

UNCONTESTED AGENDA

Wednesday, May 6, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY SAFETY-KLEEN CORPORATION for a permit (Proposed Permit No. HW50223) to authorize operation of a Class I hazardous waste storage and processing facility. The Longview Service Center has been operating as a storage and processing facility since March 1, 1979 and has interim status under the Resource and Conservation Recovery Act (RCRA). The permit as proposed would authorize five tanks with a combined capacity of 13,125 gallons and two container storage areas with a combined capacity of 5,588 gallons. The wastes managed at this facility are generated off-site from sources such as auto repair shops and dry cleaners. The facility is located on the north side of FM Highway 1845, at 202 Michael Place, in the City of Longview, Gregg County, Texas.

Approve, PR/PG

Item 2. APPLICATION BY ARATEX SERVICES, INC. for a permit (Proposed Permit No. 03441) to authorize the discharge of treated wastewater effluent at a volume not to exceed 14,400 gallons during any 24-hour period from a groundwater remediation site which was formerly an industrial laundry and dry cleaning facility. The plant site is at 8302 Market Street Road in the City of Houston, Harris County, Texas.

Approve, PR/PG

Item 3. APPLICATION BY GLEN ARMSTRONG for a permit (Proposed Permit No. 03467) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 500 head. The dairy is located approximately 8 miles northwest of the intersection of Farm-to-Market Road 2156 and Farm-to-Market Road 219 in Erath County, Texas.

Approve, PR/PG

Item 4. APPLICATION BY J.L. CROUCH for a permit (Proposed Permit No. 03399) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 400 head. The dairy is located approximately 4.5 miles north of the intersection of Farm-to-Market Road 2156 and Farm-to-Market Road 219, on an unnamed county road approximately 1 mile west of Farm-to-Market Road 219; and approximately 2 miles northwest of Bunyon in Erath County, Texas.

Approve, PR/PG

Item 5. APPLICATION BY KOEHL & SON HOG FARM for a permit (Proposed Permit No. 03440) to authorize disposal of waste and wastewater from a swine operation which will consist of a maximum of 1,882 swine. The swine operation is on the south side of Farm-to-Market Road 102, approximately three miles southwest of the intersection of Farm-to-Market Road 102 and Interstate Highway 10 in Colorado County, Texas.

Approve, PR/PG

- Item 6. APPLICATION BY CHARLIE MYERS DBA CHARLIE MYERS FEEDLOT for a permit (Proposed Permit No. 03442) to authorize the disposal of wastes and wastewater from a feedlot operation. The feedlot will consist of a maximum of 4,250 head. The feedlot is located on the north side of U.S. Highway 82, approximately two miles east of the intersection of U.S. Highway 82 and Farm-to-Market Road 268 in Baylor County, Texas.

Approve, PR/PG

- Item 7. APPLICATION BY SANDIA AGRICULTURAL ENTERPRISES, INC. for a permit (Proposed Permit No. 03435) to authorize the disposal of wastes and wastewater from a dairy operation. The dairy will consist of a maximum of 450 head. The dairy is on the southwest side of Farm-to-Market Road 70, at the intersection of Farm-to-Market Road 70 and Farm-to-Market Road 1540 in Jim Wells County, Texas.

Approve, PR/PG

- Item 8. APPLICATION BY KIRBY FOREST INDUSTRIES, INC. for an amendment to Permit No. 01789 in order to move the monitoring point for the current Outfall 001 approximately 1500 feet south of the existing monitoring point. The proposed amendment would also create an outfall (Outfall 001) to monitor stormwater and previously monitored effluents. The permit currently authorizes a discharge of cooling tower blowdown, boiler blowdown and treated sewage effluent at a volume not to exceed an average flow of 72,000 gallons per day via Outfall 001. The plant site is at a point about one mile south of FM 363 and about five (5) miles west-southwest of the Town of Bon Weir, Newton County, Texas.

Approve, PR/PG

- Item 9. APPLICATION BY CITY OF SOUTH HOUSTON for an amendment to Permit No. 10287-01 in order to authorize a variance in the buffer zone. The permit authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day. The plant site is on the west bank of Berry Bayou, at the intersection of Georgia and Amarillo Streets in the City of South Houston in Harris County, Texas.

