

PEGGY GARNER PRESENT
JOHN HALL PRESENT
PAM REED PRESENT

UNCONTESTED AGENDA

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. CONSIDERATION OF AN APPLICATION BY ENCYCLE/TEXAS INCORPORATED for a Class 3 Modification to hazardous waste Permit No. HW50221-01 in accordance with 31 TAC Section 305.69. Encycle/Texas operates a Class I hazardous and nonhazardous waste facility for on-site storage and recycling of metal wastes generated from off-site sources. The facility is located on an 86-acre tract of land at 5500 Upriver Road, Corpus Christi, Nueces County, Texas.

Approved, JH/PR

Item 2. APPLICATION BY HOECHST CELANESE CHEMICAL GROUP, INC. - PAMPA PLANT (CELANESE) for a hazardous waste permit (Proposed Permit No. HW50200-000) to authorize storage, processing, treatment and disposal of Class I industrial hazardous waste generated on-site. CELANESE has also applied for a Compliance Plan (Proposed No. CP-50200) to authorize a corrective action program to remediate hazardous constituents released from a solid waste management unit to the groundwater and to ensure that the Groundwater Protection Standard is achieved. The CELANESE Pampa Plant is a chemical manufacturing plant and major producer of acetic acid and multifunctional monomers as well as a variety of other industrial chemicals and solvents. The facility is located on a 650-acre tract of land next to Hwy. 60, 3-1/2 miles southwest of Pampa in Gray County, Texas.

Approved, JH/PR

Item 3. APPLICATION BY AMTOPP CORPORATION for a permit (Proposed Permit No. 03477) to authorize a discharge of domestic wastewater, reverse osmosis wastewater, contact cooling water and cooling tower blowdown via Outfall 001 at a volume not to exceed an average flow of 140,000 gallons per day; and a discharge of uncontaminated stormwater via Outfalls 002 and 003. The applicant operates a plastics extrusion plant. The plant site is adjacent to Farm-to-Market Road 1593, approximately 3.5 miles south of the City of Lolita in Jackson County, Texas.

Approved with instruction to staff, PG/JH

Item 4. APPLICATION BY TOWN OF BAYSIDE for a permit (Proposed Permit No. 03487) to authorize a discharge of wastewater effluent from a reverse osmosis unit at a volume not to exceed an average flow of 11,000 gallons per day via Outfall 001. The applicant operates a potable water treatment plant which they are upgrading in order to be in compliance with state and federal drinking water standards. The plant site is at Fourth and Park Street on the south side of FM Road 136 in the Town of Bayside in Refugio County, Texas.

Continued to September 9, 1992

Item 5. APPLICATION BY OTTO MARINE ENTERPRISE, INC. for a permit (Proposed Permit No. 03445) to authorize the discharge of treated wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day from a barge cleaning facility. The plant site is to be immediately north of IH 10 and approximately 3/4 mile west-northwest of the intersection of IH 10 and Crosby-Lynchburg Road in Harris County Texas.

Approved, PG/JH

Item 6. APPLICATION BY TOTAL ROAD RUNNER, INC., ROAD RUNNER FUEL STOP NO. 91 for a permit (Proposed Permit No. 03415) to authorize an intermittent, flow variable discharge of stormwater runoff. The applicant operates a fuel stop with a convenience store. The plant site is at the southwest corner of the intersection of Interstate Highway 30 and Main Street in the City of Hooks, Bowie County, Texas.

Approved, PG/JH

Item 7. APPLICATION BY CITY OF BERTRAM for an amendment to Permit No. 11669-01 to authorize a decrease in the volume authorized for disposal from 200,000 gallons per day average to 87,000 gallons per day average. The applicant is also requesting to relocate the treatment facility and irrigation disposal site. The proposed wastewater treatment facility, evaporation and irrigation sites are west of Bertram on the south side of State Highway 29, approximately 1.7 miles west of the intersection of State Highway 29 and Farm-to-Market Road 1174 North in Burnet County, Texas.

Approved, PG/JH

Item 8. APPLICATION BY BP CHEMICALS, INC. for an amendment to Permit No. 02181 in order to increase the effluent limitations for total copper and total zinc. The permit authorizes a discharge of treated wastewater at a volume not to exceed an average flow of 1,200,000 gallons per day plus intermittent flow variable discharges of uncontaminated stormwater runoff. The applicant operates an organic chemical plant, known as Green Lake Complex, which manufactures acrylonitrile, acetonitrile and acetone cyanohydrin. The plant site is on Texas Highway 185, approximately 5 miles north of the intersection of Texas Highways 35 and 185, and about 6.5 miles south of Bloomington, Calhoun County, Texas.

Approved, PG/JH

Item 9. APPLICATION BY CAPROCK INDUSTRIES, INC. for an amendment to Permit No. 01558 in order to increase the number of cattle at the feedlot from 30,000 head to a maximum of 45,000 head. The proposed amendment would also incorporate improvements made to the feedlot after the issuance of the permit. The feedlot operation is approximately one and one half miles west of Farm-to-Market Road 378 from a point approximately three miles north of the intersection of Farm-to-Market Road 378 and Farm-to-Market Road 97 in the town of Lockney in Floyd County, Texas.

