

UNCONTESTED AGENDA

Wednesday, March 18, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY ABB VETCO GRAY, INC. for a permit (Proposed Permit No. 13578-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000 gallons per day. The plant site is at 11800 Charles Street; approximately 1.0 mile west-northwest of the intersection of U.S. Highway 290 and Farm-to-Market 529 in Harris County, Texas.

Approved, PR/JH

Item 2. APPLICATION BY ASSOCIATED MILK PRODUCERS, INC. for a permit (Proposed Permit No. 03390) to authorize disposal of process wastewater and boiler blowdown from a dairy processing plant know as the Winnsboro Plant. The effluent can either be used to irrigate approximately 116 acres of company-owned land or be discharged into the City of Winnsboro's sanitary sewer system. The plant and irrigation sites are at 1015 E. Broadway near the City of Winnsboro, Wood County, Texas.

Approved, PR/JH

Item 3. APPLICATION BY HARVEY D. MAYFIELD dba Harvey D. Mayfield Dairy for a permit (Proposed Permit No. 03407) to authorize disposal of wastes and wastewater from a dairy which will consist of a maximum of 500 head. The dairy is located on the south side of an unnamed county road, approximately two miles southwest of the intersection of Farm-to-Market Road 8 and Farm-to-Market Road 219 in Erath County, Texas.

Approved, PR/JH

Item 4. APPLICATION BY AZTEX DAIRY, INCORPORATED for an amendment to Permit No. 02953 in order to add a surge basin and increase the amount of land used for irrigation to 691 acres. The permit authorizes disposal of waste and wastewater from a dairy which consists of a maximum of 1200 milking head with 100 dry cows. The dairy is approximately one mile west of the intersection of State Highway 219 and Farm-to-Market Road 2156; 2.7 miles northwest of the intersection (within the City of Dublin) of U.S. Highways 67/377 and State Highway 6 in Erath County, Texas.

Approved, PR/JH

Item 5. APPLICATION BY CITY OF CLAUDE for an amendment to Permit No. 10042-01 to authorize an increase in the disposal volume of treated domestic wastewater effluent from a volume not to exceed 60,000 gallons per day average to a volume not to exceed 150,000 gallons per day average. The wastewater treatment facility and evaporation and irrigation sites are approximately 3/4 mile east of the intersection of U.S. Highway 287 and State Highway 207 (Hurley Avenue) in the City of Claude in Armstrong County, Texas.

Continued to April 1, 1992 at 9:00 a.m.

Item 6. APPLICATION BY FOLGER COFFEE COMPANY for an amendment to Permit No. 02486 to authorize an increase in the effluent limitations for total dissolved solids for the irrigation water from 1500 mg/l to 2800 mg/l. The proposed amendment has also added a provision requiring the permittee to conduct a groundwater investigation. The permit authorizes disposal of treated process wastewater from a coffee and fruit juice processing plant by irrigation on 120 acre of grassy plots on company property. The disposal volume is not to exceed an average of 20,000,000 gallons per month averaged over the months of May through September. The disposal volume is not to exceed an average of 4,000,000 gallons per month averaged over the months of October through April. The plant site is at 300 West FM Road 1417, which is located at the southwest corner of the intersection of FM Road 1417 and Howe Drive, in the City of Sherman, Grayson County, Texas.

Approved, PR/JH

Item 7. APPLICATION BY CITY OF LINDEN for an amendment to Permit No. 10429-03 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 310,000 gallons per day to a volume not to exceed an average flow of 350,000 gallons per day. The plant site is approximately 7000 feet southeast of the intersection of Farm-to-Market Road 125 and U.S. Highway 59 in Cass County, Texas.

Remand to Executive Director for Further Processing, PR/JH

Item 8. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY for an amendment to Permit No. 01248 to authorize an increase in the discharge of cooling tower blowdown from a volume not to exceed an average flow of 600,000 gallons per day to a volume not to exceed an average flow of 800,000 gallons per day. The permit currently authorizes intermittent, flow variable discharges of low volume water, stormwater and/or previously monitored effluents via Outfall 002, which will remain the same. The applicant operates the Dallas Steam Electric Station. The plant site is in Block 392 and 393 at 2707 Flynn Street in the City of Dallas, Dallas County, Texas.

