

WYNNE
BIRDWELL
JOHNSON

CONTESTED AGENDA

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF WENDLAND MANUFACTURING COMPANY. SWR 39150 (MCFADDIN)

CONTINUED TO SEPTEMBER 5, 1990 @ 9:00 A.M.

- Item 2. 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.

CONTINUED TO THE LAST ITEM ON THIS AFTERNOON'S UNCONTESTED AGENDA TO BE CONSIDERED IN A CLOSED EXECUTIVE SESSION IN ROOM 123.

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION REQUESTING AN EMERGENCY ORDER AGAINST MR. PRESTON DOUGLAS AND MS. GERI DOUGLAS D/B/A GORDANVILLE WATER COMPANY AND SHERWOOD SHORES SOUTH WATER COMPANY IN GRAYSON COUNTY. (GONZALEZ, L.)

An emergency addition to the agenda is necessary to protect the public health and safety of this utility's customers.)

APPROVED, WITH HEARING ON JULY 25, 1990 @ 9 A.M. TO AFFIRM, MODIFY OR SET ASIDE. CJ/JB

CONTESTED OLD BUSINESS

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of March 28, 1990.

- 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 AUGUST 8, 1990 @ 9:00 A.M.

Item carried forward from Agenda of April 25, 1990.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MR. JOHN C. CANGELOSI, JR., (THE HAGERSON ROAD ABANDONED DRUM SITE), (TEMPORARY SWR NO. 39805). (Dickman)

CONTINUED TO SEPTEMBER 12, 1990 @ 9:00 A.M.

Item carried forward from Agenda of May 2, and May 30, 1990.

- Item 3. 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)

APPROVED AGREED ORDER, JB/CJ

Item carried forward from Agenda of June 6, 1990.

- Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF E & L LUMBER COMPANY; NO PERMIT. (Smith, S.)

CONTINUED TO JULY 11, 1990 @ 9:00 A.M.

Item carried forward from Agenda of June 6, 1990.

- Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF PHILIP MOYA DBA HILL COUNTRY METALS, SWR 39800. (RENBARGER)

CONTINUED TO JULY 25, 1990 @ 9:00 A.M.

Item carried forward from Agenda of May 23, and June 6, 1990.

- Item 6. CONSIDERATION OF THE NOTICE OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BISCAVNE PROPERTIES, INC., PERMIT NO. 10791-001. (Corrigan)

CONTINUED TO JULY 25, 1990 @ 9:00 A.M.

Item carried forward from Agenda of May 23, and June 6, 1990.

- Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF HILL PETROLEUM COMPANY; SWR NO. 30520. (Renbarger)

CONTINUED TO JULY 18, 1990 @ 9:00 A.M.

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of June 13, 1990.

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TOSHIBA INTERNATIONAL CORPORATION. (Montelongo)

CONTINUED TO JULY 11, 1990 @ 9:00 A.M.

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of June 20, 1990.

- Item 9. 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 JULY 11, 1990 @ 9:00 A.M.

WYNNE
BIRDWELL
JOHNSON

UNCONTESTED AGENDA

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 1. CONSIDERATIONS THE EXECUTIVE DIRECTOR'S REQUEST FOR APPROVAL AND ADOPTION BY THE COMMISSION OF A PROPOSED BOND APPLICATION REPORT FORMAT MANUAL AS REQUIRED BY 31 TEXAS ADMINISTRATIVE CODE SECTION 293.43(5). (LANNING, R.)

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

Item 2. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 8 FOR APPROVAL OF \$2,110,000 BOND ISSUE AND ADOPTION OF ORDER DIRECTING FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 13 TO ESCROW FUNDS; For Commission consideration and action. Applicant seeks approval of the issuance of \$2,110,000 in bonds to purchase water, wastewater, and drainage facilities, reimburse developer interest for a period of two years, and purchase capacity for 212 water and wastewater connections to serve Riverbend North.

