

WYNNE
BIRDWELL
JOHNSON

CONTESTED OLD BUSINESS

Wednesday, October 3, 1990

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of September 12, 1990.

- Item 1. APPLICATION BY THE RANCH ASSOCIATES for a minor amendment to Permit No. 13477-01 in order to add an interim phase at a volume not to exceed an average of 40,000 gallons per day. The plant and irrigation sites are on Haynie Flat Road, approximately 2 miles north of the intersection of State Highway 71 and Haynie Flat Road in Travis and Burnet Counties, Texas.

CONTINUED TO OCTOBER 10, 1990 AT 9:00 A.M.

Item carried forward from Agenda of September 12, 1990.

- Item 2. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF TEXAS COPPER CORPORATION FOR PERMIT NO. 03120 TO AUTHORIZE THE DISCHARGE OF 23.3 MGD OF TREATED INDUSTRIAL WASTEWATER EFFLUENT IN GALVESTON COUNTY, TEXAS, AND SEGMENT NO. 2439 OF THE BAYS AND ESTUARIES. Recommendation: Issuance of permit. (Sullivan)

APPROVED PROPOSED ORDER W/CHANGES, CJ/JB

Item carried forward from Agenda of October 26, 1989, January 24, April 11, June 6, July 25, and September 26, 1990.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SIVALLS TANKS, INC., SWR NO. 35690. (Dickman)

CONTINUED TO OCTOBER 31, 1990 AT 9:00 A.M.

Item carried forward from Agenda of May 16, August 8, and September 26, 1990.

- Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AERO AVIATION, INC., SWR 39807. (THOMPSON)

CONTINUED TO OCTOBER 31, 1990 AT 9:00 A.M.

Item carried forward from the Agenda of August 13, September 11, and September 26, 1990.

Item 5. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF HOUSTON CHEMICAL SERVICES, INC. FOR PERMIT NO. HW-50207-001 TO AUTHORIZE THE OPERATION OF A HAZARDOUS WASTE INCINERATOR IN HARRIS COUNTY, TEXAS. Applicant seeks authorization to store, treat, and dispose of Class I hazardous and nonhazardous materials and Class II non hazardous materials at facilities located in Segment No. 1006 of the San Jacinto River Basin. Recommendation: Denial of permit. (Zukauckas)

CONTINUED TO OCTOBER 10, 1990 AT 9:00 A.M.

ALL REMAINING ITEMS 6 THROUGH 15 CARRIED FORWARD FROM AGENDA OF SEPTEMBER 26, 1990.

Item 6. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ADVANCED AROMATICS, INC. PERMIT NO. 01914-01 (SMITH,S)

CONTINUED TO OCTOBER 31, 1990 AT 9:00 A.M.

Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF FAUST PROPERTIES, INC., PERMIT NO. 12342-01. (Corrigan)

CONTINUED TO OCTOBER 24, 1990 AT 9:00 A.M.

Item 8. CONSIDERATION OF REQUEST FOR RELIEF OF STIPULATED PENALTIES ASSESSED BY COMMISSION ORDER SIGNED NOVEMBER 17, 1988, BY THE CITY OF HIDALGO. THE CITY OF HIDALGO HAS MADE A WRITTEN REQUEST FOR HEARING TO DISCUSS DISMISSAL OF THE STIPULATED PENALTIES, OR ALTERNATIVELY, TO ESTABLISH A PAYMENT SCHEDULE. PERMIT NO. 11080-01 (KIRICK)

TAKEN UNDER ADVISEMENT AND CONTINUED TO OCTOBER 24, 1990 AT 9:00 A.M. WITH INSTRUCTIONS TO STAFF

Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY OF MONTGOMERY COUNTY COMMISSIONER'S COURT. (PERMIT NO.12463-01) MONTGOMERY COUNTY. (CHAFFIN)

REMANDED TO EXECUTIVE DIRECTOR FOR FURTHER PROCESSING.

Item 10. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT REQUIRING CERTAIN ACTIONS AND ASSESSING ADMINISTRATIVE PENALTIES AGAINST HAROLD PARKS DBA PARKS HILL HOLSTEIN DAIRY. (Ligarde)

APPROVED, JB/CJ

Item 11. CONSIDERATION OF NOTICE OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF R. W. MCDONNELL CONSTRUCTION COMPANY, INC., PERMIT NO. 13510-001. (Corrigan)

CONTINUED TO OCTOBER 24, 1990 AT 9:00 A.M.

