

WYNNE  
JOHNSON  
BIRDWELL

CONTESTED AGENDA

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF JOHN VIEMAN, ET AL. FOR WATER USE PERMIT NO. 5256, BRAZORIA COUNTY, TEXAS, not to exceed 1,253 acre-feet of water per annum from the Austin Bayou in San Jacinto-Brazos Coastal Basin, for irrigation and industrial purposes. Recommendation: Denial of authorization. (Sahs)

REMANDED TO THE OFFICE OF HEARINGS EXAMINER, JB/CJ

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND REQUIRING CERTAIN ACTIONS OF THE CITY OF BARTLETT. (PERMIT NO. 10880-01) BELL COUNTY. (RAYOS)

APPROVED, CJ/JB

Item 3. CONSIDERATION OF THE ADOPTION OF AN ORDER APPROVING A BOND ISSUE EXTENSION AND AMENDMENT FOR FERN BLUFF MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY; \$2,200,000 First installment of \$3,710,000 bond issue approved July 3, 1987. This matter was remanded to the Commission as a result of proceedings conducted by the 331st Judicial District Court, Cause No. 474,223 (Vay)

ADOPTED PROPOSED ORDER W/REVISIONS, JB/CJ

Item 4. 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, May 30, 1990

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of May 2, 1990

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF FORMOSA PLASTICS CORPORATION, PERMIT NO. 02436. (Culbertson)

ADOPTED AGREED ORDER WITH RECOMMENDED PENALTIES, JB/CJ

Item carried forward from Agenda of May 2, 1990

- Item 2. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF JAMES E. LAUBACH DBA G & S UTILITIES CO. FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11795. Decertification of a portion of Baytown Area Water Authority's CCN No. 10872 to provide water service in Chambers County, Texas; Docket No. 7940-C. Recommendation: Issuance. (Sahs)

CONTINUED TO 6-27-90 AT 9:00 A.M.

Item carried forward from Agenda of May 2, 1990

- Item 3. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF SHELTON RANCH CORPORATION FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 18-2006 IN KERR COUNTY, TEXAS, divert an additional 150 acre-feet of water per annum; to change use to irrigation; to increase irrigated acreage to 620 acres; to add and change diversion points from the Guadalupe River, in Guadalupe River Basin, for irrigation purposes. Recommendation: Issuance of authorization. (Sahs)

APPROVED W/ADDITIONAL LANGUAGE, JB/CJ

Item carried forward from Agenda of March 28, 1990 , April 11, April 25, and May 2, 1990.

- Item 4. 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 6-06-90 AT 9:00 A.M.

Item carried forward from Agenda of March 21, 1990.

- Item 5. CONSIDERATION OF A MOTION FOR REHEARING to modify the final Order in this Docket No. 7857-C granting Fort Worth a CCN as requested in its application. The item was considered on

February 7, 1990 and the Commissioners granted Fort Worth a CCN for treated water service for an area that roughly corresponds to Fort Worth's existing corporate limits.

CONTINUED TO 6-13-90 AT 9:00 A.M.

ADDENDUM CONTESTED OLD BUSINESS

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of May 16, 1990.

- Item 6. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF BAYTANK (HOUSTON), INC. FOR A RENEWAL OF PERMIT NO. 02547 to authorize the discharge of an intermittent flow of stormwater and filter backflush water at a volume variable with rainfall in Harris County, Texas, and Segment No. 2438 of the Bays and Estuaries. Recommendation: Issuance. (Murphy)

APPROVED, JB/CJ

WYNNE  
BIRDWELL  
JOHNSON

UNCONTESTED AGENDA

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

- Item 1. PRESENTATION OF TEXAS WATER COMMISSION 1990 OPERATIONS AND MAINTENANCE EXCELLENCE AWARDS TO EXEMPLARY WASTEWATER TREATMENT FACILITIES. (Beinke)

AWARDS PRESENTED TO CITY OF BORGER, CITY OF DENTON, CITY OF BROWNFIELD, CITY OF HAMLIN, AND LAKE LBJ MUD

- Item 2. APPLICATION BY CITY OF GATESVILLE for a permit (Proposed Permit No. 10176-02) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,200,000 gallons per day from the proposed Stillhouse Branch Wastewater Treatment Facility. The plant site is on Stillhouse Branch, 1200 feet west of the point where State Highway 36 crosses Stillhouse Branch in Coryell County, Texas.

