

CONTESTED AGENDA

Wednesday, March 27, 1991

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 FANNING ELECTRIC PLATING CO. (SWR NO. 34880). (BIRCH)

Cont. to 4/24/91, at 9:00 a.m.

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF VALLEY SOLVENTS AND CHEMICALS, (SWR NO. 40424). (Hall)

Cont. to 5/15/91, at 9:00 a.m.

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST WELLMAN INDUSTRIES, INC. AND THOMAS ECK AND REQUIRING CERTAIN ACTIONS OR WELLMAN INDUSTRIES, INC., H.T. WELLMAN, THOMAS ECK, AEGON USA REALTY ADVISORS, INC., AND SIGNAL CAPITAL CORPORATION. SWR NO. 33350. (DICKMAN, S)

Cont. to 7/17/91, at 9:00 a.m.

Item 4. CONSIDERATION OF THE REQUEST BY FORMOSA PLASTICS CORPORATION, TEXAS FOR AUTHORIZATION TO COMMENCE CONSTRUCTION OF A TERTIARY TREATMENT FACILITY FOR INDUSTRIAL WASTEWATER AND CONTAMINATED STORMWATER, PERMIT NO. 02436. (Ray)

Cont. to 4/10/91, at 9:00 a.m.

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AQUA MANAGEMENT, INC., CERTIFICATE OF COMPETENCY NO. 20062. (Martinez)

Cont. to 4/24/91, at 9:00 a.m.

Item 6. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF THE CITY OF KEENE FOR PERMIT NO.10611-02 TO AUTHORIZE THE DISCHARGE OF 830,000 GPD OF TREATED DOMESTIC WASTEWATER EFFLUENT IN JOHNSON COUNTY, TEXAS, AND SEGMENT NO. 0814 OF THE TRINITY RIVER BASIN Recommendation: Issuance of the permit. (ZUKAUCKAS)

Approved, CJ/JEB

Item 7. CONSIDERATION OF THE PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF UNITED STRUCTURES OF AMERICA, INC., PERMIT NO. 12765-01. (Martinez)

Cont. to 4/24/91, at 9:00 a.m.

Item 8. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF KERRVILLE SOUTH WATER COMPANY, INC. FOR A CEASE AND DESIST ORDER AGAINST THE CITY OF KERRVILLE AND AN ORDER nunc pro tunc TO PROHIBIT THE PROVISION OF WATER AND SEWER SERVICE IN KERR COUNTY, TEXAS. (DOCKET NO. 7893-D). RECOMMENDATION: DISMISSAL. (JAMES LEE MURPHY)

Dismissed, JEB/CJ

Item 9. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR 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 2(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 TEX.REV.CIV.STAT.ANN. art. 6252-17.

No Action Taken

CONTESTED OLD BUSINESS

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of February 20, 1991.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DOUGLAS UTILITY COMPANY, PERMIT NO. 11200-01. (Montelongo)

Cont. to 4/10/91, at 9:00 a.m.

Item carried forward from Agenda of February 20, 1991.

- 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 WOODBRANCH VILLAGE, PERMIT NO. 11993-01. (Ligarde)

Issue Proposed Order, CJ/JEB

Item carried forward from Agenda of February 27, 1991.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF WILLIAM F. ST. CLAIR. (J. SMITH)

Cont. to 4/10/91, at 9:00 a.m.

Item carried forward from February 27, 1991.

- Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT CONCERNING VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE BY CEDAR POINT UTILITY COMPANY, PERMIT NO. 12454-01. The Executive Director is requesting the Commission to issue an order requiring certain actions as set out in his report and to consider the transfer of Permit No. 12454-01 from Cedar Point Utility Company, who is in bankruptcy, to another entity who will operate the facility pursuant to the terms and provisions of the permit, the Water Code and the rules of the Texas Water Commission. (Kirick)

Cont. to 4/17/91, at 9:00 a.m.

Item carried forward from Agenda of September 26th, October 3, October 24, November 28, 1990, and February 27, 1991.

