

WYNNE
JOHNSON
BIRDWELL/ABSENT & EXCUSED

UNCONTESTED AGENDA

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY RANDY BOONE DBA PROMISED LAND DAIRY for a permit (Proposed Permit No. 03141) to authorize disposal of waste and wastewater from a dairy that will be operated in phases. Phase 1 will consist of 250 milking head, phase 2 will consist of 320 milking head and phase 3 will consist of 800 milking head. Washdown water, flushwater and stormwater will be retained in two containment ponds and then stored in retention ponds. Wastewater and manure/solids are to be disposed of by irrigation and/or land application on 109 acres of coastal bermuda grass and 140 acres of cropland. No discharge of pollutants into the waters of the State is authorized by this permit. The dairy is approximately 2.5 miles southwest of the intersection of State Highway 97 and State Highway 181 in Wilson County, Texas. This location is in the drainage area of the Upper San Antonio River in Segment No. 1911 of the San Antonio River Basin.

APPROVED, CJ/BW

Item 2. APPLICATION BY CEDARWOOD INVESTORS DBA CEDARWOOD DAIRY for a permit (Proposed Permit No. 03132) to authorize disposal of waste and wastewater from a dairy which will consist of 1200 milking head. Washdown water, flushwater and stormwater will be retained in six containment ponds, where it will subsequently be used to irrigate 109 acres of sudan and coastal bermuda grasses. Manure/solids will be disposed of by land application as fertilizer off-site on 323 acres of sudan grass overseeded in winter wheat. No discharge of pollutants into the waters of the State is authorized by this permit. The dairy is approximately 3 miles northeast of the intersection of U.S. Highway 281 and Farm-to-Market Road 1824, and approximately 4.5 miles southeast of the intersection of U.S. Highway 281 and Farm-to-Market Road 913 in Erath County, Texas. This location is in the drainage area of the North Bosque River in Segment No. 1226 of the Brazos River Basin.

APPROVED, CJ/BW

Item 3. APPLICATION BY MAXEY ROAD WATER SUPPLY CORPORATION for a permit (Proposed Permit No. 13503-01) to authorize the discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day. The applicant proposes to construct the Maxey Road Wastewater Treatment facilities to serve the Maxey Road commercial strip center. The plant site is on the east side of Gregdale Road, approximately 300 feet south of the intersection of Gregdale Road and U.S. Highway 90 in Harris County, Texas. The effluent is discharged from the plant site to Spring Gully;

thence to Greens Bayou; thence to the Houston Ship Channel in Segment No. 1006 of the San Jacinto River Basin.

APPROVED, CJ/BW

Item 4. APPLICATION BY CITY OF CAMERON for an amendment to Permit No. 10004-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 820,000 gallons per day to a volume not to exceed an average flow of 960,000 gallons per day. The proposed amendment would revise effluent limitations for minimum dissolved oxygen concentration from 2 mg/l to 3 mg/l. The plant site is approximately 1,300 feet south-southeast of the intersection of U.S. Highways 190 and 77, State Highway 36 and Adams Street; and approximately one-half mile east of the intersection of Oak Street and Gillis Street in Milam County, Texas. The effluent is discharged into an unnamed tributary of the Little River; thence into the Little River in Segment No. 1213 of the Brazos River Basin.

APPROVED, CJ/BW

Item 5. APPLICATION BY SHELL OIL COMPANY, ODESSA REFINERY for an amendment to Permit No. 01437 to authorize an increase in the discharge of treated wastewater effluent via Outfall 004 from a volume not to exceed an average flow of 216,000 gallons per day to a volume not to exceed an average flow of 360,000 gallons per day. The increase is to accommodate boiler blowdown that was inadvertently omitted from the previous amendment adopted January 26, 1988. The permit currently authorizes discharges of uncontaminated stormwater runoff via Outfalls 001, 002, and 003 at a volume variable with rainfall, which will remain the same. The applicant operates a petroleum refinery. The plant site is adjacent to South Grandview Street, south of the City of Odessa, Ector County, Texas. The effluent is discharged into a drainage ditch; thence to Monahans Draw; thence to Midland Draw; thence to Mustang Creek; thence to Beals Creek; thence to the Colorado River below Lake J.B. Thomas, Segment No. 1412 of the Colorado River Basin.

