

HALL
GARNER
REED - ABSENT & EXCUSED

UNCONTESTED AGENDA

Wednesday, January 27, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. Consideration of an application by SAFETY KLEEN CORPORATION Wichita Falls for a Class 2 Modification to Permit No. HW50232 in accordance with 31 TAC Section 305.69. Safety-Kleen operates a commercial hazardous waste recycling facility located at 1606 Missile Road, in the City of Wichita Falls, Wichita Falls, Texas.

APPROVED, PG/JH

Item 2. APPLICATION BY DAVIS BAYOU SERVICE COMPANY for a permit (Proposed Permit No. 13627-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day from the Cypress Lakes Wastewater Treatment Facilities. The facility will serve the Cypress Lake Subdivision in Liberty County. The plant site is located 6000 feet north of State Highway 105, approximately 4.5 miles northwest of the intersection of State Highway 105 and State Highway 146, approximately 9.4 miles east-southeast of the intersection of State Highway 105 and Farm to Market Road 163 in Liberty County, Texas.

APPROVED, JH/PG

Item 3. APPLICATION BY MARKBOROUGH TEXAS, INC. for a permit (Proposed Permit No. 13628-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,500,000 gallons per day. The proposed wastewater treatment facilities are to be located 8,000 feet south of U.S. Highway 90A; 3,000 feet north of Brazos River and 4,800 feet west of Sartartia Road (Farm-to-Market Road 1464 south of U.S. Highway 90A) in Fort Bend County, Texas.

APPROVED, JH/PG

Item 4. APPLICATION BY NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 20 for a permit (Proposed Permit No. 13625-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,100,000 gallons per day. The wastewater treatment facility is serving a subdivision. The plant site is approximately 8,700 feet east

and 6,500 feet north of the intersection of Farm-to-Market Road 1960 and Stuebner Airline Road, approximately 2 and 1/4 miles northeast of the same intersection in Harris County, Texas.

APPROVED, JH/PG

Item 5. APPLICATION BY OKLAHOMA METAL PROCESSING COMPANY, INC. for a permit (Proposed Permit No. 03532) to authorize an intermittent flow variable discharge of stormwater runoff from the prolerizer (automobile shredder) machine area and slab and scrap metal storage areas. The applicant operates a metals reclamation and shredding plant. The plant site is at 7501 Wallisville Road on the northwest quadrant of the intersection of Wallisville Road and Wayside Drive, Harris County, Texas.

APPROVED, JH/PG

Item 6. APPLICATION BY CARROLL PACK for a permit (Proposed Permit No. 03501) to authorize disposal of waste and wastewater from a dairy. The dairy will consist of a maximum of 500 head. The dairy is on the east side of an unnamed county road located six miles south of the City of Stephenville and two miles south of the intersection of Farm-to-Market Road 914 and Farm-to-Market Road 847 in Erath County, Texas.

APPROVED, JH/PG

Item 7. APPLICATION BY ROCKDALE, SANDOW, AND SOUTHERN RAILROAD CO. for a permit (Proposed Permit No. 03522) to authorize a discharge of treated washdown water and stormwater at a volume not to exceed a flow of 14,000 gallons during any 24-hour period. The applicant proposes to operate a line haul railroad maintenance facility. The plant site is 2000 feet southeast of the intersection of Highway 79 and FM 1786 in the City of Rockdale, Milam County, Texas.

APPROVED, JH/PG

Item 8. APPLICATION BY F & S DAIRY for an amendment to Permit No. 03256 to authorize an increase in the number of head from 600 to 960 and to incorporate improvements constructed after the permit was originally issued. The dairy is on the south side of Farm-to-Market Road 219 approximately one mile east of the intersection of Farm-to-Market Road 219 and State Highway 281 in Hamilton County, Texas.

APPROVED, JH/PG

Item 9. APPLICATION BY HOECHST CELANESE CHEMICAL GROUP, INC. for an amendment to Permit No. 02891 in order to change from a permit authorizing only disposal by irrigation to a permit authorizing continued disposal by irrigation and a discharge of non-process stormwater. The proposed amendment would authorize an intermittent flow variable discharge of non-process stormwater via Outfalls 001, 002 and 003; increase the amount of land used for irrigation at Section 155 from 315 acres to 394 acres. Application rates for the irrigated land

shall not exceed 4 acre-feet/acre/year or a daily maximum rate of 13,000 gal/acre/date for each irrigation system. The permittee operates an organic chemicals production facility. The plant site is southwest of the intersection of U.S. Highway 60 and FM Road 2300, approximately 3 and 1/2 miles southwest of the City of Pampa in Gray County, Texas.