APPROVED, CJ/JB

Item 3. APPLICATION BY BAYBROOK MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF \$184,523 IN ESCROWED FUNDS. For Commission consideration and action. Applicant seeks approval of the release of \$184,523 from escrow to finance the purchase of a 12.013 acre drainage ditch right-of-way to drain land within the District and related expenses.

APPROVED, CJ/JB

Item 4. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 58 FOR APPROVAL OF A CHANGE IN PLANS AND RELEASE OF ESCROWED FUNDS; \$5,700,000 BOND ISSUE APPROVED JULY 1, 1985. For Commission consideration and action. Applicant requests approval of change in plans and release of \$123,200 of escrowed funds for an emergency water interconnect between the District and Montgomery County Municipal District No. 48.

APPROVED, CJ/JB

Item 5. APPLICATION BY TARRANT COUNTY FRESH WATER SUPPLY DISTRICT NO. 1 FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS, \$3,230,000 BOND ISSUE APPROVED MAY 26, 1989. For Commission consideration and action. Applicant requests approval of the release of \$150,000 of escrowed funds to finance construction of a 100,000 gallon elevated storage tank.

APPROVED, CJ/JB

Item 6. APPLICATION BY HUNTERWOOD MUNICIPAL UTILITY DISTRICT OF HARRIS

COUNTY; For Commission consideration and action. Applicant seeks approval for the levy of an annual standby fee against undeveloped property in the District in the amount of \$240/lot and \$960/commercial acre to supplement the operation and maintenance account and \$240/lot and \$960/commercial acre to supplement the debt service account.

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

Item 7. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF SELKIER ISLAND UTILITIES CORPORATION TO INCREASE RETAIL WATER RATES IN MATAGORDA COUNTY, TEXAS; DOCKET NO. 8395-G. Applicant provides retail water service to approximately 157 customers. Recommendation: Adoption of agreement of parties. (Parker)

APPROVED, JB/CJ

Item 8. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF RATEPAYERS OF PAINT CREEK WATER SUPPLY CORPORATION TO REVIEW AN INCREASE IN RETAIL WATER RATES IN HASKELL AND JONES COUNTIES, TEXAS; DOCKET NO. 8179-W. Applicant provides retail water service to approximately 354 customers. Recommendation: Adoption of agreement of parties. (Harris)

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

Item 9. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF BONTKE-HODGES WATER SYSTEM FOR AUTHORIZATION TO CEASE OPERATIONS AND DISCONTINUE WATER UTILITY SERVICE IN TARRANT COUNTY, TEXAS; DOCKET NO. 8208-Q. Recommendation: Adoption of agreement of parties. (Colbert)

APPROVED, JB/CJ

Item 10. APPLICATION NO. 5292 BY THE COUNTRY PLACE, INC. FOR A SECTION 11.121 WATER USE PERMIT. For Commission consideration and action. Applicant seeks authorization to impound water in six reservoirs to be created by dams located on Hutting Branch, tributary of Elm Fork Trinity River, Trinity River Basin, for in-place recreational use with a total capacity of 2.76 acre-feet in Carrollton, approximately 13.8 miles northwest of Dallas, Dallas County, Texas. (JORDAN:rma)

APPROVED, CJ/JB

Item 11. APPLICATION NO. 5293 BY TEXAS A&I UNIVERSITY FOR A SECTION 11.143 WATER USE PERMIT. For Commission consideration and action. Applicant seeks authorization to divert 1095 acre-feet of water per annum from an existing exempt reservoir into an off-channel (20.3 acre-foot) reservoir complex for subsequent irrigation. The existing reservoir has a capacity of 42 acre-feet and is located on Tranquitas Creek, tributary of San Fernando Creek, tributary of Cayo del Grulla, tributary of Baffin Bay, Nueces-Rio Grande Basin, approximately 1.5 miles west of Kingsville, Kleberg County, Texas. (JORDAN:rma)