Item 12. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT

AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AGRICULTURE WAREHOUSE, INC., AND FMC CORPORATION (SWR NO. 30901). (Renbarger)

CONTINUED TO OCTOBER 31, 1990 AT 9:00 A.M.

Item 13. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ANGELINA COUNTY; NO SWR. (RENBARGER)

CONTINUED TO OCTOBER 31, 1990 AT 9:00 A.M.

Item 14. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SERVICE FRACTURING COMPANY, SWR No. 39404. (Montelongo)

APPROVED, CJ/JB

Item 15. 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

WYNNE
BIRDWELL
JOHNSON

AGENDA

Wednesday, October 3, 1990

TEXAS WATER COMMISSION

2:00 p.m.
Room 123

CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT ON AGENCY ADMINISTRATION, POLICY, BUDGET, PROCESURES, AND PERSONNEL MATTERS.

1. The Commission will convene in Open Session to discuss and/or take action on the referenced matters.
2. If discussions on personnel and/or litigation matters require Executive Session, the Commission will then go into Executive Session to be conducted in Room 123.
3. Following any discussion in Executive Session, the Commission will reconvene in Open Session to take action, if any it deems appropriate.

NO FORMAL ACTION TAKEN BY THE COMMISSION.

WYNNE
BIRDWELL-Absent & Excused
JOHNSON

UNCONTESTED OLD BUSINESS

Wednesday, October 3, 1990

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of August 15, and September 26, 1990.

- Item 1. APPLICATION BY AMERIFIRST PROPERTIES, INC. for renewal of Permit No. 13023-01 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 1,500,000 gallons per day from the Harris County MUD No. 277 Wastewater Treatment Plant which has not been constructed. The plant site is on the south bank of Dinner Creek; approximately one mile southwest of the intersection of Farm To Market Road 525 (Freeman Road) and Barker-Cypress Road in Harris County, Texas.

RENEWED, CJ/BJW

Item carried forward from Agenda of September 5, and September 26, 1990.

- Item 2. APPLICATION BY COMPAQ COMPUTER CORPORATION for a permit (Proposed Permit No. 13508-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 500,000 gallons per day. The plant site is to be approximately 7300 feet east of the intersection of Louetta Road and State Highway 249 in Harris County, Texas.

APPROVED, CJ/BJW

Item carried forward from Agenda of September 5, and September 12, and September 26, 1990.

- Item 3. APPLICATION BY RAYBURN COUNTRY MUNICIPAL UTILITY DISTRICT FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS AND ACCRUED INTEREST, \$2,100,000 AND \$1,500,000 BOND ISSUES APPROVED DECEMBER 12, 1988. For Commission consideration and action. Applicant requests approval of the release of \$425,200 of escrowed funds and accrued interest of \$55,000 of surplus funds for construction of sewage treatment plant improvements project and related engineering, legal and fiscal fee

APPROVED W/ADDENDUM, CJ/BJW

ALL REMAINING ITEMS 4 THROUGH 43 CARRIED FORWARD FROM AGENDA OF SEPTEMBER 26, 1990.

Item 4. APPLICATION BY MONTGOMERY COUNTY UTILITY DISTRICT NO. 3 FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$1,595,000 BOND ISSUE APPROVED February 22, 1977. For Commission consideration and action. Applicant requests approval of the transfer of \$56,000 in surplus construction funds (interest earnings) to its debt service fund.

APPROVED, CJ/BJW

Item 5. APPLICATION BY OAK RIDGE MUNICIPAL UTILITY DISTRICT OF MONTGOMERY COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS. For Commission consideration and action. Applicant seeks approval of the use of \$110,000 in surplus funds to finance a major hydrological study to analyze regional drainage which impacts the District to determine the need for further regional drainage improvements and the pro rata shares of responsibility.

APPROVED, CJ/BJW

Item 6. APPLICATION BY HURST CREEK MUNICIPAL UTILITY DISTRICT OF TRAVIS COUNTY; For Commission consideration and action. Applicant seeks approval for the levy of an annual standby fee against undeveloped single family lots and acreage in the District in the amount of \$180/equivalent single family connection annually to supplement the operating account.

