

HALL
REED
GARNER

UNCONTESTED AGENDA

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

- Item 1. APPLICATION BY CRIDER DAIRY INC. for a permit (Proposed Permit No. 03469) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 400 head. Wash-down water, flushwater and stormwater will be retained in one (1) pond. Wastewater from the pond shall be disposed of by irrigation on agricultural land. The dairy is approximately 4 miles southwest of the City of Godley, on the east side of the intersection of County Road 1232 and Farm-to-Market Road 4 in Johnson County, Texas.

APPROVED, PR/PG

- Item 2. APPLICATION BY DEKALB SWINE BREEDERS, INC. for an amendment to Permit No. 02252 to authorize the addition of a third storage pond. The total combined storage capacity for the three storage ponds is to be 23.1 acre-feet. Wastewater from the ponds is to be disposed of by evaporation and by irrigation on 360 acres of agricultural land. The swine operation is approximately two miles south of the intersection of State Highway 114 and Farm-to-Market Road 2378, just west of the Lubbock Hockley County line west of Lubbock in Hockley County, Texas.

APPROVED, PR/PG

- Item 3. APPLICATION BY CITY OF MEGARGEL for an amendment to Permit No. 12389-01 to authorize a variance in the monitoring frequency as required by 31 TAC Chapter 319. The City is requesting this variance on the basis of economic hardship. The variance authorized by this amendment would revise the monitoring frequency for biochemical oxygen demand, total suspended solids and dissolved oxygen from once per week to twice per month. The existing permit authorizes a daily average flow of 32,000 gallons per day, which will remain the same. The plant site is on the west side of Farm-to-Market Road 210, approximately 4000 feet north of the intersection of State Highway 114 and Farm-to-Market Road 210 in Archer County, Texas.

APPROVED, PR/PG

Item 4. APPLICATION BY TOWN OF WINDOM for an amendment to Permit No. 10666-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 30,000 gallons per day to a volume not to exceed an average flow of 32,000 gallons per day. The proposed amendment would also authorize a variance to the buffer zone requirements. The plant site is east of Burnett Creek and about 1000 feet west of Wall Street approximately 0.25 mile southwest of the intersection of U.S. Highway 82 and Farm-to-Market Road 1743 in Fannin County, Texas.

APPROVED, PR/PG

Item 5. APPLICATION BY CITY OF AUSTIN for renewal of Permit No. 10543-03 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 20,000,000 gallons per day from the Govalle Wastewater Treatment Facilities. The plant site is north of the Colorado River, approximately one mile east of the U.S. Highway 183 crossing of the Colorado River in Travis County, Texas.

RENEWED, PR/PG

Item 6. APPLICATION BY CHAMP'S WATER COMPANY for renewal of Permit No. 10436-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 150,000 gallons per day from the Western Homes Subdivision Wastewater Treatment Plant. The plant site is at 1714 Sandy Dale in Western Homes Subdivision in Harris County, Texas.

RENEWED, PR/PG

Item 7. APPLICATION BY CHAMP'S WATER COMPANY for renewal of Permit No. 11739-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 25,000 gallons per day from the Aldine Forest Subdivision Wastewater Treatment Facilities. The plant site is approximately 100 feet north and 600 feet east of the intersection of Verhalen Avenue and Reeveston Road, north of the City of Houston in Harris County, Texas.

RENEWED, PR/PG

Item 8. APPLICATION BY CITY OF CORSICANA for renewal of Permit No. 10402-03 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed 3,500,000 gallons per day average via Outfall 103 and at a volume not to exceed 1,000,000 gallons per day average via Outfall 203 from Plant No. 2. The permittee is also authorized to use an overland flow system as an essential secondary treatment element for the effluent discharged via Outfall 203. The

plant site is approximately 2200 feet north of Lake Halbert spillway; approximately 9500 feet southeast of the intersection of State Highway 31 and Interstate Highway 45 in Navarro County, Texas.