- Item 5. 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)

Cont. to 4/17/91, at 9:00 a.m.

Item carried forward from February 27, 1991.

- Item 6. APPLICATION NO. 12-4355A BY THE CITY OF MARLIN TO AMEND CERTIFICATE OF ADJUDICATION NO. 12-4355. For Commission action. Applicant seeks to amend Certificate No. 12-4355, which includes authorization to maintain Marlin City Reservoir and to maintain and enlarge New Marlin Reservoir, both on Big Sandy Creek, Brazos River Basin, and to use water from New Marlin Reservoir and the Brazos River for municipal and industrial use, by building a reservoir on Brushy Creek, transferring storage now included in the proposed enlargement of New Marlin Reservoir to Brushy Creek Lake and to re-allocate the diversions authorized. (JORDAN;tls)

Approved, CJ/JEB

Item carried forward from March 6, 1991.

- Item 7. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF PILGRIM'S PRIDE CORPORATION FOR AN AMENDMENT TO PERMIT NO. 03017 TO AUTHORIZE THE DISCHARGE OF 3.0 MGD treated industrial wastewater effluent in Titus County, Texas, and Segment No. 0404 of the Cypress Creek Basin. Recommendation: Issuance of permit. (O'Neal)

Cont. to 4/3/91, at 9:00 a.m.

Item carried forward from March 13, 1991.

- Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF VIC COOPER DBA ROLLING HILLS WATER AND SEWER SYSTEM IN SHELBY COUNTY, DOCKET NO. 8831-E. (Ligarde).

Adopt Agreed Order, CJ/JEB

Item carried forward from Agenda of January 30, 1991 and March 13, 1991.

- Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF E. I. DU PONT de NEMOURS & COMPANY, INC., SABINE RIVER WORKS, PERMIT NO. 00475. (Ligarde)

Issue Agreed Order, CJ/JEB

Item carried forward from Agenda of March 13, 1991, and March 20, 1991.

- Item 10. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE CITY OF CORPUS CHRISTI, NUECES RIVER AUTHORITY, AND THE CITY OF THREE RIVERS- CERTIFICATE OF ADJUDICATION NO. 21-3214. THIS MATTER CONCERNS AN INTERLOCUTORY CERTIFIED QUESTION FROM THE OFFICE OF HEARINGS EXAMINERS IN WHICH THE EXAMINER REQUESTS THE COMMISSION TO DETERMINE WHETHER TO

EXTEND THE COMMISSION IMPOSED DATES FOR SEQUENTIAL ACTION WITH RESPECT TO ESTABLISHING A FINAL OPERATING PLAN PERTAINING TO CERTIFICATE OF ADJUDICATION NO. 21-3214. (RECOMMENDATION: GRANT EXTENSION OF TIME.) (SULLIVAN)

Issue Order As Proposed By Staff, CJ/JEB

Item carried forward from Agenda of March 20, 1991.

Item 11. CONSIDERATION OF THE NOTICE OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF KILLAM INDUSTRIAL DEVELOPMENT PARTNERSHIP, LTD. (Smith, J.)

Remand to Office Hearings Examiner

Item carried forward from Agenda of March 20, 1991.

Item 12. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION REQUESTING THE SETTING OF INTERIM RATES - CRESSON WATER WORKS, DOCKET NO. 8963-G. (Montelongo)

Issue Order As Proposed, JEB/CJ

ADDENDUM TO CONTESTED OLD BUSINESS

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of March 20, 1991

Item 13. CONSIDERATION OF THE REQUEST OF TEXAS UTILITIES MINING COMPANY
FOR AUTHORIZATION TO COMMENCE CONSTRUCTION OF SEDIMENTATION
PONDS. (J. SMITH)

Granted, CJ/JEB

UNCONTESTED AGENDA

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 1. APPLICATION BY ADDWEST MINERALS, INC. for a permit (Proposed Permit No. SU-50507) to conduct Frasch sulfur mining at the Phillips Mine site. Pennzoil Sulphur Company previously operated the Phillips Mine site under Permit No. SU-50501. The Phillips Mine is located approximately 42 miles northwest of Pecos in Block 110 of the Public School Land Survey in Culberson County, Texas.

