

CONTESTED AGENDA

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

8:00 a.m.  
Room 118

Item carried forward from Agenda of January 15, 1992 and  
January 22, 1992.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT  
AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND  
REQUIRING CERTAIN ACTIONS OF RIO CHEMICAL COMPANY, INC. (SWR  
NO. 72205) (ERICH BIRCH)

Remand to Office Hearings Examiner

Item carried forward from Agenda of November 13, 1991 and  
January 15, 1992 and January 22, 1992.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN  
ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF DON NAVARRO AND ASSOCIATES, DBA PHOENIX ASSETS  
MANAGEMENT, NO SWR NUMBER. (Montelongo)

Remand to Executive Director for Referral to Attorney General.

UNCONTESTED AGENDA

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 1. Consideration of an application by MOTOROLA INC for a Class 2 Modification to hazardous waste Permit No. HW50281 in accordance with 31 TAC Section 305.69. Motorola operates a hazardous waste storage facility located approximately 1 mile south of Martin Luther King Blvd in Austin, Travis County, Texas. The facility stores wastes generated at the Ed Bluestein manufacturing facility and other Motorola Inc manufacturing plants.

Approved, PR/PG

Item 2. APPLICATION BY CHEMICAL RECLAMATION SERVICES, INC. for an amendment to Permit No. HW50084-001 to authorize continued operation and expansion of an industrial solid waste storage and processing facility for hazardous and non-hazardous wastes generated on site and from off-site sources. The facility is located on a 4.78 acre tract of land approximately 0.25 mile east of the intersection of State Highway 34 and State FM 55 on the northwest side of the private landfill road and approximately 0.5 mile north of Avalon in Ellis County, Texas.

Approved, PR/PG

Item 3. APPLICATION BY ISP TECHNOLOGIES, INC. (formerly GAF Chemicals Corporation) for an underground injection control permit (Proposed Permit No. WDW-299) to authorize the construction and operation of an additional hazardous waste disposal well at its Texas City plant. The proposed well will be used to dispose of hazardous wastewaters generated on-site during the manufacturing of acetylene based products. WDW-299 is to be approximately four miles north of La Marque at Highway 146 and Industrial Road, approximately 3,900 feet north and 900 feet east of the southwest corner of the John W. Little Survey, A-17, Galveston County, Texas.

Approved, PR/PG

Item 4. APPLICATION BY U.S. ARMY/LONE STAR ARMY AMMUNITION PLANT for a permit (Proposed Permit No. HW-50292) to authorize the continued operation of an existing Class I hazardous industrial solid waste storage and processing facility. The facility is contiguous to the south side of U.S. Highway 82, twelve miles west of Texarkana and nine miles east of New Boston, in an unincorporated portion of Bowie County, Texas.

Remand to Office Hearings Examiner

Item 5. APPLICATION BY JIM LINK dba Long Corral Dairy for a permit (Proposed Permit No. 03413) to authorize the disposal of waste and wastewater from a dairy which consists of a maximum of 650 milking head and a maximum of 550 heifers. The dairy is on the north side of an unnamed county road, approximately three and one half miles east of the intersection of Farm-to-Market

Road 3140 and State Highway 60 in Parmer County, Texas.

Approved, PR/PG

Item 6. APPLICATION BY NURI CORPORATION for a permit (Proposed Permit No. 03348) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 550 head. The dairy is located on the north side of Farm-to-Market Road 1870, approximately two and one half miles northwest of the intersection of Farm-to-Market Road 1870 and State Highway 11 in Hopkins County, Texas.

Approved, PR/PG

Item 7. APPLICATION BY U.S. DEPARTMENT OF ENERGY for a permit (Proposed Permit No. 03422) to authorize the disposal of treated domestic wastewater from a scientific research facility by irrigation on 1.8 acres of non-publicly accessible pastureland. The disposal volume is not to exceed 12,000 gallons per day average in the final phase. The permit also authorizes disposal of cooling tower blowdown and low volume building floor drain water by evaporation. The plant site, irrigation site and evaporation pond are on Hoyt Road, approximately 1000 feet north of the intersection of Farm-to-Market Road 1446 and Hoyt Road, approximately 4.5 miles west of the intersection of Interstate Highway 35E and Farm-to-Market 1446 in Ellis County, Texas.