Approved, PG/JH

Item 10. APPLICATION BY HOUSTON BELT & TERMINAL RAILWAY COMPANY for an

amendment to Permit No. 02039 to authorize the upgrading of the wastewater treatment system by incorporating a corrugated parallel plate oil/water separator. The permit authorizes a discharge of washwater and stormwater at a maximum volume not to exceed 5,000 gallons per day, on a dry weather basis. The applicant operates a locomotive service and turning facility. The plant site is at the intersection of McKinney Avenue and Milby Street in the City of Houston in Harris County, Texas.

Approved, PG/JH

Item 11. APPLICATION BY CITY OF FORT WORTH for a minor amendment to Permit No. 10494-013 to authorize a private contractor to dispose of sludge on registered land application sites. The permit currently authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 144,000,000 gallons per day. The plant site is southeast of the confluence of the West Fork Trinity River with Village Creek in Fort Worth in Tarrant County, Texas.

Approved, PG/JH

Item 12. APPLICATION BY CITY OF ABILENE for renewal of Permit No. 10334-04 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 18,000,000 gallons per day from the Hamby Wastewater Treatment Facilities. The plant site is approximately 6.5 miles northeast of the intersection of Interstate Highway 20 and State Highway 351, three miles west of the intersection of State Highway 351 and Farm-to-Market Road 604 in Jones County, Texas.

Continued to August 26, 1992

Item 13. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 34 for renewal of Permit No. 12298-01 which authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed an average flow of 600,000 gallons per day. The renewed permit will decrease the discharge volume to 200,000 per day average. The wastewater treatment facilities are approximately 2.1 miles east-northeast of the intersection of Farm-to-Market Roads 1093 and 723 in Fort Bend County, Texas.

Approved, PG/JH

Item 14. APPLICATION BY CITY OF HILLCREST VILLAGE for renewal of Permit No. 10420-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 150,000 gallons per day. The wastewater treatment facilities are on the west bank of Mustang Bayou, approximately 0.5 mile west of the intersection of County Road 326 and County Road 155 in Brazoria County, Texas.

Approved, PG/JH

Item 15. APPLICATION BY CITY OF HOUSTON for renewal of Permit No. 10495-010 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,000,000 gallons per day, from the Clinton Park Wastewater Treatment Plant. The plant site is at 9030 Clinton Park in the City of Houston in Harris County, Texas.

Approved, PG/JH

Item 16. APPLICATION BY CITY OF HOUSTON for renewal of Permit No. 10495-111 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 19,700,000 gallons per day from the Beltway Wastewater Treatment Facilities. The plant site is approximately 1700 feet north of Bellaire Boulevard and 3400 feet west of Roark Road in the City of Houston in Harris County, Texas.

Approved, PG/JH

Item 17. APPLICATION BY CITY OF NEW BRAUNFELS for renewal of Permit No. 10232-03 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,100,000 gallons per day from the Kuehler Road North Wastewater Treatment Facilities. The plant site is approximately 0.5 mile east of Farm-to-Market Road 725 and 0.5 mile south of Interstate Highway 35 off Kuehler Avenue in the City of New Braunfels in Comal County, Texas.

Approved, PG/JH

Item 18. APPLICATION BY PRAIRIE VIEW A&M UNIVERSITY for renewal of Permit No. 11275-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 976,000 gallons per day. The wastewater treatment facilities are in the northwest section of the Prairie View A&M campus at a point approximately 1.0 mile north of U.S. Highway 290 in Waller County, Texas.

Continued to September 9, 1992

Item 19. APPLICATION BY CITY OF ROBINSON for renewal of Permit No. 10780-03 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 80,000 gallons per day from the South Plant Wastewater Treatment Facilities. The plant site is adjacent to Crow Creek, approximately 2000 feet southwest of the intersection of Old Robinson Road and U.S. Highway 77 in the City of Robinson in McLennan County, Texas.

Continued to September 9, 1992

Item 20. APPLICATION BY STEVENS WATER COMPANY for renewal of Permit No. 11697-01 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 approximately 500 feet east of U.S. Highway 59, approximately 1 mile south of the intersection of U.S. Highway 59 and Farm-to-Market Road 1988, approximately 3 miles south of the intersection of U.S. Highway 59 and State Highway 190 in Polk County, Texas.

Approved, PG/JH

Item 21. APPLICATION BY TEXAS MUNICIPAL POWER AGENCY for renewal of Permit No. 02120 which authorizes a discharge of noncontact cooling water and auxiliary cooling water at a volume not to exceed an average flow of 511,000,000 gallons per day plus flow variable discharges of various effluents into Gibbons Creek Reservoir at the Gibbons Creek Steam Electric Station. The permit also authorizes: intermittent discharges via Outfall 001 from the Gibbons Creek Reservoir; thence to Gibbons Creek; thence to the Navasota River in Segment No. 1209 of the Brazos River Basin; and intermittent discharges

via Outfall 002 from emergency spillway; thence to Big Branch Creek, a tributary of Gibbons Creek. The Gibbons Creek Steam Electric Station is adjacent to Gibbons Creek Reservoir, approximately 2.5 miles north of the State Highway 30/FM 244 intersection in the Town of Carlos in Grimes County, Texas.

Approved, PG/JH

Item 22. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for renewal of Permit No. 11475-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 315,000 gallons per day. The permit currently authorizes the permittee to use treated effluent to irrigate non-public lands within the prison boundaries. The wastewater treatment facilities are on the north bank of Oyster Creek, approximately 3 miles upstream of Farm-to-Market Road 1464 crossing Oyster Creek in Fort Bend County, Texas.

