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR 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 2(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 TEX.REV.CIV.STAT.ANN. art. 6252-17.

No Action Taken

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 8. CONSIDERATION OF EXECUTIVE DIRECTOR'S REQUEST FOR AN EMERGENCY ORDER REQUIRING ATOCHEM NORTH AMERICA, INC. TO UNDERTAKE CERTAIN ACTIONS AT OR NEAR ITS FACILITY IN BRYAN, BRAZOS COUNTY TO ADDRESS ARSENIC CONTAMINATION. SWR NO. 31695 (HAHN, SALLY JO)

Issue Agreed Order, JH/BJW

DOCKET

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. MODIFY, AFFIRM OR SET ASIDE EMERGENCY ORDER REQUIRING LEIGH METAL COATING AND MACHINERY, INC. TO UNDERTAKE CERTAIN ACTIONS AT OR NEAR ITS FACILITY IN ECTOR COUNTY. (RENBARGER). (This matter was considered on August 14, 1991.)

Continued to September 25, 1991 at 3:00 p.m.

OLD BUSINESS DOCKET

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from agenda of September 11, 1991.

- Item 2. MODIFY, AFFIRM OR SET ASIDE EMERGENCY ORDER ON DYNAGEN, INC., WATER QUALITY PERMIT NO. 00817-01, RELATING TO TECHNICAL REQUIREMENTS FOR SOLAR POND MANAGEMENT, STORMWATER MANAGEMENT, AND GROUNDWATER MONITORING. (This item was considered on August 14, 1991.) (SMITH, SHARON)

Continued to September 25, 1991 at 3:00 p.m.

CONTESTED OLD BUSINESS

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from agenda of July 24, 1991.

- Item 1. FOR CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF STAR ENTERPRISE - WASKOM BULK TERMINAL; SWR 35841 (RENBARGER)

Continued to October 30, 1991 at 9:00 a.m.

Item carried forward from Agenda of March 27, July 17 and July 24, 1991.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST WELLMAN INDUSTRIES, INC. AND THOMAS ECK AND REQUIRING CERTAIN ACTIONS OR WELLMAN INDUSTRIES, INC., H.T. WELLMAN, THOMAS ECK, AEGON USA REALTY ADVISORS, INC., AND SIGNAL CAPITAL CORPORATION. SWR NO. 33350. (DICKMAN, S)

Continued to September 25, 1991 at 3:00 p.m.

ADDENDUM TO CONTESTED OLD BUSINESS

September 25, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of May 15, July 3, and September 11, 1991.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST TEXAS PROCESSING, INC., DOUGLAS HOSKINS, AND REQUIRING CERTAIN ACTIONS OF TEXAS PROCESSING, INC., AND DOUGLAS HOSKINS, OXY PETROCHEMICALS, INC. AND HOWARD DUNN. (SWR 39877) KARNES COUNTY (GONZALEZ).

Issue Agreed Order, Douglas Hoskins, Texas Processing, Inc. is to be severed from Agreed Order and Considered on October 9, 1991. JH/BJW

Item carried forward from Agenda of August 14, 1991 and September 18, 1991.

- Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SHELL OIL COMPANY, (ODESSA LAND TREATMENT FACILITIES). (Dickman)

Continued to October 2, 1991 at 9:00 a.m.

Item carried forward from Agenda of September 18, 1991.

- Item 5. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF HARPER WATER COMPANY TO INCREASE RETAIL WATER RATES IN GILLESPIE AND KERR COUNTIES, TEXAS; DOCKET NO. 9044-R. Applicant provides retail water service to approximately 533 customers. Recommendation: Adoption of agreement of parties. (Wood)

Issue Agreed Order, BJW/JH

UNCONTESTED AGENDA

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 1. APPLICATION BY SAGERTON MILK PRODUCERS, INC. for a permit (Proposed Permit No. 03307) to authorize disposal of wastewater and wastewater from a dairy which consists of a maximum of 400 head in confinement. The dairy is located approximately 4 miles southeast of Rule, approximately 3 miles south of U.S. Highway 380 on an unnamed county road in Haskell County, Texas.