APPROVED, CJ/BJW

Item 7. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF KNOB HILL WATER SYSTEM TO INCREASE RETAIL WATER RATES IN DENTON COUNTY, TEXAS; DOCKET NO. 8400-G. Applicant provides retail water service to approximately 59 customers. Recommendation: Adoption of agreement of parties. (Colbert)

APPROVED, CJ/BJW

Item 8. APPLICATION OF AFTON GROVE WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Cherokee County (Application No. 8500-C, Holck)

APPROVED, CJ/BJW

Item 9. APPLICATION OF NORTH HAMILTON HILL WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Robertson County (Application No. 8465-C, Holck)

APPROVED, CJ/BJW

Item 10. APPLICATION OF COTTONWOOD WATER SUPPLY CORPORATION for an Amendment to Water Certificate of Convenience and Necessity No. 10015 in McLennan and Hill Counties (Application No. 8474-C, Holck)

APPROVED, CJ/BJW

Item 11. APPLICATION OF MUSTANG WATER SUPPLY CORPORATION to Amend a Water Certificate of Convenience and Necessity No. 11856 and to Decertify a Portion of Lebanon Water Supply Corporation Certificate of Convenience and Necessity No. 11220 in Denton County

APPROVED, CJ/BJW

Item 12. APPLICATION OF NORTH FARMERSVILLE WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity and To Amend Water Certificate of Convenience and Necessity No. 10165 of Caddo Basin Special Utility District and Water Certificate of Convenience and Necessity No. 10184 of Verona Water Supply Corporation by Decertification of Portions of Their Service Areas in Collin County (Application No. 8415-C, Holck)

APPROVED, CJ/BJW

Item 13. APPLICATION NO. 5301 BY HELEN A. MATTHEWS FOR A SECTION 11.121 WATER USE PERMIT. For Commission Action. Applicant seeks authorization to divert and use 10 acre-feet of water per annum from an existing 247 acre-foot reservoir on Spring Creek, Trinity River Basin, at a maximum rate of 0.27 cfs (120 gpm) to irrigate 10 acres of land in the Bernardo Pantaleon Survey, Abstract No. 51, approximately 12 miles northwest of Palestine, Anderson County, Texas (JORDAN/wph)

APPROVED, CJ/BJW

Item 14. APPLICATION NO. 23-240E BY NORTH ALAMO WATER SUPPLY CORPORATION TO COMBINE AND AMEND WATER RIGHTS UNDER CERTIFICATE NO. 23-240, AS AMENDED. For Commission Action. Applicant seeks to combine water rights owned under Cert. Nos. 23-146, 23-282A, 23-315A and 23-240D under Cert. No. 23-240 and to further amend Cert. No. 23-240 to restate applicant's total authorizations thereunder, viz., the right to divert and use, with municipal priority, not to exceed 1206.9155 acre-feet of water per annum from the Rio Grande, Rio Grande Basin, for municipal purposes within their service area in Hidalgo & Willacy Counties. (JORDAN/wph).

APPROVED, CJ/BJW

Item 15. APPLICATION BY HARRIS COUNTY c/o PRECINCT FOUR FOR AN EXTENSION OF TIME TO COMMENCE AND COMPLETE CONSTRUCTION OF THE DAM AND RESERVOIRS AUTHORIZED BY PERMIT NO. 5055 (A-5055). For Commission action. Applicant seeks an extension of time for commencement of the construction of two proposed off-channel reservoirs (one excavated and one created by a dam) near Cypress Creek, San Jacinto River Basin in Harris County, Texas from June 30, 1990 to June 30, 1993 and the completion date from June 30, 1991 to June 30, 1994. (JORDAN:rma)

APPROVED, CJ/BJW

Item 16. APPLICATION NO. TA-6445 BY VALERO EASTEX PIPELINE, CO. FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.138. FOR COMMISSION ACTION. Applicant seeks authorization to divert and use 95 acre-feet of water within a 1-year period from the Neches River, Neches River Basin for industrial purposes (hydrotect) from the river approximately 5 miles downstream of the river crossing of US 175, approximately 21.5 miles northwest of Rusk, Cherokee County, Texas. (JORDAN/jme)

APPROVED, CJ/BJW

Item 17. APPLICATION NO. TA-6446 BY VALERO EASTEX PIPELINE, CO. FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.138. FOR COMMISSION ACTION. Applicant seeks

authorization to divert and use 95 acre-feet of water within a 1-year period from Johnson Creek, tributary of Striker Creek, tributary of the Angelina River, tributary of the Neches River, Neches River Basin, for industrial purposes (hydrotest) from the creek approximately 3.5 miles downstream of the creek crossing of SH 42 and approximately 10.5 miles southwest of Henderson, Rusk County, Texas. (JORDAN/jme)