Approved, PG/JH

Item 23. APPLICATION BY CITY OF TRENTON for renewal of Permit No. 10704-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 105,000 gallons per day. The wastewater treatment facilities are approximately 2,900 feet southwest of the intersection of Farm-to-Market 815 and Farm-to-Market 814 in Fannin County, Texas.

Approved, PG/JH

Item 24. APPLICATION BY WALLIS-ORCHARD INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11719-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 25,000 gallons per day. The wastewater treatment facilities are approximately 1.0 mile southeast of the City of Wallis and approximately 1000 feet south of the State Highway 36 in Austin County, Texas.

Approved, PG/JH

Item 25. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 345 FOR APPROVAL OF \$3,920,000 OF UNLIMITED TAX BONDS, SECOND BOND ISSUE. For Commission consideration and action. The District is requesting the approval to issue \$3,920,000 in unlimited tax bonds to finance water treatment and wastewater treatment capacity and to provide water, wastewater and drainage facilities for the District. (Hagen)

Approved, PG/JH

Item 26. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 8 OF FORT BEND COUNTY FOR APPROVAL OF A \$2,820,000 UNLIMITED TAX FOURTH BOND ISSUE, 8.2071% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. The District's application requests Commission approval for a bond issue to finance utility infrastructure to serve 319 equivalent single family connections, and purchase connection fees from Fort Bend County MUD No. 13. (Ferguson)

Approved, PG/JH

Item 27. APPLICATION BY FIRST COLONY LEVEE IMPROVEMENT DISTRICT NO. 2 OF FORT BEND COUNTY FOR APPROVAL OF THE ISSUANCE OF \$1,850,000 IN UNLIMITED TAX BONDS, 8.194% NET EFFECTIVE INTEREST RATE,

SERIES 1992, FOURTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,850,000 in tax bonds to finance the purchase of 93.848 acres of land from the developer. (Toliver)

Approved, PG/JH

Item 28. APPLICATION BY CINCO MUNICIPAL UTILITY DISTRICT NO. 9 OF HARRIS AND FORT BEND COUNTIES FOR APPROVAL OF \$3,120,000 UNLIMITED TAX BONDS, 8.172% NET EFFECTIVE INTEREST RATE, SERIES 1992, FIRST ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$3,120,000 in tax bonds to finance the purchase of District infrastructure facilities. (Herbert)

Approved, PG/JH

Item 29. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 69 FOR APPROVAL OF THE ISSUANCE OF \$2,800,000 IN UNLIMITED TAX BONDS, 8.69% NET EFFECTIVE INTEREST RATE, SERIES 1992, FIRST ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$2,800,000 in tax bonds to finance a pro rata share of water plant capacity, interim wastewater trunk main, and water, wastewater & drainage facilities for Gateway Boulevard, a portion of Homeward Way Clayton's Bend Section One and Wilkins's Crossing. (Nelson)

Approved, PG/JH

Item 30. APPLICATION BY MEMORIAL MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF \$2,115,000 OF UNLIMITED TAX BONDS, THIRD BOND ISSUE. For Commission consideration and action. The District is requesting the approval to issue \$2,115,000 in unlimited tax bonds to provide water, wastewater and drainage facilities for the District to pay operating advances and to purchase 500,000 gallons per day of wastewater treatment capacity for the District. (Ferguson)

Continued to September 9, 1992

Item 31. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 200; APPLICATION FOR APPROVAL TO USE SURPLUS FUNDS; \$1,030,000 BOND ISSUE APPROVED DECEMBER 21, 1984. For Commission consideration and action. Applicant requests the approval to use \$122,000 in surplus construction funds to purchase a 2.3339 acre tract of land to be utilized for the construction of an elevated storage tank and related water supply and distribution facilities. (Hagen)

Approved, PG/JH

Item 32. PALMER PLANTATION MUNICIPAL UTILITY DISTRICT NO. 1 OF FORT BEND COUNTY; APPLICATION FOR APPROVAL TO USE SURPLUS FUNDS; For Commission consideration and action. Applicant seeks approval to use \$81,642 in surplus funds from the District's \$3,000,000 bond issue approved April 9, 1991, to reimburse the District's developer. (Hagen)

Approved, PG/JH

Item 33. APPLICATION BY NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO. 1 OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$3,450,000 BOND ISSUE APPROVED DECEMBER 8, 1988. For Commission consideration and action. Applicant requests

approval of the transfer of \$143,899 in surplus construction funds plus accrued interest to the operating account. (Ferguson)

Approved, PG/JH

Item 34. APPLICATION BY NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY NO. 22 FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$2,410,000 BOND ISSUE APPROVED JULY 20, 1984. For Commission consideration and action. Applicant requests approval of the transfer of approximately \$55,883 in surplus interest earnings from the construction funds to debt service. (Ferguson)

Approved, PG/JH

Item 35. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 47 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$4,250,000 BOND ISSUE APPROVED DECEMBER 21, 1990. For Commission consideration and action. The District is requesting the use of \$180,000 in surplus funds to finance the utility infrastructure to serve Village of Cochran's Crossing Forest Lake Section 3, and related engineering costs. (Toliver)

Approved, PG/JH

Item 36. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 26 FOR APPROVAL TO USE SURPLUS FUNDS; \$1,250,000 BOND ISSUE APPROVED February 8, 1992. For Commission consideration and action. Applicant requests approval to use \$336,000 in surplus funds to make repairs, improvements, and modifications to their wastewater treatment plant and lift station. (Herbert)