APPROVED, JH/PG

Item 10. APPLICATION BY J.M. HUBER CORPORATION for an amendment to Permit No. 00737 to authorize the addition of permit parameters and effluent limitations for Total Suspended Solids and Ammonia-Nitrogen and to replace the parameter of Biochemical Oxygen Demand with Carbonaceous Biochemical Oxygen Demand. The permit currently authorizes an intermittent flow variable discharge of storm water runoff commingled with treated domestic sewage, washdown water and utility water, which will remain the same. The applicant operates a carbon black manufacturing plant, using the furnace process. The plant site is south of IH-10, bounded by Cedar Bayou on the east and by the Southern Pacific Railroad tracks on the west, about five miles northeast of the City of Baytown in Harris County, Texas.

APPROVED, JH/PG

Item 11. APPLICATION BY KLAAS TALSMA for an amendment to Permit No. 03145 to authorize an increase in the number of milking head from 850 to a maximum of 1,400 and to incorporate improvements constructed after the permit was originally issued. The dairy is on the south side of an unnamed County Road located approximately eight miles southeast of the intersection of U.S. Highway 281 and U.S. Highway 67 in the City of Stephenville and four miles north of the Community of Duffau in Erath County, Texas.

APPROVED, JH/PG

Item 12. APPLICATION BY TIM COLLIER AND KEITH COLLIER for a minor amendment to Permit No. 03367 to modify the size of the storage pond and confinement area constructed after the issuance of the original permit. The permit authorizes the disposal of waste from a dairy which consists of a maximum of 700 milking head with 820 total head in confinement. The dairy is 3.0 miles southeast of the intersection of U.S. Highway 180 and U.S. Highway 84 in Scurry County, Texas.

APPROVED, JH/PG

Item 13. APPLICATION BY FEATHER CREST FARMS, INC. for a minor amendment to Permit No. 02345 in order to include an additional storage pond constructed after the issuance of the original permit. The poultry operation will consist of a maximum of 550,000 laying hens. The poultry operation is on the east side of State Highway 21, approximately one mile northeast of the intersection of State Highway 21 and Farm-to-Market Road 2038 in Brazos County, Texas.

APPROVED, JH/PG

Item 14. APPLICATION BY STANLEY JACKSON for a minor amendment to Permit No. 03248 to modify the size of the storage ponds as designed in the original permit. The permit authorizes the disposal of waste from a dairy which consists of a maximum of 600 total head. The dairy is six miles southwest of the intersection of Interstate 35 West and State Highway 174 (City of Burleson), one mile northeast of the intersection of County Road 1016 and County Road 914 in Johnson County, Texas.

APPROVED, JH/PG

Item 15. APPLICATION BY BIG THREE INDUSTRIES, INC. for renewal of Permit No. 01595 which authorizes a discharge of cooling tower blowdown, filter backwash water, floor drains and miscellaneous equipment cooling water at a volume not to exceed an average flow of 175,000 gallons per day from a cryogenic air separation plant that produces oxygen, nitrogen and argon. The plant site is on State Highway 347 south of Beaumont, Texas, on the north side of the road at a point approximately three miles south of the intersection of State Highway 347 and U.S. Highway 287, Jefferson County, Texas.

RENEWED, JH/PG

Item 16. APPLICATION BY CITY OF BRIDGE CITY for renewal of Permit No. 10051-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,100,000 gallons per day. The wastewater treatment facilities are on Bower Drive, approximately 2,000 feet southeast of the State Highway 87 bridge over Cow Bayou within Bridge City in Orange County, Texas.

RENEWED, JH/PG

Item 17. APPLICATION BY CAMCO INTERNATIONAL, INC. for renewal of Permit No. 02898 which authorizes a discharge of stormwater at a volume variable with rainfall from an oil field tool manufacturing facility. The plant site is at 7030 Ardmore in the City of Houston, Harris County, Texas.