Approved, JH/BJW

Item 2. APPLICATION BY ALLIED INDUSTRIES, INC. for an amendment to Permit No. 02725 to authorize an increase in the discharge of hydrotest water effluent from a volume not to exceed 50,000 gallons during any 24-hour period to a volume not to exceed 300,000 gallons during any 24-hour period. The applicant operates a facility that manufactures pressure vessels for industrial use. The plant site is at 2828 Clinton Drive, which is approximately 2000 feet south of the intersection of U.S. Highway 59 and Interstate Highway 10, in the City of Houston, Harris County, Texas.

Approved, JH/BJW

Item 3. APPLICATION BY HOUSTON LIGHTING AND POWER COMPANY for an amendment to Permit No. 01908 to authorize the deletion of pH limitations for Outfalls 101 through 601. The permit currently authorizes a discharge of treated wastewater effluent at a volume not to exceed an average flow of 144,000,000 gallons per day from the cooling pond via Outfall 001 and a discharge of treated sanitary sewage effluent at a volume not to exceed an average flow of 60,000 gallons per day via Outfall 002 from the South Texas Project Electric Generating Station, which will remain the same. The plant site is approximately 10 miles north of the Matagorda Bay and 12 miles south-southwest of the City of Bay City, Matagorda County, Texas.

Approved, JH/BJW

Item 4. APPLICATION BY THE CITY OF STEPHENVILLE for an amendment to Permit No. 10290-01 which currently authorizes a discharge of treated domestic wastewater effluent in phases with a final volume not to exceed an average flow of 1,850,000 gallons per day which will remain the same. The wastewater treatment facilities are located approximately 1,500 feet southwest of the intersection of U.S. Highway 281 and State Highway 108 in Erath County, Texas.

Approved, JH/BJW

Item 5. APPLICATION BY TEXAS EASTERN PRODUCTS PIPELINE COMPANY for an amendment to Permit No. 02302 in order to remove the petroleum refining units from this site and leave the petroleum bulk product storage terminal and marine petroleum loading

facilities. The proposed amendment would decrease the discharge of treated wastewater via Outfall 001 from an average flow of 202,000 gallons per day to an average flow of 50,000 gallons per day. Biomonitoring requirements have also been added. The permit currently authorizes a discharge of stormwater runoff via Outfall 002 at a volume variable with rainfall, which will remain the same. The plant site is adjacent to the Neches River, approximately three miles southwest of the City of Vidor, Orange County, Texas.

Approved, JH/BJW

Item 6. APPLICATION BY CEDAR BAYOU PARK UTILITY DISTRICT for renewal of Permit No. 11713-01 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 at the Southern Pacific Railroad crossing of McGee Gully, approximately 5,000 feet south of Interstate Highway 10, and approximately 5,000 feet southeast of the intersection of Interstate Highway 10 and Sjolander Road in Harris County, Texas.

Approved, JH/BJW

Item 7. APPLICATION BY THE CITY OF COOPER for renewal of Permit No. 10449-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 370,000 gallons per day. The wastewater treatment facilities are about 1900 feet southeast of the intersection of Farm-to-Market Roads 1528 and 1880, south of the City of Cooper in Delta County, Texas.

Approved, JH/BJW

Item 8. APPLICATION BY THE CITY OF DODD CITY for renewal of Permit No. 10538-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 48,000 gallons per day. The wastewater treatment facilities are located approximately 0.5 mile southeast of the intersection of U.S. Highway 82 and Farm-to-Market Road 2077, 2000 feet east-southeast of the intersection of First Street and Main Street in Fannin County, Texas.

Approved, JH/BJW

Item 9. APPLICATION BY EXPLORER PIPELINE COMPANY for renewal of Permit No. 02399 which authorizes a discharge of tank water drainoff, washdown water from the launcher/receiver slab and stormwater at a volume variable with rainfall from its Port Arthur petroleum products pipeline tank farm. The facility is at 6300 Port Arthur Road in the City of Port Arthur, Jefferson County, Texas.

