

WYNNE
BIRDWELL
JOHNSON

UNCONTESTED AGENDA

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. EMPLOYEE OF THE MONTH PRESENTATION. (Beinke)

WAYNE WILEY NAMED.

Item 2. APPLICATION BY JOHN HEAVYSIDE for a permit (Proposed Permit No. 03146) to authorize disposal of waste and wastewater from a dairy. The dairy will consist of 750 milking head. Washdown water, flushwater and stormwater will be retained in a storage pond where it will subsequently be used for irrigation on 50.10 acres of coastal Bermuda grass. Manure/solids will be disposed of by application as fertilizer on 14.85 acres of improved grass at a maximum nitrogen application rate of 200/pounds/year. The applicant has a lease for 750 acres of farmland for excess dry manure disposal. No discharge of pollutants into the waters of the State is authorized by this permit. The dairy operation is approximately 4 miles southeast of Stephenville, on State Highway 67 and 1 1/2 miles northeast of State Highway 67 on an unnamed road in Erath County, Texas. The dairy is in the drainage area of the North Bosque River in Segment No. 1226 of the Brazos River Basin.

APPROVED, CJ/JB

Item 3. APPLICATION BY CITY OF NEW BOSTON for an amendment to Permit No. 10482-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 600,000 gallons per day to a volume not to exceed an average flow of 950,000 gallons per day. The proposed amendment would also make effluent limitations more stringent in the final phase. The plant site is approximately 2.7 miles south of the intersection of Interstate Highway 30 and State Highway 8, 2450 feet southeast of the intersection of Prairie Street and State Highway 8, southeast of the City of New Boston, in Bowie County, Texas. The effluent is discharged into an unnamed tributary of Big Creek; thence to Big Creek; thence to Wright Patman Lake in Segment No. 0302 of the Sulfur River Basin. The effluent in the interim phase is discharged into an effluent holding/polishing pond prior to being discharged into an unnamed tributary of Big Creek.

APPROVED, CJ/JB

Item 4. APPLICATION BY CITY OF HOOKS for an amendment to Permit No. 10507-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 644,000 gallons per day to a volume not to exceed an average flow of 900,000 gallons per day. The proposed amendment would add effluent limitations for minimum dissolved oxygen concentration. Effective February 1, 1991,

effluent limitations will be made more stringent. The plant site is approximately 2,000 feet northeast of the intersection of Interstate Highway 30 and Farm to Market Road 1398 in Bowie County, Texas. The effluent is discharged into Jones Creek; thence to Barkman Creek; thence into the Red River in Segment No. 0201 of the Red River Basin.

APPROVED, CJ/JB

Item 5. APPLICATION BY RAYBURN COUNTRY MUNICIPAL UTILITY DISTRICT for an amendment to Permit No. 10788-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 155,000 gallons per day to a volume not to exceed an average flow of 300,000 gallons per day. The proposed amendment would also: (1) grant a variance to the minimum buffer zone requirement of 150 feet from all wastewater treatment plant structures or process units, excluding lift stations to the nearest residential property line, and (2) revise effluent limitations for minimum dissolved oxygen concentration from 2 mg/l to 4 mg/l. The plant site is approximately 3 miles west of the intersection of U.S. Highway 96 and Recreational Road 255 and 2000 feet north of the intersection of Recreational Road 255 and Farm-to-Market Road 1007 in Jasper County, Texas. The effluent is discharged into Sam Rayburn Reservoir in Segment No. 0610 of the Neches River Basin.

APPROVED, CJ/JB

Item 6. APPLICATION BY CITY OF LITTLE for renewal of Permit No. 10096-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 230,000 gallons per day. The wastewater treatment facilities are approximately 2300 feet southeast of the intersection of FM 3175 and IH 35 in Atascosa County, Texas. The effluent is discharged into the West Prong Atascosa River; thence to the Atascosa River in Segment No. 2107 of the Nueces 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 perennial stream with limited aquatic life. The designated uses for Segment No. 2107 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.