CONTINUED TO JUNE 6, 1990 @ 3:00 PM

- Item 3. APPLICATION BY VERIBEST CATTLE FEEDERS, INC. for an amendment to Permit No. 01294 to authorize an increase in the size of its feeder herd from 12,000 head of cattle to 16,500 head of cattle. The cattle feedlot is approximately 2 miles west of the intersection of Farm-to-Market Road (FM) 380 and FM 2334, at a point approximately 1 mile north of FM 380; further described as being approximately 1.5 miles west of Veribest in Tom Green County, Texas.

APPROVED, CJ/JB

- Item 4. APPLICATION BY HOUSTON FUEL OIL TERMINAL, INC. AND CHARTCO TERMINAL, L.P. DBA HOUSTON FUEL OIL TERMINAL COMPANY for renewal of Permit No. 02277 which authorizes a discharge of stormwater runoff and ballast water at a volume variable with rainfall from a fuel oil terminal. The plant site is at 16642 Jacintoport Boulevard in the Community of Channelview, Harris County, Texas.

CONTINUED TO JUNE 6, 1990 @ 3:00 PM

- Item 5. APPLICATION BY MEDINA COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 2 for renewal of Permit No. 11144-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 80,000 gallons per day. The wastewater treatment facilities are on the west side of Nester Lane, approximately 2000 feet south of the intersection of Nester Lane and South Street in D'Hanis in Medina County, Texas.

RENEWED, CJ/JB

Item 6. APPLICATION BY ROBERT NEWKIRK COMPANY, INC. for renewal of Permit No. 13066-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 9,000 gallons per day from the Greens Road Service Center Wastewater Treatment Facilities. The plant site is at 2421 Greens Road in the City of Houston, Harris County, Texas.

RENEWED, CJ/JB

Item 7. APPLICATION BY NORTH TEXAS MUNICIPAL WATER DISTRICT for renewal of Permit No. 11783-01 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 500,000 gallons per day from the Murphy Wastewater Treatment Facilities. The plant site is in the City of Murphy, adjacent to the Skyline Subdivision, approximately 4,000 feet east and 6,000 feet south of the intersection of Farm to Market Road 544 and Farm to Market Road 2551 (Murphy Road) in Collin County, Texas.

RENEWED, CJ/JB

Item 8. APPLICATION BY PINE COLONY UTILITY, INC. for renewal of Permit No. 12935-01 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 350,000 gallons per day from the Pine Colony Sewage Treatment Plant. The plant site is approximately 3.2 miles north-northwest of the intersection of State Highway 6 and State Highway 35, adjacent to Brazoria County Road 144 to the west and to the east of the Atchison, Topeka, & Santa Fe Railroad tracks in Brazoria County, Texas.

RENEWED, CJ/JB

Item 9. APPLICATION BY SMITH COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 for renewal of Permit No. 10285-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 875,000 gallons per day. The facility is immediately east of State Highway 155 and approximately 1 1/2 miles north of U.S. Highway 271 in Smith County, Texas.

RENEWED, CJ/JB

Item 10. APPLICATION BY STANLEY LAKE MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11367-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 972,000 gallons per day. The wastewater treatment facilities are approximately 2000 feet north of State Highway 105 and adjacent to Lake Conroe, approximately 10 miles west of the City of Conroe, in Montgomery County, Texas.

RENEWED, CJ/JB

Item 11. APPLICATION BY U.S. ARMY CORPS OF ENGINEERS for renewal of Permit No. 12093-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,000 gallons per day from the Sam Rayburn Lake Powerhouse Wastewater Treatment Facilities. The plant site is in the powerhouse within the Dam structure at Sam

Rayburn Lake, approximately 5 miles northeast of the intersection of State Highway 63 and Farm to Market Road 255 in Jasper County, Texas.