Approved, JH/BJW

Item 10. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36 for renewal of Permit No. 12239-01 which authorizes a discharge of treated domestic wastewater effluent in phases with the final volume not to exceed an average flow of 1,500,000 gallons per day. The wastewater treatment facilities are located adjacent to Lateral H of Turkey Creek; approximately 2.2 miles south and 1.2 miles east of the intersection of Farm-to-Market Road 1960 and Interstate Highway 45 in Harris County, Texas.

Approved, JH/BJW

Item 11. APPLICATION BY LAKE FOREST PLANT ADVISORY COUNCIL for renewal of Permit No. 11084-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,760,000 gallons per day from the Lake Forest Regional Wastewater Treatment Facilities. The facility is located south of Cypress Creek approximately 1/2 mile west of Farm-to-Market Road 149 and 1/4 mile north of Grant Road in Harris County, Texas.

Approved, JH/BJW

Item 12. APPLICATION BY THE CITY OF MEGARGEL for renewal of Permit No. 12389-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 32,000 gallons per day. The wastewater treatment facilities are on the west side of Farm-to-Market Road 210, approximately 4,000 feet north of the intersection of State Highway 114 and Farm-to-Market Road 210 in Archer County, Texas.

Approved, JH/BJW

Item 13. APPLICATION BY TEXAS PARKS & WILDLIFE DEPARTMENT for renewal of Permit No. 11722-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 35,000 gallons per day. The wastewater treatment facilities are about 3,000 feet northwest of the intersection of Farm-to-Market Road 1988 and Farm-to-Market Road 3126 and 300 feet east of Farm-to-Market Road 3126 in Polk County, Texas.

Approved, JH/BJW

Item 14. APPLICATION BY UPPER JASPER COUNTY WATER AUTHORITY FOR APPROVAL OF A \$200,000 SECOND BOND ISSUE, 5.875% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. The Authority's application requests Commission approval for a bond issue to finance the water distribution system, water plant no. 2 improvements and construction of water plant no. 3.

Approved, JH/BJW

Item 15. APPLICATION BY DAVENPORT RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF TRAVIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$520,000 BOND ISSUE APPROVED May 31, 1990. For Commission consideration and action. Applicant requests approval of the use of \$71,000 of surplus funds for costs to extend a liner at effluent holding pond no. 2.

Continued to October 23, 1991 at 3:00 p.m.

Item 16. APPLICATION BY HEATHERLOCH MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL TO USE SURPLUS FUNDS; \$640,000 BOND ISSUE APPROVED February 1, 1983. For Commission consideration and action. Applicant requests approval to use \$182,000 in surplus funds to finance a portion of the costs of construction of a second water well and a water transmission main.

Approved, JH/BJW

Item 17. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 4 OF FORT BEND COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$2,050,000 BOND ISSUE APPROVED November 16, 1989. For Commission consideration and action. Applicant requests approval of the use of \$264,752 of surplus funds for water, wastewater, and drainage facilities to serve Sweetwater Section VI.

Approved, JH/BJW

Item 18. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 21 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$1,700,000 BOND ISSUE APPROVED August 3, 1981. For Commission consideration and action. Applicant requests approval of the use of \$59,686 of surplus funds for Air Header Replacement and Dechlorination Facilities at the District's wastewater treatment plant.

Approved, JH/BJW

Item 19. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 114 FOR APPROVAL OF RELEASE FROM ESCROW; \$1,100,000 BOND ISSUE APPROVED December 19, 1990. For Commission consideration and action. Applicant requests approval of the release of \$836,097 of escrowed funds to finance construction of Water Plant No. 3.

Approved, JH/BJW

Item 20. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF RATEPAYERS CONCERNING FOREST COVE MUNICIPAL UTILITY DISTRICT'S INCREASE IN WATER AND SEWER RATES IN HARRIS AND MONTGOMERY COUNTIES, TEXAS; DOCKET NO. 8882-W. Applicant provides water and sewer service to approximately 1122 customers. Recommendation: Adoption of agreement of parties. (Sahs)

Continued to October 2, at 3:00 p.m.