RENEWED, PR/PG

Item 9. APPLICATION BY CITY OF GONZALES for renewal of Permit No. 10488-02 which authorizes the City to use its treated effluent to irrigate the city golf course. Application rates for the golf course are not to exceed 2.5 acre-feet/acre/year. The City is also authorized to discharge the effluent at a volume not to exceed an average flow of 60,000 gallons per day into the Guadalupe River only in extreme situations. The wastewater treatment facilities are located at 111 St. Michael Street in the City of Gonzales, Gonzales County, Texas.

RENEWED, PR/PG

Item 10. APPLICATION BY CITY OF HUMBLE for renewal of Permit No. 10763-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 360,000 gallons per day. The wastewater treatment facilities are on South Dennis Avenue between Isaacks Road and Farm-to-Market Road 1960 in the City of Humble in Harris County, Texas.

RENEWED, PR/PG

Item 11. APPLICATION BY CITY OF KERENS for renewal of Permit No. 10745-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 207,000 gallons per day. The Kerens City Wastewater Treatment Facilities are approximately 1/2 mile southwest of the City of Kerens, adjacent to Farm to Market Road 633 in Navarro County, Texas.

RENEWED, PR/PG

Item 12. APPLICATION BY LITTLE CYPRESS-MAURICEVILLE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11094-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 17,000 gallons per day. The wastewater treatment facilities are on Little Cypress-Mauriceville High School campus approximately 845 feet west of State Highway 87, approximately 1350 feet north of Bear Path, 3 miles north of Interstate 10 and north of the City of Orange in Orange County, Texas.

RENEWED, PR/PG

Item 13. APPLICATION BY LITTLE CYPRESS-MAURICEVILLE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 11094-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 19,000 gallons per day. The wastewater treatment facilities are approximately 900 feet northwest of Farm-to-Market Road 1130, approximately 1400 feet southeast of State Highway 12 and approximately 2100 feet west of the intersection of State

Highway 62 and Farm-to-Market Road 1130 in Mauriceville in Orange County, Texas.

RENEWED, PR/PG

Item 14. APPLICATION BY PROLER INTERNATIONAL CORPORATION for renewal of Permit No. 01809 which authorizes to discharge stormwater runoff from a solid waste pond at a volume not to exceed an average flow of 2,000,000 gallons per day from a metals reclamation and shredding plant. The plant site is at 7501 Liberty Road, approximately 1250 feet southwest of the intersection of Liberty Road and Wayside Drive in Harris County, Texas.

RENEWED, PR/PG

Item 15. APPLICATION BY RANDALL'S PROPERTIES, INC. for renewal of Permit No. 12415-01 which authorizes a discharge of treated domestic wastewater effluent a volume not to exceed an average flow of 4,000 gallons per day from the Randall's Properties, Inc. wastewater treatment facilities. The plant site is on Rogerdale Road, northwest of and adjacent to the intersection of Westpark Drive and Rogerdale Road in Harris County, Texas.

RENEWED, PR/PG

Item 16. APPLICATION BY SHELDON ROAD MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 10541-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 210,000 gallons per day from the Sheldon Woods Wastewater Treatment Facilities. The plant site is approximately 1-1/4 miles south-southwest of the intersection of U.S. Highway 90 and Sheldon Road in Harris County, Texas.

RENEWED, PR/PG

Item 17. APPLICATION BY CITY OF SMILEY for renewal of Permit No. 10574-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 42,000 gallons per day. The wastewater treatment facilities are approximately 4,200 feet northwest of the intersection of U.S. Highway 87 and Farm-to-Market Road 108, 1250 feet west of Farm-to-Market Road 108 in Gonzales County, Texas.

RENEWED, PR/PG

Item 18. APPLICATION BY CITY OF SOUR LAKE for renewal of Permit No. 10703-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 460,000 gallons per day. The wastewater treatment facilities are approximately 1/2 mile southwest of the City of Sour Lake, approximately 3/4 mile west of State Highway 326 in Hardin County, Texas.

CONTINUED TO FEBRUARY 17, 1993 AT 9:00 A.M..

