

WYNNE/ABSENT & EXCUSED FOR ITEM NOS. 2 & 3
BIRDWELL/ACTING CHAIRMAN
JOHNSON

CONTESTED AGENDA

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF D.R. ELLIS CONCERNING THE SERVICES PROVIDED BY WEST CEDAR CREEK UTILITY DISTRICT IN KAUFMAN COUNTY, TEXAS; DOCKET NO. 8144-E. Recommendation: Adoption of Motion to Dismiss. (Murphy)

APPROVED DISMISSAL W/O PREJUDICE, JB/CJ

Item 2. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF CORONADO SHORES WATER COMPANY TO INCREASE RETAIL WATER RATES IN BRISCO COUNTY, TEXAS; DOCKET NO. 8059-G. Applicant provides retail water service to approximately 49 customers. Recommendation: Adoption of agreement of parties. (Murphy)

APPROVED W/CHANGES, CJ/JB

Item 3. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF UNION CARBIDE CORPORATION FOR AN AMENDMENT TO PERMIT NO. HW-50190 TO AUTHORIZE THE OPERATION OF A HAZARDOUS WASTE LANDFILL IN CALHOUN COUNTY, TEXAS. Applicant seeks authorization to store Class I hazardous materials at facilities located in Segment No. 1701 of the Lavaca-Guadalupe Coastal Basin. Recommendation: Issuance of permit. (Limes)

CONTINUED TO JUNE 27, 1990 @ 9:00 A.M.

Item 4. CONSIDERATION OF THE COUNTY OF EL PASO'S PETITION FOR REVOCATION OF PERMIT ISSUED TO WHY WASTEWATER?, INC.

DENIED PETITION BUT DIRECTED TO E.D. TO CONDUCT AN INQUIRY ON STATUS OF PROPOSED FACILITIES , JB/CJ

Item 5. 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 AT THIS TIME.

CONTESTED OLD BUSINESS

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of April 25, 1990

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF HAYS WASH OUT SERVICE. (MONTELONGO)

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

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of April 25, 1990 and June 6, 1990.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TORKELSON FLYING SERVICE; SWR NO. 39118. (Smith, R.)

APPROVED, JB/CJ

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of June 13, 1990.

Item 3. CONSIDERATION OF THE ADOPTION OF 31 TEXAS ADMINISTRATIVE CODE SECTION 294.23, CONCERNING THE DESIGNATION OF THE EL PASO COUNTY CRITICAL AREA PURSUANT TO CHAPTER 52 OF THE TEXAS WATER CODE. (SMITH, R.)

MATTER TAKEN UNDER ADVISEMENT FOR 6 MONTHS AND RESET ON AGENDA AFTER APPROPRIATE REPUBLICATION, JB/CJ

WYNNE
BIRDWELL
JOHNSON

UNCONTESTED AGENDA

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 1. APPLICATION BY PONDEROSA FOREST UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$2,470,000 BOND ISSUE APPROVED FEBRUARY 8, 1985. For Commission consideration and action. Applicant requests approval of the use of \$95,000 of surplus funds for the interior and exterior painting of the facilities at the District's Water Supply Plant No. 2.

APPROVED, CJ/JB

Item 2. APPLICATION BY TIDWELL TIMBERS MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF AN EXTENSION OF TIME TO ISSUE THE \$2,230,000 BOND ISSUE APPROVED JULY 14, 1987. For Commission consideration and action. The applicant seeks approval of an extension of time in which to issue its previously approved bond issue to finance the construction of a surface water transmission line from the City of Houston water supply facilities.

APPROVED, CJ/JB

Item 3. HARRIS COUNTY UTILITY DISTRICT NO. 5; APPLICATION FOR APPROVAL TO RELEASE FUNDS FROM ESCROW; \$3,950,000 BOND ISSUE APPROVED AUGUST 25, 1988. For Commission consideration and action. Applicant seeks approval to release \$64,295 from escrow to finance a portion of Service Area A's pro rata share of the costs for construction of Water Well No. C-2.

