

WYNNE  
BIRDWELL  
JOHNSON

CONTESTED AGENDA

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF KATY DRISKELL D/B/A DRISKELL SUBURBAN MOBILE ESTATES WATER SYSTEM. (Hall)

CONTINUED TO SEPTEMBER 12, 1990 @ 9:00 AM

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF GODLEY, PERMIT NO. 10542-001. (Culberston)

CONTINUED TO AUGUST 15, 1990 @ 9 AM

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTION OF HOWLE DAIRY. (Ligarde)

CONTINUED TO SEPTEMBER 12, 1990 @ 9 AM

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTION OF OF KLASS TALSMA DAIRY. (Ligarde)

APPROVED, CJ/JB

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MEINE HUISMAN DAIRY. (Ligarde)

APPROVED, JB/CJ

Item 6. CONSIDERATION OF THE REPEAL OF EMERGENCY RULES, SECTIONS 334.201 - 334.213 AND ADOPTION OF NEW SECTIONS 334.401 - 334.413 OF SUBCHAPTER I OF CHAPTER 334 OF 31 TEXAS ADMINISTRATIVE CODE CONCERNING UNDERGROUND STORAGE TANK CONTRACTOR REGISTRATION. These new rules implement the provisions of House Bill 183 with regard to the mandatory registration of contractors who engage in the installation, repair, or removal of underground storage tanks. (Celestino)

APPROVED, CJ/JB

Item 7. 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.

RECESSED INTO EXECUTIVE SESSION

CONTESTED OLD BUSINESS AGENDA

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of March 21, 1990 and April 4, May 2, and June 6, 1990.

- Item 1. CONSIDERATION OF ALTERNATIVE ACTIONS WHICH THE COMMISSION COULD TAKE CONCERNING LAKE GRAPEVINE. WHEN THE COMMISSION DISMISSED THE COMPLAINT FILED BY PARK CITIES MUNICIPAL UTILITY DISTRICT AGAINST THE CITIES OF DALLAS AND GRAPEVINE ON OCTOBER 26, 1989, THE COMMISSION DIRECTED THE EXECUTIVE DIRECTOR TO PREPARE A LIST OF ALTERNATIVES THE COMMISSION COULD TAKE TO ADDRESS PROBLEMS WHICH WILL ARISE DURING A TIME OF DROUGHT IN THIS OVER APPROPRIATED RESERVOIR. (Smith, R.)

CONTINUED TO AUGUST 15, 1990 @ 9 AM

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MORGAN HALBERT DAIRY. (Ligarde)

APPROVED, JB/CJ

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of June 6 and June 27, 1990.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF E 7 L LUMBER COMPANY; NO PERMIT. (Smith, S.)

APPROVED, JB/CJ

Item carried forward from Agenda of June 13th and June 27, 1990.

- Item 4. 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)

APPROVED, CJ/JB

Item carried forward from Agenda of June 20th and June 27, 1990.

- Item 5. 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 18, 1990 @ 9 AM

WYNNE  
BIRDWELL  
JOHNSON

EMERGENCY AGENDA

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

11:30 a.m.  
Room 118

- Item 1. CONSIDERATION OF ACTIONS NEEDED TO BE TAKEN PURSUANT TO TEXAS WATER CODE SECTION 12.081; AND TEX. LAWS 1987, CH. 629, TO ASSURE PROPER MANAGEMENT OF EDWARDS UNDERGROUND AQUIFER WATER RESOURCES DURING THE CURRENT HYDROGEOLOGIC AND CLIMATIC CONDITIONS. (Haley)

Current condition of the Edwards Aquifer presents an imminent threat to public health and the environment due to concerns about impacts on public water supply.

CONTINUED TO JULY 12, 1990 AT 9:00 A.M. IN ROOM 118.

WYNNE  
JOHNSON  
BIRDWELL/ABSENT & EXCUSED

UNCONTESTED AGENDA

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item 1. EMPLOYEE OF THE MONTH PRESENTATION. Beinke.

JOSEPH O'NEAL NAMED.