Item 19. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE - INSTITUTIONAL DIVISION for renewal of Permit No. 12353-01

which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 350,000 gallons per day from the Ramsey III Unit Wastewater Treatment Facilities. The plant site is on the east bank of Oyster Creek along Farm-to-Market Road 655 approximately 9 miles northwest of Angleton in Brazoria County, Texas.

RENEWED, PR/PG

Item 20. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY, TWIN OAK S.E.S. for renewal of Permit No. 01986 which authorizes a discharge of once-through cooling water and auxiliary cooling water at a volume not to exceed an average flow of 1,470,000,000 gallons per day via Outfall 001. The permit also authorizes a discharge of treated domestic wastewater at a volume not to exceed an average flow of 25,000 gallons per day via Outfall 003. Plus, the permit authorizes flow variable discharges of stormwater and various other wastewaters. The plant site is approximately 1 mile northwest of FM Road 979 and 12 miles north of the City of Franklin, Robertson County, Texas.

RENEWED, PR/PG

Item 21. APPLICATION BY WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15 for renewal of Permit No. 12223-01 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 renewed permit will decrease the flow to 350,000 gallons per day average. The wastewater treatment facilities are approximately 1.5 miles southeast of the intersection of U.S. Highway 290 and Telge Road in Harris County, Texas.

RENEWED, PR/PG

Item 22. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 67 FOR APPROVAL OF THE USE OF SURPLUS FUNDS, \$2,000,000 BOND ISSUE APPROVED SEPTEMBER 18, 1991. For Commission consideration and action. Applicant requests approval of the use of \$166,938 of surplus funds for partial funding of wastewater and drainage facilities along Homeward Way between Water Plant No. 2 and New Territory Boulevard. (Nelson)

APPROVED, PG/PR

Item 23. APPLICATION BY MEMORIAL MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF \$2,115,000 OF UNLIMITED TAX BONDS, THIRD ISSUE, 8.22% NET EFFECTIVE INTEREST RATE, SERIES 1993. For Commission consideration and action. Applicant requests approval to issue \$2,115,000 in unlimited tax bonds to provide water, wastewater and drainage facilities for the District to pay operating expenses, & to purchase 500,000 gallons per day of wastewater treatment capacity for the District. (Nelson)

APPROVED, PG/PR

Item 24. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 5 FOR APPROVAL OF THE ISSUANCE OF \$1,650,000 IN UNLIMITED TAX

BONDS, 7.74% NET EFFECTIVE INTEREST RATE, SERIES 1993, SECOND ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,650,000 in tax bonds to finance master utility district connection charges; and water, wastewater & drainage facilities for Cypress on the Green, Cypress Glen, and Alcorn Bend Sec. 1. (Heroy)

APPROVED PER STAFF RECOMMENDATION, PG/PR

Item 25. APPLICATION BY SPENCER ROAD PUBLIC UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF AN \$875,000 UNLIMITED TAX SIXTH BOND ISSUE, 8% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests approval for a bond issue to finance the construction of water well no. 3 and the 12-inch well collection line, repairs of water plant no. 1 & 2, and the water distribution, wastewater collection, and storm drainage for Hearthstone Estates and Avila Court Estates. (Romo)

CONTINUED TO JANUARY 27, 1993 AT 9:00 A.M.

Item 26. APPLICATION BY JACKRABBIT ROAD PUBLIC UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF \$200,000 OF SURPLUS FUNDS; \$3,200,000 BOND ISSUE APPROVED MAY 15, 1991. For Commission consideration and action. Applicant requests approval of the use of \$200,000 of surplus funds for investigation, evaluation, and repair to District wastewater collection system. (Heroy)

APPROVED, PG/PR

Item 27. APPLICATION BY PECAN GROVE MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$6,230,000 BOND ISSUE APPROVED JULY 16, 1991. For Commission consideration and action. Applicant requests approval of the use of \$583,600 of surplus funds for the additional costs associated with the expansion of the District's wastewater treatment plant. (Heroy)