RENEWED, CJ/JB

Item 7. APPLICATION BY CITY OF TALCO for renewal of Permit No. 10869-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 125,000 gallons per day. The wastewater treatment facilities are on the north side of Farm-to-Market Road 71, approximately one mile northeast of the City of Talco, Titus County, Texas. The effluent is discharged into an unnamed ditch; thence to Prairie Lake; thence to an unnamed tributary of the Sulphur River; thence to the Sulphur River in Segment No. 0303 of the Sulphur 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 the unnamed ditch and limited aquatic life for Prairie Lake. The designated uses for Segment No. 0303 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.

RENEWED, CJ/JB

Item 8. APPLICATION BY GREENSPOINT TRAILER PARK for renewal of Permit No. 10985-01 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 100,000 gallons per day. The existing permit was suspended on October 20, 1987 at the permittee's request. The renewed permit will continue to be suspended until notification by the permittee. The wastewater treatment facilities are at 12816 North Freeway, south of Greens Bayou, approximately one mile north of the intersection of North Belt and Interstate Highway 45 in Harris County, Texas. The effluent is discharged into 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 no aquatic life. The designated uses for Segment No. 1006 are industrial water supply and navigation. 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.

RENEWED, CJ/JB

Item 9. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for renewal of Permit No. 11529-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 450,000 gallons per day. The plant site is on the east bank of Oyster Creek, approximately 5 miles west and 1/2 mile north of the intersection of State Highway 288 and Farm-to-Market Road 655 in Brazoria County, Texas. The effluent is discharged into Oyster Creek in Segment No. 1110 of the San Jacinto-Brazos Coastal Basin. The designated uses for the receiving waters of Segment No. 1110 are contact recreation, high quality aquatic habitat and public water supply. 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 except that effluent limitations for minimum dissolved oxygen concentration have been added and provisions for disposal of sludge on 25 acres of pastureland within the Ramsey Unit have been added. 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 10. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 26 for renewal of Permit No. 12073-01 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 800,000 gallons per day. The wastewater treatment facilities are within the corporate limits of Missouri City, approximately 0.4 mile east of the intersection of Farm-to-Market Road 2234 and Court Road in Fort Bend County, Texas. The effluent is discharged into ditch B-1; thence to Sims Bayou; thence to the Houston Ship Channel in Segment No. 1007 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 aquatic life for drainage ditch B-1 and limited aquatic life for Sims Bayou. The designated uses for Segment No. 1007 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.

RENEWED, CJ/JB

Item 11. APPLICATION BY WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 17 for renewal of Permit No. 12247-01 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 450,000 gallons per day. The wastewater treatment facilities are approximately 5 miles west-northwest of the intersection of State Highway 6 and IH 10, on the northern bank of South Mayde Creek in western Harris County, Texas. The effluent is discharged into South Mayde Creek; thence to Buffalo Bayou in Segment No. 1014 of the San Jacinto River Basin. The uses for the unclassified receiving waters in the area of this discharge have been determined to be limited aquatic life. The designated uses for the receiving waters of Segment No. 1014 are contact recreation and limited quality aquatic habitat. The effluent limits in the proposed 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 in the interim phase have been revised from 2 mg/l to 4 mg/l. 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 12. APPLICATION BY IOWA COLONY UTILITIES, INC. for renewal of Permit No. 12780-01 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 200,000 gallons per day. The wastewater treatment facilities are approximately 1900 feet north of State Highway 6 and approximately 2 miles east of the intersection of State Highway 6 and State Highway 288 in Brazoria County, Texas. The effluent is discharged into an unnamed ditch; thence to West Fork Chocolate Bayou; thence to Chocolate Bayou in Segment No. 1108 of the San Jacinto - Brazos 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 uses for the unclassified receiving waters are no aquatic life. The designated uses for Segment No. 1108 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.