Item 2. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF BELTWAY 8 INVESTORS FOR CREATION OF WEST HARRIS COUNTY MUD #21 TO SERVE UTILITY NEEDS OF DEVELOPMENT PLANNED IN HARRIS COUNTY, TEXAS. Recommendation: Adoption of agreement of parties. (Zukauckas)

APPROVED, CJ/BJW

Item. 3. APPLICATION BY BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1 OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF \$225,000 AND \$80,000 FROM ESCROW AND THE USE OF \$95,000 IN SURPLUS FUNDS. For Commission consideration and action. Applicant seeks approval of the release of \$225,000 from escrow and the use of \$95,000 in surplus funds to finance the construction costs of the bridge as West Nasa Boulevard and the release of \$80,000 from escrow for the purchase of a portion of the 50% capacity in the existing 24-inch surface water supply line.

APPROVED, CJ/BJW

Item 4. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109 FOR APPROVAL OF \$7,200,000 UNLIMITED TAX AND REVENUE BONDS, SERIES 1990, EIGHTH ISSUE, 7.70015% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. The District's application requests Commission approval for a bond issue to finance the upgrading and improving the District's utility infrastructure, make improvements to the water plants, and to replace the wastewater treatment plant.

APPROVED, CJ/BJW

Item 5. APPLICATION OF CLIFTON R. HARMON DBA PARK PLACE to apply for water Certificate and Convenience and Necessity No. 12345 in Kerr County. (Application No. 8433-C, Wiley).

APPROVED CJ/BJW

Item 6. APPLICATION OF ONE-FIVE-O WATER SUPPLY CORPORATION for a water Certificate of Convenience and Necessity, No. 12339, in San Jacinto and Walker Counties. (Application No. 8408-C, Holck)

APPROVED, CJ/BJW

Item 7. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF PAINT CREEK WATER SUPPLY CORPORATION FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10635 TO PROVIDE WATER SERVICE IN HASKELL COUNTY, TEXAS; DOCKET NO. 8251- C. Recommendation: Adoption of agreement of parties. (Demerle)

APPROVED CJ/BJW

Item 8. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ANDREAS JOHNSON DBA SELLER WATER COMPANY FOR A TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11451. To provide water service in Harris County, Texas; Docket No. 7915-S. Recommendation: Dismiss without prejudice. (Colbert)

APPROVED, CJ/BJW

Item 9. APPLICATIONS FOR COE UTILITIES, INC. to amend Certificate of Convenience and Necessity No. 10342 to include the Rolling Meadows and Cypress Pass Subdivisions; and to transfer and cancel water Certificate of Convenience and Necessity No. 11873 in Montgomery County, Texas. (Applications 8220-C and 8352-S, Horst)

APPROVED, CJ/BJW

Item 10. APPLICATION OF RED RIVER AUTHORITY OF TEXAS, CCN No. 10202, to transfer and cancel water CCN No. 11391 from Greenbelt, Inc. dba Sherwood Shores Water Company in Donley County. (Application No. 8317-S, Carlson)

APPROVED, CJ/BJW

Item 11. APPLICATION OF JOHN M. VANYA & DAVID A. VANYA, A TEXAS GENERAL PARTNERSHIP, DBA WATER MAINTENANCE COMPANY to transfer and cancel water Certificate of Convenience and Necessity No. 12145 from C. Lee Henderson dba Chesswood Water System and to amend Certificate of Convenience and Necessity No. 12056 in Polk County. (Applications No. 7905-S and 8230-S, Wiley)

APPROVED, CJ/BJW

Item 12. APPLICATION OF HERMAN E. PLATTNER DBA PLATTNER MOBILE HOME PARK, CCN. No. 12186, to purchase facilities from Mike Foster dba J.R.F. Water System and transfer and cancel water Certificate of Convenience and Necessity No. 12272 in Bowie County. (Application No. 8441-S, Carlson)

APPROVED, CJ/BJW

Item 13. APPLICATION OF PAUL AND RACHEL REESE DBA PERARE WATER SYSTEMS, CCN. No. 11806, to purchase facilities of Roy L. Belz dba FRF Water Supply and transfer and cancel water Certificate of Convenience and Necessity No. 12155 in Cooke County. (Application No. 8353-S Carlson)

APPROVED, CJ/BJW

Item 14. APPLICATION OF THE CITY OF MANSFIELD to purchase facilities and to transfer a portion of water Certificate of Convenience and Necessity No. 10912 from D.R. Satterwhite and Clarence T. Key, a Texas General Partnership, dba Mohawk Water Company and to amend Certificate of Convenience and Necessity No. 11228 in