RENEWED, JH/PG

Item 18. APPLICATION BY CITY OF CENTER for renewal of Permit No. 10063-04 which authorizes a discharge of filter backwash wastewater at a volume not to exceed an average flow of 96,000 gallons per day from the Mill Creek Surface Water Plant. The plant site is north of Lake Center, approximately 3 miles south-southeast of the intersection of U.S. Highway 96 and State Highway Spur 500 in Shelby County, Texas.

RENEWED, JH/PG

Item 19. APPLICATION BY CENTRAL POWER AND LIGHT COMPANY for renewal of Permit No. 01165 which authorizes a discharge of: once through cooling water and previously monitored effluents (PME) at a volume not to exceed an average flow of 194,000,000 gallons

per day via Outfall 001; of cooling tower blowdown at a volume not to exceed an average flow of 1,200,000 gallons per day via Outfall 002; and intermittent, flow variable discharges of stormwater via Outfall 003. The applicant operates the Victoria Steam Electric Station. The plant site is east of and adjacent to the Guadalupe River and northwest of the Wharf/Bottom Streets intersection in the City of Victoria in Victoria County, Texas.

RENEWED, JH/PG

Item 20. APPLICATION BY CITY OF COPPERAS COVE for renewal of Permit No. 10045-04 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 800,000 gallons per day. The New Northeast Wastewater Treatment Facilities are approximately 7,000 feet northeast of the City's central business district and approximately 2,000 feet northeast of the intersection of Georgetown Highway and Military Highway in the City of Copperas Cove in Coryell County, Texas.

CONTINUED TO FEBRUARY 10, 1993 AT 9:00 A.M.

Item 21. APPLICATION BY HOLNAM INC. for renewal of Permit No. 00456 which authorizes a discharge of stormwater, non-contact cooling water, and truck wash water at a volume not to exceed an average flow of 70,000 gallons per day from the Galena Park Portland cement distribution terminal. The plant site is in the 9600 block of Clinton Drive in the City of Galena Park, Harris County, Texas.

RENEWED, JH/PG

Item 22. APPLICATION BY CITY OF HUDSON for renewal of Permit No. 11826-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 550,000 gallons per day. The wastewater treatment facilities are approximately 0.8 mile east of the intersection of State Highway 94 and Farm to Market Road 3258 and approximately 0.8 mile south of the intersection of State Highway 94 and Farm to Market Road 706 in Angelina County, Texas.

RENEWED, JH/PG

Item 23. APPLICATION BY JONES CHEMICALS, INC. for renewal of Permit No. 01801 which authorizes a discharge of neutralized wastewater and stormwater at a volume not to exceed a flow of 70,000 gallons during any 24-hour period from its Houston Chemical Plant. The plant site is at 1777 Haden Road in the City of Houston, Harris County, Texas.

RENEWED, JH/PG

Item 24. APPLICATION BY CITY OF KINGSVILLE for renewal of Permit No. 10696-02 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 Plant No. 2 Wastewater Treatment Facilities. The plant site is north of Farm-to-

Market Road 1717, approximately 1.5 miles east of the intersection of Farm-to-Market Road 1717 and U.S. Highway 77 in Kleberg County, Texas.

RENEWED, JH/PG

Item 25. APPLICATION BY KNOX OIL OF TEXAS, INC. for renewal of Permit No. 12945-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 7,500 gallons per day. The wastewater treatment facilities are approximately 500 feet south of the intersection of Interstate Highway 35 and Farm-to-Market Road 310, on the west side of Interstate Highway 35 in Hill County, Texas.

RENEWED, JH/PG

Item 26. APPLICATION BY CITY OF LEWISVILLE for renewal of Permit No. 10662-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 12,000,000 gallons per day from the Prairie Creek Wastewater Treatment Facilities. The plant site is approximately 2,000 feet southwest of the intersection of AT & SF Railway and Elm Fork of the Trinity River, northeast of the City of Lewisville in Denton County, Texas.

RENEWED, JH/PG

Item 27. APPLICATION BY M.A. HANNA COMPANY for renewal of Permit No. 01028 which authorizes a discharge of domestic wastewater, process water, cooling water, cooling tower blowdown, boiler blowdown and stormwater runoff at a volume not to exceed an average flow of 200,000 gallons per day from a plastics compounding plant. The plant site is on the west side of State Highway 146, approximately 1500 feet north of the intersection of State Highway 146 and Red Bluff Road, Harris County, Texas.