Approved, PR/JH

Item 9. APPLICATION BY CITY OF CORPUS CHRISTI for renewal of Permit No. 10401-09 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 800,000 gallons per day from the Whitecap Wastewater Treatment Plant. The permittee is also authorized to use the treated effluent to irrigate the Padre Island golf course. The plant site is at the west end of Whitecap Boulevard, on Padre Island in the City of Corpus Christi in Nueces County, Texas.

Approved, PR/JH

Item 10. APPLICATION BY CITY OF HOUSTON for renewal of Permit No. 10495-78 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000,000 gallons per day. The Intercontinental Airport Regional Wastewater Treatment Facilities are south of and adjacent to Rankin Road and approximately 3000 feet east of

Aldine-Westfield and Rankin Road intersection in the City of Houston in Harris County, Texas.

Approved, PR/JH

Item 11. APPLICATION BY CITY OF HOUSTON for renewal of Permit No. 10495-79 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,330,000 gallons per day from the Southeast Wastewater Treatment Facilities. The plant site is approximately 1,320 feet southeast of Kingspoint Road, just to the southwest of the southern terminus of Granadier Street, approximately 2,640 feet south of Fuqua Road in South Houston in Harris County, Texas.

Approved, PR/JH

Item 12. APPLICATION BY LEDBETTER MARINA, INC. for renewal of Permit No. 11101-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 10,000 gallons per day. The wastewater treatment facilities are on the north side of Farm-to-Market Road 255, approximately four miles west of the intersection of U.S. Highway 96 and F.M. 255 in Jasper County, Texas.

Approved, PR/JH

Item 13. APPLICATION BY TEXAS INDUSTRIES, INC. for renewal of Permit No. 02170 which authorizes a discharge of washwater, groundwater seepage and stormwater at a volume not to exceed 900,000 gallons per day average and a discharge of mine drainage water and stormwater at a volume not to exceed 2,700,000 gallons per day average. The applicant operates a sand and gravel mining and washing operation which is located along Tin Top Road with the mining operation adjacent to each side of the Brazos River, approximately 1.5 miles southwest of the Community of Tin Top, Parker County, Texas.

Approved, PR/JH

Item 14. APPLICATION BY VIA RANCH MUNICIPAL UTILITY DISTRICT NO. 4 for renewal of Permit No. 13245-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,000,000 gallons per day from the Via Ranch Regional Wastewater Treatment Facilities. The plant site is approximately 1100 feet west-northwest of the intersection of Farm to Market Road 1093 and Harlem Road in Fort Bend County, Texas.

Approved, PR/JH

Item 15. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF CLAYTON KETCHUM dba KETCHUM FARM SOUTH FOR PERMIT NO. 03421 TO AUTHORIZE THE DISPOSAL OF WASTES FROM A DAIRY FARM IN ERATH COUNTY, TEXAS. RECOMMENDATION: ISSUANCE OF PERMIT. (O'NEAL)

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

Item 16. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF DOG RIDGE WATER SUPPLY CORPORATION FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10048 AND CANCELLATION OF CCN NO. 11380 TO PROVIDE WATER SERVICE IN BELL COUNTY, TEXAS. DOCKET NO. 8584-S.