Tarrant and Johnson Counties. (Application No. 8321-S, Wiley)

APPROVED, CJ/BJW

Item 15. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION TO CANCEL CERTIFICATE OF ADJUDICATION NO. 14-2505 HELD BY CLYDE B. DAVENPORT. Mr. Davenport has executed the form abandoning all rights under the water right and waiving the right to notice and hearing. (Martinez)

APPROVED, CJ/BJW

Item 16. CONSIDERATION OF THE MATTER OF THE CANCELLATION OF PERMIT NO. 3770 HELD BY ANN WELLS DUNCAN AND FIRST CITY, TEXAS - AUSTIN N.A. F/K/A FIRST CITY NATIONAL BANK OF AUSTIN F/K/A CITY NATIONAL BANK OF AUSTIN, TEXAS, TRUSTEES FOR THE BENEFIT OF ANN WELLS DUNCAN (KEILS, K)

APPROVED, CJ/BJW

Item 17. APPLICATION NO. 5291 BY FIDELITY RANCH, M.C. ETHRIDGE, OWNER FOR A PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.121. FOR COMMISSION ACTION. APPLICANT SEEKS AUTHORIZATION TO DIVERT NOT TO EXCEED 246 ACRE-FEET OF WATER PER ANNUM FROM POESTA CREEK, SAN ANTONIO-NUECES COASTAL BASIN, TO IRRIGATE 41 ACRES OF LAND OUT OF A LARGER 115.82-ACRE TRACT, LOCATED APPROXIMATELY 2 1/2 MILES SOUTHEAST OF BEEVILLE, BEE COUNTY, TEXAS. (JORDAN/jme)

APPROVED, CJ/BJW

Item 18. APPLICATION NO. 4390 A BY UNITED STATES DEPARTMENT OF ENERGY FOR AN AMENDMENT TO PERMIT NO. 4045. For Commission consideration and action. Applicant seeks to amend their water right by changing Paragraph 1.(a) and (b), USE, of the permit to state "Permittee is authorized to directly divert and use not to exceed 117,291 acre-feet of water per annum from the Gulf Intracoastal Waterway for mining purposes at the Big Hill salt dome oil storage project, about 17 miles southeast of Winnie and 30 miles southwest of Beaumont, Jefferson County, Texas.", changing Paragraph 2. (b), DIVERSION, of the permit to state "Maximum Diversion Rate: 175 cfs (78,545 gpm)" and changing Paragraph 5., SPECIAL CONDITION, of the permit to state "This permit shall become null and void upon termination of the project." (JORDAN:rma)

APPROVED, CJ/BJW

Item 19. APPLICATION NO. 23-2791A BY EMMA E.I. URIBE AND MARIA EVA U. RAMIREZ TO AMEND CERTIFICATE OF ADJUDICATION NO. 23-2791. For Commission consideration and action. Applicants seek to amend Certificate No. 23-2791, which authorizes, with Class "B" priority, the diversion and use of not to exceed 96 acre-feet of water per annum from the Rio Grande for irrigation of land in Zapata County, to change the purpose of use of ten acre-feet of the irrigation rights included in the certificate to mining use. (JORDAN/tls)

APPROVED, CJ/BJW

Item 20. APPLICANT NO. TA-6361 BY JAMES T. AND LOUISE B. DENTON FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION NO. 11.138. FOR COMMISSION ACTION. Applicants seek authorization to divert and use 100 acre-feet of water within



a 1-year period from the San Antonio River, San Antonio River Basin, for irrigation purposes (alfalfa & bermuda) from the river on the applicants' property, approximately 12 miles west of Goliad, Goliad County, Texas (JORDAN/jme)

APPROVED, CJ/BJW

Item 21. APPLICATION NO. TA-6348 BY NATURAL GAS PIPELINE COMPANY OF AMERICA FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.138. FOR COMMISSION ACTION. Applicant seeks authorization to divert and use 11 acre-feet of water within a 1-year period from the Nueces River, Nueces River Basin, for industrial purposes from the river crossing of the pipeline R.O.W., approximately 6 miles southeast of San Patricio and approximately 14.5 miles southwest of Sinton, San Patricio County, Texas. (JORDAN/jme)