APPROVED, CJ/JB

Item 4. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CARRINGTON ASSOCIATES, INC. TO INCREASE RETAIL WATER RATES IN MATAGORDA AND COOKE COUNTIES, TEXAS; DOCKET NO. 8142-R. Applicant provides retail water service to approximately 1902 customers. Recommendation: Adoption of agreement of parties. (O'Neal)

APPROVED W/CHANGES, JB/CJ

Item 5. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CENTRAL TEXAS UTILITIES, INC. TO INCREASE RETAIL WATER RATES IN TARRANT COUNTY, TEXAS; DOCKET NO. 8289-R. Applicant provides retail water service to approximately 981 customers. Recommendation: Adoption of agreement of parties. (Murphy)

APPROVED, JB/CJ

Item 6. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF WESTERN HILLS WATER SYSTEM TO INCREASE

RETAIL WATER RATES IN MCLENNAN COUNTY, TEXAS; DOCKET NO. 8304-C. Applicant provides retail water service to approximately 319 customers. Recommendation: Adoption of agreement of parties. (Murphy)

APPROVED, JB/CJ

Item 7. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF A. D. AND LORRI RYNDERS DBA AND RYNDERS WELL FOR AUTHORIZATION TO CEASE OPERATIONS AND DISCONTINUE WATER UTILITY SERVICE IN SOMERVELL COUNTY, TEXAS; DOCKET NO. 8306-Q. Recommendation: Adoption of agreement of parties. (Parker)

APPROVED, JB/CJ

Item 8. APPLICATION OF GOBER WATER SUPPLY CORPORATION for a water Certificate of Convenience and Necessity, No. 12337, and to decertify a portion of CCN No. 10175 of Arledge Ridge Water Supply Corporation in Fannin County. (Application No. 8416-C, Holck)

APPROVED, CJ/JB

Item 9. APPLICATION OF MICHAEL J. WOOD, RECEIVER DBA STANDLEY UTILITY SERVICE CORPORATION for a sewer Certificate of Convenience and Necessity, No. 20724, in Harris County. (Application No. 8269-C, Horst)

APPROVED, CJ/JB

Item 10. APPLICATION OF CITY OF STOCKDALE for an amendment to water Certificate of Convenience and Necessity No. 10660 in Wilson County. (Application No. 8284-C, Holck)

APPROVED, CJ/JB

Item 11. APPLICATION NO. 5289 BY SOUTHEAST INVESTMENTS, INC. FOR A SECTION 11.121 WATER USE PERMIT APPLICATION. FOR COMMISSION ACTION. Applicant seeks authorization to divert and use 300 acre-feet of water per annum from Rosillo Creek, San Antonio River Basin for irrigation of 300 acres of land in Bexar County, approximately 14 miles southeast of San Antonio, Texas. (JORDAN|SMITH|lb)

APPROVED, JB/CJ

Item 12. APPLICATION NO. 5290 BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE FOR A SECTION 11.121 WATER USE PERMIT. For Commission consideration and action. Applicant seek authorization to maintain an off-channel reservoir and a reservoir on an unnamed tributary of the Brazos River and to divert a total of 848 acre-feet of water per annum from the Brazos River and the on-channel reservoir to irrigate 424 acres of land in Grimes County or to the off-channel reservoir for subsequent irrigation. (Jordan; tls)

APPROVED, JB/CJ

Item 13. APPLICATION NO. 19-2161A BY THE CITY OF SAN ANTONIO, CITY PUBLIC SERVICE BOARD TO AMEND CERTIFICATE OF ADJUDICATION NO. 19-2161. For Commission consideration and action. Applicant seeks to amend Certificate No. 19-2161, which includes authorization to divert and use water from the San Antonio

River, San Antonio River Basin, to Braunig Lake in Bexar County for industrial use, by including authorization to divert this water to Calaveras Lake in Bexar County for industrial use. (JORDAN/tls)