Approved, PG/JH

Item 37. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY NO. 168 for approval of the use of Surplus Funds, \$5,910,000 Bond Issue approved March 26, 1986. FOR COMMISSION CONSIDERATION AND ACTION. Applicant requests approval of the transfer of \$350,000 in surplus construction funds to debt service. (Ferguson)

Approved, PG/JH

Item 38. APPLICATION BY KINGSBRIDGE MUNICIPAL UTILITY DISTRICT OF HARRIS AND FORT BEND COUNTIES FOR APPROVAL OF ESCROW RELEASE; \$6,300,000 BOND ISSUE, APPROVED MAY 13, 1983. For Commission consideration and action. The District's application request Commission approval for the release of escrowed funds for the Bissonet Road Utilities west of Highway 6 construction project. (Toliver)

Approved, PG/JH

Item 39. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 55 FOR APPROVAL TO DISSOLVE. For Commission consideration and action. Applicant requests that the Commission dissolve the District. (Toliver)

Approved, PG/JH

Item 40. APPLICATION BY FORT BEND MUNICIPAL UTILITY DISTRICT NO. 54 FOR APPROVAL TO DISSOLVE. For Commission consideration and action. Applicant requests that the Commission dissolve the

District. (Toliver)

Approved, PG/JH

Item 41. APPLICATION OF GLASSON WATER SUPPLY for a Water Certificate of Convenience and Necessity in San Patricio County, TX (Application No. 9432-C, Holck)

Approved, PG/JH

Item 42. APPLICATION OF SAN ANTONIO CITY WATER BOARD to Transfer Sewer CCN No. 20274 from Lackland City Water Company; Amend Sewer CCN No. 20285; Cancel Sewer CCN No. 20274 and to change the name of the transferee to San Antonio Water System in Bexar County, Tx (Application No. 9394-S, Abrego)

Approved, PG/JH

Item 43. APPLICATION OF ORBIT SYSTEMS, INC. to Transfer a Portion of Water CCN No. 11829 from Gulf Coast Utilities, Inc.; Amend Water CCN Nos. 11982 and 11829 in Brazoria County, TX (Application No. 9425-S, Erwin)

Approved, PG/JH

Item 44. APPLICATION OF DODD COATING CONSULTANT AND INSPECTION SERVICE, INC. DBA RESORT COUNTRY WATER SYSTEM to Transfer Water CCN No. 10121 from Resort Country Water Company, Inc. in Polk County, Tx (Application No. 9464-S, Holck)

Approved, PG/JH

Item 45. APPLICATION OF FARM CREDIT BANK OF TEXAS DBA PARKS-WALKER LAND & LIVESTOCK COMPANY to Transfer Water CCN No. 11705 in Scurry County, TX (Application No. 9445-T, Holck)

Approved, PG/JH

Item 46. APPLICATION OF CITY OF MANOR to amend Water Certificate of Convenience and Necessity No. 10947 in Travis County, TX (Application No. 9346-C, Gonzalez)

Approved, PG/JH

Item 47. APPLICATION OF EDWARD A. LINTON DBA BURLESON INVESTMENT WOODLAND WEST WATER SYSTEM to purchase the system from the general partners of Burleson Investments/Woodlands West Water System and obtain Water CCN No. 12661 in Burleson County, TX (Application No. 9384-S, Abrego)

Approved, PG/JH

Item 48. APPLICATION OF BELL COUNTY WCID NO. 4 for Cancellation of Water CCN No. 11359 and No. 20526 in Bell County, TX (Application No. 9529-Q and 9530-Q, Holck)

Approved, PG/JH

Item 49. APPLICATION OF FLOWER MOUND MUNICIPAL DISTRICT NO. 1 for Cancellation of Sewer CCN No. 20391 in Denton County, TX (Application No. 9536-Q, Holck)

Approved, PG/JH

Item 50. APPLICATION OF COMANCHE HILLS UD for Cancellation of Water CCN No. 11277 and No. 20534 in Bell County, TX (Application No. 9531-Q and 9532-Q, Holck)

Approved, PG/JH

Item 51. APPLICATION OF HENDERSON COUNTY MWA for Cancellation of Water CCN No. 10842 and No. 20468 of Henderson County MWA in Henderson County, TX (Application No. 9545-Q and No. 9546-Q, Holck)

Approved, PG/JH

Item 52. APPLICATION NO. TA-6811 BY REBECCA CREEK GOLF CLUB FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TWC SECTION NO. 11.138. FOR COMMISSION ACTION. Applicant seeks to divert 75 acre-feet of water within a 1-year period from Rebecca Creek, Guadalupe River Basin, for irrigation purposes (golf course) from the creek just upstream of Canyon Lake, approximately 18 miles northwest of New Braunfels, Comal County, Texas. (SMITH/jme)

Approved, PG/JH

Item 53. APPLICATION NO. 12-3737A BY SOUTHWEST MATERIALS, INC. TO AMEND CERTIFICATE OF ADJUDICATION NO. 12-3737. For Commission action. Applicant seeks to amend Certificate 12-3737, which authorizes, until December 31, 1992, the diversion of not to exceed 300 acre-feet of water per annum (of which no more than 30 acre-feet may be consumed) from the South Fork San Gabriel River, Brazos River Basin, for mining purposes in Williamson County, by deleting or extending the term included in the certificate. (SHARON SMITH/tls)