APPROVED, CJ/JB

Item 12. APPLICATION NO. 08-2455A BY THE CITY OF DALLAS TO AMEND CERTIFICATE OF ADJUDICATION NO. 08-2455. For Commission consideration and action. Applicant seeks to amend Certificate No. 08-2455, which authorizes storage in Lake Ray

Roberts, Trinity River Basin, in Denton, Cook and Grayson Counties and use of water from the reservoir for municipal and domestic purposes, by authorizing additional use of the water diverted for municipal and domestic purposes for nonconsumptive hydroelectric purposes on a non-priority basis. (JORDAN/tls)

APPROVED WITH CHANGES, CJ/JB

Item 13. APPLICATION NO. 08-2456C BY THE CITY OF DALLAS TO AMEND CERTIFICATE OF ADJUDICATION NO. 08-2456, AS AMENDED. For Commission consideration and action. Applicant seeks to amend Certificate No. 08-2456, as amended, which authorizes storage in Lewisville Reservoir, Trinity River Basin, in Denton County and use of water from the reservoir for municipal, domestic, recreation and irrigation purposes, by authorizing the additional use of the water currently authorized for diversion for nonconsumptive hydroelectric use on a non-priority basis. (JORDAN/tls)

APPROVED WITH CHANGES, CJ/JB

Item 14. CONSIDERATION OF THE CANCELLATION OF PERMIT NO. 5109 HELD BY NEW HARMONY BAPTIST CHURCH. Permit holder has requested the cancellation of all or part of a water right which is not being used on the appropriate Commission form. (Kirick)

APPROVED, CJ/JB

Item 15. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF JERRY DIPPLE DBA REMINGTON-TANNER DAIRY FOR PERMIT NO. 03112 TO AUTHORIZE THE DISPOSAL BY IRRIGATION OF WASTE AND WASTEWATER (NO DISCHARGE) IN ERATH COUNTY, TEXAS, AND SEGMENT NO. 1221 OF THE BRAZOS RIVER BASIN. Recommendation: Issuance of permit. (Colbert)

APPROVED, JB/CJ

Item 16. CONSIDERATION OF EXAMINER'S MEMORANDUM AND PERMIT CONCERNING THE APPLICATION OF CITY OF GEORGE WEST FOR AN AMENDMENT TO PERMIT NO. 10455-01 TO AUTHORIZE THE DISPOSAL BY IRRIGATION AT A MAXIMUM APPLICATION RATE OF 2.9 ACRE-FEET/ACRE/YEAR OF TREATED DOMESTIC WASTEWATER EFFLUENT IN LIVE OAK COUNTY, TEXAS, AND SEGMENT NO. 2103 OF THE NUECES RIVER BASIN. Recommendation: Issuance of permit. (Parker)

APPROVED, JB/CJ

Item 17. CONSIDERATION OF A PROPOSED ORDER TRANSFERRING DISCHARGE PERMIT NO. 13262-01 FROM W. A. MATKIN TO THE CITY OF HARKER HEIGHTS, AND AMENDING THE JUNE 27, 1988, ENFORCEMENT ORDER RELATING TO PERMIT NO. 13262-01. (Culbertson)

APPROVED, CJ/JB

Item 18. CONSIDERATION OF THE COMPLAINTS OF CALVIN DIXON AND KAREN CALABRIA AGAINST ADRIAN G. GARNER, JR., A LICENSED IRRIGATOR UNDER ARTICLE 8751, V.T.C.S. The Texas Board of Irrigators requests the referral of this matter to the Office of Hearings Examiners for hearing as soon as possible. (Persky)

REMANDED TO THE OFFICE OF HEARINGS EXAMINERS FOR EVIDENTIARY HEARING

Item 19. APPLICATION BY TONY BELTMAN for a permit (Proposed Permit No. 03162) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 840 milking cows. The dairy is approximately 4 miles northwest of Stephenville on Farm-to-Market Road 2303 in Erath County, Texas.