APPROVED, CJ/BJW

Item 22. APPLICATION BY CITY OF HOUSTON FOR AN EXTENSION OF TIME TO COMMENCE AND COMPLETE CONSTRUCTION OF THE FACILITIES AUTHORIZED BY CERTIFICATE NO. 08-4261. For Commission consideration and action. Applicant seeks an extension of time for commencement of construction of the facilities to transfer water from the Trinity River by pipeline and canal and the channel of Luce Bayou to Lake Houston in Liberty and Harris Counties, Texas from May 5, 1990 to May 5, 1994 and completion date from May 5, 1994 to May 5, 1998. (JORDAN/rma)

APPROVED, CJ/BJW

Item 23. APPLICATION BY MAINTENANCE COMMITTEE OF LAKESIDE VILLAGE SUBDIVISION FOR AN EXTENSION OF TIME TO COMMENCE AND COMPLETE MODIFICATIONS OF THE DAM AUTHORIZED BY PERMIT NO. 5026 (A-5026). For Commission consideration and action. Applicant seeks an extension of time for commencement of modifications of the dam on Crooked Creek, Trinity River Basin in Polk County, Texas from May 12, 1990 to May 12, 1991 and the completion date from May 12, 1991 to May 12, 1992. (JORDAN/rma)

APPROVED, CJ/BJW

Item 24. APPLICATION BY TECHNICAL ENVIRONMENTAL SYSTEMS, INC. for an amendment to Permit No. HW-50225 (EPA I.D. No. TXD-982290140) which authorizes a Class I hazardous industrial solid waste storage facility. The proposed permit amendment provides for the addition of a 395,340-gallon-capacity enclosed storage building for additional container storage of drummed waste. The facility is located on a 12.5-acre tract of land on the east side of State Highway 134, approximately 700 feet from the intersection of State Highway 225 in LaPorte, Harris County, Texas.

APPROVED, CJ/BJW

Item 25. APPLICATION BY TEXAS ECOLOGISTS, INC. (TECO) for a minor amendment to Permit No. HW-50052 and to Compliance Plant No. CP-50052 which authorize a commercial land disposal facility consisting of sixteen secure landfill cells with associated storage and processing units for management of hazardous and non-hazardous wastes. The facility is located on a 240-acre tract of land on Petronila Road approximately 0.5 mile southeast of the intersection of Farm Road 2826 and Petronila

Road, and approximately 3.5 miles south of Robstown, Nueces County, Texas.

APPROVED, CJ/BJW

Item 26. APPLICATION BY OXY PETROCHEMICALS INC. (formerly known as Cain Chemical Inc.) for minor amendments to Permit Nos. WDW-152 and WDW-153 which currently authorize operation of two waste disposal wells for underground injection of Class I hazardous wastes generated on-site during the manufacture of olefins and petrochemical products. WDW-152 is located 890 feet from the north line and 525 feet from the west line of the Charles Land Survey, A-854 (north latitudes 27 48'40", west longitude 97 36'03"). WDW-153 is located 990 feet from the north line and 525 feet from the west line of the Charles Land Survey, A-854 (north latitude 27 48'40", west longitude 97 36'03").

APPROVED, CJ/BJW

Item 27. APPLICATION BY FEDERATED METALS CORPORATION for a Temporary Order to authorize an intermittent discharge of a total of 200,000 gallons of concrete culvert washwater commingled with a variable amount of stormwater runoff from its plant site located at 9200 Market Street, south side of Market Street immediately east of Highway 610 east, in the City of Houston in Harris County, Texas. The applicant has stated that such a request is necessary to make unforeseen repairs to the stormwater drainage ditch and the facility site.

APPROVED, CJ/BJW

Item 28. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CHEVRON U.S.A., INC. FOR A RENEWAL OF PERMIT NO. 00309 TO AUTHORIZE THE DISCHARGE OF 30 MGD OF TREATED INDUSTRIAL WASTEWATER EFFLUENT, ONCE-THROUGH COOLING WATER, AND STORM RUNOFF IN JEFFERSON COUNTY, TEXAS, AND SEGMENT NOS. 0702 AND 0703 OF THE NECHES-TRINITY COASTAL RIVER BASIN. Recommendation: Issuance of renewal. (Sahs)