Approved, CJ/BJW

Item 2. APPLICATION BY GARLAND BOURG DBA CIRCLE G DAIRY for a permit (Proposed Permit No. 03327) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 300 head in confinement. The dairy is located approximately two miles northwest of the intersection of State Highway 174 and Farm-to-Market Road 916 in Johnson County, Texas.

Approved, CJ/BJW

Item 3. APPLICATION BY FOUR "TITS" FOR TEXAS DBA TITLOW DAIRY for a permit (Proposed Permit No. 03300) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 1,200 head in confinement. The dairy is located approximately 3.5 miles southeast of the intersection of U.S. Highway 287 and Farm-to-Market Road 645 in Anderson County, Texas.

Approved, CJ/BJW

Item 4. APPLICATION BY CITY OF TOLAR for an amendment to Permit No. 11265-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 50,000 gallons per day to a volume not to exceed an average flow of 100,000 gallons per day. The wastewater treatment facilities are approximately 1/4 mile south of U.S. Highway 377 and 1/5 mile west of Farm-to-Market Road 201 on the south side of Squaw Creek in the City of Tolar in Hood County, Texas.

Approved, CJ/BJW

Item 5. APPLICATION BY EDSEL JONES for renewal of Permit No. 12015-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 43,000 gallons per day from the Rolling Ridge Mobile Home Park Wastewater Treatment Plant. The plant site is approximately 2 miles south of the intersection of Farm-to-Market Roads 2818 and 2154, approximately 1 mile southwest of the intersection of North Graham Road and Farm-to-Market Road 2154 in Brazos County, Texas.

Approved, CJ/BJW

Item 6. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO.

81 for renewal of Permit No. 13051-01 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 250,000 gallons per day. The wastewater treatment facilities are approximately 0.6 mile south and 0.9 mile east of the intersection of FM Road 1093 and Bowser Road, southwest of Fulshear in Fort Bend County, Texas.

Approved, CJ/BJW

Item 7. APPLICATION BY MATAGORDA COUNTY for renewal of Permit No. 13091-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 30,000 gallons per day from the Midfield Community Wastewater Treatment Facilities. The plant site is south of the Community of Midfield, approximately 1,200 feet southwest of the intersection of State Highway 71 and State Highway 111 in Matagorda County, Texas.

Approved, CJ/BJW

Item 8. APPLICATION BY CITY OF MERIDIAN for renewal of Permit No. 10113-02 which authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed 200,000 gallons per day average from the Meridian Plant No. 2 Wastewater Treatment Facilities. The wastewater treatment facilities are located at 501 South Main Street approximately 2900 feet east-northeast of the intersection of State Highway 6 and State Highway 22 in Bosque County, Texas.

Approved, CJ/BJW

Item 9. APPLICATION BY NORTHAMPTON MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 10910-01 which authorizes a discharge of treated domestic wastewater effluent at an interim volume not to exceed an average flow of 750,000 gallons per day and a final volume not to exceed an average flow of 1,750,000 gallons per day from the wastewater treatment facilities. The wastewater treatment facilities are on the north bank of Willow Creek approximately 1,200 feet upstream of the Gosling Road crossing of Willow Creek in Harris County, Texas.

Approved, CJ/BJW

Item 10. APPLICATION BY P. LAKES II CORPORATION for renewal of Permit No. 13049-01 which authorizes a discharge of treated domestic wastewater effluent in phases with the final volume not to exceed an average flow of 500,000 gallons per day. The wastewater treatment facilities are approximately 2.7 miles north of U.S. Highway 90 A and approximately 2.5 miles west of State Highway 6 in Fort Bend County, Texas.

Approved, CJ/BJW

Item 11. APPLICATION BY CITY OF PINEHURST for renewal of Permit No. 10597-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed 500,000 gallons per day average from the wastewater treatment facilities which are located at 3000 Gull Street in the City of Pinehurst in Orange County, Texas.