Approved, PR/PG

Item 8. APPLICATION BY CITY OF EASTLAND for an amendment to Permit No. 10637-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 400,000 gallons per day to a volume not to exceed an average flow of 900,000 gallons per day. The wastewater treatment facilities are approximately one mile southeast of the intersection of State Highway 6 and U. S. Highway 80 and 1.4 miles northeast of the intersection of State Highway 6 and Interstate Highway 20, at the east end of Smith Street in the City of Eastland in Eastland County, Texas.

Approved, PR/PG

Item 9. APPLICATION BY CITY OF FRITCH for an amendment to Permit No. 10566-01 to authorize an increase in the disposal volume of treated domestic wastewater effluent from an average not to exceed 230,000 gallons per day to an average not to exceed 400,000 gallons per day. The treated wastewater is disposed of evaporation and by irrigation on 311.43 acres of rangeland. The wastewater treatment facility is located at the north end of Cornell Street in the City of Fritch, Hutchinson County, Texas. The facultative lagoon/oxidation ponds/irrigation sites are approximately one mile north of the intersection of State Highway 136 and Farm-to-Market Road 687 in Hutchinson County, Texas.

Approved, PR/PG

Item 10. APPLICATION BY HOUSTON LIGHTING AND POWER COMPANY for an amendment to Permit No. 01241 in order to add Outfall 101 to regulate the discharge of chemical metal cleaning waste and ash pond wastewaters. The permit currently authorizes the discharge of once through cooling water and previously

monitored wastewaters via Outfall 001 at a volume not to exceed an average flow of 1,616,000,000 gallons per day plus flow variable discharges of low volume wastewaters and treated sanitary wastewaters via Outfalls 002-006. The plant site is between Cedar Bayou and Trinity Bay approximately one mile east of the City of Baytown, Chambers County, Texas.

Approved, PR/PG

Item 11. APPLICATION BY U.S. DEPARTMENT OF THE ARMY for an amendment to Permit No. 02713 in order to route most of the treated wastewater discharged via Outfall 002 to an expanded treatment system where it will be discharged through Outfall 001. The proposed amendment would: (1) increase the discharge of treated wastewater via Outfall 001 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 500,000 gallons per day; and (2) decrease the discharge of treated sewage effluent via Outfall 002 from a volume not to exceed an average flow of 35,000 gallons per day to a volume not to exceed an average flow of 900 gallons per day. The permit currently authorizes a discharge of treated wastewater from a water treatment plant via Outfall 003 to a volume not to exceed an average flow of 90,000 gallons per day, which will remain the same. The plant site is adjacent to Caddo Lake with the Town of Uncertain at the northern boundary and the Town of Karnack at the western boundary, Harrison County, Texas.

Approved, PR/PG

Item 12. CONSIDERATION OF a minor amendment to Permit No. 10408-07, issued to EL PASO WATER UTILITIES PUBLIC SERVICE BOARD in order to update the terms and format and to include a specific term of two years. The permit authorizes disposal of treated domestic wastewater effluent by well injection (in order to recharge the Hueco Bolson) and/or to a nearby power station for industrial reuse. The domestic wastewater is treated to drinking water standards prior to disposal. The disposal volume is not to exceed an average of 10,000,000 gallons per day. The plant site is approximately 1.2 miles east of U.S. Highway 54, 3 miles south of the intersection of U.S. Highway 54 and Farm-to-Market Road 2637. The injection well field is located 2 miles west of the plant site in El Paso County, Texas.

Approved, PR/PG

Item 13. APPLICATION BY CANUTILLO INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11561-01 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 located on the southeast corner of the high school campus, at the corner of Canutillo Street and 6th Street, in the City of Canutillo in El Paso County, Texas.

Approved, PR/PG

Item 14. APPLICATION BY CITY OF CUSHING for renewal of Permit No. 10437-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 81,000 gallons per day. The wastewater treatment facilities are approximately 200 feet south of the intersection of Fourth Street and Spruce Avenue in Nacogdoches

County, Texas.

