

UNCONTESTED AGENDA

Wednesday, April 8, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY CITY OF DAISSETTA for renewal of Permit No. 10736-01 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 wastewater treatment facilities are approximately 1500 feet north of the City of Daisetta, at a point approximately 1000 feet east of Farm-to-Market Road 770 in Liberty County, Texas.

Approved, PG/PR

Item 2. APPLICATION BY LILLIAN ELLIOTT for renewal of Permit No. 11528-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 21,000 gallons per day from the Elliott Addition Wastewater Treatment Facilities. The plant site is on the bank of Cottonwood Creek, approximately 1500 feet east of State Highway 60 and 1.6 miles north of State Highway 35 in Bay City in Matagorda County, Texas.

Approved, PG/PR

Item 3. APPLICATION BY HARDIN-JEFFERSON INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11042-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 9,000 gallons per day. The wastewater treatment facilities are approximately 0.3 mile east of Farm-to-Market Road 326 and 0.3 mile north of the intersection of Farm-to-Market 326 and Pine Island Bayou, in the southeast corner of the Hardin-Jefferson High School campus in Hardin County, Texas.

Approved, PG/PR

Item 4. APPLICATION BY CITY OF HUMBLE for renewal of Permit No. 10763-03 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 Timberwood Subdivision Wastewater Treatment Facilities. The renewed permit would decrease the flow to 650,000 gallons per day average. The plant site is approximately 150 feet west of the intersection of Kingfisher and Pheasant Run and approximately 2,000 feet west of the crossing of Garners Bayou and Atascotia Road, south of the City of Humble in Harris County, Texas.

Approved, PG/PR

Item 5. APPLICATION BY CITY OF MOODY for renewal of Permit No. 10225-01 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 wastewater treatment facilities are approximately 1500 feet northwest of the intersection of State Highway 317 and Farm-to-Market Road 107 in Moody, McLennan County, Texas.

Approved, PG/PR

Item 6. APPLICATION BY WEST HARDIN COUNTY CONSOLIDATED INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11274-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000 gallons per day. The wastewater treatment facilities are immediately south of the intersection of State Highway 105 and Farm-to-Market Road 770 and approximately 1000 feet east of Pine Island Bayou in Hardin County, Texas.

Approved, PG/PR

Item 7. APPLICATION BY CITY OF WHITEHOUSE for renewal of Permit No. 11222-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 680,000 gallons per day. The wastewater treatment facilities are southeast of the City of Whitehouse, on the east side of State Highway 110 and approximately 3300 feet east and 900 feet north of the intersection of State Highway 110 and County No. 2175 in Smith County, Texas.

Continued to May 6, 1992 at 9:00 a.m.

Item 8. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF M. C. WATER SUPPLY TO INCREASE RETAIL WATER RATES IN HENDERSON COUNTY, TEXAS (DOCKET NO. 9332-G). Applicant provides retail water service to approximately 58 customers. RECOMMENDATION: Adoption of agreement of parties. (O'Neal).

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

Item 9. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF GRAPEVINE LAKE ESTATES WSC FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE IN TARRANT COUNTY, TEXAS. (Docket No. 8918-C). RECOMMENDATION: Adoption of agreement of parties. (Wood)

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

Item 10. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF A.I.M. COMPANY, INC. TO INCREASE RETAIL WATER RATES IN LUBBOCK COUNTY, TEXAS (DOCKET No. 9314-G) Applicant provides retail water service to approximately 154 customers. Recommendation: Adoption of agreement of parties. (Parker)

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

Item 11. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF MARKBOROUGH DEVELOPMENT COMPANY, LIMITED FOR CREATION OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 112. RECOMMENDATION: CREATION OF DISTRICT. (HAYES)

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

Item 12. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF THE PARK ON CLEAR CREEK, LTD., ET AL, FOR THE CREATION OF GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 18. (TWC IC NO. 022586-D-02) RECOMMENDATION: Adoption of agreement of parties. (O'NEAL)

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

Item 13. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 60 FOR APPROVAL OF THE ISSUANCE OF \$4,530,000 IN UNLIMITED TAX BONDS, 7.669% NET EFFECTIVE INTEREST RATE, SERIES 1992, FIFTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$4,530,000 in tax bonds to finance the purchase of District system infrastructure. (Herbert)

Approved, PR/PG

Item 14. APPLICATION BY CIMARRON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF ESCROW RELEASE & USE OF SURPLUS FUNDS; \$8,900,000 BOND ISSUE APPROVED May 15, 1985. For Commission consideration and action. The District requests Commission approval for the release of escrowed funds and to use bond funds for miscellaneous construction projects for the development of 269 single family lots within the District and improvements to the District's water treatment plant. (Toliver)

Approved, PR/PG

Item 15. APPLICATION BY CORNERSTONES MUNICIPAL UTILITY DISTRICT OF HARRIS & FORT BEND COUNTIES FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$5,250,000 BOND ISSUE APPROVED October 28, 1983. For Commission consideration and action. The District requests approval to use \$58,905 in surplus funds to reimburse the District's operating account for the District's 21.42% pro rata share of emergency repairs to the Cinco Regional Treatment Plant Trunk Line. (Cook)