RENEWED, CJ/JB

Item 13. APPLICATION BY ENVIRON TECH, INC. for a Research, Development and Demonstration Permit (Proposed Permit No. HW-50259, EPA ID No. TXD-982556664-1) to conduct waste treatment research activities by using plasma energy in absence of oxygen under vacuum conditions. The permit would authorize: (1) operation of a 25-gallon pilot scale plasma arc reactor which utilizes a high-voltage plasma arc in absence of oxygen, limiting the formation of off-gasses and creating extremely high temperatures at which wastes are converted to their more elemental chemical species; (2) an ancillary 55-gallon storage tank; and (3) a container storage area with a maximum capacity of 550 gallons. The facility will attempt to demonstrate effective destruction of a wide variety of wastes including waste oils, oily sludges and solids, halogenated and non-halogenated solvents and organics, resins, plastics, inks, dyes, off-specification organics, contaminated soils, laboratory wastes, and other various chemical products and off-specification chemical products. The wastes received for the purpose of conducting technology research and waste treatability assessments will be from off-site sources and are ignitable, toxic, acutely hazardous, EP toxic, and reactive wastes. The research unit is on a 2.00 acre tract of land at the intersection of Moers Road and Scranton Street within the city limits of Houston, Harris County, Texas. This location is in the drainage area of Segment 1014 of the San Jacinto River Basin (north latitude 29°41'05", west longitude 95°15'43").

APPROVED, JB/CJ

Item 14. APPLICATION BY ROLLINS ENVIRONMENTAL SERVICES (TX), INC. for a minor amendment to Permit No. HW-50089 (EPA I.D. No. TXD-055141378) which authorizes: (1) an existing 31.5-acre

landfill and a new 15.3-acre landfill for disposal of hazardous and non-hazardous waste; (2) two existing incinerator systems (Incinerator Train I and Train II) for processing of hazardous waste and PCB contaminated waste, and; (3) storage and processing units ancillary to landfill and incinerator operations, including 78 storage tanks and 11 storage areas. The minor amendment will allow the operation of a waste shredder as an ancillary component of Incinerator Train II. Wastes managed at this facility are generated from on-site and off-site sources and are limited to ignitable, toxic, corrosive, EP toxic, reactive and acutely hazardous waste code groups. The facility is located on an 86-acre tract of land at 2027 Battleground Road, approximately one (1) mile south-southwest of the San Jacinto Monument in Deer Park, Harris County, Texas. This location is in the drainage area of Segment No. 1006 of the San Jacinto River Basin (north latitude 29°43'35", west longitude 95°05'40").

APPROVED, JB/CJ

Item 15. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 203 FOR APPROVAL OF \$4,475,000 UNLIMITED TAX BONDS, THIRD ISSUE, 8.85% NET INTEREST RATE. For Commission consideration and action. The applicant seeks approval to issue \$4,475,000 in unlimited tax bonds to refund the District's two outstanding bond anticipation notes. Proceeds from the notes were used to construct facilities which were approved by the Commission in bond issues one and two.

APPROVED, CJ/JB

Item 16. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 93 FOR THE APPROVAL OF THE RELEASE OF ESCROW AND THE USE OF SURPLUS FUNDS. For Commission consideration and action. Applicant seeks approval of the release of \$17,680 in escrowed funds and the use of approximately \$10,684.49 in surplus funds to reimburse its pro rata share of construction costs including interest for the Ditch W4-8 project.

APPROVED, CJ/JB

Item 17. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 348 FOR APPROVAL TO RESCIND AN ESCROW REQUIREMENT; \$2,840,000 BOND ISSUE APPROVED MARCH 30, 1989. For Commission consideration and action. Applicant seeks approval to rescind the requirement to escrow \$1,349,810 in bond proceeds for the District's pro rata share contribution to the Brays Bayou Regional Drainage Project.

APPROVED, CJ/JB

Item 18. APPLICATION BY DALLAS CO. WCID #6 FOR APPROVAL OF A CHANGE IN PLANS, CHANGE ORDER APPROVAL, AFTER-THE-FACT APPROVAL OF THE USE OF SURPLUS FUNDS, AND THE RELEASE OF ESCROWED FUNDS, \$7,400,000 BI APPROVED 02-13-87. Applicant requests approval of after-the-fact use of \$413,683 in surplus funds to transfer to the debt service account, the release of \$393,100 of escrowed funds for a Temporary Metering Station project and \$312,997 of escrowed funds for other projects, change order approval for the Beltline Water Main Project, and approv. of a change in plans to reflect revised funding of proj. already constd and to be constructed.