Remand to Office Hearing's Examiner

Item 54. APPLICATION NO. 02-5117A BY THE RED RIVER AUTHORITY OF TEXAS TO AMEND CERTIFICATE OF ADJUDICATION NO. 02-5117. For Commission action. Applicant seeks to amend Certificate No. 02-5117, which authorizes the diversion of not to exceed 1240 acre-feet of high saline water from the South Wichita River, Red River Basin, to a brine reservoir for evaporation, by increasing the amount of water authorized for diversion from 1240 to 5010 acre-feet per annum. (SHARON SMITH;tls)

Continued to August 26, 1992

Item 55. APPLICATION NO. 03-4797A BY THE SULPHUR RIVER MUNICIPAL WATER DISTRICT AND THE CITY OF COMMERCE TO AMEND CERTIFICATE OF ADJUDICATION NO. 03-4797. For Commission Action. Applicants seek to amend Certificate No. 03-4797, which includes authorization for the District to supply municipal and industrial water from Cooper Reservoir on South Sulphur River, Sulphur River Basin to the City of Commerce, by allowing use of this water, until needed by Commerce, in the Trinity River Basin, by establishing a diversion point for this water on Cooper Reservoir and by authorizing return points in the Trinity River Basin. SHARON SMITH;tls

Approved with changes, PG/JH

Item 56. APPLICATION NO. 19-2146A BY BURRELL DAY TO AMEND CERTIFICATE OF ADJUDICATION NO. 19-2146. For Commission action. Applicant seeks to amend Certificate No. 19-2146, which

authorizes the diversion and use of not to exceed 215 acre-feet of water per annum from the Medina River, San Antonio River Basin, to irrigate 350 acres of land within a 368.14 acre tract in Bexar County, by expanding the area within which irrigation is authorized by adding a 126.558-acre tract adjacent to County, Texas. (SMITH:rma)

Approved, PG/JH

Item 57. APPLICATION NO. 05-4669A BY THE SABINE RIVER AUTHORITY TO AMEND CERTIFICATE NO. 05-4669. For Commission action. Applicant seeks authorization (1) to construct and maintain a channel reservoir on the Sabine River and to impound therein 115 acre-feet of water, which will serve as a diversion point; (2) to use the bed and banks of Lake Fork Creek and the Sabine River to transport water from Lake Fork Reservoir to the diversion point and (3) to perform an interbasin transfer of up to 5048 acre-feet of municipal water per annum from the Sabine River Basin to the Neches River Basin, Gregg County, Texas. (SMITH:rma)

Approve with changes, JH/PR

Item 58. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S AMENDMENTS TO AN ENFORCEMENT ORDER ALLOWING THE CITY OF HOUSTON TO CONTINUE TRANSFERRING SLUDGE TO THE NORTHWEST WASTEWATER TREATMENT PLANT. PERMIT NO. 10495 (DAVID MEARS/LAURA RAY)

Approved, JH/PR

Item 59. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CITY OF INGLESIDE FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20202 TO DECERTIFY A PORTION OF ITS SEWER SERVICE IN SAN PATRICIO COUNTY, TEXAS. (DOCKET NO. 9426-C). RECOMMENDATION: Adoption of agreement of parties. (Sorrells)

Approved, JH/PR

Item 60. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF THE ESTATE OF WARDELL MCGOWAN, SR. APPEALING NEW CONNECTION FEE OF EOL WATER SUPPLY CORP. FOR WATER SERVICE IN MCLENNAN COUNTY, TEXAS (DOCKET NO. 9347-X). RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES.

Approved, JH/PR

Item 61. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF THE EXECUTIVE DIRECTOR OF TWC FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST BMC, INC., AND REQUIRING CERTAIN REMEDIAL ACTION IN DALLAS COUNTY, TEXAS. RECOMMENDATION: GRANTING OF PETITION, ISSUANCE OF ORDER. (ROGAN)

Approved, JH/PR

Item 62. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ORBIT SYSTEMS, INC. TO INCREASE RETAIL WATER AND SEWER RATES IN BRAZORIA & MATAGORDA COUNTIES, TEXAS (DOCKET NO. 9418-R). Applicant provides retail water and sewer service to approximately 722 customers. Recommendation: Adoption of agreement of parties. (FORRESTER).

Approved, JH/PR

Item 63. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF EAST FORK SPECIAL UTILITY DISTRICT TO PROVIDE RETAIL WATER SERVICE TO PERSONS LOCATED IN DALLAS, ROCKWALL and COLLIN COUNTIES, TEXAS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES (SORRELLS)

Approved, JH/PR

Item 64. AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH TRACOR APPLIED SCIENCES FOR SERVICES REQUIRED TO DEVELOP AND IMPLEMENT TRACS PHASE II APPLICATIONS. TOTAL AMOUNT OF CONTRACT NOT TO EXCEED \$1,300,000.

Approved, JH/PR

Item 65. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD THE CONTRACT WITH WASTE ABATEMENT TECHNOLOGY FOR THE GROUND WATER REMEDIAL ACTION AT THE GENEVA INDUSTRIES SUPERFUND SITE.