Approved, PR/PG

Item 15. APPLICATION BY HUFFMEISTER 157, LTD. for renewal of Permit No. 13237-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,000,000 gallons per day. The renewed permit would decrease the flow to 650,000 gallons per day average. The wastewater treatment facilities are along Little Cypress Creek, approximately 1600 feet west of Telge Road and 3000 feet north of Huffmeister Road in Harris County, Texas.

Approved, PR/PG

Item 16. APPLICATION BY KLEIN INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 12224-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 11,000 gallons per day. The wastewater treatment facilities are at the Klein I.S.D. Transportation Center, 2000 feet east and 2000 feet north of the intersection of Stuebner Airline Road and Spring Cypress Road in Harris County, Texas.

Approved, PR/PG

Item 17. APPLICATION BY FRANK NEWTON for renewal of Permit No. 11249-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 35,000 gallons per day. The wastewater treatment facilities are located about 1000 feet northeast of West Port Arthur Road and immediately west of Viterbo Road in Jefferson County, Texas.

Approved, PR/PG

Item 18. APPLICATION BY CITY OF PITTSBURG for renewal of Permit No. 10250-02 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 Dry Creek Wastewater Treatment Plant is located approximately 1.3 miles southeast of the intersection of Arch Davis Road and Lafayette Street in the southeast section of the City of Pittsburg in Camp County, Texas.

Approved, PR/PG

Item 19. APPLICATION BY RICHMOND STEEL, INC. for renewal of Permit No. 02527 which authorizes a discharge of treated industrial wastewater and domestic sewage effluent at a volume not to exceed an average flow of 14,000 gallons per day from a structural steel erection, equipment rental and equipment cleaning facility. The renewed permit would delete the industrial wastestream and the provisions for the industrial wastewater. The renewed permit would also be assigned a municipal permit and assigned a new permit no., Permit No. 13568-01, since industrial wastewater will no longer be discharged. The wastewater treatment facilities are located approximately 1,000 feet south of the intersection of Little York Road and North Houston-Rosslyn Road in the City of Houston, Harris County, Texas.

Approved, PR/PG

Item 20. APPLICATION BY SUNBELT FEDERAL SAVINGS, FSB for renewal of

Permit No. 13238-01 which authorizes the disposal of treated domestic wastewater effluent by irrigation on 100.5 acres of land. The disposal volume is not to exceed an average of 190,000 gallons per day from the wastewater treatment facility. The plant site and irrigation site are approximately 700 feet north of Farm-to-Market Road 2244, approximately two miles east of the intersection of Farm-to-Market Road 2244 and State Highway 71 in Travis County, Texas.

Approved, PR/PG

Item 21. APPLICATION BY CITY OF TAYLOR for renewal of Permit No. 10299-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,750,000 gallons per day. The wastewater treatment facilities are approximately 3,200 feet south of the intersection of U.S. Highway 79 and Farm-to-Market Road 112 and just east of Mustang Creek, southeast of the City of Taylor in Williamson County, Texas.

Approved, PR/PG

Item 22. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY for renewal of Permit No. 01784 which authorizes a discharge of once through cooling water and previously monitored effluent via Outfall 001 at a volume not to exceed an average flow of 3,045,000 gallons per day into Martin Lake at the Martin Lake Steam Electric Power Station. The permit also authorizes flow variable discharges via Outfall 002 from Martin Lake; thence to Martin Creek; thence to the Sabine River in Segment No. 0505 of the Sabine River Basin. Outfall 003 regulates the intermittent, flow variable discharges from solid waste disposal areas. The Martin Lake Steam Electric Power Station is located adjacent to Martin lake, east of Farm to Market Road 2658 and approximately 5 miles southwest of the City of Tatum, Rusk-Panola Counties, Texas.

Approved, PR/PG

Item 23. APPLICATION BY U.S. DEPARTMENT OF AGRICULTURE - FOREST SERVICE for renewal of Permit No. 12263-01 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 approximately 5.5 miles east of the intersection of Farm-to-Market Road 2743 and State Highway 63, and approximately 0.5 mile northeast of the dead end of Farm-to-Market Road 2743 near the shore of Sam Rayburn Reservoir in Angelina County, Texas.