APPROVED, CJ/BJW

- Item 18. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S RECOMMENDATION AND REPORT REGARDING THE CENTRAL TEXAS AREA GROUND WATER STUDY PURSUANT TO SUBCHAPTER C, CHAPTER 52, TEXAS WATER CODE. For Commission information, the staff's evaluation of ground water problems primarily in the Trinity Group aquifer in the seventeen-county study area related to the need for ground water management strategies and the possible need for creation of an underground water conservation district. The Executive Director's recommendation is that the area not be designated as a critical area.(JORDAN:spm)

TAKEN UNDER ADVISEMENT CONTINUED TO OCTOBER 17, 1990 AT 3:00 P.M.

- Item 19. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S RECOMMENDATION AND REPORT REGARDING THE EAST TEXAS AREA GROUND WATER STUDY PURSUANT TO SUBCHAPTER C, CHAPTER 52, TEXAS WATER CODE. For Commission information, the staff's evaluation of ground water problems primarily in the Carrizo-Wilcox aquifer in the six-county study area related to the need for ground water management strategies and the possible need for creation of an underground water conservation district. The Executive Director's recommendation is that the area not be designated as a critical area.(JORDAN:spm)

TAKEN UNDER ADVISEMENT CONTINUED TO OCTOBER 17, 1990 AT 3:00 P.M.

- Item 20. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S RECOMMENDATION AND REPORT REGARDING THE NORTH-CENTRAL TEXAS AREA GROUND WATER STUDY PURSUANT TO SUBCHAPTER C, CHAPTER 52, TEXAS WATER CODE. For Commission information, the staff's evaluation of ground water problems primarily in the Trinity Group aquifer in the eighteen-county study area related to the need for ground water management

TAKEN UNDER ADVISEMENT CONTINUED TO OCTOBER 17, 1990 AT 3:00 P.M.

- Item 21. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S RECOMMENDATION AND REPORT REGARDING THE TRANSPecos AREA GROUND WATER STUDY PURSUANT TO SUBCHAPTER C, CHAPTER 52, TEXAS WATER CODE. For Commission information, the staff's evaluation of ground water problems primarily in the Cenozoic Pecos Alluvium aquifer in the five-county study area related to the need for ground water management strategies and the possible need for creation of an underground water conservation district. The Executive Director's recommendation is that the area not be designated as a critical area.(JORDAN:spm)

TAKEN UNDER ADVISEMENT CONTINUED TO OCTOBER 17, 1990 AT 3:00 P.M.

- Item 22. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S RECOMMENDATION AND REPORT REGARDING THE WILLIAMSON AND PARTS OF ADJACENT COUNTIES GROUND WATER STUDY PURSUANT TO SUBCHAPTER C, CHAPTER 52, TEXAS WATER CODE. For Commission information, the staff's evaluation of ground water problems primarily in the Edwards

and Trinity Group aquifers in the five-county study area related to the need for ground water management strategies and the possible need for creation of an underground water conservation district. The Executive Director's recommendation is that the area not be designated as a critical area. (JORDAN:spm)

TAKEN UNDER ADVISEMENT CONTINUED TO OCTOBER 17, 1990 AT 3:00 P.M.

Item 23. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF TREATMENT ONE/SET ENVIRONMENTAL, INC. FOR PERMIT NO. HW-50267 TO AUTHORIZE THE OPERATION OF A HAZARDOUS WASTE STORAGE FACILITY IN HARRIS COUNTY, TEXAS. Applicant seeks authorization to store Class I hazardous materials at facilities located in Segment No. 1006 of the San Jacinto River Basin. Recommendation: Issuance of permit. (Forrester)

APPROVED AS PROPOSED, CJ/BJW

Item 24. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF NSSI/RECOVERY SERVICES, INC. FOR PERMIT NO. HW-50269 TO AUTHORIZE THE OPERATION OF A HAZARDOUS WASTE STORAGE FACILITY IN HARRIS COUNTY, TEXAS. Applicant seeks authorization to store Class I hazardous materials at facilities located in Segment 1006 of the San Jacinto River Basin. Recommendation: Issuance of permit. (Forrester)

APPROVED AS PROPOSED, CJ/BJW

Item 25. APPLICATION BY SAFETY-KLEEN CORPORATION for a permit (Proposed Permit No. HW-50228, EPA I. D. No. TXD-981053416) to authorize the continued operation of an existing commercial Class I hazardous industrial solid waste storage and processing facility. The facility is located at 6529 Midway Road, immediately north of the intersection of Minnis and Midway Roads, within the Fort Worth metropolitan area, in the city of Haltom, Tarrant County, Texas.