RECOMMENDATION: Adoption of agreement of parties. (O'NEAL)

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

Item 17. CONSIDERATION OF THE VOLUNTARY CANCELLATION OF CERTIFICATE OF ADJUDICATION NO. 23-2685 HELD BY EARL A. KELLEY, BETTY JO DENNIS, AND PAULINE E. ALTIC IN ACCORDANCE WITH 31 TEXAS ADMINISTRATIVE CODE SECTIONS 297.71 AND 297.175. (Keils)

Approve, PR/PG

Item 18. APPLICATION BY CYPRESS-KLEIN UTILITY DISTRICT OF HARRIS COUNTY; APPLICATION FOR APPROVAL OF THE ISSUANCE OF \$1,770,000 IN UNLIMITED TAX BONDS, 7.932% NET EFFECTIVE INTEREST RATE, SERIES 1992. For Commission consideration and action. Applicant requests approval of the issuance of \$1,770,000 in tax bonds to finance water, wastewater & drainage improvements for Wimbledon Forest Section 1 & 2; dechlorination facilities; construct water plant; emergency generators; drainage impact fees; emergency water interconnect; repayment of a BAN & purchase land for a detention pond. (Hagen)

Approve PG/PR

Item 19. APPLICATION BY HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 75 FOR APPROVAL OF A \$3,005,000 UNLIMITED TAX BOND ISSUE, 7.9381% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests approval for an unlimited tax bond issue to finance the replacement of existing water and wastewater lines, installation of drainage facilities, improvements to existing water treatment plant & removal of existing wastewater treatment plant & connecting to Clear Lake City Water Authority's wastewater treatment system. (Cook)

Approve, PR/PG

Item 20. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 7 OF FORT BEND COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$1,650,000 BOND ISSUE APPROVED March 27, 1986. For Commission consideration and action. The District is requesting the use of \$138,446 in surplus funds to finance the utility infrastructure to serve Camellia Street, water and drainage facilities to serve Matlage Way, drainage improvements, developer interest and contingency costs.

Approve, PR/PG

Item 21. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 237 FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$4,015,000 BOND ISSUE APPROVED March 27, 1986. For Commission consideration and action. Applicant requests approval of the release of \$59,539 of escrowed funds to finance the District's 70% share of the costs associated with the construction of water and wastewater facilities for Mills Road Crossing.

Approve, PG/PR

Item 22. APPLICATION OF MIRANDO CITY WSC for a CCN and to purchase the water system of Los Ojuelos Water Company, Inc. in Webb County, TX (Application Nos. 9250-C and 9251-S, Holck)

Approve, PR/JH

Item 23. APPLICATION OF RAYMOND C. WIEDENFELD DBA WIEDENFELD WATER WORKS to amend CCN No. 12052, to cancel CCN No. 12594, and to purchase E. R. Irving dba Verde Park Estates Water System and L. E. Irving dba Verde Creek Estates Water System in Kerr County, TX (Application Nos. 9247-C and 9211-S, Holck)

Approve, PR/JH

Item 24. APPLICATION OF INDIAN LAKE ESTATES, INC. to Cancel CCN No. 11365, in Cameron County, TX (Application No. 9383-Q, Holck)

Approve, PR/JH

Item 25. APPLICATION OF TRAVIS COUNTRY UTILITY DISTRICT, INC. to Discontinue Sewer Utility Service and Cancel Sewer CCN No. 20498 in Travis County, Tx (Application No. 9339-Q, Fenner)

Approve, PR/JH

Item 26. APPLICATION OF PLEASANT OAKS DEVELOPMENT CORPORATION for a Rate/Tariff Change; Certificate of Convenience and Necessity No. 12266 in Bexar County, TX (Application No. 9284-G, Arroyo)

Approve, PR/JH

Item 27. APPROVAL OF THE NEGOTIATED SETTLEMENT OF APPLICATION OF JOHN M. VANYA AND DAVID A. VANYA, A TEXAS GENERAL PARTNERSHIP DBA WATER MAINTENANCE COMPANY, for a Rate/Tariff Change for the Garden Acres and Shepherd Hills Subdivisions; Certificate of Convenience and Necessity (CCN) No. 12056 in Polk County, TX (Application No. 9262-G, Strouse)

Approve, PR/JH

Item 28. APPLICATION BY CRYSTAL MOUNTAIN AT BARTON SPRINGS HOMEOWNERS ASSOCIATION for approval of a negotiated settlement of a rate/tariff change; Certificate of Convenience and Necessity (CCN) No. 12304 in Travis County (Application No. 9311-G, Strouse)