APPROVED, CJ/JB

Item 19. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CEDAR HILL HOMEOWNERS ASSOCIATION TO INCREASE RETAIL WATER RATES IN BANDERA COUNTY, TEXAS; DOCKET NO. 8301-G. Applicant provides retail water service to approximately 3 customers. Recommendation: Adoption of agreement of parties. (Parker)

APPROVED WITH AGREED LANGUAGE CHANGES, CJ/JB

Item 20. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE MOTION OF ARANSAS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1 FOR WITHDRAWAL OF APPLICATION FOR AN AMENDMENT OF PERMIT NO. 11624-01 IN ARANSAS COUNTY, TEXAS. Recommendation: Approval of motion for withdrawal of application. (O'Neal)

DISMISSED W/O PREJUDICE, CJ/JB

Item 21. CONSIDERATION OF THE PETITION OF THE EXECUTIVE DIRECTOR FOR AN ORDER NUNC PRO TUNC CONCERNING SHARYLAND WATER SUPPLY CORPORATION'S WATER RIGHTS CERTIFICATE NO. 23-809F WAS ISSUED ON JANUARY 4, 1990. (Smith, R.)

APPROVED, JB/CJ

Item 22. APPLICATION NO. 23-399D BY CHARLES E. PRATT, ET. AL. TO COMBINE SEVERAL WATER RIGHTS UNDER CERT. NO. 23-399, AS AMENDED. For Commission Action. Applicants seek to combine water rights owned under Cert. Nos. 23-304, 23-305, 23-306, 23-307, 23-309 and 23-399 under Cert. No. 23-399 and to amend Certificate No. 23-399, as amended, to restate applicants' total authorizations thereunder, to wit: the diversion and use of 1990.235 acre-feet of Class "A" and 575 acre-feet of Class "B" water per annum from the Rio Grande, Rio Grande Basin, to irrigate land located, approx. four miles southwest of Mission, Hidalgo County, Texas. (JORDAN/wph).

APPROVED, CJ/JB

Item 23. APPLICATION NO. 23-819A BY MONTE ALTO WATER AND SEWER COMPANY TO AMEND CERTIFICATE NO. 23-819. For Commission Action. Applicant seeks authorization to amend Certificate No. 23-819 to change the place of use for 102.50 acre-feet of Class "A" irrigation water rights under said certificate to 51.25 acre-feet of water rights for municipal purposes and to change the place of use and diversion point of the 51.25 acre-feet of water to the Company's service area, approximately 15 miles northeast of Edinburg, Hidalgo County, Texas. (JORDAN/wph).

APPROVED, CJ/JB

Item 24. APPLICATION NO. 23-711A BY JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY TO COMBINE 21 CERTIFICATES UNDER CERTIFICATE NO. 23-711 AND TO AMEND CERT. NO. 23-711. For Commission Action. Applicant seeks to combine the water rights owned under 21 different certificates with rights owned under Cert. No. 23-711 and to amend Cert. No. 23-711 to restate their total authorization thereunder, to wit: to divert and use 822.175 acre-feet of Class "A" and 5256.500 acre-feet of Class "B" water per and from the Rio Grande to irrigate 4288.884 acres, approximately 8 miles southeast of Rio Grande City, Starr County, Texas. (JORDAN/wph).

APPROVED, CJ/JB

Item 25. APPLICATION BY WATER'S RIDGE ASSOCIATES, LTD., A TEXAS LIMITED PARTNERSHIP FOR A TEXAS WATER CODE SECTION 11.145 EXTENSION OF TIME TO COMPLETE CONSTRUCTION OF THE PROJECT AUTHORIZED BY PERMIT NO. 5180. For Commission Action. Application requests that the time to complete construction on the projects dams and reservoirs be extended from September 6, 1991 to September 6, 1995. The project is on an unnamed tributary of Timber Creek, Trinity River Basin, Denton County. (JORDAN/lb)

APPROVED, CJ/JB

Item 26. APPLICATION NO. 5271 BY BOYT REALTY COMPANY TO AMEND CERTIFICATE OF ADJUDICATION NO. 08-4248. For Commission consideration and action. Applicant seeks to amend Certificate No. 08-4248, owned by the applicant and the Trinity River Authority, to sever from the certificate its authority to divert water from the Trinity River, Trinity River Basin, via the Devers Canal System for use in Liberty, Chambers and Jefferson Counties and to request a separate water right be issued to the company with changes, additions and deletions. (JORDAN/SMITH:tls)