RENEWED, CJ/BJW

Item 29. CONSIDERATION OF THE CITY OF MORGAN'S POINT APPEAL OF STIPULATED PENALTIES ACCRUED PURSUANT TO ENFORCEMENT ORDER DATED AUGUST 24, 1988. PERMIT NO. 10770-01 (MONTELONGO)

APPROVED, CJ/BJW

Item. 30. CONSIDERATION OF THE REQUEST OF CANNONADE RANCH FOR 26.027(C) AUTHORIZATION TO COMMENCE CONSTRUCTION OF A WASTEWATER RETENTION AND DISPOSAL FACILITY FOR AN EXISTING FEEDLOT OPERATION. (KIRICK)

APPROVED, CJ/BJW

Item. 31. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION AND REQUEST FOR A HEARING TO REVOKE CLASS "D" WASTEWATER OPERATOR CERTIFICATE OF COMPETENCY. (NO.409-30-0328 OF HARRY BISHOP) (EPPERSON)

CONTINUED TO AUGUST 15, 1990 @ 3:00 P.M.

Item 32. APPLICATION BY ROBERT LUECK for a permit (Proposed Permit No. 03197) to authorize disposal of waste and wastewater from a

dairy. The dairy is on an unnamed county road, approximately 3.5 miles northwest of the intersection of State Highway 6 and Farm-to-Market Road 914, approximately 5 miles northeast of the intersection of U.S. Highway 377 and State Highway 6 in Erath County, Texas.

APPROVED, CJ/BJW

Item 33. APPLICATION BY STEVE MCCOY for a permit (Proposed Permit No. 03192) to authorize disposal of waste and wastewater from a dairy. The dairy and confined animal feeding operation are on Pilot Knob Road, approximately 5 miles east of the intersection of U.S. Highway 377 and Farm-to-Market Road 205, and approximately 3 miles south of U.S. Highway 377 in Erath County, Texas.

APPROVED, CJ/BJW

Item 34. APPLICATION BY WAYNE MOERMAN for a permit (Proposed Permit No. 03202) to authorize disposal of waste and wastewater from a dairy. The dairy is just east of Farm-to-Market Road 573, approximately 10 miles south of the intersection of Farm-to-Market Roads 573 and 590 in Comanche County, Texas.

APPROVED, CJ/BJW

Item 35. APPLICATION BY FEIJE JAN TERPSTRA for a permit (Proposed Permit No. 03195) to authorize disposal of waste and wastewater from a dairy. The dairy is on an unnamed road, approximately one and one half miles west of Sydney in Comanche County, Texas.

APPROVED, CJ/BJW

Item 36. APPLICATION BY IGLOO PRODUCTS CORP. for an amendment to Permit No. 02229 to authorize an increase in the discharge of cooling tower blowdown for internal Outfall 201 from a plastic container manufacturing facility. The plant site is at 30603 Katy-Brookshire Road, adjacent to and south of U.S. Highway 90, approximately 750 feet west of the Willow Fork of Buffalo Bayou, Waller County, Texas.

APPROVED, CJ/BJW

Item 37. APPLICATION BY CITY OF CLEVELAND for a minor amendment to Permit No. 10766-02 in order to add an interim volume. The plant site is east of the City of Cleveland, approximately 1.8 miles northeast of the intersection of U.S. Highway 59 and State Highway 321/105 in Liberty County, Texas.

APPROVED, CJ/BJW

Item 38. APPLICATION BY REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1 for a minor amendment to Permit No. 11563-01 in order to change the method of disinfection from chlorination to ultraviolet light. The plant site is approximately 1.1 miles east-southeast of the intersection of Farm-to-Market Road 1960 and Jones Road; 3600 feet south of the intersection on Windfern Road and Perry Road in Harris County, Texas.

APPROVED, CJ/BJW

Item 39. APPLICATION BY CITY OF HOUSTON for a minor amendment to Permit No. 10495-101 in order to change the City's permitted annual

average flow to a daily average flow at the Imperial Valley Wastewater Treatment Plant. The plant site is approximately 1.1 miles east-southeast of the intersection of Interstate Highway 45 and Farm-to-Market Road 525, at 15600 Rock House Road, Harris County, Texas.