APPROVED, CJ/BW

Item 6. APPLICATION BY WILLIE NELSON DBA PEDERNALES COUNTRY CLUB for a minor amendment to Permit No. 10992-02 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 recreational club by irrigation on a golf course. The disposal volume is not to exceed an average of 15,000 gallons per day. Application rates for the irrigated land shall not exceed 2.65 acre-feet/acre/year. No discharge of pollutants into the waters of the State is authorized by this permit. The treatment plant and irrigation site are approximately four miles northeast of the intersection of State Highway 71 and Farm to Market (F.M.) Road 2322 and 1/2 mile east of F.M. Road 2322 adjacent to the Recreational Club facilities in Travis County, Texas. The plant site and irrigated land are in the drainage area of Lake Travis in Segment No. 1404 of the Colorado River Basin.

APPROVED, CJ/BW

Item 7. APPLICATION BY CITY OF ROTAN for a minor amendment to Permit No. 11256-01 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 by irrigation on pastureland. The disposal volume is not to exceed an average of 152,000 gallons per day. Application rates for the irrigated land shall not exceed 3.9 acre-feet/acre/year. No discharge of pollutants into the waters of the State is authorized by this permit. The plant site is approximately 1 mile southeast of the intersection of State Highway 70 and State Highway 92 (Snyder Road), south of the City of Rotan in Fisher County, Texas. The irrigation area is adjacent to and west of the treatment facilities. The plant site and irrigated land are in the drainage area of the Clear Fork Brazos River in Segment No. 1232 of the Brazos River Basin.

APPROVED, CJ/BW

Item 8. APPLICATION BY STRUCTURAL METALS, INC. for a minor amendment to Permit No. 01712 in order to change the location for Outfall 002. The currently authorized discharge of treated process wastewater at a volume not to exceed an average flow of 120,000 gallons per day plus uncontaminated stormwater runoff, and all other terms and conditions of the existing permit will remain the same. The plant site is approximately one mile west of the intersection of IH-10 and FM 464, west of the City of Seguin, Guadalupe County, Texas. The effluent is discharged into the Guadalupe River, Segment No. 1804 of the Guadalupe River Basin.

APPROVED, CJ/BW

Item 9. APPLICATION BY ZAPATA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT for a minor amendment to Permit No. 13383-01 to more accurately describe the final design for the plant. The permit authorizes disposal of treated domestic wastewater effluent by irrigation on 72 acres of pastureland. The disposal volume is not to exceed an average of 194,000 gallons per day. Application rates for the irrigated land are not to exceed 4.2 acre-feet/acre/year. No discharge of pollutants into the waters of the State is authorized by this permit. The treatment plant and irrigation site are approximately 1/2 mile east of U.S. Highway 83 and 2 1/2 miles north-northeast of the City of San Ygnacio, Zapata County, Texas. The irrigation site is north and east of the plant site. The plant site and irrigation area are in the drainage area of the Rio Grande in Segment No. 2304 of the Rio Grande Basin.

APPROVED, CJ/BW

Item 10. APPLICATION BY CITY OF BELLVILLE for renewal of Permit No. 10385-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 500,000 gallons per day. The wastewater treatment facilities are on the north side of Hacienda Street, approximately 1 mile west of State Highway 36 in Austin County, Texas. The effluent is discharged into Boggy Creek; thence to Mill Creek; thence to the Brazos River in Segment No. 1202 of the Brazos River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff must determine the existing uses for the receiving water in the area of the proposed discharge. The unclassified receiving waters of Boggy Creek have no aquatic life uses. The designated uses for Segment No. 1202 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. All determinations are preliminary and subject to additional review and/or revisions.

RENEWED, CJ/BW

Item 11. APPLICATION BY BROWNSVILLE NAVIGATION DISTRICT for renewal of Permit No. 10332-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 98,000 gallons per day. The wastewater treatment facilities are on the east side of the Marathon-LeTourneau Company plant site which is located on the south side of State Highway 48, approximately 3.9 miles east of the intersection of State Highway 48 with Farm-to-Market Road 511, northeast of the City of Brownsville, Cameron County, Texas. The effluent is discharged into an open ditch; thence to the Brownsville Ship Channel in Segment No. 2494 of the Bays and Estuaries. 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. 2494 are noncontact recreation and exceptional 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/BW