Approved, PR/JH

Item 66. APPLICATION BY MISSION CONSOLIDATED INDEPENDENT SCHOOL DISTRICT for a Temporary Order No. 92-11T to authorize the disposal of treated domestic wastewater effluent from a new elementary school by subsurface drain field. The disposal volume is not to exceed 20,000 gallons per day average. The Temporary Order, if issued, would authorize the disposal of treated domestic wastewater effluent by subsurface drain field at a disposal volume not to exceed 18,480 gallons per day average. The wastewater treatment facility is to be 1/2 mile west of State Highway 107 and approximately one mile south of Farm-to-Market Road 676 in Hidalgo County, Texas

Issue Temporary Order, PG/PR

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 67. CONSIDERATION OF BUDGET AMENDMENT FOR FY92 OPERATING BUDGET, TO IMPLEMENT SB 818, SPECIFICALLY WATER QUALITY ASSESSMENTS OF MAJOR RIVER BASINS AND RELATED ACTIVITIES.

Approved, JH/PR

Item 68. APPLICATION NO. 5417 BY FLOWER MOUND ASSOCIATES JOINT VENTURE FOR A SECTION 11.143 WATER USE PERMIT. FOR COMMISSION ACTION. Applicant seeks authorization to use a reservoir in Denton County constructed pursuant to Section 11.142 of the Texas Water Code on an unnamed tributary of Timber Creek, Trinity River Basin, for in-place recreational use. (SHARON SMITH/tls)

Approved, PR/PG

PEGGY GARNER ABSENT FOR OLD BUSINESS ITEMS
UNCONTESTED OLD BUSINESS

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of June 10, 1992.

- Item 1. APPLICATION NO. 5403 BY CITY OF LEANDER FOR A WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.143 For Commission action. Applicant seeks to maintain as existing, exempt dam and 5.5 acre-foot reservoir (Lower Lake) on Bee Cave Hollow, and to divert 125 acre-feet of water per annum from the reservoir to irrigate 62 acres of land (golf course), approximately 4 miles southwest of Leander, Colorado River Basin, Travis County, Texas. (SMITH:rma)

Approved, JH/PR

Item carried forward from Agenda of June 24, 1992.

- Item 2. APPLICATION NO. 4127A BY CITY OF FORT WORTH TO AMEND PERMIT NO. 3835. For Commission action. Applicant seeks to extend the term of the permit beyond the current expiration date of December 31, 1991, for the recreation and irrigation rights authorized on West Fork Trinity River, Trinity River Basin, approximately 2 miles northwest of the Tarrant County Courthouse, Fort Worth, Texas. (SMITH:rma)

Continued to September 9, 1992

Item carried forward from Agenda of June 24, 1992.

- Item 3. APPLICATION NO. 4124A BY CITY OF FORT WORTH TO AMEND PERMIT NO. 3831. For Commission action. Applicant seeks to extend the term of the permit beyond the current expiration date of December 31, 1991, for the recreation and irrigation rights authorized on Clear Fork Trinity River and unnamed tributaries of Clear Fork Trinity River, Trinity River Basin, approximately 10 miles southwest of the Tarrant County Courthouse, Fort Worth, Texas. (SMITH:rma)

Continued to September 9, 1992

Item carried forward from Agenda of June 24, 1992.

- Item 4. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT CONCERNING APPLIED COATING SERVICES, INC. ALLEGING VIOLATIONS OF THE TEXAS SOLID WASTE DISPOSAL ACT, CHAPTER 26 OF THE TEXAS WATER CODE AND THE TWC RULES IN HARRIS COUNTY, TEXAS. RECOMMENDATION: APPROVAL OF SETTLEMENT. (THOMAS)

Continued to September 9, 1992

Item carried forward from Agenda of June 10, 1992.

- Item 5. APPLICATION NO. 5314A BY C.D. (JOSH) HAM TO AMEND WATER USE PERMIT NO. 5314. For Commission consideration and action. Applicant seek to amend Permit No. 5314, which authorizes the diversion of not to exceed 300 acre-feet of water per annum from the East Fork Angelina River, Neches River Basin, to an off-channel reservoir complex for industrial (fish farming) purposes in Rusk County, to indicate that the reservoir complex will actually be on Dill Creek, tributary of the East Fork Angelina River in lieu of being off-channel. (JORDAN;tls)

Continued to September 9, 1992

Item carried forward from agenda of July 8, 1992.

- Item 6. APPLICATION BY WASTE MANAGEMENT OF TEXAS, INC. has applied to the Texas Water Commission for a minor amendment to municipal solid waste Permit No. MSW2093 to authorize changes to the Site Development Plant. The proposed amendment would add a Citizens Collection Station and a more detailed landscaping plan. The proposed amendment would also revise the site entrance, access road, cell development sequence and northern fence as a result of the anticipated closing and purchase of the adjacent Nelson Gardens landfill. The plant site is approximately 3.5 miles south of the intersection of US Highway 90 and Loop 410, adjacent to the south boundary line of Lackland Air Force Base Annex and adjacent to and on the west side of Covell Road in Bexar County, Texas.

Approved, JH/PR

Item carried forward from agenda of July 8, 1992.

- Item 7. APPLICATION BY BRITMORE UTILITY, INC. has applied to the Texas Water Commission for renewal of Permit No. 11193-01 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. The wastewater treatment facilities are approximately 2000 feet southeast of the intersection of Fisher and Brittmore Roads in Harris County, Texas.

Approved, JH/PR

Item carried forward from agenda of July 8, 1992.