Approve, PR/PG

- Item 10. APPLICATION BY CITY OF SOUTH HOUSTON for an amendment to Permit No. 10287-02 in order to authorize a variance in the buffer zone. The permit authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day. The plant site is on the west bank of Berry Bayou, at the intersection of Georgia and Amarillo Streets in the City of South Houston in Harris County, Texas.

Approve, PR/PG

- Item 11. APPLICATION BY WEST TEXAS UTILITIES COMPANY for an amendment to Permit No. 00963 in order to add three outfalls to monitor stormwater. The permit currently authorizes a discharge of condenser cooling water and previously monitored effluents at a volume not to exceed an average flow of 253,800,000 gallons

per day via Outfall 001 plus flow variable discharges of low volume wastewater via Outfall 002, which will remain the same. The plant site is at the end of FM Road 2082 and at the northeast end of Lake Stamford in Haskell County, Texas.

Approve, PR/PG

Item 12. APPLICATION BY CITY OF BRADY for a minor amendment to Permit No. 10132-01 in order to modify the disinfection requirements in the final phase for chlorine residual from 1.0 mg/l after after 20 minutes detention time to 0.5 mg/l after 40 minutes detention time. The current permit authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,103,000 gallons per day from the wastewater treatment facilities, which will remain the same. The plant site is 5,000 feet east of the intersection of U.S. Highway 87 and 7th Street in the City of Brady, on the west bank of Brady Creek in McCulloch County, Texas.

Approve, PR/PG

Item 13. APPLICATION BY BRAZOS RIVER AUTHORITY for renewal of Permit No. 11317-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,500,000 gallons per day from the Sugar Land Regional Wastewater Treatment Facilities. The plant site is approximately 2 miles south of Sugar Land at the intersection of Beltz Road and U.S. Highway 59 in Fort Bend County, Texas.

Approve, PR/PG

Item 14. APPLICATION BY LEONARD D. PITTEL for renewal of Permit No. 12617-01 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 located at 1719 Gault Road, approximately 1200 feet west of the intersection of Gault Road and Aldine-Westfield Road in Harris County, Texas.

Approve, PR/PG

Item 15. APPLICATION BY LEONARD RILEY for renewal of Permit No. 10961-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 12,000 gallons per day. The wastewater treatment facilities are adjacent to and northwest of the intersection of Farm-to-Market Road 691 and Farm-to-Market Road 131 in Grayson County, Texas.

Approve, PR/PG

Item 16. APPLICATION BY CITY OF TRINIDAD for renewal of Permit No. 10467-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 150,000 gallons per day. The wastewater treatment facilities are located southeast of the City of Trinidad, approximately 1.2 miles south of the intersection of Farm-to-Market Road 1667 and U.S. Highway 31 in Henderson County, Texas.

Approve, PR/PG

Item 17. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF OAKRIDGE WATER COMPANY dba PINE SPRINGS

UTILITIES APPEALING RETAIL WATER RATES SET BY THE CITY OF POINT BLANK. (DOCKET NO. 9152-A). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 1536 CUSTOMERS. RECOMMENDATION: Adoption of agreement of parties. (SORRELLS)

Approve, PR/PG

Item 18. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF DAY WATER CO. DBA HOOD COUNTY WATER TO INCREASE RETAIL WATER RATES IN HOOD & PARKER COUNTIES, TEXAS (DOCKET NO. 9356-R). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 846 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (THOMAS)

Approve, PR/PG

Item 19. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF JONAH WATER SUPPLY CORPORATION FOR A TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10970 AND CREATION OF AND CONVERSION TO A SUD APPROVAL OF AN IMPACT FEE TO PROVIDE WATER SERVICE IN WILLIAMSON COUNTY, TEXAS. (DOCKET NO. IC 121390-D-01). RECOMMENDATION: Adoption of agreement of parties.