Item 12. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109 for renewal of Permit No. 11026-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,020,000 gallons per day from the Greenwood Forest Wastewater Treatment Facilities. The plant site is approximately 17 miles northwest of Midtown Houston, about 4-1/2 miles west of IH 45 and 1.3 miles southwest of the intersection of Stuebner-Airline Road and Bammel-N. Houston Road, at 13415 Bammel-N. Houston Road in Harris County, Texas. The effluent is discharged into a Harris County Flood Control Ditch; thence through a series of ditches to Greens 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 must determine 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 unclassified receiving waters of the Harris County Flood Control Ditch have no significant aquatic life uses. The designated uses for Segment No. 1006 are navigation, industrial water supply and no significant aquatic life. The effluent limitations in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and/or revision.

RENEWED, CJ/BW

Item 13. APPLICATION BY CITY OF HOUSTON for renewal of Permit No.

10495-112 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 820,000 gallons per day from the Cedar Bayou Wastewater Treatment Facilities. The plant site is south of Huffman-Eastgate Road, approximately 6,500 feet west of the intersection of Farm-to-Market Road 1960 and Huffman-Eastgate Road in Harris County, Texas. The effluent is discharged into Harris County Flood Control Ditch Q136-00-00; thence to Cedar Bayou in Segment No. 0902 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 the Harris County Flood Control Ditch. The designated uses for Segment No. 0902 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/BW

Item 14. APPLICATION BY MILLS ROAD MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11907-02 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 1,000,000 gallons per day from the Mills Road MUD Sewage Treatment Plant. The plant site is at 10128 Peachridge Drive, approximately 3000 feet southwest of the intersection of Perry Road and Mills Road, northwest of the City of Houston in Harris County, Texas. The effluent is discharged into Harris County Flood Control Ditch P-161-00-00; 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 must determine 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 unclassified receiving waters of Harris County Flood Control Ditch P-161-00-00 have no significant 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. All determinations are preliminary and subject to additional review and/or revision.

RENEWED, CJ/BW

Item 15. APPLICATION BY PARK TEN MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11455-01 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 3,500,000 gallons per day. The wastewater treatment facilities are at 16,500 Park Row in Park Ten Municipal Utility District in Harris County, Texas. The effluent is discharged into an unnamed tributary of Buffalo Bayou; 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 must determine the existing uses for the receiving water in the area of the proposed discharge. The

unclassified receiving waters of the unnamed tributary of Buffalo Bayou have no aquatic life uses. 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. All determinations are preliminary and subject to additional review and/or revisions.

RENEWED, CJ/BW

Item 16. APPLICATION BY T.J. THOMAS for renewal of Permit No. 12919-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 18,000 gallons per day from the Deertrail Mobile Home Park Wastewater Treatment Facilities. The plant site is on the 9800 block of Deertrail Drive, approximately one mile northwest of the intersection of Farm-to-Market Road 149 and Interstate Highway 45 in Harris County, Texas. The effluent is discharged into Harris County Flood Control Ditch No. P-118-31-00; thence to Halls Bayou; thence to the 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 must determine the existing uses for the receiving water in the area of the proposed discharge. The unclassified receiving waters of the drainage ditch have no aquatic life uses. The designated uses for Segment No. 1006 are navigation, industrial water supply and no aquatic life. The effluent limitations in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and/or revisions.

CONTINUED TO 5-16-90 @ 3:00 P.M.

Item 17. APPLICATION BY UNITED STATES DEPARTMENT OF THE INTERIOR, US BUREAU OF MINES, HELIUM FIELD OPERATIONS for renewal of Permit No. 02234 which authorizes a discharge of cooling water, treated domestic sewage and stormwater runoff at a volume not to exceed an average flow of 16,000 gallons per day from the Amarillo Helium Plant. The plant site is approximately one mile west of the City of Amarillo, adjacent to U. S. Highway 66 at its intersection with Helium Road, Potter County, Texas. The effluent is discharged into the plant storm sewer pipe 700 feet north of the plant boundary line; thence northwest through the pipeline for approximately 500 feet; thence to a tributary of West Amarillo Creek; thence to West Amarillo Creek; thence to the Canadian River, Segment No. 0103 of the Canadian River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff must determine the existing uses for the receiving water in the area of the proposed discharge. The unclassified streams in the vicinity of this discharge are intermittent streams with no significant aquatic life uses. The uses for Segment No. 0103 are contact recreation and high quality aquatic habitat. The effluent limitations in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and/or revisions.