CONTINUED TO AUGUST 1, 1990 @ 3:00 PM

Item 12. APPLICATION BY CHAMPLIN REFINING AND CHEMICALS, INC. for a post-closure care permit permit (Proposed Permit No. HW-50179; EPA ID No. TXD-981157530) to authorize post-closure care of a land treatment facility associated with its Corpus Christi plant which produces petrochemicals and refines petroleum. The facility is located on a 21.9-acre tract of land west of the intersection of Corn Products Road and IH-37, approximately four miles north of Corpus Christi in Nueces County, Texas.

APPROVED, JB/CJ

Item 13. APPLICATION BY CHAMPLIN REFINING AND CHEMICALS, INC. - EAST for an amendment to Permit No. HW-50160 which would authorize the permittee to conduct post-closure care of a closed oily sludge impoundment at an existing hazardous waste storage, processing, and disposal facility. The facility is located at 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County, Texas.

APPROVED, JB/CJ

Item 14. APPLICATION BY DISPOSAL SYSTEMS INC. for minor amendments to Permit Nos. WDW-169 and WDW-249 which currently authorize operation of two commercial waste disposal wells for underground injection of Class I hazardous wastes. The minor amendments will increase the amount of financial security required to provide for closure costs, and add language to the permits to include the newly defined terms of injection interval and injection zone, as defined by the United States Environmental Protection Agency (EPA).

APPROVED, JB/CJ

Item 15. APPLICATION BY UNION CARBIDE CORPORATION - SEADRIFT PLANT for a minor amendment to Compliance Plan No. CP-50190 (EPA I.D. No. TXD-041515420) which governs ground-water monitoring and corrective actions at an industrial hazardous waste storage, processing, and disposal facility. The facility is located on a 2600 acre tract on the northeast and southwest sides of State Highway 185, approximately one mile south of Highway 35 and six miles north of the town of Seadrift, Calhoun County, Texas.

APPROVED, JB/CJ

Item 16. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ARMCO, INC. FOR AN AMENDMENT TO PERMIT NO. 02549 TO AUTHORIZE THE DISCHARGE OF STORMWATER RUNOFF IN HARRIS COUNTY, TEXAS, AND SEGMENT NO. 1006 OF THE SAN JACINTO RIVER BASIN. Recommendation: Issuance of permit. (O'Neal)

APPROVED, CJ/JB

Item 17. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN ORDER NUNC PRO TUNC CORRECTING TYPOGRAPHICAL ERRORS IN THE ORDER ISSUED TO ODESSA DRUM COMPANY, INC., ON MARCH 14, 1990.

(Alvarado)

APPROVED, JB/CJ

Item 18. CONSIDERATION OF THE REQUEST BY KELLY LANE UTILITY COMPANY FOR AN ORDER AUTHORIZING COMMENCEMENT OF CONSTRUCTION PURSUANT TO SECTIONS 26.019 AND AND 26.027(c) OF THE TEXAS WATER CODE. (Kirick)

APPROVED, JB/CJ

Item 19. APPLICATION BY STEWART AND STEVENSON SERVICES, INC. for a Temporary Order to authorize a discharge of approximately 30,000 gallons per day of treated waste water from a new above-ground single train activated sludge treatment plant located approximately 1200 feet northwest of 16415 Jacintoport Boulevard, east of the Houston City Limits in east Harris County, Texas.

APPROVED, CJ/JB

Item 20. APPLICATION BY DAVENPORT RANCH MUNICIPAL UTILITY DISTRICT NO 1 OF TRAVIS COUNTY FOR APPROVAL OF A \$550,000 UNLIMITED TAX BONDS, THIRD ISSUE, 7.884% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. The District requests Commission approval of \$550,000 in bonds to finance remaining costs for expansion of the District's water treatment plant and engineering costs for

APPROVED, JB/CJ

Item 21. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 6 OF FORT BEND COUNTY FOR APPROVAL OF A \$1,900,000 UNLIMITED TAX SECOND BOND ISSUE AND A CHANGE IN PLANS, THE RELEASE OF FUNDS FROM ESCROW, AND THE USE OF SURPLUS FUNDS; \$5,175,000 FIRST BOND ISSUE APPROVED JUNE 18, 1982. For Commission consideration and action. The applicant requests approval for the sales of \$1,900,000 in bonds to reimburse the developer for water, wastewater, and drainage facilities; to construct single family homes in lieu of multi-family units; and to reduce the bond issue with surplus and funds in escrow.