Approved, CJ/BJW

Item 12. APPLICATION BY CITY OF PORT NECHES for renewal of Permit No.

10477-01 which authorizes a discharge of backwash water effluent at a volume not to exceed an average flow of 48,000 gallons per day from the water treatment facilities which are located approximately 1.25 miles northwest of the intersection of Farm-to-Market Road 366 and State Highway Loop 136 in Jefferson County, Texas.

Approved, CJ/BJW

Item 13. APPLICATION BY CIMARRON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$8,900,000 BOND ISSUE APPROVED May 15, 1985. For Commission consideration and action. Applicant requests the approval to use \$224,085 in surplus construction funds to finance the construction of an 8' x 8' box culvert.

Approved, CJ/BJW

Item 14. APPLICATION BY GREEN TRAILS MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL TO USE SURPLUS FUNDS; \$1,260,000 BOND ISSUE APPROVED October 19, 1989. For Commission consideration and action. Applicant requests approval to use \$204,050 in surplus funds to reimburse the developer for costs associated with the construction of water, sanitary sewer, and drainage facilities to serve Green Trails Village, Section 2, located within the District.

Approved, CJ/BJW

Item 15. APPLICATION BY CLEAR LAKE CITY WATER AUTHORITY OF HARRIS COUNTY FOR APPROVAL FOR THE RELEASE OF ESCROWED FUNDS; \$3,350,000 BOND ISSUE APPROVED November 28, 1989. For Commission consideration and action. The Authority has requested the release of \$186,585 from escrow to finance the North Fork Detention Basin, Phase I project.

Approved, CJ/BJW

Item 16. APPLICATION BY ROCKETT SPECIAL UTILITY DISTRICT OF DALLAS AND ELLIS COUNTIES FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$1,600,000 BOND ISSUE APPROVED June 6, 1990. For Commission consideration and action. Applicant requests approval of the release of \$315,700 of escrowed funds for costs associated with the installation of a used 500,000 gallon elevated water storage tank.

Approved, CJ/BJW

Item 17. APPLICATION BY SPRING CREEK FOREST PUBLIC UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$1,200,000 BOND ISSUE APPROVED June 27, 1989. For Commission consideration and action. Applicant requests approval of the release of \$730,000 of escrowed funds for costs to construct the District's second water plant.

Approved, CJ/BJW

Item 18. APPLICATION BY EAST CEDAR CREEK FRESH WATER SUPPLY DISTRICT FOR APPROVAL OF \$600,000 SPECIAL PROJECT CONTRACT REVENUE BONDS, 9.75% AVERAGE INTEREST RATE, THIRD ISSUE. For Commission consideration and action. Applicant requests approval of this bond issue to purchase water and wastewater facilities from Alexa Enterprises d.b.s. Engel Utility Company.

Approved, CJ/BJW

Item 19. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286 FOR APPROVAL OF CHANGE ORDERS; \$3,300,000 BOND ISSUE APPROVED December 21, 1989. For Commission consideration and action. Applicant requests approval of Change Order No. 1 (+\$16,240), and Change Order No. 2 (+\$56,445) to contract for construction of the Expansion of Water Plant No. 1 and Water Well No. 2.

Approved, CJ/BJW

Item 20. CONSIDERATION OF THE APPOINTMENT OF DIRECTORS FOR HARRIS COUNTY IMPROVEMENT DISTRICT NO. 1, LOCATED IN HOUSTON, HARRIS COUNTY (KEILS, KATHY)

Approve Appointment As Proposed By Staff, Tim Throckmorton 6/1/93, James Miller, 6/1/93, Thomas Spencer 6/1/93, Larry Strickland 6/1/91. CJ/BJW

Item 21. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR APPROVAL TO REFER B. C. WATER, INC., TO THE OFFICE OF THE ATTORNEY GENERAL FOR ENFORCEMENT. (Smith, D.)

Cont. to 5/1/91, at 9:00 a.m.