RENEWED, CJ/BW

Item 18. APPLICATION BY CITY OF WHITESBORO for renewal of Permit No. 10464-01 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 wastewater treatment

facilities are on Mineral Creek, approximately 1,000 feet east of U.S. Highway 377 and two miles north of the intersection of U.S. Highway 82 and 377 in the City of Whitesboro in Grayson County, Texas. The effluent is discharged into an unnamed tributary of South Mineral Creek; thence to South Mineral Creek; thence to Big Mineral Arm; thence to Lake Texoma in Segment No. 0203 of the Red River Basin. In accordance with the Texas Surface Water Quality Standards, the Commission staff must determine the existing uses for the receiving water in the area of the proposed discharge. The unclassified receiving waters of the unnamed tributaries of South Mineral Creek and South Branch Big Mineral Creek have no significant aquatic life uses. The designated uses for Segment No. 0203 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. All determinations are preliminary and subject to additional review and/or revisions.

RENEWED, CJ/BW

Item 19. APPLICATION BY LA GLORIA OIL AND GAS COMPANY for an amendment to Permit No. HW-50062 (EPA ID No. 007333800) which authorizes operation of a Class I hazardous industrial solid waste, storage and processing facility in Tyler, Texas, for solid wastes generated on-site from petroleum refining processes and operations. The proposed amendment would authorize the following changes: 1) Increase the capacity of Permit Unit No. 2 (New Sludge Drying Bed) to 133,518 gallons; 2) Increase the freeboard level for Permit Unit No. 2 to a minimum of four (4) feet; 3) Revise and update the closure plans for both Permit Unit Nos. 1 and 2 (the Old and New Sludge Drying Beds), with an appropriate increase in the financial assurance; 4) Revise and update the Inspection Schedule and Contingency Plan; and 5) Add HSWA provisions to address possible releases from solid waste management units. Hazardous wastes authorized to be managed under this permit are ignitable, toxic, EP toxic, and reactive. These wastes consist of API separator sludge; leaded tank bottoms, slop oil emulsion solids, heat exchanger bundle cleaning sludge, natural gas condensate tank sludge and contaminated storm water from the sludge drying bed. The facility is located on a 270-acre tract of land at 1702 East Commercial Street in the City of Tyler, Smith County, Texas. This location is in the drainage area of Segment No. 0606 of the Neches River Basin (north latitude 32°21'45", west longitude 95°16'45").

APPROVED, CJ/BW

Item 20. APPLICATION BY QUANEX CORPORATION, GULF STATES TUBE DIVISION for an amendment to Permit No. HW-50129 (EPA I.D. No. TXD-000449397) which authorizes a Class I hazardous and non-hazardous industrial solid waste storage, treatment, and disposal facility. The current permit includes six surface impoundments with a combined total capacity of 4,600,000 gallons. These surface impoundments were required to cease receiving wastes as of November 8, 1988, in accordance with the retrofitting requirements of the Hazardous and Solid Waste Amendments of 1984, and are currently under closure and post-closure plans. Contaminated soil which cannot be reasonably removed is allowed to remain in place, within the surface impoundments, by closing the units as landfills. The proposed permit amendment would: (1) authorize stabilized and/or solidified wastes to be left in place and the impoundments to

be closed as landfills; and (2) revise the closure and post-closure plans for the surface impoundments, including the construction quality assurance program and the construction material quality assurance testing requirements for test fill construction. The hazardous wastes managed at the facility include corrosive and toxic wastes consisting of spent pickle liquor and treated spent pickle liquor from the steel finishing industry. The facility is located on an 82.3-acre tract of land on Scott Road near Rosenberg, Fort Bend County, Texas. This location is in the drainage area of Segment 1202 of the Brazos River Basin (north latitude 29°32'50", west longitude 95°50'42"). The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will authorize the continued operation of this facility under the terms described above. The Executive Director has also prepared a summary of the applicant's compliance history at this facility, copies of which are available upon request.