APPROVED, JB/CJ

Item 14. APPLICATION NO. 21-3163A BY LENOIR BOWEN HAMMAN, INDEPENDENT EXECUTRIX FOR THE ESTATE OF JOHN HAMMAN JR., DECEASED TO AMEND CERTIFICATE OF ADJUDICATION NO. 21-3163A PURSUANT TO TEXAS WATER CODE SECTION NO. 11.122. FOR COMMISSION ACTION. Applicant seeks authorization to amend Certificate No. 21-3163 to increase the authorized annual appropriation of water from the Frio River by 133 acre-feet per annum bringing the total authorized diversion under the certificate up to 246 acre-feet of water per annum. (JORDAN/jme)

APPROVED, JB/CJ

Item 15. APPLICATION NO. 23-90B BY PATRICIA ANNE NYE HARDING, JAMES DEEMS NYE & DOROTHY DEEMS NYE IRWIN TO COMBINE CERTIFICATE NOS. 23-90 AND 23-151 AND TO AMEND CERT. NO. 23-90. For Commission Action. Applicants seek to combine Cert. Nos. 23-90 & 23-151 under Cert. No. 23-90 and to amend Cert. No. 23-90 to change the place of use of 62.50 acre-feet of water rights and to restate their total rights under Cert. No. 23-90, viz., 150 acre-feet of water per annum from the Rio Grande to irrigate 60 acres out of 429.45 acres owned by applicants, approximately 6.5 miles southeast of Brownsville, Cameron County, Texas. (JORDAN/wph)

APPROVED, JB/CJ

Item 16. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF BILL BLUE DBA BLUE DAIRY FOR PERMIT NO. 03131 TO AUTHORIZE THE DISPOSAL BY IRRIGATION OF PARTIALLY TREATED WASTEWATER EFFLUENT IN COMANCHE COUNTY, TEXAS, AND SEGMENT NO. 1221 OF THE BRAZOS RIVER BASIN. Recommendation: Issuance of permit. (Zukauckas)

APPROVED, CJ/JB

Item 17. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF NEWELL COOPER DBA COOPER MILKY WAY DAIRY FOR PERMIT NO. 03094 TO AUTHORIZE THE DISPOSAL BY IRRIGATION AND LAND APPLICATION OF WASTES AND WASTEWATER IN ERATH COUNTY, TEXAS, AND SEGMENT NO. 1226 OF THE BRAZOS RIVER BASIN. Recommendation: Issuance of permit. (Colbert)

APPROVED, CJ/JB

Item 18. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF GUY GOEN AND SONS, INC. FOR PERMIT NO. 03121 TO AUTHORIZE THE DISPOSAL OF WASTE AND WASTEWATER FROM A FEEDLOT CONTAINING 8,000 HEAD OF CATTLE IN GAINES COUNTY, TEXAS. This site is in the drainage area of the Colorado River in Segment No. 1412 of the Colorado River Basin. Recommendation: Issuance of permit. (Wood)

APPROVED, CJ/JB

Item 19. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION TO AMEND THE COMMISSION'S ORDER OF JUNE 21, 1988, CONCERNING DALLAS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 6 WASTEWATER

TREATMENT PLANT, PERMIT NO. 10061.01. (Culbertson)

APPROVED, JB/CJ

Item 20. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for a permit (Proposed Permit No. 03004) to authorize disposal of waste and wastewater from dog kennels, a dairy, a swine feeder slab and a chicken operation. The operations are located within the Ramsey I, II and III Units. The Ramsey I, II and III Units are approximately five miles west of the intersection of Farm to Market Roads 655 and 521 in Brazoria County, Texas.

APPROVED, JB/CJ

Item 21. APPLICATION BY CITY OF CALDWELL for an amendment to Permit No. 10813-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 480,000 gallons per day to a volume not to exceed an average flow of 650,000 gallons per day. The proposed amendment would make effluent limitations more stringent. The plant site is on the the west bank of Davidson Creek, approximately one mile southeast of the intersection of State Highways 21 and 36 in Burleson County, Texas.