REMANDED TO OFFICE OF THE HEARINGS EXAMINER

Item 27. APPLICATION NO. 18-3824A BY NEW BRAUNFELS UTILITIES FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 18-3824. For Commission consideration and action. Applicant seeks authorization to change use from industrial use to industrial and municipal use, to change the source of water for municipal use from the Comal River to the Guadalupe River, to specify a new point of diversion on the Guadalupe River and to transfer a portion of the diversion rate from the applicant's original diversion point on a man-made channel off the Comal River. (JORDAN:rma)

APPROVED, JB/CJ

Item 28. APPLICATION NO. 14-1346A BY WILMA FAYE CROWNOVER FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 14-1346. For Commission consideration and action. Applicant seeks to amend Certificate No. 14-1346, which authorizes the diversion and use of not to exceed 86 acre-feet of water per annum from the Concho River, Colorado River Basin, to irrigate 86 acres of land in Tom Green County, to change, for a term of years, the point of diversion and place of use on the Concho River upstream in Tom Green County. (JORDAN/tls)

APPROVED, CJ/JB

SUPPLEMENTAL UNCONTESTED AGENDA

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 29. CONSIDERATION OF THE APPLICATION OF TOSHIBA INTERNATIONAL CORPORATION FOR A TEXAS WATER CODE SECTION 26.027 ORDER AUTHORIZING EXPANSION OF A WASTEWATER TREATMENT FACILITY. (Culbertson)

APPROVED, CJ/JB

UNCONTESTED OLD BUSINESS

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of September 26, October 24, November 7 and 28, 1989, and January 17, 1990.

- Item 1. APPLICATION BY EDWARD B. SNELLER DBA COUNTRY VIEW MOBILE HOME PARK for renewal of Permit No. 12815-01 which authorizes disposal of treated domestic wastewater effluent by evaporation. The disposal volume is not to exceed an average of 5,000 gallons per day from the wastewater treatment facilities which are located approximately 1100 feet north of Spur 370 (Old Iowa Park Road) and approximately 1800 feet east of North Atlantic Street, east of the City of Iowa Park in Wichita County, Texas. The plant site and irrigated land are in the drainage area of the Wichita River in Segment No. 0214 of the Red River Basin. 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.

CONTINUED TO 3-14-90 @ 9 A.M.

Item carried forward from Agenda of February 14, 1990.

- Item 2. APPLICATION OF APPLE DEVELOPMENT & REALTY, INC. for renewal of Permit No. 12863-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day from the Orchard Crossing Wastewater Treatment Plant. The plant site is approximately 1000 feet northeast of the intersection of Crosby-Lynchburg Road and Fig Orchard Road, and 3-1/4 miles south of the intersection of FM Roads 2100 and 1942 in Harris County, Texas. The effluent is discharged into an unnamed ditch; thence to Bluff Gully (Harris County Flood Control Ditch G-103-03-00); thence to 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 both the unnamed ditch and Bluff 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.

RENEWED, CJ/JB

WYNNE
BIRDWELL/ABSENT & EXCUSED FOR ITEMS #5 & #7
JOHNSON

CONTESTED AGENDA

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

2:00 p.m.
Room 118

Item 1. CONSIDERATION OF THE NOTICE OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF RED OAK, PERMIT NO. 11119-01. (Smith, S.)

APPROVED WITH DEFERRED PENALTIES, CJ/JB

Item 2. CONSIDERATION OF THE REQUEST FOR REFERRAL OF GLENN NEANS ENFORCEMENT ACTION TO THE OFFICE OF THE ATTORNEY GENERAL, PERMIT NO. 11320-01, VALLEY VIEW ACRES WASTEWATER TREATMENT PLANT. (Smith, S.)