RENEWED, JH/PG

Item 28. APPLICATION BY CITY OF MIDLOTHIAN for renewal of Permit No. 10348-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 900,000 gallons per day. The wastewater treatment facilities is 1.5 miles northwest of the City of Midlothian on a county road which is an extension of the northern end of Overlook Drive in Ellis County, Texas.

RENEWED, JH/PG

Item 29. APPLICATION BY ALBERT M. MILLER for renewal of Permit No. 11750-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 38,000 gallons per day from the Miller's Cove Wastewater Treatment facilities. The plant site is approximately 0.75 mile southwest of the intersection of State Spur No. 158 and Interstate Highway 30, just south of Winfield in Titus County, Texas.

RENEWED, JH/PG

Item 30. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 39 for renewal of Permit No. 11658-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 250,000 gallons per day from the wastewater treatment facilities. The plant site is approximately 2000 feet east of Interstate Highway 45, approximately 1-1/2 mile south of Farm-to-Market Road 1488, adjacent to the Missouri Pacific Railroad Tracks and an unnamed tributary in Montgomery County, Texas.

RENEWED, JH/PG

Item 31. APPLICATION BY DAVID K. MOORE dba DKM Enterprises for renewal of Permit No. 03011 which authorizes a discharge of treated wastewater at a volume not to exceed an average flow of 1,000 gallons per day. The convenience store and restaurant site is on the west side of State Highway 62, one tenth of a mile south of the intersection of State Highway 62 and State Highway 12, Orange County, Texas.

RENEWED, JH/PG

Item 32. APPLICATION BY CITY OF NEW WAVERLY for renewal of Permit No. 11020-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The wastewater treatment facilities are approximately 0.6 mile west of the junction of Farm to Market Road 1375 and United States Highway 75 in Walker County, Texas.

RENEWED, JH/PG

Item 33. APPLICATION BY CITY OF PARIS for renewal of Permit No. 10479-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 7,250,000 gallons per day. The wastewater treatment facilities are approximately six miles north of the City of Paris, 1.7 miles northeast of the intersection of Farm-to-Market Road 1499 and U.S. Highway 271 and 1/2 mile east of U.S. Highway 271 in Lamar County, Texas.

RENEWED, JH/PG

Item 34. APPLICATION BY CITY OF PEARSALL for renewal of Permit No. 10360-001 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,950,000 gallons per day. The wastewater treatment facilities are located on Old Loma Vista Road, approximately 0.25 of a mile northeast of the intersection of Farm-to-Market Road 1581 and Interstate Highway 35 in Frio County, Texas.

RENEWED, JH/PG

Item 35. APPLICATION BY PETROLITE CORPORATION, PETROLITE POLYMERS DIVISION for renewal of Permit No. 02931 which authorizes a discharge of noncontact cooling water, stormwater and treated

process wastewater at a volume not to exceed an average flow of 250,000 gallons per day from a specialty polymers and petroleum waxes plant. The plant site is at the intersection of Industrial Blvd. and Watson Road in the City of Kilgore, Gregg County, Texas.

RENEWED, JH/PG

Item 36. APPLICATION BY PORT TERMINAL RAILROAD ASSOCIATION for renewal of Permit No. 11773-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,750 gallons per day. The North Railroad Yard Wastewater Treatment Plant is approximately 4.5 miles due east of the downtown Houston Central Business District and inside the North Railroad Yard, approximately 400 east of North Wayside Drive and 600 feet north of Clinton Drive in Harris County, Texas.

RENEWED, JH/PG

Item 37. APPLICATION BY RHONE-POULENC BASIC CHEMICALS COMPANY for renewal of Permit No. 00540 which authorizes a discharge of stormwater and process water at a volume not to exceed an average flow of 135,000 gallons per day from the storage and shipping areas at their plant. The applicant currently operates a plant that manufactures sulfuric, hydrochloric and muriatic acids and potassium sulfate. The plant site is at 3500 Deen Road in the City of Fort Worth, Tarrant County, Texas.

RENEWED, JH/PG

Item 38. APPLICATION BY CITY OF ROUND ROCK for renewal of Permit No. 10264-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,000,000 gallons per day from the West Wastewater Treatment Plant. The plant site is approximately 3,000 feet southwest of the intersection of Farm-To-Market Road 1460 and U.S. Highway 79 and approximately 1,300 feet south of U.S. Highway 79 and 500 feet north of Circle Drive in the Trinity Addition in Round Rock in Williamson County, Texas.