CONTINUED TO JUNE 20, 1990 @ 3:00 PM

Item 22. APPLICATION BY ROCKETT SPECIAL UTILITY DISTRICT OF DALLAS AND ELLIS COUNTIES FOR APPROVAL OF THE ISSUANCE OF \$1,600,000 IN REVENUE BONDS, 8.0% NET EFFECTIVE INTEREST RATE, SERIES 1990, FIRST ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,600,000 in revenue bonds to finance construction of a 16-inch water transmission main, 500,000 gallon elevated tank, and pump station no. 8 modifications to receive a surface water supply from the City of Midlothian.

APPROVED, CJ/JB

Item 23. APPLICATION BY GALVESTON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$8,000,000 BOND ISSUE APPROVED APRIL 10, 1986. For Commission consideration and action. Applicant requests approval of the use of \$275,000 of surplus funds for construction of the replacement of water lines along State Highway 3.

APPROVED, CJ/JB



Item 24. APPLICATION BY GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 2 FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$2,125,000 BOND ISSUE APPROVED FEBRUARY 26, 1985. For Commission consideration and action. Applicant requests approval of the transfer of \$90,000 in surplus construction funds to debt service.

APPROVED, CJ/JB

Item 25. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 254 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$3,400,000 BOND ISSUE APPROVED JULY 16, 1986. For Commission consideration and action. Applicant requests approval of the transfer of \$250,000 in surplus construction funds to the debt service fund.

APPROVED, CJ/JB

Item 26. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149; \$3,120,000 BOND ISSUE APPROVED MAY 27, 1981. For Commission consideration and action. Applicant requests the approval to use \$162,200 in surplus construction funds to finance the repainting of the District's ground storage tanks and hydropneumatic tanks, and removal and replacement of two (2) underground fuel storage tanks.

APPROVED, CJ/JB

Item 27. APPLICATION BY FORT BEND COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$3,250,000 BOND ISSUE APPROVED NOVEMBER 17, 1989. For Commission consideration and action. Applicant requests approval of the release of \$1,039,500 of escrowed funds for construction of Water Plant No. 5.

APPROVED, CJ/JB

Item 28. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF FOREST GROVE, INC. DBA SOUTHERN OAKS WATER SUPPLY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY to provide water service in Freestone and Navarro Counties, Texas; Docket No. 8252-C. Recommendation: Adoption of agreement of parties. (O'Neal)

APPROVED, JB/CJ

Item 29. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CANEY CREEK UTILITIES, INC. TO INCREASE RETAIL WATER AND SEWER RATES IN MONTGOMERY COUNTY, TEXAS; DOCKET NO. 8342-G. Applicant provides retail water and sewer service to approximately 53 customers. Recommendation: Adoption of agreement of parties. (O 'Neal)

APPROVED, CJ/JB

Item 30 CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF YAUPON COVE WATER SYSTEM TO INCREASE RETAIL WATER RATES IN POLK COUNTY, TEXAS; DOCKET NO. 8346-R. Applicant provides retail water sewer service to approximately 372 customers. Recommendation: Adoption of agreement of parties. (Harris)

APPROVED, JB/CJ

Item 31. APPLICATION OF TOM DAVIS DBA EAST CEDAR CREEK WATER SYSTEM for a water Certificate of Convenience and Necessity in Leon County. (Application (No. 8381-C, Holck)

APPROVED, CJ/JB

Item 32. APPLICATION OF FRIO WATER, INC. for a water Certificate of Convenience and Necessity, No. 12327, in Deaf Smith, County. (Application No. 8215-C, Childs)