Approve, PR/PG

Item 20. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ALBERT HARVEY DBA HARVEY WATER SYSTEM FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE IN RUSK COUNTY, TEXAS. (Docket No. 9327-C). RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (O'NEAL)

Approve, PR/PG

Item 21. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 250 FOR APPROVAL OF THE LEVY OF A STANDBY FEE. For Commission consideration and action. The District is requesting Commission approval to levy a standby fee for Debt Service requirements as a result of a reduction in the Districts assessed valuation. The District is also requesting approval of a standby fee for operation and maintenance.

Continued to June 10, 1992 at 9:00 a.m.

Item 22. APPLICATION BY CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF ESCROW RELEASE, USE OF SURPLUS FUNDS, AND CHANGE IN PLANS; \$2,975,000 BOND ISSUE APPROVED July 11, 1986. For Commission consideration and action. Applicant requests change in plans to use bond funds to purchase 1 mgd of surface water capacity from City of Houston's S.E. Water Purification Plant; release of \$581,833 from escrow and use of \$518,167 in surplus funds to finance the purchase. (Toliver)

Approve, PR/PG

Item 23. APPLICATION OF WILLIAM LEE BOOMER, RECEIVER FOR SOUTH SEMINARY ADDITION WATER UTILITY for a Water Certificate of Convenience and Necessity in Tarrant County, TX (Application No. 9243-C, Mayhew)

Approve, PG/PR

Item 24. APPLICATION OF NOACK WATER SUPPLY CORPORATION to amend Water

Certificate of Convenience and Necessity No. 12359 in Williamson County, TX (Application No. 9348-C, Holck)

Approve, PG/PR

- Item 25. APPLICATION OF WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT to Change Name of Cheek Fannett Water Supply Corporation, Transfer Water CCN No. 10931 from Yellow Corporation; Amend Water CCN No. 10142; Cancel Water CCN No. 10931 in Jefferson County, TX (Application No. 9349-S, Horst)

Approve, PG/PR

- Item 26. APPLICATION NO. 23-769A BY J. G. ROLANDO RUIZ TO AMEND CERTIFICATE OF ADJUDICATION NO. 23-769. FOR COMMISSION ACTION. Applicant seeks to amend the certificate to add 78.6 acres of leased land to be irrigated and to add a diversion point on the Rio Grande in Hidalgo Co. on one of the non-adjacent leased tracts of land. No other amendment is sought under this amendment. Applicant may irrigate 6 acres of land using 15 acre-feet of Class "B" irrigation water currently under the certificate. (JORDAN/lb)

Approve, PR/PG

- Item 27. APPLICATION NO. 23-778C BY JOHN A. SHUFORD AND WIFE, HELEN V. SHUFORD TO AMEND CERTIFICATE NO. 23-778. FOR COMMISSION ACTION. Applicants seek to amend the certificate to combine 125 acre-feet of Class "B" water rights owned under Certificate No. 23-620 with water rights owned under 23-778 and to change the place of use and diversion point of those water rights owned under Certificate No. 23-620, to increase the total number of acres to be irrigated and to restate the owners' total authorization under Certificate No. 23-778, Rio Grande, Starr County, Texas. (JORDAN:rma)

Approve, PR/PG

- Item 28. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH ENSR FOR CONSTRUCTION AND OPERATION OF THE GROUNDWATER OPERABLE UNIT AT THE NORTH CAVALCADE SUPERFUND SITE. (P. Cravens)

Approve Staff Recommendation, PG/PR

- Item 29. 1992 TEXAS WATER COMMISSION (TWC) OPERATIONS AND MAINTENANCE EXCELLENCE AWARDS. (MEYER)

Approve Staff Recommendation

- Item 30. CONTRACT AMENDMENT FOR ADDITIONAL FUNDING FOR THE SIX PETROLEUM STORAGE TANK REMEDIATION (PSTR) FUND CONTRACTORS AND THE TWO LEAKING UNDERGROUND STORAGE (LUST TRUST FUND CONTRACTORS. (JAMESON)

Approve Staff Recommendations, PR/PG

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, May 6, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 31. THE COMMISSIONER'S WILL CONSIDER A RESOLUTION APPOINTING THREE NEW MEMBERS TO THE MUNICIPAL SOLID WASTE MANAGEMENT AND RESOURCE RECOVERY ADVISORY COUNCIL. THE VACANCIES TO BE FILLED ARE FOR THE POSITIONS FOR A REPRESENTATIVE FROM A PRIVATE ENVIRONMENTAL CONSERVATION ORGANIZATION, AN ELECTED OFFICIAL FROM A COUNTY OF ANY POPULATION, AND A REPRESENTATIVE FROM THE TEXAS WATER COMMISSION.