APPROVED, CJ/BJW

Item 26. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF FINE MEADOW FARM, INC. FOR PERMIT NO.03183 TO AUTHORIZE THE DISPOSAL BY IRRIGATION OF AGRICULTURAL EFFLUENT/DEWATERED MANURE/ DAIRY WASTE IN ERATH COUNTY, TEXAS, AND SEGMENT NO. 1221 OF THE BRAZOS RIVER BASIN. Applicant also seeks to dispose of dewatered dairy waste from a 420 head dairy operation. Recommendation: Issuance of permit. (Harris)

APPROVED, CJ/BJW

Item 27. APPLICATION BY BANDERA DOWNS, INC. for a permit (Proposed Permit No. 13531-01) to authorize disposal of treated domestic wastewater effluent from a horse racing operation by irrigation on a 9.4-acre race track. The plant site and race track are approximately 2 miles northeast of the intersection of State Highway 16 and State Highway 173, on the north side of State Highway 16, in Bandera County, Texas.

APPROVED, CJ/BJW

Item 28. APPLICATION BY ORANGE COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 for a permit (Proposed Permit No. 10875-05) to

authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 630,000 gallons per day. The plant site is to be approximately 3/4 mile southwest of the intersection of State Highway 105 and the Southern Pacific Railroad and 1/4 mile east of the intersection of Willow Drive and Dogwood Drive in Orange County, Texas.

SUBMITTED IN ERROR

Item 29. APPLICATION BY BOB SMITH for a permit (Proposed Permit No. 13509-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 13,500 gallons per day. The plant site is to be at 9401 Windfern Road, approximately 300 feet south of Zaka Road and approximately 3 miles north from the intersection of Windfern Road and U. S. Highway 290 in Harris County, Texas.

APPROVED, CJ/BJW

Item 30. APPLICATION BY HARRY R. TOSH for a permit (Proposed Permit No. 03230) to authorize disposal of waste and wastewater from a dairy which consists of 520 head in confinement. The dairy is on Rider Road, approximately one mile west of the intersection of State Highway 23 and Rider Road and approximately two miles southwest of Rusk, Cherokee County, Texas.

APPROVED, CJ/BJW

Item 31. APPLICATION BY BOXCROW CEMENT COMPANY, L.P. for an amendment to Permit No. 02580 to authorize an increase in the maximum pH limit of the cooling pond water from 9.0 standard units to 10.5 standard units. The plant site is approximately two miles northeast of the City of Midlothian, east of and adjacent with the Atchinson, Topeka, and Santa Fe Railroad right-of-way, Ellis County, Texas.

APPROVED, CJ/BJW

Item 32. APPLICATION BY CITY OF LUBBOCK, LUBBOCK POWER AND LIGHT for a minor amendment to Permit No. 01895 in order to add a provision which would allow adjacent landowners to use the effluent to irrigate crops. The permit authorizes a discharge of cooling tower blowdown and previously monitored effluent at a volume not to exceed an average flow of 800,000 gallons per day. The plant site is at 3500 East Slaton Highway in the City of Lubbock, Lubbock County, Texas.

SUBMITTED IN ERROR

Item 33. APPLICATION BY VALLEY MUNICIPAL UTILITY DISTRICT NO. 2 for a minor amendment to Permit No. 11348-02 which currently authorizes the disposal of treated domestic wastewater effluent in phases by irrigation. The plant site and irrigation area are approximately 4-1/2 miles northwest of the intersection of State Highway Spur 415 and State Highway 48 in Cameron County, Texas.

APPROVED, CJ/BJW

Item 34. APPLICATION BY ARCO CHEMICAL COMPANY, BAYPORT FACILITY for renewal of Permit No. 02756 which authorizes a discharge of segregated stormwater runoff from nonprocess areas at a volume variable with rainfall from a plant manufacturing organic

chemicals. The plant site is at 10801 Choate Road in the City of Pasadena, Harris County, Texas.

