

Pam Reed - Absent

UNCONTESTED AGENDA

Wednesday, April 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY R.W. MCDONNELL CONSTRUCTION COMPANY, INC. for a permit (Proposed Permit No. 13587-01) to authorize the disposal of treated domestic wastewater effluent from the Woodlands Nursing Center by evaporation and irrigation. The disposal volume is not to exceed an average of 12,600 gallons per day from the wastewater treatment facility. Application rates for the irrigated land are not to exceed 2.0 acre-feet/acre/year. The wastewater treatment facility, evaporation pond and irrigation site are approximately 0.8 mile east of the intersection of Farm-to-Market Road 753 and State Highway 31 in Henderson County, Texas.

Approved, PG/JH

Item 2. APPLICATION BY RICHARD HESSEE for an amendment to Permit No. 01680 to authorize an increase in the number of cattle at the feedlot from a maximum of 7,500 head to a maximum of 15,700 head. Stormwater runoff is retained in four storage ponds, where it is disposed of by evaporation. The feedlot is one mile north of State Highway 15 and approximately three miles east of the intersection of State Highway 15 and State Highway 305 in Lipscomb County, Texas.

Continued to May 13, 1992 at 9:00 a.m.

Item 3. APPLICATION BY CITY OF LOCKHART for an amendment to Permit No. 10210-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 1,100,000 gallons per day to a final volume not to exceed an average flow of 1,570,000 gallons per day. The wastewater treatment plant is located at the end of Larremore Street in the eastern part of Lockhart, approximately ½ mile east of the intersection of U.S. Highway 183 and State Highway 142 in Caldwell County, Texas.

Approved, PG/JH

Item 4. APPLICATION BY PAT G. CHAPMAN, SR. for renewal of Permit No. 13184-01 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 three miles north of the intersection of U.S. Highway 90 and Farm-to-Market Road 2100 in Harris County, Texas.

Continued to June 10, 1992 at 9:00 a.m.

Item 5. APPLICATION BY COTTON BAYOU MANOR, INC. for renewal of Permit No. 11109-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,000 gallons per day from the Cotton Bayou Manor Mobile Home Park wastewater treatment facilities. The plant site is

approximately 0.8 mile northeast of the intersection of Farm-to-Market Road 3180 and Farm-to-Market Road 565, and 1.6 miles south-southeast of the intersection of Farm-to-Market Road 3180 and Interstate Highway 10 in Chambers County, Texas.

Approved, PG/JH

Item 6. APPLICATION BY JASPER COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1 for renewal of Permit No. 10808-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 410,000 gallons per day. The wastewater treatment facilities are located approximately 2000 feet due south of the intersection of U.S. Highway 96 and State Highway 62 in Jasper County, Texas.

Approved, PG/JH

Item 7. APPLICATION BY MOBAY SYNTHETICS CORPORATION for renewal of Permit No. 02392 and to transfer the permit to MILES, INC.. The permit authorizes a discharge of uncontaminated stormwater runoff at a volume variable with rainfall from an organic chemical and polychloroprene rubber manufacturing plant. The plant site is at 8701 Park Place, bounded on the north by Route 225, on the west by Sims Bayou, on the east by Park Place Blvd., and on the south by Galveston Blvd., in the City of Houston, Harris County, Texas.

Approved, PG/JH

Item 8. APPLICATION BY SAINT FRANCIS VILLAGE, INC. for renewal of Permit No. 10612-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 49,000 gallons per day. The wastewater treatment facilities are located approximately 2.5 miles south of the Benbrook Dam, approximately 1 mile north of Rocky Creek Park in Tarrant County, Texas.

Approved, PG/JH

Item 9. APPLICATION BY EDWARD N. SMITH, JR. for renewal of Permit No. 11315-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 9,000 gallons per day from the Bayou Pines Park Wastewater Treatment Plant. The plant site is adjacent to and on the east side of State Highway 62, approximately one mile north of the intersection of State Highways 62 and 87 in Bridge City in Orange County, Texas.

Approved, PG/JH

Item 10. APPLICATION BY TARKINGTON INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11377-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 30,000 gallons per day. The wastewater treatment facilities are located approximately 1.5 miles east of the intersection of Farm-to-Market Road 163 and State Highway 321 and 8.0 miles southeast of the City of Cleveland in Liberty County, Texas.