APPROVED, CJ/JB

Item 20. APPLICATION BY CALHOUN COUNTY NAVIGATION DISTRICT for a permit (Proposed Permit No. 13524-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500 gallons per day. The plant site is to be approximately 2.3 miles south of the intersection of State Highway 35 and Farm-to-Market Road 1593 at the Calhoun County Navigation District, Point Comfort Dock, Calhoun County, Texas.

APPROVED, CJ/JB

Item 21. APPLICATION BY LUBBOCK-COOPER INDEPENDENT SCHOOL DISTRICT for a permit (Proposed Permit No. 13515-01) to authorize disposal of treated domestic wastewater effluent from a public school by sub-surface absorption in a 61,875 square-foot absorption trench system. The plant and disposal sites are west of U.S. Highway 87, approximately 2 miles south of the intersection of U.S. Highway 87 and Farm-to-Market Road 1585 in Lubbock County, Texas.

APPROVED, CJ/JB

Item 22. APPLICATION BY DON AND DARRIN METSGAR for a permit (Proposed Permit No. 03189) to authorize disposal of waste and wastewater from a dairy and confined animal feeding operation. The dairy and confined animal feeding operation are approximately 2.5 miles west of the intersection of State Highway 108 and Farm-to-Market Road 3025 in Erath County, Texas.

APPROVED, CJ/JB

Item 23. APPLICATION BY JACK VANDEN BERGE for a permit (Proposed Permit No. 03184) to authorize disposal of waste and wastewater from a dairy which consists of 500 head. The dairy is on an unnamed county road, approximately 3 miles northeast of Stephenville, approximately 2 miles northeast of the intersection of U.S. Highway 281 and State Highway Loop 195 in Erath County, Texas.

APPROVED, CJ/JB

Item 24. APPLICATION BY CITY OF DAINGERFIELD for an amendment to Permit No. 10499-01 to authorize an increase in the discharge of treated domestic wastewater effluent. The plant site is approximately 5,000 feet southeast of the intersection of U.S. Highway 259 and Farm-to-Market Road (F.M.) 11 and F.M. 49, on the bank of Brutons Creek in Morris County, Texas.

APPROVED, CJ/JB

Item 25. APPLICATION BY BAKER PERFORMANCE CHEMICALS INCORPORATED for renewal of Permit No. 01969 which authorizes a discharge of treated industrial and domestic wastewaters at a volume variable with rainfall from a specialty surface-active agent manufacturing plant. The plant site is north of and adjacent

to U.S. Highway 90, approximately 5 miles southwest of the City of Dayton, and approximately 1/2 mile east of Farm-to-Market Road 1413, Liberty County, Texas.

APPROVED, CJ/JB

Item 26. APPLICATION BY CITY OF CALVERT for renewal of Permit No. 10095-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 250,000 gallons per day. The wastewater treatment facilities are approximately 0.7 mile southwest of the intersection of State Highway 6 and Farm-to-Market Road 1644, northwest of Farm-to-Market Road 1644 and east of Tidwell Creek in Robertson County, Texas.

APPROVED, CJ/JB

Item 27. APPLICATION BY CITY OF FORNEY for renewal of Permit No. 10028-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 400,000 gallons per day from the Forney Wastewater Treatment Plant. The plant site is approximately 400 feet west of Mustang Creek and approximately 2000 feet north of Farm-to-Market Road 741 in Kaufman County, Texas.

APPROVED, CJ/JB

Item 28. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 9 for renewal of Permit No. 12911-01 which authorizes a discharge of treated domestic wastewater effluent from the wastewater treatment facilities which have not been constructed. The plant site is to be approximately 1.7 miles north of the intersection of U.S. Highway 50 and Farm-to-Market Road 359, approximately 0.4 mile north-northeast of the intersection of Precinct Line Road and Richmond-Foster Road in Fort Bend County, Texas.