APPROVED, JB/CJ

Item 3. APPLICATION BY DENNIS AND SHERI HAKES DBA HAKES HOLSTEIN HEAVEN for a permit (Proposed Permit No. 03087) to authorize disposal of wastes and wastewater from a dairy operation. The dairy operation consists of 600 milking head of cattle. Washwater, flushwater and stormwater are retained in three storage ponds with a total surface area of approximately 2.96 acres. Wastewater is disposed of by evaporation and irrigation of 216.93 acres of pasture/hay. Manure/solids will be disposed of by application as fertilizer on the same 216.93 acres. No discharge of pollutants into the waters of the State is authorized by this permit. The dairy operation is approximately 1/2 mile south of State Highway 7, on Farm to Market Road 914, southeast of the community of Alexander in Erath County, Texas. The dairy operation is in the drainage area of the North Bosque River in Segment No. 1226 of the Brazos River Basin.

APPROVED, CJ/JB

Item 4. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF SCENIC HILLS WATER COMPANY TO INCREASE RETAIL WATER RATES IN BEXAR COUNTY, TEXAS; DOCKET NO. 8133-G. Applicant provides retail water service to approximately 21 customers. Recommendation: Dismissal for lack of prosecution. (Parker)

ADOPTED W/ADDITIONAL LANGUAGE, JB/CJ

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION REQUESTING THE SETTING OF INTERIM RATES IN THE APPLICATION OF SPICEWOOD DEVELOPMENT CORPORATION FOR A RATE INCREASE IN TRAVIS COUNTY - DOCKET NO. 8332-R. (Corrigan)

ADOPTED AND APPROVED WITH COMMISSIONERS SETTING INTERIM RATE, CJ/BW

Item 6. CONSIDERATION OF DEAN CAMBRON AND TERRA SERVICES, INC.; NO SWR VIOLATIONS OF THE TEXAS SOLID WASTE DISPOSAL ACT AND RULES OF THE TEXAS WATER COMMISSION (RENBARGER)

CONTINUED TO 4-4-90 @ 9 A.M.

Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF GARY AEROSPACE CORPORATION.

APPROVED W/STAFF RECOMMENDATION, CJ/BW

Item 8. 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 art. 6252-17.

NO ACTION TAKEN

CONTESTED OLD BUSINESS

TEXAS WATER COMMISSION

Wednesday, March 7, 1990

2:00 p.m.
Room 118

Item carried forward from Agenda of February 23, March 9, March 16, April 20, May 11, August 17, October 12, November 16, December 14, 1989 and January 31, 1990.

- Item 1. 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 4-25-90 @ 9 A.M.

Item carried forward from Agenda of February 14, 1990.

- Item 2. CONSIDERATION OF NOTICE OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ALLIED TRANSPORT COMPANY. (Eccles)

CONTINUED TO 4-4-90 @ 9 A.M.

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

2:00 p.m.
Room 118

Item carried forward from Agenda of February 28, 1990.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND REQUIRING CERTAIN ACTIONS OF THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, HARRISON COUNTY REST AREA. (PERMIT NO.11973-01) (McCALLA)

APPROVED, JB/CJ

SUPPLEMENTAL CONTESTED AGENDA

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

2:00 p.m.
Room 118

Item 9. MULTI-AGENCY BRIEFING RELATING TO FINDINGS BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT AND THE TEXAS WATER COMMISSION OF THE PRESENCE OF PESTICIDES, SPECIFICALLY CHLORDANE, IN THE TRINITY AND COLORADO RIVERS. (Wynne)

NO FORMAL ACTION TAKEN

EMERGENCY ADDITION TO AGENDA

Wednesday, March 7, 1990

TEXAS WATER COMMISSION

2:00 p.m.
Room 118

Item 10. CONSIDERATION OF THE REQUEST BY EMTECH ENVIRONMENTAL SERVICES, INC. FOR AN EMERGENCY ORDER AUTHORIZING THE HANDLING AND DISPOSAL OF A SMALL QUANTITY OF A POTENTIALLY REACTIVE AND EXPLOSIVE CHEMICAL AT THE MINERAL WELLS HIGH SCHOOL IN PALO PINTO COUNTY. (Dickman)

This emergency agenda is needed due to an imminent threat to public health and safety. If emergency order is approved the matter will be set for hearing on May 2, 1990 at 9:00 A.M., TO BE AFFIRMED, MODIFIED OR SET ASIDE.

EMERGENCY ORDER APPROVED AND SET FOR HEARING 05/02/90 @ 9 A.M. TO AFFIRM, MODIFY OR SET ADIDE, JB/CJ