Approved, PR/PG

Item 16. APPLICATION BY PARKWAY UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL TO USE SURPLUS FUNDS; \$3,250,000 BOND ISSUE APPROVED March 19, 1982. For Commission consideration and action. Applicant requests approval to use \$100,000 in surplus funds for the District's share of costs relating to a joint-use surface water transfer line. (Herbert)

Approved, PR/PG

Item 17. APPLICATION OF BLEACHER REALTY COMPANY DBA WESTFIELD GARDEN PARK to Purchase Facilities from Ronald Yeates dba Atlasta Glen Water System in Harris County, TX (Application No. 9117-S, Erwin)

Approved, PR/PG

Item 18. APPLICATION OF BARRY SANDERSON DBA RCRR WATER COMPANY to Purchase Facilities from L. J. Lorance dba Woodhaven Estates Water System APPROVAL OF BARRY SANDERSON DBA RCRR WATER COMPANY to Amend Water CCN No. 11474 in Montgomery County, TX (Application Nos. 9289-S and 9290-C, Erwin)

Approved, PR/PG

Item 19. APPLICATION OF PATTON VILLAGE WATER COMPANY, INC. to Transfer Water CCN No. 11193 from City of Patton Village in Montgomery County, TX (Application No. 9334-S, Carlson)

Approved, PR/PG

Item 20. APPLICATION OF PURE WATER SUPPLY CORPORATION to amend Water

CCN No. 10036 and to cancel CCN No. 11917 and CCN No. 20631 issued to Northwoods Mobile Home Park, Inc. in McLennan County, TX (Application No. 9325-C, Holck)

Approved, PR/PG

Item 21. APPLICATION OF WINDY'S WATER WORKS, INC. to Transfer and Cancel CCN No. 11668 of Oakland Utility Company, Inc., and to amend CCN No. 10641, in Atascosa and Bexar Counties, Tx (Application No. 9338-S, Holck)

Approved, PR/PG

Item 22. APPLICATION OF FAYETTE WATER SUPPLY CORPORATION to amend Water Certificate of Convenience and Necessity No. 10726 in Fayette County, TX (Application No. 9374-C, Fenner)

Approved, PR/PG

Item 23. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH CF SYSTEMS FOR DESIGN OF THE TREATMENT SYSTEM FOR THE UNITED CREOSOTING SUPERFUND SITE.

Approved, PR/PG

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, April 8, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 24. CONSIDERATION OF A REQUEST BY FISCAL MANAGEMENT, PER S.B. 1095 TO DESIGNATE FRITIZ G. PIKES, DEPUTY EXECUTIVE DIRECTOR, OFFICE OF ADMINISTRATION TO AUTHORIZE EMPLOYEES TO APPROVE VOUCHERS AND TO REVOKE THOSE DESIGNATIONS WHEN NECESSARY.

Approved, PR/PG

UNCONTESTED OLD BUSINESS

Wednesday, April 8, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of March 25, 1992.

- Item 1. APPLICATION BY LLANO ESTACADO WINERY, INC. for a permit (Proposed Permit No. 03433) to authorize the disposal of treated liquid wastes from a winery by evaporation. If the tank becomes full, the liquid will be applied to a four acre tract of land on-site. The facility is on Farm to Market Road 1585, 3.2 miles east of U.S. Highway 87 South, Lubbock County, Texas.

Approved, PR/PG

Item carried forward from Agenda of March 25, 1992.

- Item 2. APPLICATION BY CITY OF CANADIAN for renewal of Permit No. 10072-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 240,000 gallons per day. The wastewater treatment facilities are northeast of Canadian, about one mile north of Farm-to-Market Road 2388 and 0.5 mile east of U.S. Highway 60, at the east end of the golf course and fairgrounds in Hemphill County, Texas.

Approved, PR/PG

Item carried forward from Agenda of April 1, 1992.

- Item 3. APPLICATION BY KIRBY FOREST INDUSTRIES, INC. for renewal of Permit No. 01950 which authorizes the discharge of cooling tower blowdown at a volume not to exceed 11,500 gallons per day. The renewed permit's authorized discharge is now limited to stormwater runoff since cooling tower blowdown is now directed to the City of Silsbee plant. The plant is on Highway 92 approximately one mile north of the City of Silsbee, Hardin County, Texas.

Approved, PR/PG

CONTESTED AGENDA

Wednesday, April 8, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT CONCERNING VIOLATIONS OF THE TEXAS WATER CODE BY THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS. Enforcement, requiring certain actions of the City of Tomball, and the assessment of administrative penalties is brought against the City for the unauthorized discharge of wastewater on or about December 27, 1990 and for failing to require the wastewater operator to possess the required Certificate of Competency. (Martinez)

Issue Agreed Order, PR/PG

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ALLIED REFINING, INC., TRINITY, INC., ALLIED PETRO, INC., AND GERALD PRATT SWR 40999 (RENBARGER)

Remand To Office Hearings Examiner, PG/PR

Item 3. 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.

Certified Executive Session to be accomplished by General Counsel

Item 4. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS LITIGATIONS AND RELATED AGENCY ACTIONS CONCERNING EDWARDS AQUIFER.

No Action Taken

CONTESTED OLD BUSINESS

Wednesday, April 8, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item carried forward from Agenda of January 8, 1992 and March 18, 1992.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF TRINIDAD, PERMIT NO. 11393-01. (Ray)

Issue Agreed Order, PR/PG