- Item 8. APPLICATION BY COMMUNITY TREATMENT, INCORPORATED AND THE CITY OF SAN ANTONIO have applied to the Texas Water Commission for renewal of Permit No. 13284-01 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 wastewater treatment facilities are approximately 3/4 mile north-northwest of the intersection of State Highway Loop 1604 and Culebra Road (FM 471) and 1/2 mile west of Leslie Road in Bexar County, Texas. The Executive Director of the Texas Water Commission has prepared a draft permit which, if approved by the Commission, will enforce more stringent effluent limitations and requirements in order to meet existing applicable rules and regulations. The renewed permit has also decreased the volume to 1,000,000 gallons per

day average.

Approved, JH/PR

Item carried forward from agenda of July 8, 1992.

Item 9. APPLICATION BY CITY OF DUBLIN has applied to the Texas Water Commission for renewal of Permit No. 10405-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 250,000 gallons per day. The wastewater treatment facilities are approximately 3/4 mile southwest of the intersection of Farm-to-Market Road 219 and Farm-to-Market Road 1702 and approximately one mile southeast of the City of Dublin in Erath County, Texas.

Approved, JH/PR

Item carried forward from agenda of July 8, 1992.

Item 10. APPLICATION BY CAL-TEX SPICE CO., INC. has applied to the Texas Water Commission for an amendment to Permit No. 02591 to authorize the disposal of wastewaters via a spray irrigation system. The permit authorizes disposal of treated wastewaters from a food processing plant by evaporation and by irrigation. The volume of wastewater will remain the same, not to exceed an average of 10,000 gallons per day. The plant site is at 8909 Kingsway in the City of Anthony, El Paso County, Texas. The facility is in the drainage area of the Rio Grande in Segment No. 2314 of the Rio Grande Basin.

Approved, JH/PR

Item carried forward from agenda of July 8, 1992.

Item 11. RATIFICATION OF A CONTRACT WITH SELECTED BIDDER FOR GENERAL CONTRACTOR WORK AT EIGHT LPST STATE LEAD SITES IN SOUTH TEXAS. (Cathy Rashin)

Approve Staff Recommendation, JH/PR

CONTESTED AGENDA

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. CONSIDERATION OF THE REQUEST OF ELF ATOCHEM NORTH AMERICA, INC., FOR RENEWAL AND MODIFICATION OF MODIFIED EMERGENCY ORDER NO. 92-17E ISSUED FEBRUARY 3, 1992, TO ALLOW THE INSTALLATION, OPERATION AND MAINTENANCE OF, AND DISCHARGE FROM A SYSTEM FOR TREATMENT OF CONTAMINATED WATER THAT WOULD OTHERWISE FLOW UNTREATED FROM FINFEATHER LAKE. (Ray)

Approve Staff Recommendation, PR/PG

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PROPOSED AGREED ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ELF ATOCHEM NORTH AMERICA, INC., SWR. 30458 (HAHN, SALLY JO)

Issue Proposed Agreed Order, PR/JH

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF UNIVERSAL FUEL TANK COMPANY, INC.; SWR 41006. (HAHN)

Remand to Office Hearing's Examiner, JH/PG

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF JIM MILLER AIRCRAFT PAINTING; SWR 52111. (HAHN)

Remand to Office Hearing's Examiner, PR/PG

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF UNION PACIFIC RAILROAD, NO PERMIT. (Smith, J.)

Remand to Office Hearing's Examiner, PR/JH

Item 6. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BANDERA DOWNS, INC., PERMIT NO. 13531. (Smith, J.)

Remand to Office Hearing's Examiner, PG/PR

Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF WILHELMUS KASBERGER DAIRY, PERMIT NO. 03262. (Smith, J.)

Issue Agreed Order, PR/JH

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION AND ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DOWELL SCHLUMBERGER, INC., MONAHANS FACILITY; SWR

NO. 33584 - VIOLATIONS OF THE TEXAS SOLID WASTE DISPOSAL ACT
AND RULES OF THE TEXAS WATER COMMISSION. (Celestino)

Continued to September 9, 1992

Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SUSSER ENVIRONMENTAL SERVICES, SWR NO. 52090. (Hall)

Submitted in Error

Item 10. CONSIDERATION OF A REQUEST BY RHONE-POULENC BASIC CHEMICALS COMPANY FOR TEMPORARY AUTHORIZATION TO STORE AND INCINERATE F024, F025, F037, AND F038 WASHES AT ITS HOUSTON PLANT, PERMIT NO. 50095-01. (BALLARD, BILL)

Issue TA with changes as made by Staff, PR/JH

Item 11. COMMISSION'S CONSIDERATION OF LAKE VISTA UTILITY COMPANY'S PETITION REQUESTING AN EXTENSION OF THE DEADLINES ESTABLISHED UNDER COMMISSION ORDER, DOCKET 8333-R, FOR COMPLETION OF A SERIES OF SYSTEM IMPROVEMENTS. (Ryland/Arroyo)

Request is Denied as Recommended by Staff, JH/PR

Item 12. 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 13. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS LITIGATIONS AND RELATED AGENCY ACTIONS CONCERNING EDWARDS AQUIFER.

No Action Taken

ADDENDUM TO CONTESTED AGENDA

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 14. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PROPOSED ORDER FOR HECTOR J. ESCOBAR DBA HORIZON TRUCK WASH, FOR VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE. (This item was considered on July 8, 1992 and continued to July 22, 1992 to correct language in the caption.)

Remand to Office Hearing's Examiner, PG/PR

Item 15. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DOWELL SCHLUMBERGER: SWR NO. 33591. (MONTELONGO)

Continued to September 9, 1992.