APPROVED, CJ/JB

Item 29. APPLICATION BY HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 51 for renewal of Permit No. 10032-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,300,000 gallons per day from the Harris County Fresh Water Supply District No. 51 Sub-Regional Wastewater Treatment Facilities. The plant site is at 14701 Woodforest Boulevard, east of Carpenter's Bayou in Harris County, Texas.

APPROVED, CJ/JB

Item 30. APPLICATION BY CITY OF LORAINNE for renewal of Permit No. 10430-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day. The wastewater treatment facilities are northwest of Loraine, approximately 3/4 mile north of the western intersection of Farm-to-Market Road 316 and Interstate Highway 20 in Mitchell County, Texas.

APPROVED, CJ/JB

Item 31. APPLICATION BY NBC BANK HOUSTON, N.A. for renewal of Permit No. 02721 which authorizes a discharge of treated domestic wastewater and other wastewaters at a volume not to exceed an average flow of 10,000 gallons per day from a retail office and shopping center. The plant site is at 5930 State Highway

6 North, Harris County, Texas.

APPROVED, CJ/JB

Item 32. APPLICATION BY CLYDE J. PORTERFIELD for renewal of Permit No. 11778-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 45,000 gallons per day. The wastewater treatment facilities are approximately 2.5 miles southwest of the intersection of Farm-to-Market Road 2818 and Farm-to-Market Road 1688 (Leonard Road), 2000 feet southwest of the intersection of Leonard Road and Jones, Road, five miles southwest of the City of Bryan, in Brazos County, Texas.

APPROVED, CJ/JB

Item 33. APPLICATION BY CITY OF RENO for renewal of Permit No. 12162-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 261,000 gallons per day. The wastewater treatment facilities are approximately 1 1/3 miles southwest of the intersection of Farm-to-Market Road 195 and Northwest Seventh Street in Lamar County, Texas.

APPROVED, CJ/JB

Item 34. APPLICATION BY SUN PIPE LINE COMPANY for renewal of Permit No. 01207 which authorizes a discharge of uncontaminated stormwater from dikes tank farms at its Ingleside Terminal. The plant site is approximately five miles south of the City of Aransas Pass, Texas, at the south end of Farm-to-Market Road 1069, adjacent to Corpus Christi Bay, San Patricio County, Texas.

APPROVED, CJ/JB

Item 35. APPLICATION BY CITY OF TIMPSON for renewal of Permit No. 10614-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 200,000 gallons per day. The plant site is approximately 1/2 mile southeast of the intersection of State Highway 87 with U.S. Highway 59, 1/4 mile east of State Highway 87 in Shelby County, Texas.

APPROVED, CJ/JB

Item 36. APPLICATION BY WARREN INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11307-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day. The wastewater treatment facilities are south of Farm-to-Market Road 1943 and east of Blue Berry Hill Drive in Tyler County, Texas.

APPROVED, CJ/JB

Item 37. APPLICATION BY GARLAND CREOSOTING COMPANY for Post-Closure Care Permit No. HW-50297 and Compliance Plan No. CP-50297 (EPA ID No. TXD-007330053) for a Class I hazardous industrial solid waste facility. The facility is located on a 12-acre parcel of land on the east side of State Highway 149 (aka Eastman Road) at the intersection with FM 1845 (AKA Estes Parkway) within the City of Longview, Gregg County, Texas.

APPROVED, JB/CJ

Item 38. APPLICATION BY URI, INC. for an amendment to Permit No. UR-02312-021 for Production Area Authorization No. 2 of the Benavides Mine to amend the restoration table with respect to five parameters. The Benavides Mining Project is along the Arroyo de los Angeles in Sections 21 and 22 of the Santa Maria de los Angeles de Arriba, Mariano Arrispe Grant, approximately 3.5 miles east of Bruni in Duval County, Texas.