CONTINUED TO JUNE 20, 1990 @ 3:00 PM

Item 33. APPLICATION OF TIMBERLANE WATER SYSTEM, INC. for a water Certificate of Convenience and Necessity, No. 12336, in Sabine County. (Application No. 8393-C, Holck)

APPROVED, CJ/JB

Item 34. APPLICATION OF LARRY BREWER for an amendment to water Certificate of Convenience and Necessity No. 12243 in Orange County. (Application No. 8181-C, Childs)

APPROVED, CJ/JB

Item 35. APPLICATION OF SAN ANTONIO CITY WATER BOARD for an amendment to water Certificate of Convenience and Necessity No. 10640 in Bexar County. (Application No. 8375-C, Holck)

APPROVED, CJ/JB

Item 36. APPLICATION OF TOWNSEND WATER COMPANY to amend Certificate of Convenience and Necessity No. 11707 in San Augustine County. (Application No. 8305-C, Arroyo)

APPROVED, CJ/JB

Item 37. APPLICATION NO. 14-1522A BY JESSE DONALD CONE TO COMBINE WATERS UNDER CERT. NOS. 14-1521 & 14-1522 AND TO AMEND CERT. NO. 14-1522. For Commission Action. Applicant seeks to combine water rights owned under Cert. No. 14-1521 with Cert. No. 14-1522 and to amend Cert. No. 14-1522 to increase the acres to be irrigated from 8 to 35 acres per annum and to restate applicant's total rights under Cert. No. 14-1522, viz., 11 acre-feet of water per annum from West Bear Creek, Colorado River Basin, to irrigate 35 acres out of a 138.7-acre tract, approximately 9 miles northwest of Junction, Kimble County, Texas. (JORDAN/wph).

APPROVED, JB/CJ

Item 38. APPLICATION NO. TA-6336 BY EDWIN SINGER FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.138. FOR COMMISSION ACTION. Applicant seeks authorization to divert and use 60 acre-feet of water within a 1-year period from the Nueces River, Nueces River Basin for irrigational purposes from an existing, on-channel reservoir between Mud Hollow and Live Oak Hollow, approximately 15 miles southeast of Tilden, McMullen County, Texas. (JORDAN/jme)

APPROVED, JB/CJ

Item 39. CONSIDERATION OF THE ADOPTION OF NEW SUBCHAPTERS A AND C TO CHAPTER 334 OF TITLE 31 TEXAS ADMINISTRATIVE CODE, CONCERNING UNDERGROUND STORAGE TANKS. These new subchapters establish

purpose and applicability and regulate technical standards for underground storage tanks. (Celestino)

APPROVED, JB/CJ

Item 40. CONSIDERATION OF THE ADOPTION OF NEW SUBCHAPTERS B AND F TO CHAPTER 334 OF 31 TEXAS ADMINISTRATIVE CODE, CONCERNING ABOVEGROUND AND UNDERGROUND STORAGE TANKS. These new subchapters regulate underground and aboveground storage tank fees and an aboveground storage tank program. (Mehta)

APPROVED, JB/CJ

Item 41. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION AND PROPOSED ORDER IN THE MATTER OF LOST RECORDS AND PAPERS CONCERNING CHAPTER 303, OPERATION OF THE RIO GRANDE. (Kirick)

APPROVED, JB/CJ

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item 42. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CONTRACT WITH WESTERN ENVIRONMENTAL CONSULTING AND REMEDIATION, INC. FOR THE INTERIM REMEDIAL ACTION AT THE UNITED CREOSOTING SUPERFUND SITE.

APPROVED, CJ/JB

UNCONTESTED OLD BUSINESS

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from April 25, 1990 and May 16, 1990.

- Item 1. CONSIDERATION OF THE ADOPTION OF AMENDMENTS TO CHAPTERS 297 AND 305 AND ADOPTION OF NEW CHAPTER 310 OF 31 TEXAS ADMINISTRATIVE CODE, CONCERNING WATER RIGHTS AND RECLAIMED WATER. These amendments and new rules are in an effort to encourage the substitution of reclaimed water in place of potable water where appropriate and to promote conservation of existing natural resources. (McCalla)

APPROVED, JB/CJ

Item carried forward from Agenda of May 16, 1990.