RENEWED, JH/PG

Item 39. APPLICATION BY TIM STEENWYK for renewal of Permit No. 12368-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 20,000 gallons per day from the Giddings West Apartments Wastewater Treatment Facilities. The plant site is approximately 1600 feet west and 800 feet south of the northwest corner of the Lee County Fairgrounds in Lee County, Texas.

RENEWED, JH/PG

Item 40. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE - INSTITUTIONAL DIVISION for renewal of Permit No. 10986-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 450,000

gallons per day. The Central Unit No. 1 Wastewater Treatment Facilities are approximately 3500 feet northwest of the intersection of State Highway 6 and U.S. Highway 90A in Fort Bend County, Texas.

RENEWED, JH/PG

Item 41. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for renewal of Permit No. 10991-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 450,000 gallons per day from the Ramsey Unit II Wastewater Treatment Facilities. The plant site is approximately 5.0 miles east of the intersection of Farm-to-Market Road 655 and Farm-to-Market Road 521 within the boundary of the Ramsey Unit Prison Farm in Brazoria County, Texas.

RENEWED, JH/PG

Item 42. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for renewal of Permit No. 12300-001 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 60,000 gallons per day. The permittee is authorized to use treated effluent to irrigate designated areas at an application rate not to exceed 2.0 acre-feet/acre/year. The wastewater treatment facilities are located within the boundaries of the Ramsey State Prison Farm on the eastern side of the prison reservation, approximately 0.4 mile south of Farm-to-Market Road 655 and approximately 1.8 miles due west of the intersection of Farm-to-Market Road 655 and State Highway 288 in Brazoria County, Texas.

RENEWED, JH/PG

Item 43. APPLICATION BY TWINWOOD (U.S.) INC. for renewal of Permit No. 13089-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 300,000 gallons per day from the Twinwood Wastewater Treatment Facilities. The renewed permit has decreased the flow to 100,000 gallons per day average. The plant site is located approximately 1.5 miles southwest of the City of Simonton and the intersection of Farm to Market Roads 1093 and 1489, between Guyler Road and Brundreff Road in Fort Bend County, Texas.

RENEWED, JH/PG

Item 44. APPLICATION BY NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO.1 OF TRAVIS & WILLIAMSON COUNTIES FOR APPROVAL OF \$3,350,000 UNLIMITED TAX AND REVENUE BONDS, FOURTH ISSUE, 8.16% NET EFFECTIVE INTEREST RATE, SERIES 1993. For Commission consideration and action. Applicant requests Commission approval of a bond issue to finance a detention pond, Rattan Creek drainage improvements, and water, wastewater & drainage facilities for various subdivisions within the District.
(Nelson)

APPROVED, PG/JH

Item 45. LAKEWAY MUNICIPAL UTILITY DISTRICT OF TRAVIS COUNTY; APPLICATION FOR APPROVAL OF A \$615,000 UNLIMITED TAX AND REVENUE BOND ISSUE; 6.875% NET EFFECTIVE INTEREST RATE; TENTH ISSUE; PURSUANT TO V.T.C.A., WATER CODE SECTION 54.516. For Commission consideration and action. Applicant requests approval of the issuance of \$615,000 in tax and revenue bonds to finance the expansion of its East Wastewater Treatment Plant. (Ferguson)

APPROVED, PG/JH

Item 46. APPLICATION BY HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 110 FOR APPROVAL OF AMENDMENT TO COMMISSION ORDER AUTHORIZING \$970,000 IN UNLIMITED TAX & REVENUE BONDS APPROVED AT THE COMMISSION'S DECEMBER 2, 1992 AGENDA. For Commission consideration and action. Applicant requests amendment to Commission Order and increasing the authorization from \$970,000 to \$1,050,000 as originally requested; & approval of funding drainage facilities for Cypress Forest Section 2 and change orders to Cypress Forest Section 2 & Cypress Forest Estates/Kotar Court for repairs included in the original request. (Heroy)

APPROVED, PG/JH

Item 47. APPLICATION BY CYPRESS FOREST PUD FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$3,150,000 BOND ISSUE APPROVED DECEMBER 29, 1983. For Commission consideration and action. Applicant requests approval of the use of \$53,380 in surplus funds to finance the District's pro rata share of costs for the construction and installation of dechlorination facilities at the Kleinwood Joint Powers Wastewater Treatment Plant. (Cobo-Parra)