Item 22. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF HOOD COUNTY UTILITIES TO INCREASE RETAIL WATER AND SEWER RATES IN HOOD COUNTY, TEXAS; DOCKET NO. 8640-R. Applicant provides retail water service to approximately 196 customers and sewer service to approximately 87 customers. Recommendation: Adoption of agreement of parties. (Sahs)

Issue Order With Changes As Noted By Office Hearings Examiner. CJ/BJW

Item 23. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF STEVENS WATER COMPANY TO INCREASE RETAIL WATER RATES IN LIBERTY, POLK AND TYLER COUNTIES, TEXAS. (DOCKET NO. 8467-R). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 724 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (HARRIS)

Issue Order With Changes As Noted By Office Hearings Examiner. CJ/BJW

Item 24. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S COMPLAINT AGAINST RAUL CASSO D/B/A CASSO, LTD. FOR VIOLATIONS OF THE TEXAS WATER CODE AND RULES OF THE TEXAS WATER COMMISSION. (SMITH, D.)

Issue Agreed Order, CJ/BJW

Item 25. APPLICATION OF COE UTILITIES, INC. for a Sewer Certificate of Convenience and Necessity in Montgomery County. (Application No. 8708-C, Strouse)

Approved, CJ/BJW

Item 26. APPLICATION OF JAMES V. MEACHEN, SR. DBA MEACHEN MEADOWS SUBDIVISION WATER SYSTEM for a Water Certificate of Convenience and Necessity in Montgomery County. (Application No. 8857-C, Shires)

Approved, CJ/BJW

Item 27. APPLICATION OF WAYNEWOOD PLACE CIVIC CLUB, INC. for a Water Certificate of Convenience and Necessity in Harris County. (Application No. 8689-C, Shires)

Approved, CJ/BJW

Item 28. APPLICATION OF KELLY LANE UTILITY COMPANY to Amend Sewer Certificate of Convenience and Necessity No. 20720 in Travis and Williamson Counties. (Application No. 8973-C, Shires)

Approved, CJ/BJW

Item 29. APPLICATION OF RIVERSIDE WATER SUPPLY CORPORATION for an Amendment to Water Certificate of Convenience and Necessity No. 11033 in Walker and San Jacinto Counties. (Application No. 8843-C, Holck)

Approved, CJ/BJW

Item 30. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF BELTWAY 90 BUSINESS PARK, INC FOR PERMIT NO. 03206 TO AUTHORIZE THE DISCHARGE OF FLOW VARIABLE UNCONTAMINATED STORMWATER IN HARRIS COUNTY, TEXAS, AND SEGMENT NO. 1006 OF THE SAN JACINTO RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (JACKSON)

Issue Order As Proposed, CJ/BJW

Item 31. APPLICATION NO 5345 BY TAC REALTY, INC. FOR A TEXAS WATER CODE SECTION 11.143 WATER USE PERMIT APPLICATION. Applicant seeks to maintain two exempt dams on an unnamed tributary of Caters Creek, Brazos River Basin creating an 8.9 ac/ft and an 5.4 ac/ft reservoirs which will be used for in-place recreational purposes in Woodcreek Subdivision in Brazos County, 3.5 miles southeast of College Station. (JORDAN/lb)

Approved, CJ/BJW

Item 32. APPLICATION NO 5339 BY YOUNG MENS CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA FOR A TEXAS WATER CODE SECTION 11.143 WATER USE PERMIT. FOR COMMISSION ACTION. Applicant seeks to maintain a 30 acre-feet capacity exempt reservoir on Indian Creek, San Antonio River Basin for in-place recreational purposes in Bandera County, 11 miles southwest of Bandera, Texas. (JORDAN/ lb)

Approved, CJ/BJW

Item 33. APPLICATION BY THE MOST REVEREND RENE H. GRACIDA, BISHOP OF THE DIOCESE CORPUS CHRISTI FOR A WATER USE PERMIT PURSUANT TO SECTION 11.143 OF THE TEXAS WATER CODE. FOR COMMISSION ACTION. Applicant seeks to maintain an existing dam and 7.0 acre-foot reservoir on West Prong Medina River, Guadalupe River Basin for in-place recreation use, approximately 2.0 miles west of Medina, Bandera County, Texas. (JORDAN:rma)