APPROVED, JB/CJ

Item 39. APPLICATION BY URI, INC. for a production area authorization for Production Area No. 21 at its Kingsville Dome Mine Site under Permit No. UR-02827-021. The Kingsville Dome Mine Site is located approximately 8 miles southeast of Kingsville along Farm-to-Market Road 1118 in Kleberg County, Texas.

APPROVED, JB/CJ

Item 40. CONSIDERATION OF THE ADOPTION OF NEW CHAPTER 291 SUBCHAPTERS A THROUGH H OF 31 TEXAS ADMINISTRATIVE CODE, CONCERNING WATER RATES AND UTILITIES. This new chapter is proposed in response to legislative changes promulgated by House Bill 1808. (Petrov)

APPROVED, JB/CJ

Item 41. CHAPTER 335 SECTION 335.2 AND 335.43 CONCERNING THAT UPON RECEIPT OF THE FEDERAL HAZARDOUS AND SOLID WASTE ACT (HSWA) AUTHORIZATION FOR THE COMMISSION'S HAZARDOUS WASTE PROGRAM, THE COMMISSION SHALL BE AUTHORIZED TO ENFORCE THE HSWA PROVISIONS THAT THE ENVIRONMENTAL PROTECTION AGENCY IMPOSED IN HAZARDOUS WASTE PERMITS THAT WERE ISSUED BEFORE THE HSWA AUTHORIZATION WAS GRANTED. (CELESTINO)

APPROVED, CJ/JB

Item 42. COMMISSION APPROVAL OF 1992-93 LEGISLATIVE BUDGET REQUEST. Allen Beinke

CONTINUED TO JULY 25, 1990 @ 3:00 P.M.

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

3:00 p.m.

Room 118

Item 43. CONSIDERATION OF THE TRANSFER OF PERMIT NO. 03015 FROM HINES WHOLESAL NURSERIES TO MACLUAN CAPITAL (CALIFORNIA) INC. The Transfer Order includes certain technical requirements from an earlier Enforcement Order against Transferor which Transforee will be required to comply with as a condition of this transfer. (Smith, J.)

APPROVED, CJ/JB

EMERGENCY ADDENDUM TO UNCONTESTED AGENDA

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 44. CONSIDERATION OF BANDERA DOWNS, INC. REQUEST FOR EMERGENCY ORDER TO DISCHARGE A 30-DAY AVERAGE NOT EXCEEDING 0.009 MGD OF TREATED DOMESTIC SEWAGE EFFLUENT INTO A HOLDING POND WHICH IS DISPOSED OF BY EVAPORATION AND WATERING OF THE RACE TRACK LOCATED IN THE MEDINA RIVER BASIN. (MARTINEZ)

An emergency addition to the agenda is necessary due to the reason that the order request is to prevent severe economic loss.

APPROVED WITH HEARING ON JULY 25, 1990 @ 3:00 P.M. TO AFFIRM, MODIFY OR SET ASIDE. JB/CJ

UNCONTESTED OLD BUSINESS

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of May 2, 1990.

- Item 1. APPLICATION BY CHARTERWOOD MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11410-02 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. The wastewater treatment facilities are approximately 3.5 miles northwest of the intersection of Farm-to-Market Road 149 (West Montgomery Road) and Farm-to-Market Road 1960, on the south bank of Pillot Gully, at 15820 Quill Drive in the City of Houston, Harris County, Texas. The effluent is discharged into Pillot Gully; thence to Cypress Creek in Segment No. 1009 of the San Jacinto River Basin. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will specify conditions and limitations generally the same as those currently enforced by the existing permit except that the final flow has been decreased to an average of 600,000 gallons per day. 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 25, 1990 @ 3:00 P.M.

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, June 27, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of May 30, 1990 and June 20, 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.

APPROVED, JB/CJ

Item carried forward from Agenda of June 13, 1990 and June 20, 1990.

- Item 3. 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.

APPROVED WITH CHANGES, HEARING ON JULY 25, 1990 @ 3:00 P.M. TO AFFIRM, MODIFY OR SET ASIDE. CJ/BJW