APPROVED, PG/JH

Item 48. APPLICATION BY KLEINWOOD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$640,000 BOND ISSUE APPROVED FEBRUARY 7, 1991. For Commission consideration and action. Applicant requests the use of \$96,900 in surplus funds to finance the District's pro rata share of televising, smoke testing and maintenance of the District's wastewater lines and the construction and installation of dechlorination facilities of the Kleinwood Joint Powers Wastewater Treatment Plant. (Romo)

APPROVED, PG/JH

Item 49. APPLICATION BY MASON CREEK UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS, THE USE OF SURPLUS FUNDS, AND A CHANGE IN PLANS; \$7,550,000 BOND ISSUE APPROVED MARCH 9, 1980. For Commission consideration and action. Applicant requests approval of the release of \$93,400 of escrowed funds, the use of \$80,728 of surplus funds, and a change in plans for the construction of a replacement water well. (Heroy)

APPROVED, PG/JH

Item 50. APPLICATION BY WINDSWEPT UTILITY DISTRICT OF WALKER COUNTY FOR DISSOLUTION OF THE DISTRICT. For Commission consideration and action. Applicant requests dissolution of the District. (Nelson)

APPROVED, PG/JH

Item 51. APPLICATION OF ROC PROPERTIES, INC. DBA SIESTA ESTATES MOBILE HOME PARK for a Water Certificate of Convenience and Necessity in Randall County, TX (Application No. 9823-C, Poe)

APPROVED, JH/PG

Item 52. APPLICATION OF BETHANY WATER SUPPLY CORPORATION to amend Water Certificate of Convenience and Necessity No. 11051 in Johnson County, TX (Application No. 9809-C, Poe)

REMANDED TO EXECUTIVE DIRECTOR, JH/PG

Item 53. APPLICATION OF H & J WATER COMPANY, INC. to amend Water Certificate of Convenience and Necessity No. 10873 in Grimes, Harris and Montgomery Counties, TX (Application No. 9511-C, Holck)

APPROVED, JH/PG

Item 54. APPLICATION OF H & J WATER COMPANY, INC. to transfer a portion of Water Certificate of CCN No. 10873 to Porter Water Supply Corporation, CCN No. 11473, in Montgomery County, TX (Application No. 9435-S, Holck)

APPROVED, JH/PG

Item 55. APPLICATION OF MOFFAT WATER SUPPLY CORPORATION to amend Water Certificate of Convenience and Necessity No. 11166 and to cancel Water Certificate of Convenience and Necessity No. 10918 of Lake Forest Corporation in Bell County, TX (Application No. 9751-C, Gonzalez)

APPROVED, JH/PG

Item 56. APPLICATION OF ELM VALLEY PARK DEVELOPMENT COMPANY, INC. to amend Water Certificate of Convenience and Necessity No. 11447 in Bexar County, TX (Application No. 9810-C, Poe)

APPROVED, JH/PG

Item 57. APPLICATION OF G & W WATER SUPPLY CORPORATION to amend Water CCN No. 12391 and to cancel CCN No. 12314 of Club Lake View, Inc. dba Club Lakeview, Inc. in Grimes and Waller Counties, TX (Application No. 9561-C, Holck)

APPROVED, JH/PG

Item 58. APPLICATION OF OAK HOLLOW UTILITY CO., INC. to Amend Water CCN No. 12154 and to Decertify a Portion of CCN No. 12391 Issued to G & W Water Supply Corporation (WSC) in Waller County, TX

(Application No. 12154, Holck)

APPROVED, JH/PG

Item 59. APPLICATION OF RANGER UTILITY COMPANY, INC. to Transfer Water CCN No. 12324 from Ranger Development Company, Inc. in Bowie, Harris and Waller Counties, TX (Application No. 9596-S, Holck)

APPROVED, JH/PG

Item 60. APPLICATION OF ROBERT GAFFORD DBA GAFFORD WATER SYSTEM to Transfer CCN No. 12096 from Wayne & Guyla McCaskill dba McCaskill Water System in Kleberg County, TX (Application No. 9788-T, Holcomb)

APPROVED, JH/PG

Item 61. APPLICATION OF CITY OF COTTONWOOD SHORES to Transfer and Cancel Water CCN No. 10933 in Burnet County, TX (Application No. 9462-S, Abrego)