Approved, PR/PG

Item 24. APPLICATION BY U.S. DEPARTMENT OF AGRICULTURE-FOREST SERVICE for renewal of Permit No. 12269-01 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 on the north side of Forest Road 132, approximately 2 miles east of the intersection of Farm-to-Market Road 3184, Forest Road 126 and Forest Road 132; on the shores of Toledo Bend Reservoir at the Brushy Creek inlet in the Sabine National Forest in Shelby County, Texas.

Approved, PR/PG

Item 25. APPLICATION BY WEST TEXAS UTILITIES COMPANY for renewal of Permit No. 01422 which authorizes a discharge of once through cooling water at a volume not to exceed an average flow of 433,200,000 gallons per day. The Fort Phantom Steam Electric Station is located approximately 12 miles north of the City of Abilene on Farm to Market (FM) Road 2833 and further located as 2.8 miles south of the intersection of FM 2833 and FM 1082, Jones County, Texas.

Approved, PR/PG

Item 26. APPLICATION BY WESTERN LITHO PLATE AND SUPPLY CO. for renewal of Permit No. 02165 which authorizes a discharge of anodizer and brush grainer wastewater and stormwater at a volume not to exceed an average flow of 375,000 gallons per day from the Western Lithotech Plant which produces anodized lithographic printing plates. The plant site is adjacent to and on the east side of U.S. Highway 69 about 2.3 miles north of the City of Jacksonville, Cherokee County, Texas.

Approved, PR/PG

Item 27. APPLICATION BY WILLIAMS & WAGNER CONSTRUCTION COMPANY for renewal of Permit No. 11145-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The wastewater treatment facilities are north of Old Humble Road, approximately 500 feet east of U.S. Highway 59 in Harris County, Texas.

Approved, PR/PG

Item 28. CONSIDERATION OF EXAMINER'S MEMORANDUM AND PROPOSED PERMIT CONCERNING THE APPLICATION OF PAUL RAY SCHUMAN FOR PERMIT NO. 03294 TO AUTHORIZE THE DISPOSAL OF WASTE AND WASTEWATER BY DISPOSAL ON AGRICULTURAL LAND IN HILL COUNTY, TEXAS, AND SEGMENT NO. 1227 OF THE BRAZOS RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (ZUKAUCKAS

Adopt Examiner's Memorandum and Issue Order, PR/PG

Item 29. APPLICATION BY PARK CENTRAL MUNICIPAL UTILITY DISTRICT OF JEFFERSON COUNTY; \$12,565,000 BOND ISSUE APPROVED March 31, 1980. For Commission consideration and action. Applicant requests the approval to use \$834,170 in surplus construction funds to pay the second installment for the District's pro rata share of the costs of wastewater collection, transmission and treatment facilities constructed by the City of Port Arthur to serve the Developed Areas of the District.

Approved, PR/PG

Item 30. APPLICATION BY HULL FRESH WATER SUPPLY DISTRICT OF LIBERTY COUNTY FOR APPROVAL OF \$450,000 OF UNLIMITED TAX AND REVENUE BONDS, SECOND ISSUE. For Commission consideration and action. The District requests the approval to issue \$450,000 in unlimited tax and revenue bonds to finance the construction of a wastewater collection system and wastewater treatment facility in order to provide wastewater services to the residents of the District.

Approved, PR/PG

Item 31. APPLICATION OF BROADCASTING CORPORATION OF THE SOUTHWEST DBA

TIMBERWILDE ADDITION WATER SYSTEM for a water Certificate of Convenience and Necessity in Walker County, TX (Application No. 9123-C, Mayhew)

Approved, PG/PR

Item 32. APPLICATION OF CALICO WATER SUPPLY, INC. to amend Water Certificate of Convenience and Necessity Number 12023 in Atascosa County, Texas (Application No. 9316-C, Holck)

Approved, PG/PR

Item 33. APPLICATION NO. 06-3237A BY CITY OF TYLER TO AMEND CERTIFICATE OF ADJUDICATION NO. 06-3237. For Commission action. Applicant seeks to amend Certificate No. 06-3237, which includes authorization to divert and use not to exceed 1800 acre-feet of water per annum from Bellwood Lake on Indian Creek, Neches River Basin, for industrial purposes, by changing the purpose of use of 300 acre-feet of this water to irrigation use in Smith County. (JORDAN;tls)

Approved, PG/PR

Item 34. CONSIDERATION OF THE VOLUNTARY CANCELLATION OF CERTIFICATE OF ADJUDICATION NO. 21-3045 HELD BY RICHARD W. CRAIG, ET AL., IN ACCORDANCE WITH TEXAS ADMINISTRATIVE CODE SECTION 297.71. (Smith, D.)