APPROVED, CJ/ BW

Item 21. APPLICATION BY THE SHELL OIL COMPANY (SHELL OIL) for an amendment to Permit No. HW-50099 (EPA ID No. TXD 067285973-1) to authorize construction and operation of a new above-grade hazardous waste landfill which meets minimum technology requirements (MTR landfill). The landfill will consist of three cells with a total surface area not to exceed 17.0 acres and a total capacity not to exceed 338,000 cubic yards. Shell Oil's facility presently consists of: (1) one existing landfill with a capacity of 65,000 cubic yards; (2) three existing surface impoundments with a total surface area of 4.6 acres; and (3) one multiple-hearth biosolids incinerator with a maximum waste feed rate of 10,000 lbs. biosolids filtercake per hour. In addition, the company is currently operating under a Compliance Plan which requires a Compliance Monitoring Program to monitor facility compliance with their groundwater protection standard. The wastes managed at this facility are Class I hazardous, Class I nonhazardous, and Class II industrial solid wastes generated as a result of manufacturing activities at the Deer Park Manufacturing Complex and other off-site plants owned and operated by Shell Oil Company. These wastes are ignitable, toxic, corrosive, acutely hazardous, and EP toxic wastes. The facility is located on a 1,600-acre tract of land north of State Highway 225 and approximately 1 mile west of State Highway 134 in Deer Park, Harris County, Texas. This location is in the drainage area of Segment 1006 of the San Jacinto River Basin (north latitude 29°42'55", west longitude 95°07'34").

APPROVED, CJ/BW

Item 22. APPLICATION BY URI, INC. for an amendment to Permit No. WDW-250 in order to move the location of a non-hazardous underground injection well. Permit No. WDW-250 currently authorizes the applicant to drill and operate an industrial waste disposal well, which has not yet been drilled. The proposed amendment will relocate the well approximately 6,800 feet to the northwest of the original permitted well location. The well is to be used for operational and restoration wastewaters generated from the Rosita Uranium Mining Project. Industrial waste authorized to be injected shall consist solely of the following non-hazardous waste streams: (1) wastes generated during closure of well and associated facilities that are compatible with permitted

wastes and the reservoir; (2) lixiviant bleed stream; (3) lab waste stream; (4) resin wash stream; (5) filter press wash stream; (6) reverse osmosis brine stream; and, (7) other associated wastes such as ground water and rainfall contaminated by the above authorized wastes, spills of the above authorized wastes, and wash waters and solutions used in cleaning and servicing the waste disposal well system equipment which are compatible with the permitted waste streams and reservoir. The maximum rate of injection is not to exceed 300 gallons per minute, and the average injection rate is not to exceed 200 gallons per minute. The volume of wastewater injected shall not exceed 8,928,000 gallons per month, nor 105,120,000 gallons per year. The surface injection pressure is not to exceed 870 psig. Injection will be into the Eocene Yegua Formation in the approximate subsurface interval between 4400 and 5400 feet. The disposal well is to be located approximately 11 miles northwest of San Diego near State Highway 44 in northern Duval County, Texas approximately 2222 feet from the southeast line and 704.5 feet (longitude 98°24'17" west, latitude 27°49'52" north).

APPROVED, CJ/ BW

Item 23. APPLICATION BY AUTOCHEM NORTH AMERICA, INC. (formerly Pennwalt Corporation) for a minor amendment to Permit No. HW-50214 (EPA I.D. No. TXD-008090011) which authorizes a non-commercial hazardous waste storage and processing facility. The minor amendment will authorize (1) extension of the due date for an incinerator carbon monoxide monitoring report from November 6, 1989 to March 6, 1990, and (2) a facility name change from Pennwalt Corporation to Autochem North America, Inc. The new due date for the report will allow the permittee to calibrate the new improved combustion apparatus and emission monitoring devices for the permitted John Zink Thermal Oxidizer incinerator. The facility stores and incinerates sour water and organic by-product liquid, both of which are waste streams incidental to the manufacture of sulfur-organic products. Managed wastes are generated on-site and are limited to ignitable, corrosive, and reactive waste code groups. The facility is located on a 17.4-acre tract of land in an industrial area off Haden Road in an unincorporated portion of eastern Harris County, Texas. This location is in the watershed area of Segment No. 1006 of the San Jacinto River Basin (north latitude 29°45'34", west longitude 95°10'27").

APPROVED, CJ/BW

Item 24. APPLICATION BY CLAY ROAD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$1,400,000 BOND ISSUE APPROVED DECEMBER 2, 1983. For Commission consideration and action. Applicant requests approval of the transfer of \$94,730 in surplus construction funds to debt service.