Approved, CJ/BJW

Item 34. APPLICATION NO. 23-863C BY THE CITY OF LA GRULLA TO COMBINE WATER RIGHTS AND TO AMEND CERTIFICATE NO. 23-863, AS AMENDED. For Commission action. Applicant seeks to combine irrigation water rights on the Rio Grande authorized by four certificates with the municipal rights owned pursuant to Certificate No. 23-863, as amended and to amend Certificate No. 23-863, as

amended and combined, to change the purpose of use of the irrigation rights to municipal rights for use within the applicant's service area in Starr County. (JORDAN/tls).

Approved, CJ/BJW

Item 35. APPLICATION NO. 23-2785B BY SAN YGNACIO MUNICIPAL UTILITY DISTRICT TO COMBINE CERTIFICATE NOS. 23-2785, AS AMENDED, AND 23-2782, AS AMENDED, AND TO AMEND CERTIFICATE NO. 23-2785, AS COMBINED. FOR COMMISSION ACTION. Applicant seeks to combine the 203.75 acre-feet of Municipal priority water right owned under Certificate No. 23-2785, as amended, with the 60 acre-feet of Class "A" water right owned under Certificate No. 23-2782, as amended. The 60 acre-feet of water will be converted to 30 acre-feet of municipal priority water, the place of use and point of diversion will be changed to the districts. (JORDAN/lb)

Approved, CJ/BJW

Item 36. CONSIDERATION OF THE ADOPTION OF AMENDMENTS TO 31 TEXAS ADMINISTRATIVE CODE SECTION 335.206 SUBCHAPTER G CONCERNING LOCATION STANDARDS FOR HAZARDOUS WASTE STORAGE, PROCESSING, OR DISPOSAL. Section 335.206 currently refers to Section 301.59 as being the rule that addresses the subject of "Petition for Adoption of Rules." Section 301.59 is not the correct number, the correct number is Section 275.78. (Persky)

Adopt Amendments As Proposed By Staff, CJ/BJW

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 37. Approval of the 1990 Update of the Assessment/Management Programs for the State of Texas.

Approved, CJ/BJW

EMERGENCY ADDENDUM TO UNCONTESTED AGENDA

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item 38. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR AN EMERGENCY ORDER REQUIRING DAN ROBERTS DBA DAN ROBERTS WATER SYSTEM TO PROVIDE CONTINUOUS AND ADEQUATE WATER UTILITY SERVICE IN THE CYPRESS CREEK ACRES AND THE INWOOD FOREST SUBDIVISIONS IN HAYES COUNTY. DOCKET NO. 9035-E.

Cont. to 4/10/91, at 9:00 a.m. to Modify, Affirm, or Set Aside Emergency Order.

Emergency action is necessary to protect public health and safety due to the threatened termination of water service in the Cypress Creek Acres and the Inwood Forest Subdivisions in Hayes County.

UNCONTESTED OLD BUSINESS

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of December 12, 1990 ,January 30, 1991 and March 13, 1991, and March 20, 1991

- Item 1. CONSIDERATION OF ALL MOTIONS FOR REHEARING ON THE ORDER CONCERNING THE APPLICATION OF THE CITY OF TRINIDAD FOR A TEMPORARY ORDER. (This matter was considered on December 12, 1990.)

Issue Temporary Order As Modified By General Counsel

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, March 27, 1991

TEXAS WATER COMMISSION

3:00 p.m.
Room 118

Item carried forward from Agenda of June 6, August 15,
November 14, 1990, and January 30, 1991.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF LONE STAR STEEL COMPANY. WQ PERMIT NO. 00348, AND SWR 30093 (WATER QUALITY AND HAZARDOUS WASTE VIOLATIONS) (McFaddin)

Radify Settlement As Proposed By Staff.