APPROVED, JB/CJ

Item 22. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE has applied to the Texas Water Commission for an amendment to Permit No. 01807 in order to enlarge the confined animal feeding operation at the Coffield Unit. The swine feedlot; swine feeder slabs; chicken operation; and dog kennel are within the Texas Department of Criminal Justice Coffield Unit. The Coffield Unit is approximately 6.5 miles southwest of the intersection of Farm to Market Roads 321 and 645 in Anderson County, Texas.

APPROVED, JB/CJ

Item 23. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for an amendment to Permit No. 02380 in order to enlarge the confined animal feeding operation at the Ferguson Unit. The swine feeder slab complex; farrowing unit; dairy calf barn and dog kennel are within the Texas Department of Criminal Justice Ferguson Unit. The Ferguson Unit is approximately 2.0 miles east of the intersection of Farm to Market Roads 247 and 1428 in Madison County, Texas.

APPROVED, JB/CJ

Item 24. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for an amendment to Permit No. 02412 in order to enlarge the confined animal feeding operation at the Beto I and II Units. The swine complex; swine farrowing unit; swine breeding barn; and the two dog kennels are within the Texas Department of Criminal Justice Beto Units I & II. The Beto Units I & II are approximately 6 miles south of the intersection of Farm to Market Roads 321 and 645 in Anderson County, Texas.

APPROVED, JB/CJ

Item 25. APPLICATION BY CITY OF ANGLETON for renewal of Permit No. 10548-02 which authorizes a discharge of treated domestic

wastewater effluent at a volume not to exceed an average flow of 250,000 gallons per day from the Wastewater Treatment Facilities No. 2. The plant site is on the north bank of Brushy Bayou, approximately 2000 feet northwest of the State Highway 35 crossing of Brushy Bayou in Brazoria County, Texas.

RENEWED, JB/CJ

Item 26. APPLICATION BY CAMERON COUNTY FRESH WATER SUPPLY DISTRICT NUMBER 1 for renewal of Permit No. 10757-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day from the Isla Blanca Park Sewage Treatment Plant. The plant site is approximately 4000 feet south of the east end of the Queen Isabella Causeway, on the south end of Padre Island, Cameron County, Texas.

RENEWED, JB/CJ

Item 27. APPLICATION BY CITY OF CLARKSVILLE for renewal of Permit No. 10148-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 700,000 gallons per day. The wastewater treatment facilities are approximately 1-1/2 miles southeast of the intersection of U.S. Highway 82 and State Highway 37, approximately 3/4 miles east of Farm-to-Market Road 910 in Red River County, Texas.

RENEWED, JB/CJ

Item 28. APPLICATION BY CITY OF EAGLE PASS for renewal of Permit No. 10406-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,000,000 gallons per day. Effluent may also be used to irrigate a City-owned golf course. The wastewater treatment facilities are approximately 1 mile southwest of the intersection of U.S. Highway 277 and Farm-to-Market Road 1021 in Maverick County, Texas.

RENEWED, JB/CJ

Item 29. APPLICATION BY FINA OIL AND CHEMICAL COMPANY for renewal of Permit No. 02688 which authorizes a discharge of stormwater runoff at a volume variable with rainfall from the natural gas liquids plant. The plant site is at 3828 Grandview Avenue, adjacent to the Fina Port Arthur Refinery northeast of the City of Groves, Jefferson County, Texas.

RENEWED, JB/CJ

Item 30. APPLICATION BY CITY OF HASLET for renewal of Permit No. 10989-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 42,000 gallons per day. The wastewater treatment facilities are at 403 Keller-Haslet Road; approximately 1500 east of the intersection of Farm to Market Road 156 and Keller-Haslet Road in Tarrant County, Texas.

RENEWED, JB/CJ

Item 31. APPLICATION BY CITY OF JACKSONVILLE for renewal of Permit No. 10693-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day from the Canada Street Wastewater

Treatment Facilities. The plant site is on Canada Street, southeast of the crossing of Ragsdale Creek by Canada Street, southeast of the City of Jacksonville in Cherokee County, Texas.