APPROVED, CJ/BW

Item 25. APPLICATION BY FAULKEY GULLY MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$1,400,000 BOND ISSUE APPROVED APRIL 3, 1989. For Commission consideration and action. The District's application requests Commission approval for the release of escrowed funds to purchase additional wastewater treatment plant capacity from the developer.

CONTINUED TO 3-28-90 @ 1:30 P.M.

Item 26. APPLICATION ON JOHN MILTON VANYA, SR. AND DAVID ALLEN VANYA, A TEXAS GENERAL PARTNERSHIP, DBA WATER MAINTENANCE to purchase facilities from Jim Dickens dba Longhorn Valley and to amend water Certificate of Convenience and Necessity No. 12056 in Polk County (Application No. 8318-C)

APPROVED, CJ/BW

Item 27. APPLICATION OF JOHN MILTON VANYA, SR. AND DAVID ALLEN VANYA, A TEXAS GENERAL PARTNERSHIP, DBA WATER MAINTENANCE to purchase facilities from Jerry Chain dba Pinewah Pines and to amend water Certificate of Convenience and Necessity No. 12056 in Polk County (Application No. 8319-C)

APPROVED, CJ/BW

Item 28. APPLICATION OF WEST MONTGOMERY UTILITIES COMPANY, Ltd. for a Rate/Tariff Change (Application No. 7520-R)

APPROVED, CJ/BW

Item 29. APPLICATION OF MIDWAY WATER UTILITIES, INC. to purchase facilities and to transfer water Certificate of Convenience and Necessity No. 11571 in Denton County (Application No. 7980-S)

APPROVED, CJ/BW

Item 30. APPLICATION OF MILANO WATER SUPPLY CORPORATION to amend a water Certificate of Convenience and Necessity in Milam and Burleson Counties (Application No. 8223-C)

APPROVED, CJ/BW

Item 31. APPLICATIONS OF OAKRIDGE WATER COMPANY DBA PINE SPRINGS UTILITIES COMPANY to transfer and cancel Certificates of Convenience and Necessity No. 10642, 11095, and 11387 and to amend Certificate of Convenience and Necessity No. 109147 in Hardin, Liberty, Polk, San Jacinto, Trinity, Tyler, and Walker Counties (Applications No. 8253-S, 8254-S, 8255-S, 8256-C, 8257-C, 8258-C, 8259-C, 8260-C, 8262-C, 8263-C, 8264-C, 8265-C, 8267-C)

APPROVED, CJ/BW

Item 32. APPLICATION OF CITY OF KELLER to transfer water Certificate of Convenience and Necessity No. 12066 and a portion of water Certificate of Convenience and Necessity No. 11967 from W. C. Hankins dba Tri-County Utilities, to amend Certificate of Convenience and Necessity No. 10975, and to cancel Certificate of Convenience and Necessity No. 12066 in Tarrant County (Application No. 8243-S)

APPROVED, CJ/BW

Item 33. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF GRANBURY WATER SERVICES, INC. TO INCREASE RETAIL WATER RATES IN HOOD COUNTY, TEXAS; DOCKET NO. 8316-R. Applicant provides retail water service to approximately 370 customers. Recommendation: Adoption of agreement of parties. (Demerle)

CONTINUED TO 3-28-90 @ 1:30 P.M.

Item 34. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CENTER POINT WATER WORKS TO INCREASE RETAIL WATER RATES IN KERR COUNTY, TEXAS; DOCKET NO. 8213-G. Applicant provides retail water service to approximately 158 customers. Recommendation: Adoption of agreement of parties. (Harris)

APPROVED, CJ/BW

Item 35. APPLICATION NO. 5272 BY CITY OF GILMER FOR A TEXAS WATER CODE SECTION 11.121 WATER USE PERMIT APPLICATION. For Commission consideration and action. Applicant seeks authorization to (1) construct and maintain a 12,720 acre-foot capacity reservoir on Kelsey Creek, Cypress Basin; (2) divert 6470 acre-feet of water per annum for municipal purposes; (3) divert 1000 acre-feet of water per annum for industrial purposes; (4) use the reservoir for recreational purposes and (5) divert a total of 300 acre-feet of water for construction purposes in Upshur County, approximately 3 miles northwest of Gilmer, Texas. (JORDAN:rma)

CONTINUED TO 4-25-90 @ 3:00 P.M.