Adopt Resolution as Recommended by Staff, and Peggy Garner is to represent the Texas Water Commission, JH/PR

UNCONTESTED OLD BUSINESS

Wednesday, May 6, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of April 8, 1992.

- Item 1. APPLICATION BY CITY OF WHITEHOUSE for renewal of Permit No. 11222-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 680,000 gallons per day. The wastewater treatment facilities are southeast of the City of Whitehouse, on the east side of State Highway 110 and approximately 3300 feet east and 900 feet north of the intersection of State Highway 110 and County No. 2175 in Smith County, Texas.

Approve, PR/JH

Item carried forward from Agenda of April 22, 1992.

- Item 2. APPLICATION BY RIVER PLACE MUNICIPAL UTILITY DISTRICT OF TRAVIS COUNTY FOR APPROVAL OF AN IMPACT FEE. For Commission consideration and action. Applicant requests approval to levy an impact fee of \$2,000 per equivalent single family connection for water, wastewater & drainage service within River Place Sections 2, 3, 4 & 5.

Approve, PG/PR

Item carried forward from Agenda of April 29, 1992.

- Item 3. APPLICATION BY CITY OF DENISON for renewal of Permit No. 10079-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,000,000 gallons per day from the Iron Ore Wastewater Treatment Facilities. The plant site is north of Iron Ore Creek; approximately 3.5 miles due east of the intersection of U.S. Highway 75 and Farm-to-Market Road 691 in Grayson County, Texas.

Approve, PR/JH

CONTESTED AGENDA

Wednesday, May 6, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF CITY OF MISSOURI CITY FOR WATER USE PERMIT NO. 5365, FORT BEND COUNTY, TEXAS, TO IMPOUND NOT TO EXCEED 120 ACRE-FEET OF WATER PER ANNUM FROM THE UNNAMED TRIBUTARY OF OYSTER CREEK, IN SAN JACINTO-BRAZOS COASTAL BASIN, FOR RECREATIONAL-AESTHETIC PURPOSES. RECOMMENDATION: ISSUANCE OF AUTHORIZATION. (SALLY COLBERT).

Adopt Examiner's Proposal for Decision and Issue Order, PR/JH

Item 2. 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

Item 3. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS LITIGATIONS AND RELATED AGENCY ACTIONS CONCERNING EDWARDS AQUIFER.

No Action Taken

ADDENDUM TO CONTESTED AGENDA

Wednesday, May 6, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item 4. CONSIDERATION OF THE ADOPTION OF AMENDMENTS TO 31 TEXAS ADMINISTRATIVE CODE, SECTIONS 331.2, 331.3, 331.42, 331.43, 331.45 - 331.47, 331.61 331.65, 331.67, 331.68, AND 331.121, AND OF THE ADOPTION OF NEW RULES, SECTIONS 331.14 AND 331.161 - 331.171, CONCERNING UNDERGROUND INJECTION CONTROL (SPECIFICALLY DEALING WITH PERMIT REQUIREMENTS AND STANDARDS FOR CONSTRUCTION AND OPERATION OF SALT DOME CAVERNS BY INJECTION WELL TECHNOLOGY) (WARNEKE)

Continued to May 13, 1992 at 10:00 a.m.

CONTESTED OLD BUSINESS

Wednesday, May 6, 1992

TEXAS WATER COMMISSION

10:00 p.m.
Room 118

Item carried forward from Agenda of April 29, 1992.

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION REQUESTING
THE SETTING OF INTERIM RATES FOR SAM MOSES DBA MOSES WATER
COMPANY; DOCKET NO. 9415-G. (CARLTON)

Set Interim Rates as Recommended by Staff, PR/PG