Approved, PR/JH

Item 35. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY OF THE CITY OF JOHNSON CITY (PERMIT NO. 10198-01). (CHONG)

Approved, PR/JH

Item 36. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY OF THE CITY OF TEMPLE (PERMIT NO. 10470-02). (CHONG)

Approved, PR/JH

Item 37. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY OF CHEVRON USA, INC./GALENA PARK TERMINAL (PERMIT NO.01745-01 & 02). (CHONG)

Approved, PR/JH

Item 38. CONSIDERATION OF TWC ENTERING INTO CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR THE BOARD TO SUPPLY DATA SETS IN APPROPRIATE FORMATS FOR USE BY RIVER AUTHORITIES IN THE SB 828 PROGRAM. (J. SMITH)

Approve Staff Recommendation, JH/PR

Item 39. CONSIDERATION OF THE CONSOLIDATION BUDGET AMENDMENT FOR THE TEXAS WATER COMMISSION AND THE TEXAS DEPARTMENT OF HEALTH, AND OTHER BUDGET AMENDMENTS FOR THE FY 1992 OPERATING BUDGET.

Continued to February 26, 1992 at 9:00 a.m.





ADDENDUM TO UNCONTESTED AGENDA

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 40. CONSIDERATION OF THE BUDGET AMENDMENT FOR 1992 OPERATING BUDGET.

Approved, JH/PR

UNCONTESTED OLD BUSINESS

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of January 15 and January 22, 1992.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY OF U.S. AIR FORCE (EL DORADO BASE) (PERMIT NO. 03101-01). (LEHMKUHLE)

Continued to March 25, 1992 at 9:00 a.m.

Item carried forward from Agenda of January 22, 1992 and February 5, 1992.

- Item 2. APPLICATION BY OWEN SIEPERDA for a permit (Proposed Permit No. 03398) to authorize the disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 700 milking head with a maximum of 1000 total. The dairy is on the west side of an unnamed county road; approximately 1 mile west of the Community of Live Oak; approximately 1.5 miles east of Farm-to-Market Road 1702; and approximately 4 miles south of the intersection of Farm-to-Market 1702 and Farm-to-Market Road 219 in Erath County, Texas.

Approved, PR/PG

CONTESTED AGENDA

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

10:00 a.m.  
Room 118

- Item 1. CONSIDERATION ON whether Temporary Order No. 92-1T, should be issued to TEXAS DEPARTMENT OF CRIMINAL JUSTICE pursuant to 26.0191, Texas Water Code, and 31 TAC 305.21-305.30 of the Rules of the Texas Water Commission. The Texas Department of Criminal Justice has applied for a Temporary Order to authorize the diversion and disposal of process wastewater from the Ramsey III Prison Unit cannery at a volume not to exceed 270,000 gallons per day. Upon completion of the treatment facilities, the wastewater diverted to the lagoons will be treated in the overland flow system before being discharged into Horseshoe Lake, which will serve as a holding pond. The Ramsey III Prison Unit is located on the west bank of Oyster Creek along FM 655, approximately 9 miles northwest of the City of Angleton in Brazoria County, Texas.

Issue Order as Proposed, JH/PR

- Item 2. CONSIDERATION ON whether Temporary Order No. 92-2T, should be issued to NEW BRAUNFELS UTILITIES pursuant to 26.0191, Texas Water Code, and 31 TAC 305.21-305.30 of the Rules of the Texas Water Commission. New Braunfels Utilities has applied for a Temporary Order to authorize the discharge of a daily average loading rate of 1,018 pounds per day of five-day biochemical oxygen demand and 1,018 pounds per day of total suspended solids via a diversion from NBU's South Plant to its North Plant. The North Plant is located approximately 1/2 mile east of FM 725 and 1/2 mile south of IH-35 on Kuehler Avenue in New Braunfels, Comal County, Texas. The South Plant is located approximately 1,500 feet southeast of the intersection of Kuehler Avenue and Eastland Terrace in New Braunfels.