- Item 2. APPLICATION BY FRISCO MUD NO. 1 OF COLLIN & DENTON COUNTIES FOR APPROVAL OF THE ISSUANCE OF \$7,800,000 IN UNLIMITED TAX BONDS, 9.0% NET EFFECTIVE INTEREST RATE, SERIES 1990, FIRST ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$7,800,000 in tax bonds to finance construction of a water plant, water mains, a wastewater treatment plant, wastewater trunk lines, and utilities to serve residential and commercial areas.

CONTINUED TO JUNE 13, 1990 @ 3:00 PM

EMERGENCY ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from Agenda of May 16th and May 23, 1990.

- Item 3. CONSIDERATION OF THE FINAL SELECTION OF ENGINEERING SERVICES FIRMS FOR INVESTIGATIVE AND REMEDIAL ACTIVITIES IN RESPONSE TO RELEASES FROM PETROLEUM STORAGE TANKS AND REGIONS I-VI AND RELEASES FROM UNDERGROUND STORAGE TANKS COVERED BY (LUST) TRUST FUNDS. (Vay)

An emergency addition to the agenda is necessary due to the imminent threat to public health and safety posed by petroleum storage tanks and leaking underground storage tanks necessitate an emergency setting of this matter.

FIRMS SELECTED BY REGION: 1 - ENRECO ENGINEERING, JB/CJ; 2 - ECOLOGY & ENVIRONMENT, CJ/JB; 3 - GROUNDWATER TECHNOLOGY, INC., JB/CJ; 4 - MALCOMB PIRNIE, INC., CJ/JB; 5 - RABA-KISTNER CONSULTANTS, INC., JB/CJ; 6 - ERM SOUTHWEST, CJ/JB

AND, 2 LUST FUND CONTRACTS AWARDED TO: EBASCO, AND I.T. CORPORATION

Items carried forward from Agenda of May 16th and May 23, 1990.

- Item 4. CONSIDERATION OF A MOTION FOR REHEARING ON THE ORDER CONCERNING THE INQUIRY INTO THE RATES CHANGED AND SERVICE PROVIDED BY HUNT'S WATER OPERATIONS OF MCLENNAN COUNTY, TEXAS; DOCKET #8210-I. (This item was considered on March 28, 1990.)

MOTION FOR REHEARING OVERRULED, JB/CJ

CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF EXECUTIVE DIRECTOR FOR ENFORCEMENT ACTION AGAINST RANDY HUNT AND TERRY HUNT DBA HUNT'S WATER OPERATIONS, ET.AL., WHICH OPERATES IN MCLENNAN AND BOSQUE COUNTIES. Applicant provides retail water service to approximately 500 customers. Recommendation: Dismissal of action in accordance with the request of the Executive Director. (Sullivan)

An emergency addition to the agenda is necessary due to the reasonably unforeseeable circumstances the potential health to public health posed by an improperly operated Utility justifies an emergency setting of this matter.

APPROVED ORDER W/STAFF RECOMMENDATIONS, JB/CJ

Item carried forward from Agenda of May 23, 1990.

- Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION AND PROPOSED ORDER SETTING INTERIM RATES FOR INDUSTRIAL UTILITIES SERVICES, INC., DOCKET NO. 8425-G. (Renbarger)

An emergency addition to the agenda is necessary due to the reasonably unforeseeable circumstances justifies an emergency setting of this matter.

APPROVED, CJ/JB

EMERGENCY ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, May 30, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from Agenda of May 23, 1990.

- Item 6. APPLICATION BY BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1 OF HARRIS COUNTY FOR APPROVAL OF A \$2,300,000 UNLIMITED TAX SECOND BOND ISSUE. For Commission consideration and action. The applicant requests approval for the sale of \$2,300,000 in bonds to purchase the remaining portion of the District's pro rata share of the 24-inch surface water supply line, the 24-inch surface water supply line (Segment A), and capacity in the Blackhawk Regional Wastewater Treatment Plant from the developer.

An emergency addition to the agenda is necessary due to reasonably unforeseeable circumstances.

APPROVED, JB/CJ