Item 36. APPLICATION NO. 23-156A BY EDUARDO G. PEREZ, ET. AL. TO AMEND CERTIFICATE NO. 23-156. For Commission Action. Applicants seek an amendment to Certificate No. 23-156, as amended, to expand the overall area within which irrigation is authorized to include a 71-acre tract of land and a diversion point on the Rio Grande, Rio Grande Basin. The tract of land and diversion facilities are owned by Vista Del Mar irrigation Company, approximately 10 miles northeast of Brownsville, Cameron County, Texas. (JORDAN/wph).

APPROVED, CJ/BW

Item 37. APPLICATION NO. 23-833B BY HIDALGO COUNTY MUNICIPAL UTILITY DISTRICT NO. 1 TO AMEND CERTIFICATE NO. 23-833. For Commission Action. Applicant seeks to amend Certificate No. 23-833 to convert 300 acre-feet of their Class "B" irrigation water rights in Rio Grande Basin from irrigation purposes to 120 acre-feet of municipal water rights to be used within the district's service area, approximately 7.5 miles west of west of Mission, Hidalgo County, Texas. (JORDAN/WPH).

APPROVED, CJ/BW

Item 38. APPLICATION NO. CA-269B BY THE CITY OF MOUNT PLEASANT TO AMEND CONTRACTUAL PERMIT NO. 269. For Commission Action. Applicant seeks an amendment to CP-269 to increase the amount of water authorized to be diverted and used from Lake Bob Sandlin on Cypress Creek, Cypress Basin, from 5000 acre-feet of water to 6000 acre-feet of water per annum for municipal purposes in Titus County, Texas, based on a water supply contract with Titus County FWSD No. 1 dated February 12, 1990. (JORDAN/wph).

APPROVED, CJ/BW

SUPPLEMENTAL UNCONTESTED AGENDA

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 39. CONSIDERATION OF A COMMISSION RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO REFER BANKRUPTCY MATTERS DIRECTLY TO THE OFFICE OF THE ATTORNEY GENERAL FOR LEGAL REPRESENTATION.
(Vay)

APPROVED, CJ/BW

SUPPLEMENTAL UNCONTESTED AGENDA

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 40. CONSIDERATION OF EXECUTIVE DIRECTOR'S BUDGET AMENDMENTS FOR
SECOND QUARTER OF FY 90.

CONTINUED TO 3-29-90 @ 8:00 A.M. IN RM. 123

OLD BUSINESS

TEXAS WATER COMMISSION

Wednesday, March 28, 1990

9:00 a.m.
Room 118

Item carried forward from the Agenda of August 22 and September 26, 1989.

- Item 1. APPLICATION BY CONSOLIDATED FEDERAL BANK, FSB for renewal of Permit No. 12771-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 25,000 gallons per day from the Pine Creek Mobile Home Park Wastewater Treatment Plant which is located approximately 1.4 miles northeast of the intersection of Interstate Highway 35 West and State Highway 114; 2.4 miles northwest of the intersection of State Highway 114 and U.S. Highway 377, Denton County, Texas. The effluent is discharged into an unnamed ditch; thence to Elizabeth Creek; thence to Denton Creek; thence to Lake Grapevine in Segment No. 0826 of the Trinity River Basin. 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. 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 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. (Montelongo)

APPROVED, CJ/BW

Item carried forward from Agenda of January 17, 1990 and February 28, 1990.

- Item 2. APPLICATION BY CONSOLIDATED FEDERAL BANK, FSB for renewal of Permit No. 12849-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 55,000 gallons per day from the Raintree MHP Wastewater Treatment Facilities. The plant site is approximately 2.3 miles west-northwest of the City of Pearland on Suburban Gardens Road and approximately 1 mile north of the intersection of Farm-to-Market Road 518 and Suburban Gardens Road in Brazoria County, Texas. The effluent is discharged into Hickory Slough; thence to Clear Creek in Segment No. 1102 of the San Jacinto-Brazos Coastal 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 revised from 4 mg/l to 5 mg/l. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval. (Montelongo)

APPROVED, CJ/BW

OLD BUSINESS DOCKET

TEXAS WATER COMMISSION

Wednesday, March 28, 1990

9:00 a.m.

Room 118

Item carried forward from Agenda of March 21, 1990.