APPROVED, PG/PR

Item 28. APPLICATION OF FRANK S. HATTON DBA HATTON WATER SYSTEM for a Water Certificate of Convenience and Necessity in Orange County, TX (Application No. 9791-C, Poe)

APPROVED, PG/PR

Item 29. APPLICATION OF JAMES M. BOSWELL DBA TEXAS WATER SUPPLY to Transfer Water CCN No. 11655 from Stanley Baldwin dba Westwood Water Supply in Polk County, TX (Application No. 9525-S, Abrego)

APPROVED, PG/PR

Item 30. APPLICATION OF CARTER RANCH AND DICK GRAGG FOR DISMISSAL OF APPLICATION FOR APPROVAL OF PRELIMINARY PLANS FOR A RECLAMATION PROJECT IN LEON COUNTY, TEXAS (DOCKET NOS. RE-0286 & RE-0287). For Commission consideration and action. The

applicant and the Executive Director request that the Commission dismiss the application for approval of preliminary plans for a reclamation project since the project is excluded from projects requiring approval of the Commission within its authority under Section 16.236 (d)(1) & 31 TAC 301.2 (G). (Keils/JM)

DISMISS APPLICATION AS RECOMMENDED BY STAFF, PR/PG

Item 31. APPLICATION OF TARANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 FOR CONSTRUCTION OF RECLAMATION ENGINEER PROJECT ON THE TRINITY RIVER IN FREESTONE COUNTY, TEXAS (DOCKET NO. RE-0290). For Commission consideration and action. Applicant has requested approval of plans to construct a wetlands levee project which is part of a pilot-scale treatment facility to test the amount of water-quality improvement made by routing water through the constructed wetlands. (Smith/JM)

APPROVED, PR/PG

Item 32. APPLICATION NO. 08-2334A BY LAKE KIOWA PROPERTY OWNERS ASSOCIATION, INC. TO AMEND CERTIFICATE OF ADJUDICATION NO. 08-2334. FOR COMMISSION ACTION. Applicant seeks to amend Cert. No. 08-2334 by deleting a special condition which states the owner shall maintain the water level of said reservoir not less than two feet below the spillway elevation and adding a new special condition which would allow for an annual lowering of the reservoir for maintenance and weed control. (SMITH/jme)

APPROVED, PR/PG

Item 33. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR ADMINISTRATIVE APPROVAL TO: (1) NEGOTIATE WITH 19 REGIONAL PLANNING COMMISSIONS (COGS) THAT HAVE SATISFIED THE APPLICATION REQUIREMENTS FOR RECEIVING COMBINED GRANTS FOR THE PURPOSES OF COMPLETING REGIONAL SOLID WASTE MANAGEMENT PLANS, IMPLEMENTING PLAN RECOMMENDATIONS AND IMPLEMENTING USED OIL COLLECTION PROGRAMS WITHIN THE COG REGIONS; AND (2) TO EXECUTE CONTRACTS WITH SAME COGS IN AMOUNTS EXCEEDING \$100,000. (LINDA POHREN)

NO ACTION TAKEN

Item 34. AUTHORIZE THE PURCHASE OF UNIX WORKSTATIONS TO PROVIDE EQUIPMENT FOR SUPPORT AND ONGOING DEVELOPMENT FOR TRACS APPLICATIONS THAT ARE BEING PUT INTO PRODUCTIONS. (VAUGHAN)

NO ACTION TAKEN

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 35. APPLICATION 02-5232A BY HELEN PORTER LOWE AND WILLIAM J. LOWE FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 02-5232. FOR COMMISSION ACTION. The applicants seek to amend Certificate No. 02-5232 by increasing the number of acres of land to be irrigated from 100 acres to 400 acres and to change the total area within which irrigation is authorized from 1280 acres to 960 acres of land in Donley County, Texas. (SMITH/jme)

APPROVED, PR/PG

UNCONTESTED OLD BUSINESS

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from the Agenda of November 18, 1992 and December 2, 1992, December 16, 1992.