Approved, PG/JH

Item 11. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 217; \$4,600,000 BOND ISSUE APPROVED March 15, 1983. For Commission consideration and action. Applicant requests the

approval to use \$67,000 in surplus construction funds to finance the painting of the District's water supply facilities. (Hagen)

Approved, PG/JH

Item 12. APPLICATION BY SOUTH TEXAS WATER AUTHORITY OF KLEBERG & NUECES COUNTIES FOR APPROVAL OF A \$250,000 CONTRACT REVENUE BOND ISSUE. For Commission consideration and action. The Authority's application requests approval for a contract revenue bond issue to finance an expansion of the water distribution system for the Ricardo Water Supply Corporation. (Herbert)

Approved, PG/JH

Item 13. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55 FOR APPROVAL OF THE ISSUANCE OF \$1,425,000 IN UNLIMITED TAX & REVENUE BONDS, 7.536% NET EFFECTIVE INTEREST RATE, SERIES 1992, ELEVENTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,425,000 in tax & revenue bonds to finance purchase of water supply capacity and District infrastructure facilities. (Herbert)

Approved, PG/JH

Item 14. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 84; APPLICATION FOR APPROVAL OF THE ISSUANCE OF \$2,225,000 IN UNLIMITED TAX BONDS, 9.2024% NET EFFECTIVE INTEREST RATE, SERIES 1992, SECOND ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$2,225,000 in tax bonds to expand the District's wastewater treatment plant from 0.4 MGD to 1.0 MGD. (Hagen)

Approved, PG/JH

Item 15. APPLICATION BY RIVER PLANTATION MUNICIPAL UTILITY DISTRICT OF MONTGOMERY COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; For Commission consideration and action. Applicant seeks approval to use \$65,000 in surplus funds from the \$1,820,000 bond issue approved January 9, 1980 to finance repairs to the District's water well no. 2.

Approved, PG/JH

Item 16. APPLICATION BY HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61 APPROVAL TO RELEASE ESCROWED FUNDS; \$4,515,000 BOND ISSUE APPROVED December 5, 1985. For Commission consideration and action. Applicant requests the release of \$40,000 in escrowed funds to fund the District's share of costs for a wastewater trunk line. (Herbert)

Approved, PG/JH

Item 17. APPLICATION BY RIVER PLACE MUNICIPAL UTILITY DISTRICT OF TRAVIS COUNTY FOR APPROVAL OF AN IMPACT FEE. For Commission consideration and action. Applicant requests approval to levy an impact fee of \$2,000 per equivalent single family connection for water, wastewater & drainage service within River Place Sections 2, 3, 4 & 5.

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

Item 18. APPLICATION OF LARRY N. WILLIAMS DBA SUN-N-FUN ASSOCIATION to Purchase Facilities from David Denson and to Obtain a CCN in Angelina County, TX (Application No. 9264-C, Erwin)

Approved, JH/PG

Item 19. APPLICATION to Cancel CCN No. 11621 of Lake Granger Water Supply in Williamson County, TX (Application No. 9436-Q, Holck)

Approved, JH/PG

Item 20. APPLICATION OF NEW TABOR WATER SUPPLY CORPORATION for Cancellation of Water CCN No. 11685 in Burleson County, TX (Application No. 9439-Q, Holck)

Approved, JH/PG

Item 21. APPLICATION NO. 5397 BY TOM AND JUDY WADE FOR A TEXAS WATER CODE SECTION 11.143 WATER USE PERMIT For Commission action. Applicants seek authorization to maintain an off-channel reservoir and to divert not to exceed 10 acre-feet of water per annum from a reservoir on an unnamed tributary of the South Bosque River, Brazos River Basin, to irrigate 22 acres of land in McLennan County or to the off-channel reservoir for subsequent irrigation. (JORDAN;tls)

Approved, JH/PG

Item 22. APPLICATION NO. 5395 BY RENATO AND MARIANELLA MARTINEZ FOR A TWC SECTION 11.121 WATER USE PERMIT. For Commission consideration and action. Applicants seek to divert 300 acre-feet of water per annum from the San Antonio River to irrigate 150 acres of land in Wilson County, approximately 9 miles south of Floresville, Texas. (JORDAN.lb)

Approved, JH/PG

Item 23. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY OF AMERICAN CHROME & CHEMICALS, INC. (PERMIT NO. 00349-201) (CHONG)

Continued to May 13, 1992, at 9:00 a.m.