APPROVED, CJ/BJW

Item 40. APPLICATION BY BERNARD TIMBERS WATER SUPPLY CORPORATION for renewal of Permit No. 12097-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 21,000 gallons per day. The wastewater treatment facilities are north of U.S. Highway 90A, approximately 1.4 miles northeast of the intersection of U.S. Highway 90A and State Highway 60 in Wharton County, Texas.

RENEWED, CJ/BJW

Item 41. APPLICATION BY BLOCK HOUSE MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 13031- 01 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 approximately 1.25 miles east of U.S. Highway 183 and 2 miles north of Farm to Market Road 1431 in Williamson County, Texas.

RENEWED, CJ/BJW

Item 42. APPLICATION BY EL DORADO MORTGAGE AND INVESTMENT CORPORATION for renewal of Permit No. 12547-01 which authorizes a discharge of treated domestic wastewater effluent in phases with the final phase being a volume not to exceed an average flow of 800,000 gallons per day from the Houston Intercontinental Trade Center Wastewater Treatment Facilities which have not been constructed. The plant site is to be approximately 3500 feet east of Lee Road and 2500 feet north of Jetero Boulevard in Harris County, Texas.

RENEWED, CJ/BJW

Item 43. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 77 AND JACK LEEKA for renewal of Permit No. 13029-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 500,000 gallons per day from the wastewater treatment facilities which have not been constructed. The plant site is to be approximately 2 miles north-northwest of the confluence of Cypress Creek and Spring Creek, approximately 4 miles northeast of the intersection of Aldine-Westfield Road and Treschwig Road in Harris County, Texas.

RENEWED, CJ/BJW

Item 44. APPLICATION BY KWIK-KOPY CORPORATION for renewal of Permit No. 13059-01 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 at 12715 Telge Road which is approximately 1.25 miles north of the intersection of Telge Road and State Highway 6 and U.S. Highway 290 in Harris County, Texas.

RENEWED, CJ/BJW

Item 45. APPLICATION BY CITY OF JOSEPHINE for renewal of Permit No.

10887-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 70,000 gallons per day. The wastewater treatment facilities are approximately 0.2 mile north and 0.7 mile east of the intersection of Farm-to-Market Road 6 and Farm-to-Market Road 1777 in Collin County, Texas.

RENEWED, CJ/BJW

Item 46. APPLICATION BY CITY OF LEVELLAND for renewal of Permit No. 10965-01 which authorizes disposal of treated domestic wastewater effluent by irrigation on approximately 475 acres of City-owned land. The disposal volume is not to exceed an average of 1,800,000 gallons per day. The wastewater treatment facilities and irrigated land are 2.5 miles southwest of the intersection of State Highway 114 and Farm-to-Market Road 3261, and 2 miles southeast of the intersection of U.S. Highway 385 and State Highway 114, southeast of Levelland, Hockley County, Texas.

RENEWED, CJ/BJW

Item 47. APPLICATION BY TEXAS A & M UNIVERSITY for renewal of Permit No. 10968-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 4,000,000 gallons per day from the University Sewage Treatment Plant. The plant site is approximately 6000 feet southeast of the intersection of Farm-to-Market Road 60 and Farm-to-Market Road 2818, 1000 feet west of Farm-to-Market Road 2818, southwest of the City of College Station in Brazos County, Texas.

CONTINUED TO AUGUST 15, 1990 @ 3:00 P.M.

Item 48. APPLICATION BY SIMPSON PASADENA PAPER COMPANY for renewal of Permit No. 02286 which authorizes a discharge of stormwater runoff at a volume variable with rainfall from its Pasadena Mill which manufactures pulp and paper. The plant site is on the south bank of the Houston Ship Channel, immediately west of the Washburn Tunnel (North Shaver Street) in the City of Pasadena, Harris County, Texas.

RENEWED, CJ/BJW

Item 49. APPLICATION BY MOUNT HOUSTON ROAD MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11154-02 which authorizes a discharge of treated domestic wastewater effluent in phases from the Mount Road Municipal Utility District Plant No. 2 which has not been constructed. The interim volume shall not exceed an average flow of 70,000 gallons per day and the final volume shall not exceed an average of 400,000 gallons per day. The plant site is to be approximately 1.0 mile east and 0.50 mile south of the intersection of West Mount Houston Road and West Montgomery Road in Harris County, Texas.