- Item 1. APPLICATION NO. 14-5477A BY THE TESTAMENTARY TRUSTS CREATED UNDER THE WILL AND CODICILS OF LACY WITHERS ARMOUR, DECEASED, AND THE LAURENCE H. ARMOUR, JR., 1989 REVOCABLE TRUST DBA PIERCE RANCH TO AMEND CERTIFICATE NO. 14-5477. FOR COMMISSION ACTION. Applicant seeks to identify ownership of the remaining portion of the certificate, to update the name, to change 20000 acre-feet of water from irrigation to municipal, industrial and recreation use (10000, 5000 & 5000 respectively) in Wharton County. (SMITH/jgb)

CONTINUED TO MARCH 3, 1993 CONTESTED AGENDA AT 9:00 A.M..

Item carried forward from the Agenda of November 18, 1992 and December 2, 1992, December 16, 1992.

- Item 2. APPLICATION NO. 14-5477B BY THE LOWER COLORADO RIVER AUTHORITY TO AMEND CERTIFICATE NO 14-5477. TWC SECTION 11.122. FOR COMMISSION ACTION. Applicant acquired 55,000 acre-feet of water under the certificate from Pierce Ranch and seeks to identify ownership of this portion and will use a period of time of not to exceed five years to determine a diversion point and place of use for their portion of the water right. (SMITH/jgb).

CONTINUED TO MARCH 3, 1993 CONTESTED AGENDA AT 9:00 A.M..

Item carried forward from the Agenda of November 18, 1992 and December 2, 1992, December 16, 1992.

- Item 3. APPLICATION NO. 14-5434A BY GARWOOD IRRIGATION COMPANY FOR A TWC SECTION 11.122 AMENDMENT TO CERTIFICATE NO. 14-5434. FOR COMMISSION ACTION. Applicant seeks to amend the certificate to authorize additional purposes of use for 35,000 acre-feet of the 168,000 acre-feet of irrigation use authorization under the certificate for municipal and industrial purposes. (SMITH/jgb)

CONTINUED TO MARCH 3, 1993 CONTESTED AGENDA AT 9:00 A.M..

ADDENDUM TO UNCONTESTED OLD BUSINESS

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from agenda of December 16, 1992 and January 6, 1993.

- Item 4. APPLICATION NO. 5432 BY NEWPARK SHIPBUILDING AND REPAIR, INC. FOR A WATER USE PERMIT. For Commission consideration. Applicant seeks authorization to divert not to exceed 245 acre-feet of water per annum from Buffalo Bayou, San Jacinto River Basin, for industrial use at their shipbuilding and repair business in Harris County approximately six miles southeast of the Harris County Courthouse. None of the water diverted will be consumed. (SMITH/tls)

APPROVED, PG/PR

CONTESTED AGENDA

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER REQUIRING CERTAIN ACTIONS OF DALLAS ENVIRONMENTAL SERVICES TECHNOLOGY TRANSFER FACILITY; SWR. NO. 41115 (HAHN)

Issue Agreed Order, PR/JH

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AGREED ORDER REQUIRING CERTAIN ACTIONS OF H & J WATER COMPANY, INC., DOCKET NO. 9589-E, HARRIS & MONTGOMERY COUNTIES, TEXAS. (Carlton)

Issue Agreed Order, PR/PG

Item 3. CONSIDERATION OF AN APPEAL FROM STIPULATED PENALTY PROVISION IN AGREED ORDER, DATED JULY 16, 1991, BY MINERAL RESEARCH AND DEVELOPMENT CORPORATION, PERMIT NO. 01878. (Winter)

Withdraw from agenda, JH/PR

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN AGREED ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SUMMIT FURNITURE INDUSTRIES, INC., AND MR. JAMES MOODY, HUNT COUNTY, SWR NO. 52107. (McLeod)

Continued to April 14, 1993

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF LUBBOCK ELECTROCOATING, INC., TEXAS SOLID WASTE REGISTRATION NO. 52129; MR. VON KIMBALL, MR. ROBERT PALMER, AND MR. DAVID WILKERSON. (Ballard)