Approve, PR/JH

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, March 18, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 29. APPLICATION NO. 18-2001A BY CARL D. MEEK TO AMEND CERTIFICATE OF ADJUDICATION NO. 18-2001. FOR COMMISSION ACTION. Applicant seeks to amend the certificate by increasing the annual appropriation of water from the Guadalupe River from 41 to 141 acre-feet (based on a subordination agreement with the GBRA), and to increase the acreage to be irrigated per annum from 30 to 100 acres, approximately 3.5 miles southeast of Kerrville, Kerr County, Texas. (JORDAN/jme)

Continued to April 1, 1992 at 9:00 a.m.

Item 30. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH QUALTEC, INC., FOR CONSTRUCTION OF THE PHASE A REMEDIAL ACTION ON THE UNITED CREOSOTING SUPERFUND SITE. (P.CRAVENS)

Approve Staff Recommendation, PR/PG

UNCONTESTED OLD BUSINESS

Wednesday, March 18, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of December 18, 1991.

- Item 1. APPLICATION BY BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 FOR APPROVAL OF STANDBY FEE. For Commission consideration and action. Applicant requests approval to adopt and impose an annual total standby fee of \$289,965 to supplement the debt service account.

Continued to May 20, 1992 at 9:00 a.m.

Item carried forward from Agenda of March 4, 1992.

- Item 2. APPLICATION NO. 5390 BY JOE M. AND DONNAL. RILEY FOR A TEXAS WATER CODE SECTION 11.143 WATER USE PERMIT APPLICATION. FOR COMMISSION ACTION. Applicant seeks to divert 96 acre-feet of water per annum from an existing exempt reservoir (66 acre-foot capacity) on an unnamed tributary of Resley Creek, Brazos River Basin for irrigation purposes in Erath County, 14 miles southwest of Stephenville, Texas. (JORDAN/lb)

Approve Staff Recommendation, JH/PR

Item carried forward from Agenda of March 4, 1992.

- Item 3. APPLICATION BY CITY OF LA FERIA UTILITY BOARD for renewal of Permit No. 10697-01 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 1.7 miles south of the intersection of Farm-to-Market 506 with U.S Highway 83 and then west along Dodd Lane approximately 1,000 feet in Cameron County, Texas. (This item was remanded to Executive Director for a question on the variance requested. Executive Director has reached an agreement with parties on variance and request approval of permit.)

Approve, JH/PR

Item carried forward from Agenda of March 11, 1992.

- Item 4. APPLICATION BY TEXAS INSTRUMENTS for a permit (Proposed Permit No. HW50309) to operate a Class I hazardous and non-hazardous industrial solid waste storage and processing facility. The facility is to be located on a 10.7-acre tract of company-owned land at 6410 Highway 75 South, on the south edge of the City of Sherman, Grayson County, Texas.

Approve, JH/PR

Item carried forward from Agenda of March 11, 1992.

- Item 5. APPLICATION BY KELLY LANE UTILITY COMPANY for renewal of Permit No. 13219-01 which authorizes a discharge of treated domestic wastewater effluent in phases at a volume not to exceed an average flow of 2,000,000 gallons per day. The first phase authorizes the disposal of effluent by irrigation with a application rate not to exceed 0.86 acre-feet/acre/year. The wastewater treatment facilities are located approximately 2,500 feet east of Farm-to-Market Road 685, and approximately 1,600 feet north of Kelly Lane in Travis County, Texas.

Approve as Recommended by Staff, JH/PR

CONTESTED AGENDA

Wednesday, March 18, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF EURECAT U. S. INCORPORATED, SWR NO. 34730. (Alvarado)

Remand to Office Hearing's Examiner, PR/PG

Item 2. COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS LITIGATIONS AND RELATED AGENCY ACTIONS OF THE COMMISSION CONCERNING EDWARDS AQUIFER.

No Action Taken