Issue Order as Proposed, PR/PG

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF CROWN CENTRAL PETROLEUM CORPORATION, HARRIS COUNTY, SWR NO. 30311. (Warneke)

Continued to April 15, 1992 at 10:00 a.m.

- Item 4. CONSIDERATION OF THE ADOPTION OF AMENDMENTS, REPEALS AND NEW SECTIONS TO 31 TEXAS ADMINISTRATIVE CODE, CHAPTER 335, SUBCHAPTER J, CONCERNING INDUSTRIAL SOLID WASTE AND HAZARDOUS WASTE FEE SYSTEM, WHICH WILL IMPLEMENT PROVISIONS OF H.B. 1986 AND RESTRUCTURE THE EXISTING HAZARDOUS WASTE FEE PROGRAM. (Minick)

Continued to February 26, 1992 at 10:00 a.m.

- Item 5. 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

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

10:00 a.m.  
Room 118

Item 6. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT AND PROPOSED ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ANHEUSER-BUSCH, INC. WATER QUALITY PERMIT NO. 02033. (RAY, LAURA).

Issue Agreed Order, JH/PR

(Due to unforeseeable circumstances this item must be placed on this agenda.)

SECOND EMERGENCY TO CONTESTED AGENDA

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

10:00 a.m.  
Room 118

Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR AN EMERGENCY ORDER REQUIRING VOLUNTARY PURCHASING GROUPS, INC. BONNY CORPORATION, H. LEE CAIN AND BETTY JANE CAIN, AND SOUTHERN PACIFIC TRANSPORTATION COMPANY TO UNDERTAKE CERTAIN ACTIONS AT OR NEAR THE FORMER SITE OF THE HI-YIELD CHEMICAL COMPANY. (WARNEKE)

Proceed with Emergency Response Program. Voluntary Purchasing Groups, Inc. will repair fence and post signs of Unauthorized Personnel Keep Out. Appropriate billings will be sent to responsible parties. PR/PG

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR EMERGENCY ORDERS AUTHORIZING CHEMICAL WASTE MANAGEMENT, INC., TO STORE AND REPACK CERTAIN PESTICIDE WASTES AND AUTHORIZING DOW CHEMICAL COMPANY TO STORE, PROCESS AND DISPOSE OF CERTAIN AGRICULTURAL CHEMICAL WASTES FROM THE TEXAS WATER COMMISSION'S 1992 AGRICULTURAL CHEMICAL WASTE COLLECTION. (Hall)

Issue Emergency Order, JH/PG

(Due to unforeseeable circumstances these item must be placed on this agenda.)

CONTESTED OLD BUSINESS

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

10:00 a.m.  
Room 118

Item carried forward from agenda of December 18, 1991.

- Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE PETITION OF JEANA J. WERD dba WERD's WATER WORKS FOR CANCELLATION OF CCN NO. 12477 AND DISCONTINUE WATER UTILITY SERVICE TO HER CUSTOMERS IN TARRANT COUNTY, DOCKET NO. 8759-Q. RECOMMENDATION: DENIAL OF PETITION. (O'NEAL)

Approve Proposal for Decision and Deny Petition with report and plan from staff due within 60 days, February 19, 1992. PR/JH

Continued to March 18, 1992 at 10:00 a.m.

Item carried forward from agenda of November 6, 1991.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF PHOENIX OIL, INC. (BOB WARNEKE) (SWR# 32479)

Remand to Office Hearings Examiner, PR/PG



DOCKET

Wednesday, February 19, 1992

TEXAS WATER COMMISSION

10:00 a.m.  
Room 118

Item 1. IN THE MATTER OF THE REQUEST FOR AN EMERGENCY ORDER TO AUTHORIZE MODIFICATIONS TO THE HAZARDOUS WASTE INCINERATOR OPERATED BY ROLLINS ENVIRONMENTAL SERVICES (TX.), INC. AT ITS FACILITY LOCATED IN DEER PARK, HARRIS COUNTY, TEXAS. (DICKMAN, STEPHEN)

Set Aside Emergency Order, PR/PG