RENEWED, JB/CJ

Item 32. APPLICATION BY CITY OF PEARLAND for renewal of Permit No. 10134-06 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 2,000,000 gallons per day from the Garden Road Wastewater Treatment Facilities. The plant site is at Garden Road and Hickory Slough, approximately 1/2 mile north of Highway 518 in Brazoria County, Texas.

RENEWED, JB/CJ

Item 33. APPLICATION BY CITY OF SHINER for renewal of Permit No. 10280-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 535,000 gallons per day. The wastewater treatment facilities are approximately one mile southeast of the intersection of U.S. Highway 90A and State highway 95 in the City of Shiner, Lavaca County, Texas.

RENEWED, JB/CJ

Item 34. APPLICATION BY WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 4 for renewal of Permit No. 12119-01 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. The wastewater treatment facilities are at 4127 Westheimer Place on the south bank of Brays Bayou, approximately 1 mile east of the intersection of Farm-to-Market Road 1093 and Farm-to-Market Road 1464 in Harris County, Texas.

RENEWED, JB/CJ

Item 35. APPLICATION BY SANDOZ CROP PROTECTION CORPORATION for a minor amendment to Permit No. HW-50219 which currently authorizes an industrial hazardous waste storage and processing facility with six tanks and one incinerator for processing of wastes generated on-site. The minor amendment will (1) eliminate two storage/processing tanks, (2) reduce the capacity of two storage tanks, (3) update facility construction and operational methods, (4) reduce the financial assurance amount to reflect the elimination of two storage/processing tanks and the reduced storage capacity of two additional tanks, (5) change the method by which the volumetric flow rate through the systems is measured, (6) modify the performance specifications of Continuous Emissions Monitoring Systems, and (7) reflect updated statutory references which do not alter the content of the permit. The facility is located on 210 acres of land approximately 2 miles northwest of the Jefferson County Airport, on the west side of West Port Arthur Road in Jefferson County, Texas.

APPROVED, CJ/JB

Item 36. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CONTRACT WITH RABA-KISTNER CONSULTANTS, INC. FOR ADDITIONAL SITE INVESTIGATION AT THE SAN MARCOS-BLANCO RIVER UNDERGROUND STORAGE TANK SITE. (Mehta)

APPROVED, JB/CJ

Item 37. CONSIDERATION OF A MOTION FOR REHEARING ON THE APPLICATION OF EAST FORK WATER SUPPLY CORPORATION FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10065 TO PROVIDE WATER SERVICE IN COLLIN COUNTY, TEXAS; DOCKET NO. 7871-C. Recommendation: Issuance. (Murphy)

MOTION OVERRULED, CJ/JB

Item 38. CONSIDERATION OF SUGGESTED PROCEDURES FOR EXPEDITING THE CONTESTED HEARING PROCESS AND IMPLEMENTING ALTERNATIVE DISPUTE RESOLUTION. This matter was previously consider on April 11, 1990, at which time the Commission generally approved and directed further development of the suggested procedures. (Field/Vay/Forrester).

APPROVED PROPOSED STAFF RECOMMENDATIONS, JB/CJ

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 39. APPLICATION OF CENTRAL TEXAS UTILITIES, INC. to purchase facilities and transfer and cancel water Certificate of Convenience and Necessity Number 11745 and to amend Certificate of Convenience and Necessity Number 11719 in Parker, Tarrant, and Wise Counties. (Application No. 7276-S, Wiley)

APPROVED, JB/CJ

UNCONTESTED OLD BUSINESS

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of April 25, 1990.

- Item 1. APPLICATION BY JAMES GAY for renewal of Permit No. 12862-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day from the Wastrel Trails Wastewater Treatment Facilities. The plant site is approximately 1800 feet south of Farm-to-Market Road 1488 and approximately 700 feet east of Farm-to-Market Road 2978 in Montgomery County, Texas. The effluent is discharged into an unnamed tributary of Bear Branch; thence to Bear Branch; thence to Panther Branch; thence to Spring Creek in Segment No. 1008 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 limited quality aquatic habitat. The designated uses for Segment No. 1008 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. 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, five years after date of Commission approval.