Item 21. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF LAMAR WATER SUPPLY CORPORATION TO INCREASE RETAIL WATER AND SEWER RATES IN ARANSAS COUNTY, TEXAS; DOCKET NO. 9092-G. Applicant provides retail water and sewer service to approximately 199 customers. Recommendation: Adoption of agreement of parties. (Jackson)

Continued to October 9, at 3:00 p.m.

Item 22. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF CLEMON CREEK JOINT VENTURE FOR A RENEWAL OF PERMIT NO. 12899-01 to authorize the discharge of 100,000 gpd of treated domestic wastewater effluent in Collin County, Texas, and Segment No. 0821 of the Trinity River Basin. Recommendation: Denial of permit. (Zukauckas)

Issue Denial Order as Recommended, BJW/JH

Item 23. APPLICATION OF HIGHLAND BAYOU ESTATES WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Galveston County, TX (Application No. 8757-C, Holck)

Approved, JH/BJW

Item 24. APPLICATION OF AMERICAN HERITAGE RESORT, INC. DBA WESTRIDGE

WATER COMPANY for a Water Certificate of Convenience and Necessity in Washington County, Tx (Application No. 8738-C, Arroyo)

Approved, JH/BJW

Item 25. APPLICATION OF THOMAS M. CHALKLEY DBA ARROWHEAD VILLAGE WATER SYSTEM for a Water Certificate of Convenience and Necessity in Comal County, TX (Application No. 9079-C, Fenner)

Approved, JH/BJW

Item 26. APPLICATION OF THE BAY PLACE PROPERTY OWNERS ASSOCIATION, INC. for a Water Certificate of Convenience and Necessity in Chambers County, TX (Application No. 8903-C, Fenner)

Approved, JH/BJW

Item 27. APPLICATION OF WINDHORST WATER SUPPLY CORPORATION for an Amendment to Water Certificate of Convenience and Necessity No. 11355 in Archer and Clay Counties, TX (Application No. 9170-C, Holck)

Approved, JH/BJW

Item 28. APPLICATION OF ODELL GREEN DBA BEATON LAKE ESTATES WATER SYSTEM for a Water Certificate of Convenience and Necessity in Navarro County, TX (Application No. 8980-C, Horst)

Approved, JH/BJW

Item 29. APPLICATION NO. 5275A BY HUGH TULLOS (II) AND WIFE, GAYLE TULLOS TO COMBINE WATER RIGHTS AUTHORIZED BY CERTIFICATE NO. 14-1513 AND PERMIT NO. 5275 UNDER PERMIT NO. 5275 AND TO AMEND PERMIT NO. 5275, AS COMBINED For Commission consideration and action. Applicants seek to combine the aforesaid water rights under Permit No. 5275 and to amend Permit No. 5275, as combined, by changing the diversion point and place of use now included in the certificate on the North Llano River, Colorado River Basin, in Kimble County to the diversion point and place of use now included in the permit on the Llano River in Mason County. (JORDAN:tls)

Approved, JH/BJW

Item 30. APPLICATION NO. 23-2726B BY THE CITY OF LAREDO TO AMEND CERTIFICATE NO. 23-2726. For Commission Action. Applicant seeks to amend Certificate No. 23-2726 to change the purpose of use for four (4) acre-feet of Class "A" irrigation rights to two (2) acre-feet of municipal water rights and to change the place of use and diversion point to the city's service area and diversion facilities, approximately 1 3/4 miles northwest of the Webb County Courthouse, Laredo, Texas. (JORDAN/wph).

Approved, JH/BJW

Item 31. APPLICATION NO. CA-269C BY THE CITY OF MOUNT PLEASANT TO AMEND CP-269. FOR COMMISSION ACTION. Applicant seek an amendment to Contractual Permit No. CP-269 to increase the amount of water diverted and used from Lake Bob Sandlin, Cypress Creek Basin, to 7000 acre-feet of water per annum in accordance with a water supply contract, based on Certificate No. 04-4564. between the city and Titus County Fresh Water Supply

District No. 1 for municipal purposes, approximately 6 miles southwest of Mount Pleasant, Titus County, Texas. (JORDAN/wph).