- Item 1. IN RE: EMERGENCY ORDER NO. 90-3E ISSUED TO E- SYSTEMS ON JANUARY 24, 1990. FOR COMMISSION CONSIDERATION WHETHER TO AFFIRM, MODIFY, OR SET ASIDE THE EMERGENCY ORDER which authorized the handling and disposal of small quantities of potentially reactive and explosive chemicals in Hunt County. (This emergency agenda was needed due to an imminent threat to public health and safety.) (McFaddin)

APPROVED CJ/BW

WYNNE
BIRDWELL
JOHNSON/ABSENT & EXCUSED FOR ITEMS 7 & 8

CONTESTED AGENDA

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

1:30 p.m.
Room 118

Item 1. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF VODA PETROLEUM, INC., SWR NO. 32231. (McFaddin)

CONTINUED TO 6-27-90 @ 9 A.M.

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF JOHN BLOEMHOF D/B/A J AND P DAIRY, PERMIT NO. 02997. (Ligarde)

CONTINUED TO 4-25-90 @ 9 A.M.

Item 3. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE REMAND OF THE PETITION OF THE CITY OF FARMER'S BRANCH, TEXAS, CHALLENGING AN INCREASE OF WHOLESALE WATER RATES IN DALLAS COUNTY, TEXAS; DOCKET NO. 8377-M. Recommendation: Remand for evidentiary hearing. (Sahs)

REMANDED TO OFFICE OF HEARINGS EXAMINER FOR EVIDENTIARY HEARING, CJ/JB

Item 4. CONSIDERATION OF EXAMINER'S MEMORANDUM AND PERMIT CONCERNING THE APPLICATION OF BAYWOOD COUNTRY CLUB FOR WATER USE PERMIT NO. 5230 IN HARRIS COUNTY, TEXAS, TO DIVERT A RESERVOIR TO IMPOUND AND DIVERT NOT TO EXCEED 200 ACRE-FEET OF WATER PER ANNUM FROM THE ARMAND BAYOU IN SAN JACINTO-BRAZOS RIVER BASIN, FOR IRRIGATION PURPOSES. Recommendation: Issuance of authorization. (Parker)

APPROVED, JB/CJ

Item 5. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF OCEAN ENTERPRISES, INC. FOR AND TRANSFER OF PERMIT NO. 02069. Recommendation: Transfer of permit. (Demerle)

APPROVED, JB/CJ

Item 6. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE PETITIONS OF LONGVIEW AND KILGORE TO SET WHOLESALE WATER RATES IN GREGG AND RUSK COUNTIES, TEXAS; DOCKETS NOS. 7796-M AND 7831-M. Recommendation: Setting of wholesale rates. (O'Neal)

CONTINUED TO 4-11-90 @ 9 A.M.

Item 7. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE INQUIRY INTO THE RATES CHANGED AND SERVICE

PROVIDED BY HUNT'S WATER OPERATIONS OF MCLENNAN COUNTY, TEXAS;
8210-I. Recommendation: Certain corrective actions and
refunds be ordered. (Sullivan)

APPROVED W/MODIFICATIONS, JB/BJW

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

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

1:30 p.m.
Room 118

Item carried forward from Agenda of February 28, 1990.

- 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 ALUMAX MILL PRODUCTS, INC., PERMIT NO. 02742-002. (Smith, S.)

APPROVED, JB/CJ

WYNNE
BIRDWELL
JOHNSON/ABSENT & EXCUSED FOR ITEM NO. 2

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

1:30 p.m.
Room 118

Item carried forward from Agenda of March 28, 1990 at 9:00 A.M.

- Item 2. APPLICATION BY FAULKEY GULLY MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$1,400,000 BOND ISSUE APPROVED APRIL 3, 1989. For Commission consideration and action. The District's application requests Commission approval for the release of escrowed funds to purchase additional wastewater treatment plant capacity from the developer.

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

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, March 28, 1990

TEXAS WATER COMMISSION

1:30 p.m.
Room 118

Item carried forward from the Agenda of March 28 1990 at 9:00 A.M.

- Item 3. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF GRANBURY WATER SERVICES, INC. TO INCREASE RETAIL WATER RATES IN HOOD COUNTY, TEXAS; DOCKET NO. 8316-R. Applicant provides retail water service to approximately 370 customers. Recommendation: Adoption of agreement of parties. (Demerle)

APPROVED, CJ/JB