CONTINUED TO JULY 11, 1990 @ 3:00 P.M.

Item carried forward from Agenda of May 30, 1990.

- Item 2. 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 27, 1990 @ 3:00 P.M.

Item carried forward from Agenda of May 30, 1990.

Item 3. APPLICATION OF FRIO WATER, INC. for a water Certificate of Convenience and Necessity, No. 12327, in Deaf Smith, County. (Application No. 8215-C) Childs

APPROVED, CJ/JB

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of June 6, 1990.

- Item 4. APPLICATION BY THE ALAMO CONSERVATION AND REUSE DISTRICT FOR A DIVERSION PERMIT. For Commission consideration as to whether or not mailed and published notice is required. Applicant seeks authorization to divert and use from the Medina River, San Antonio River Basin, groundwater-based sewage effluent discharged into Comanche Creek, tributary of Leon Creek, tributary of the Medina River, approximately 10,000 feet upstream from the proposed diversion point in Bexar County. The water is to be used for "...any lawful purpose, including irrigation, industrial and recreational purposes." JORDAN/tls

CONTINUED TO JULY 11, 1990 @ 3:00 P.M.

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of June 13, 1990.

- Item 5. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF BULVERDE UTILITY COMPANY, INC. TO INCREASE RETAIL WATER RATES IN COMAL AND BEXAR COUNTIES, TEXAS; DOCKET NO. 8354-R. Applicant provides retail water service to approximately 459 residential customers and 1 commercial customer. Recommendation: Adoption of agreement of parties. (Sahs)

APPROVED, JB/CJ

Item carried forward from Agenda of June 13, 1990.

- Item 6. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION AND PETITIONS OF KRUGER WATER WORKS, INC. TO INCREASE RETAIL WATER RATES IN DENTON COUNTY, TEXAS; DOCKET NOS. 8236-A, 8397-R AND 8489-A. Applicant provides retail water service to approximately 256 residential customers and 12 commercial customers located inside and outside the corporate limits of the City of Krugerville, Texas. Recommendation: Adoption of agreement of parties. (Sahs)

APPROVED, JB/CJ

Item carried forward from Agenda of June 13, 1990.

- Item 7. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF RIVERCREST WATER SYSTEM TO INCREASE RETAIL WATER RATES IN TRAVIS COUNTY, TEXAS; DOCKET NO. 8286-G. Applicant provides retail water service to approximately 187 customers. Recommendation: Adoption of agreement of parties. (Murphy)

APPROVED, JB/CJ

Item carried forward from Agenda of May 16, 1990, May 30, 1990 and June 13, 1990.

- Item 8. 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.

APPROVED, CJ/JP

Item carried forward from Agenda of June 13, 1990.

- Item 9. APPLICATION FOR AN EMERGENCY ORDER BY TINSE CHEMICAL COMPANY, INC. ("APPLICANT"), PERMIT NO. 03027, TO BE ALLOWED TO DISCHARGE AN AVERAGE OF 80,000 GALLONS PER DAY WITH A MAXIMUM OF 125,000 GALLONS PER DAY OF TREATED WASTEWATER INTO THE TEXAS CITY SHIP CHANNEL IN SEGMENT 2437 OF THE BAYS AND ESTUARIES. (MARTINEZ, ROBERT)

An emergency addition to the agenda is necessary due to this emergency order is requested to prevent severe economic loss to the applicant.

CONTINUED TO JUNE 27, 1990 @ 3:00 P.M.

DOCKET

Wednesday, June 20, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 1. COMMISSION CONSIDERATION WHETHER TO AFFIRM, MODIFY OR SET ASIDE EMERGENCY ORDER NO. 90-12E, ISSUED TO DOW CHEMICAL COMPANY INC. ON APRIL 25, 1990, WHICH ORDERED THE TEXAS OPERATIONS TO STORE, PROCESS AND DISPOSE OF PESTICIDE WASTE. (Alvarado)

AFFIRMED, JB/CJ