Item 24. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH ROY F. WESTON, INC. FOR THE REMEDIAL DESIGN CONTRACT AT THE TEXARKANA WOOD PRESERVING COMPANY SUPERFUND SITE.

Adopt Staff Recommendation, JH/PG

Item 25. CONSIDERATION OF BUDGET AMENDMENT FOR FY 92 OPERATING BUDGET.

Approved, JH/PG

Item 26. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION REQUESTING COMMISSION AUTHORIZATION TO REFER MATTERS TO THE ATTORNEY GENERAL OF TEXAS. (Petrov/Holder)

Approved, JH/PG

UNCONTESTED OLD BUSINESS

Wednesday, April 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of April 1, 1992.

- Item 1. APPLICATION BY JIM HOGG COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 2 for renewal of Permit No. 10799-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 464,000 gallons per day. The wastewater treatment facilities are approximately 3,700 feet east of the intersection of State Highway 285 and Farm-to-Market Road 1017 on the north side of State Highway 285 in Jim Hogg County, Texas.

Remand to Executive Director, PG/JH

CONTESTED AGENDA

Wednesday, April 22, 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 COX TRANSPORTS AND TREY TRUCKS, SWR NO. 52056, FOR VIOLATIONS OF THE TEXAS SOLID WASTE DISPOSAL ACT AND THE TEXAS WATER CODE. (Celestino)

Remand to Office Hearings Examiner, PG/JH

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MR. ROEL BARERA. (FACILITY NO. 40772) (CELESTINO)

Remand to Office Hearings Examiner, JH/PG

Item 3. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF ARCO CHEMICAL COMPANY FOR AN AMENDMENT TO PERMIT NO. 02927 TO AUTHORIZE THE DISCHARGE OF 2,560,000 GPD OF TREATED INDUSTRIAL WASTEWATER EFFLUENT IN HARRIS COUNTY, TEXAS, AND SEGMENT NO. 1001 OF THE SAN JACINTO RIVER BASIN. RECOMMENDATION: APPROVE THE SETTLEMENT AGREEMENT AND ISSUE THE PERMIT OR REMAND THE MATTER TO OHE FOR FURTHER PROCEEDINGS. (WOOD)

Adopt Examiner's Memorandum and Approve Agreement and Issue Permit as Proposed, JH/PG

Item 4. 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.

General Counsel will do a certified agenda.

Item 5. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS LITIGATIONS AND RELATED AGENCY ACTIONS CONCERNING EDWARDS AQUIFER.

General Counsel will do a certified agenda.

ADDENDUM TO CONTESTED AGENDA

Wednesday, April 22, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item 6. CONSIDERATION OF MOTION FOR REHEARING ON OAKRIDGE WATER CO dba PINE SPRINGS UTILITIES. This item was considered on the Commission's agenda on February 12, 1992.

Grant Motion For Rehearing on Audit Matter Only, JH/PG

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, April 22, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item 7. CONSIDERATION OF THE APPLICATION FOR AN EMERGENCY ORDER BY MOBIL OIL CORPORATION DBA MOBIL MINING AND MINERALS COMPANY TO DISCHARGE PARTIALLY TREATED WASTEWATER FROM ITS AMMONIUM PHOSPHATE FERTILIZER PLANT IN HARRIS COUNTY, TEXAS. (Carlton)

Issue Emergency Order, PG/JH

(This is an imminent emergency due to Mobil's inadvertent loss of its West Pond holding capacity. A situation exists that any moderate rainfall would cause an overflow of untreated wastewater from the remaining intact ponds into nearby watercourses creating a threat to public health and safety.)

CONTESTED OLD BUSINESS

Wednesday, April 22, 1992

TEXAS WATER COMMISSION

10:00 a.m.
Room 118

Item carried forward from Agenda of February 26, 1992 and March 11, 1992 and April 1, 1992.

- Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF COMMUNITY INDEPENDENT SCHOOL DISTRICT FOR PERMIT NO. 13554-01 TO AUTHORIZE THE DISCHARGE OF 23,000 GPD OF TREATED DOMESTIC WASTEWATER EFFLUENT IN COLLIN COUNTY, TEXAS, AND SEGMENT NO. 0507 OF THE SABINE RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (PARKER)

Continued Indefinetly