Approved, JH/BJW

Item 32. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A REMEDIAL DESIGN CONTRACT WITH EBASCO SERVICES FOR THE NORTH CAVALCADE SUPERFUND SITE.

Approved, JH/BJW

Item 33. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT TO ASSIST THE TEXAS WATER COMMISSION IN THE REVIEW OF A COMMERCIAL HAZARDOUS WASTE MANAGEMENT NEEDS ASSESSMENT. REQUIRED BY SENATE BILL 1099.

Approved Staff Recommendation, BJW/JH

UNCONTESTED OLD BUSINESS

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of August 14, 1991.

- Item 1. APPLICATION BY TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 19 FOR APPROVAL OF AN EXTENSION OF TIME; \$6,000,000 BOND ISSUE APPROVED June 16, 1988. For Commission consideration and action. Applicant requests the approval of an extension of time in which to sell the previously approved \$6,000,000 bond issue.

Remand to Staff, BJW/JH

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of September 11, 1991.

Item 2. NUNC PRO TUNC ORDER for Don Bryant dba Buena Vista Water System, CCN No. 11656, in Burnet County, Texas (Docket No. 8315-G, Shires)

Issue Order as Recommended by Staff, BJW/JH

Item carried forward from Agenda of September 11, 1991.

Item 3. CONSIDERATION OF EMERGENCY AMENDMENTS TO PETROLEUM STORAGE TANK RULES IN 31 TEXAS ADMINISTRATIVE CODE SECTION 334, SUBCHAPTER E, IMPLEMENTING PORTIONS OF H.B. 1214 RELATING TO REIMBURSEMENT ELIGIBILITY FOR ADJACENT LANDOWNERS AND LIMITING LIABILITY TO LENDERS, AND IMPLEMENTING ADDITIONAL AMENDMENTS ALLOWING PARTIAL REIMBURSEMENT FOR REMOVAL OF NON-LEAKING UNDERGROUND STORAGE TANKS. (Birch)

Adopt as Proposed, BJW/JH

2ND ADDENDUM TO UNCONTESTED OLD BUSINESS AGENDA

Wednesday, September 25, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of March 27, July 17 and July 24, 1991 September 25, 1991 at 9:00 a.m.

- Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST WELLMAN INDUSTRIES, INC. AND THOMAS ECK AND REQUIRING CERTAIN ACTIONS OR WELLMAN INDUSTRIES, INC., H.T. WELLMAN, THOMAS ECK, AEGON USA REALTY ADVISORS, INC., AND SIGNAL CAPITAL CORPORATION. SWR NO. 33350. (DICKMAN, S)

Issue Administrative Order as Proposed by Staff, BJW/JH

Item carried forward from Agenda of September 25, 1991 at 9:00 a.m.

- Item 5. MODIFY, AFFIRM OR SET ASIDE EMERGENCY ORDER REQUIRING LEIGH METAL COATING AND MACHINERY, INC. TO UNDERTAKE CERTAIN ACTIONS AT OR NEAR ITS FACILITY IN ECTOR COUNTY. (RENBARGER). (This matter was considered on August 14, 1991.)

Remand to Office Hearings Examiner with instructions as recommended by Commissioner Wynne, JH/BJW

Item carried forward from agenda of September 11, 1991 and September 25, 1991 at 9:00 a.m.

- Item 6. MODIFY, AFFIRM OR SET ASIDE EMERGENCY ORDER ON DYNAGEN, INC., WATER QUALITY PERMIT NO. 00817-01, RELATING TO TECHNICAL REQUIREMENTS FOR SOLAR PONDMANAGEMENT, STORMWATER MANAGEMENT, AND GROUNDWATER MONITORING. (This item was considered on August 14, 1991.) (SMITH, SHARON)

Modify Emergency Order as recommended by staff, BJW/JH