Item 16. PRESENTATION BY STAFF OF THE PETROLEUM STORAGE TANK (PST) FISCAL DIVISION OF SIGNIFICANT ADJUSTMENTS IN THE PST PROGRAM. THESE ADJUSTMENTS PERTAIN TO: (1) PUBLICATION BY THE PST DIVISION OF "REASONABLE COSTS" THAT APPLY TO CLEANUPS OF LEAKING PETROLEUM STORAGE TANKS; (2) AMENDMENT OF TWC REGULATIONS TO INCLUDE NEW PROVISIONS GOVERNING PERSONNEL WHO WORK ON CLEANUPS OF LEAKING PETROLEUM STORAGE TANKS; (3) OTHER ADJUSTMENTS AIMED AT IMPROVING THE PST PROGRAM.

No Action Taken

SECOND ADDENDUM TO CONTESTED AGENDA

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 17. CONSIDERATION OF THE MOTION FOR RECONSIDERATION OF ACTION DISMISSING THE APPLICATION OF THE NORTH TEXAS MUNICIPAL WATER DISTRICT AND THE CITY OF MCKINNEY TO AMEND MUNICIPAL SOLID WASTE LANDFILL PERMIT NO. 568.

Recommend Commission Vacate Motion and Remand to Office Hearing's Examiner. PG/PR

Item 18. RENEWAL OF EMERGENCY RULES TO BE FOUND AT 31 TEXAS ADMINISTRATIVE CODE, CHAPTER 298 (17 Tex Reg 2913 et seq.) FOR 60 DAYS OR MIDNIGHT OCTOBER 12, 1992, AND RELATING TO THE MANAGEMENT OF EDWARDS (BALCONES FAULT ZONE) AQUIFER IN THE SAN ANTONIO REGION (INCLUDING ALL OR PART OF THE COUNTIES OF KINNEY, UVALDE, MEDINA, ATASCOSA, BEXAR, COMAL, & HAYS), UNDER CHAPTERS 11 & 26 OF THE TEXAS WATER CODE. Such rules were adopted and filed with the Secretary of State on April 15, 1992, and are effective for a period of not longer than 120 days renewable once for a period not exceeding 60 days pursuant to Section 5 of the ADMINISTRATIVE PROCEDURE AND TEXAS REGISTER ACT ART.6252-13,TEX.REV.CIV.STAT. (JORDAN)

Renew as recommended by staff, JH/PR

Item 19. RENEWAL OF EMERGENCY RULES FOR SIXTY DAYS TO BE FOUND AT 31 TAC 281.2, 281.3, 281.5, 281.17, 281.18 AND 281.21 (APPLICATIONS PROCESSING); 31 TAC 290.38-290.49 (RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS); 31 TAC 330.5 (MUNICIPAL SOLID WASTE; GENERAL INFORMATION); AND 31 TAC CH. 330/SUBCHAPTER R (MANAGEMENT OF WHOLE USED OR SCRAP TIRES) PURSUANT TO THE ADMINISTRATIVE PROCEDURES AND TEXAS REGISTER ACT, art. 6251-13a, sec. 5, TEX. REV. CIV. STAT. (Montelongo, Irene)

Renew as recommended by staff, JH/PR

Item 20. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S RECOMMENDATIONS CONCERNING ACTIONS REQUIRED TO ADDRESS THE GROUNDWATER CONTAMINATION ASSOCIATED WITH THE OPERATIONS OF THE HOECHST CELANESE CHEMICAL GROUP INC. - PAMPA PLANT AND GROUNDWATER CONTAMINATION IN THE KINGSMILL COMMUNITY WATER SUPPLY CORPORATION WELL IN GRAY COUNTY, TEXAS. SWR NO. 30072 (LYDIA GONZALEZ GROMATZKY)

Approved, PG/PR

Item 21. COMMISSION CONSIDERATION OF AGREED ORDER RESOLVING AN ENFORCEMENT ACTION BROUGHT AGAINST EMPAK, INC. FOR VIOLATIONS OF THE TEXAS SOLID WASTE DISPOSAL ACT, TEX. HEALTH AND SAFETY CODE ANN. CHAPTER 361 (VERNON 1989), THE TEXAS WATER CODE, TEX. WATER CODE ANN. CHAPTER 26 (VERNON 1988) AND THE RULES OF THE TEXAS WATER COMMISSION; ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF EMPAK, INC. (SWR NO. 30567 AND WDW-157) (MCLEOD)

Approved, PR/JH

CONTESTED OLD BUSINESS

Wednesday, July 22, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of May 13, 1992 and June 24, 1992.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ZIA TECHNOLOGY OF TEXAS SWR 41707. (E. BIRCH)

Approve Agreed Settlement for ZTT and Babcock International, and Remand ZIA Technology to Office Hearing's Examiner, PG/JH

Item carried forward from Agenda of July 8, 1992.

- Item 2. CONSIDERATION OF THE REQUEST OF ELF ATOCHEM NORTH AMERICA, INC., FOR AN EMERGENCY ORDER PURSUANT TO TEXAS WATER CODE SECTIONS 26.0191 AND 26.019 AUTHORIZING THE INSTALLATION, OPERATION, AND MAINTENANCE OF, AND DISCHARGE FROM, A SYSTEM FOR THE EXTRACTION AND TREATMENT OF CONTAMINATED GROUNDWATER. (Ray)

Issue Emergency Order, JH/PR