RENEWED, CJ/BJW

Item 50. APPLICATION BY CITY OF CUERO for renewal of Permit No. 10403-02 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. The plant site is approximately 1/2 mile south of U.S. Highway 87 and 2 miles east of U.S. Highway 183 in DeWitt County, Texas.

RENEWED, CJ/BJW

Item 51. APPLICATION BY QUANTUM CHEMICAL CORPORATION, USI DIVISION for renewal of Permit No. 02207 which authorizes a discharge of treated process wastewater, cooling water, boiler blowdown, treated domestic sewage and stormwater runoff at a volume not to exceed an average flow of 150,000 gallons per day from a plastics compounding plant. The plant site is approximately three miles north of the City of Crockett and west of U.S. Highway 287, Houston County, Texas.

RENEWED, CJ/BJW

Item 52. CONSIDERATION OF THE APPOINTMENT OF A TECHNICAL ADVISORY COMMITTEE TO REVIEW AND MAKE RECOMMENDATIONS FOR LEGISLATIVE CHANGES OR OTHER PROCEDURAL CHANGES TO ALLOW THE COMMISSION TO ADDRESS PROBLEMS ENCOUNTERED IN REGULATING RETAIL PUBLIC UTILITIES UNDER CHAPTER 13 OF THE WATER CODE. (ROBBINS)

CONTINUED TO JULY 18, 1990 @ 3:00 P.M.

Item 53. CONSIDERATION OF A MOTION OF REHEARING ON AN ORDER APPROVING A BOND ISSUE EXTENSION AND AMENDMENT FOR FERN BLUFF MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY. (THIS MATTER WAS CONSIDERED ON MAY 30, 1990).

MOTION OVERRULED, CJ/BJW

UNCONTESTED OLD BUSINESS

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from Agenda of May 3, 1988 and May 24, 1988.

- Item 1. APPLICATION BY THE TOWN OF WOODLOCH for renewal of Permit No. 11293-01 (previously issued to Consumers Water, Inc.) which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 60,000 gallons per day from the Hickory Ridge Subdivision Sewage Treatment Plant. The plant is located on the west bank of the West Fork San Jacinto River at a point approximately 3 miles east of the intersection of Needham Road and IH 45 in Montgomery County, Texas. The renewed permit would be renumbered as Permit No. 11580-02 to correspond with the City of Woodloch's wastewater permit numbers.

RENEWED, CJ/BJW

Item carried forward from Agenda of April 25, 1990 and June 20, 1990.

- Item 2. 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.

RENEWED, CJ/BJW

Item carried forward from Agenda of June 6th and June 20, 1990.

- Item 3. 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

APPROVED, CJ/BJW



ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from Agenda of June 27, 1990.

- Item 4. 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 SEPTEMBER 12, 1990 @ 3:00 P.M.

Item carried forward from Agenda of June 27, 1990.

- Item 5. 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.

REMANDED TO OFFICE OF HEARINGS EXAMINERS.

Item carried forward from Agenda of June 27, 1990.

- Item 6. 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)

APPROVED, CJ/BJW

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from Agenda of April 4, 1990.

- Item 7. APPLICATION BY WOODCREEK MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11933-01 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 1,000,000 gallons per day from the Woodcreek Wastewater Treatment Plant. The plant site is on the south side of Turkey Creek, approximately 3400 feet southeast of the intersection of Aldine-Westfield Road and Farm-to-Market Road 1960 in Harris County, Texas. The effluent is discharged into Turkey Creek; thence into Cypress Creek in Segment No. 1009 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 have no aquatic life uses. The designated uses for Segment No. 1009 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 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 provisions for dechlorinating the chlorinated effluent will be added in the final phase. It is proposed that the expiration date of the renewed permit be specified as midnight, five years after date of Commission approval.

RENEWED, CJ/BJW

DOCKET

Wednesday, July 11, 1990

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item 1. COMMISSION CONSIDERATION WHETHER TO AFFIRM, MODIFY OR SET ASIDE EMERGENCY ORDER NO.90-14E, ISSUED TO E. I. du PONT de NEMOURS, INC., ON MAY 16, 1990, WHICH ORDERED TO STORE, PROCESS AND DISPOSE OF CHEMICALS at Cuero High School, Cuero, Texas, and at Nazareth Academy of Victoria, Texas. (Alvarado)

AFFIRMED, CJ/BJW