RENEWED, CJ/BJW

Item 35. APPLICATION BY CITY OF HOUSTON for renewal of Permit No. 10495-99 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 White Oak Wastewater Treatment Facilities. The plant site is on the north bank of White Oak Bayou, approximately 500 feet west of the crossing of White Oak Bayou by North Houston Rosslyn Road in the City of Houston, Harris County, Texas.

RENEWED, CJ/BJW

Item 36. APPLICATION BY TEXAS LIME COMPANY, BLUM PLANT for renewal of Permit No. 02014 which authorizes a discharge of stormwater runoff at a volume variable with rainfall from its quicklime and hydrated lime manufacturing plant which is not in operation. The plant site is approximately three miles west-southwest of the Town of Blum, on the south side of the Atchison Topeka and Sante Fe Railway line, where FM Roads 933 and 67 intersect in Hill County, Texas.

RENEWED, CJ/BJW

Item 37. APPLICATION BY THE CITY OF AUSTIN for a Temporary Order authorizing the City not to operate the secondary 13.5 MGD interim sewage treatment facility, located at the City's Walnut Creek wastewater treatment plant, during the months of October and November, 1990 as would otherwise be required by Other Requirement No. 14 in Permit No. 10543-11. The Walnut Creek Plant is located on the south side of FM 969, approximately one mile east of the intersection of FM 969 and U. S. Highway 183 in Travis County, Texas.

APPROVED, CJ/BJW

Item 38. CONSIDERATION OF THE REQUEST OF THE EXECUTIVE DIRECTOR AND THE CITY OF PARIS TO AMEND AN ENFORCEMENT ORDER PREVIOUSLY ISSUED AGAINST THE CITY OF PARIS - PERMIT NO. 10479-02. (Smith, J.)

APPROVED, CJ/BJW

Item 39. CONSIDERATION OF APPOINTMENT OF INDIVIDUALS TO FILL THREE (3) VACANCIES ON THE ADVISORY COMMITTEE FOR WASTEWATER OPERATOR CERTIFICATION WHICH WAS AUTHORIZED IN MAY, 1987 TO ADVISE THE COMMISSION ON MATTERS RELATING TO ADMINISTRATION OF WASTEWATER OPERATOR CERTIFICATION PROGRAM, 31 TAC CHAPTER 325.1 - 325.16. (COLTON)

APPROVED AS PROPOSED, CJ/BJW

Item 40. CONSIDERATION OF NEW 31 TEXAS ADMINISTRATIVE CODE SECTION 305.69 AND AMENDMENTS TO SECTIONS 305.42, 305.51, 305.53, 305.61 - 305.64, 305.92, 305.93, 305.96, 305.98, 305.99, 305.102 - 305.106, 305.127, 305.144, 305.171, 305.172, 305.174, 305.184, 305.157, 335.158, AND 335.163 - 335.165. These changes are proposed in order to comply with Federal permitting rules. These rules affect Texas Water Commission consolidated permitting standards and owners/operators or hazardous waste storage, processing or disposal facilities

permitting standards. (Mehta/Celestino)

ADOPTED W/CHANGES, CJ/BJW

Item 41. CONSIDERATION OF THE ADOPTION OF NEW SECTIONS 335.441 - 335.449 OF TITLE 31 TEXAS ADMINISTRATIVE CODE, CONCERNING THE PROCEDURES FOR THE PLACEMENT ON WARNING SIGNS OF PROPERTY CONTAMINATED WITH HAZARDOUS SUBSTANCES. (McFaddin)

ADOPTED W/CHANGES, CJ/BJW

Item 42. CONSIDERATION OF A MOTION FOR REHEARING ON THE APPLICATION OF SCENIC OAKS WATER SUPPLY CORPORATION TO INCREASE RETAIL WATER RATES IN BEXAR COUNTY, TEXAS; DOCKET NO. 8097-G. (THE MATTER WAS CONSIDERED ON AUGUST 15, 1990.)

APPROVED THE DENIAL OF THE MFR WITH SPECIAL INSTRUCTIONS TO STAFF AND WAS CONTINUED TO NOVEMBER 7, 1990 AT 9:00 A.M. FOR A STATUS REPORT.

Item 43. Consideration of formal recommendations of the Waste Reduction Advisory Committee. (Ferguson)

SUBMITTED IN ERROR