Issue Agreed Order on David Wilkerson, and continue other matters to April 14, 1993

Item 6. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE EXECUTIVE DIRECTOR'S INQUIRY INTO THE MANAGEMENT AND ACCOUNTING OPERATIONS OF SCENIC OAKS WATER SUPPLY, INC. IN BEXAR COUNTY, TEXAS (DOCKET NO. 9187-I). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 195 CUSTOMERS
RECOMMENDATION: APPROVAL OF EXECUTIVE DIRECTOR'S

RECOMMENDATIONS. (THOMAS)

Adopt Examiner's Proposal for Decision and Issue Order, PR/JH

Item 7. CONSIDERATION OF THE REQUEST FOR A 60-DAY EXTENSION OF THE EXPIRATION DATE FOR 31 TEXAS ADMINISTRATIVE CODE SUBCHAPTER "H", SECTIONS 334.302, 334.306, 334.308, 334.310, 334.313, 334.314, 334.319, AND 334.322, CONCERNING THE INTERIM REIMBURSEMENT PROGRAM WHICH WERE ADOPTED ON AN EMERGENCY BASIS ON SEPTEMBER 23, 1992. (Ligarde)

Sixty Day Extension is Approved, PG/PR

Item 8. 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

Item 9. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING PENDING LITIGATION AND OTHER LITIGATION THAT MAY ARISE CHALLENGING OR SUPPORTING COMMISSION ACTION RELATED TO THE EDWARDS AQUIFER: DANNY MCFADEN AND TEXAS FARM BUREAU VS. TEXAS WATER COMMISSION, NO. 92-05214, 331ST DISTRICT COURT OF TRAVIS COUNTY; EDWARDS UNDERGROUND WATER DIST. ET AL. VS. LIVING WATERS ARTESIAN SPS. LTD., ET AL., NO. 91-CI-14862, 57TH DISTRICT COURT OF BEXAR COUNTY; SIERRA CLUB, ET AL. VS. LUJAN, ET AL., NO. 91-CA-069, U.S. DISTRICT COURT, WESTERN DIST. OF TEXAS, MIDLAND ODESSA DIV.; GBRA VS. TEXAS FARM BUREAU, ET AL., NO. 92-05226, 299TH DISTRICT COURT OF TRAVIS COUNTY. L.B.TURLOVE, JR. AND JO HELEN BATOT VS. THE STATE OF TEXAS, TEXAS WATER COMMISSION, CAUSE NO. 92-08-18, 127-CV OF UVALDE COUNTY, 38TH JUDICIAL DISTRICT. THE AUTHORITY FOR THIS MEETING IS TEX. REV. CIV. STAT. ANN. ART. 6252-17, SEC. 2 (e).

No Action Taken

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 10. CONSIDERATION OF AN EXTENSION OF EMERGENCY RULES 31 TEXAS ADMINISTRATIVE CODE, CHAPTER 334, SUBCHAPTER K, CONCERNING THE STORAGE, TREATMENT, AND REUSE PROCEDURES FOR PETROLEUM-SUBSTANCE CONTAMINATED MEDIA. A sixty-day extension of the emergency rules is requested. (Winter)

Sixty Day Extension is Approved, PG/PR

(Emergency rules will expire before the next available agenda date. Emergency setting is required to consider a sixty-day extension.)

CONTESTED OLD BUSINESS

Wednesday, January 13, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of December 2, 1992.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN AGREED ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TEXAS HYDRAULICS, INC., DBA PRECISE HARD CHROME; TEXAS SOLID WASTE REGISTRATION NO. 38542. (Hahn)

Issue Agreed Order, PR/PG

Item carried forward from Agenda of December 2, 1992.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN AGREED ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF QUALITY MACHINE AND EQUIPMENT COMPANY, NUECES COUNTY, SWR NO. 52134. (Ballard)

Issue Agreed Order, PR/JH