APPROVED, JH/PG

Item 62. APPLICATION OF JACK WEBERNICK AND C. W. HONEA DBA CLEARVIEW WATER SYSTEM to Discontinue Water Utility Service in Williamson County, TX (Application No. 9813-Q, Holck)

APPROVED, JH/PG

Item 63. APPLICATION OF J. W. GODFREY DBA LITTLE THICKET MOBILE HOME PARK for Cancellation of Water CCN No. 12355 in Walker County, TX (Application No. 9763-Q, Holck)

APPROVED, JH/PG

Item 64. APPLICATION NO. 23-3997B BY THE CITY OF LAREDO TO COMBINE AND AMEND WATER RIGHTS OWNED BY THE CITY UNDER CERTIFICATES OF ADJUDICATION NOS. 23-2422 AND 23-3997, AS AMENDED. FOR COMMISSION ACTION. Applicant seeks to amend the 18 acre-feet of Class "A" water rights owned by the City and authorized by Certificate No. 23-2422 by changing the purpose of use to municipal (equating to 9 acre-feet), changing the place of use to the City's service area, and then combining these rights with rights held under Certificate No. 23-3997, as amended. (SMITH/jme)

APPROVED, PG/JH

Item 65. APPLICATION NO. 5434 BY RICHARD L. AND KIM L. MURPHY FOR A SECTION 11.121 WATER USE PERMIT. FOR COMMISSION ACTION. Applicant seeks authorization to maintain an existing dam creating a reservoir on an unnamed tributary of South Fish Creek, Red River Basin, to construct and maintain another dam creating a reservoir on the same tributary, to use the two reservoirs for in-place recreational purposes and to divert and use not to exceed 70 acre-feet of water per annum from the proposed reservoir for irrigation of a golf course in Cooke

County. (Smith;jgb)

APPROVED, PG/JH

Item 66. APPLICATION TA-6953 BY UVALDE COUNTY ROAD DEPARTMENT FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TWC SECTION 11.138. FOR COMMISSION ACTION. Applicant seeks to divert and use 6 acre-feet of water from the Nueces River Basin within a 3-year period from various creeks and rivers Throughout Uvalde County for general county roadway construction and maintenance throughout the county. (SMITH/arc)

APPROVED, PG/JH

Item 67. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MIDTEX OIL COMPANY, INC., TWC FACILITY ID NO. 25888. (Smith, J.)

APPROVED AND ISSUE AGREED ORDER, PG/JH

Item 68. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF DIAMOND HEAD WATER SUPPLY CORPORATION FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY AND THE CUSTOMER PROTEST OF DIAMOND HEAD WATER SUPPLY CORPORATION'S WATER AND SEWER RATE INCREASE TO PROVIDE WATER AND SEWER SERVICE IN MONTGOMERY COUNTY, TEXAS. (DOCKET NOS. 9224-C & 9225-C and 9467-W. RECOMMENDATION: ADOPTION OF THE PROPOSED ORDER. (BILL ZUKAUCKAS)

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PG/JH

Item 69. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CAYUGA INDEPENDENT SCHOOL DISTRICT FOR PERMIT NO. 13574 TO AUTHORIZE THE DISCHARGE OF 30,000 GPD OF TREATED DOMESTIC WASTEWATER EFFLUENT IN ANDERSON COUNTY, TEXAS, AND SEGMENT NO. 0804 OF THE TRINITY RIVER BASIN. RECOMMENDATION: ISSUE PERMIT. (JACKSON)

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PG/JH

Item 70. COMMISSION APPROVAL OF MEMBERS TO BE APPOINTED TO THE TEXAS IRRIGATORS ADVISORY COUNCIL.

ADOPT STAFF RECOMMENDATION ON APPOINTMENT OF MEMBER TO IRRIGATORS ADVISORY COUNCIL AND ADOPT RESOLUTION, JH/PG

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, January 27, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 71. APPLICATION OF CITY OF HARLINGEN DBA HARLINGEN WATER WORKS SYSTEM to Transfer a Portion of Water CCN No. 10551 from Military Highway Water Supply Corporation and Amend Water CCN No. 11875 in Cameron County, TX (Application No. 9845-S, Holck)

APPROVED, JH/PG

UNCONTESTED OLD BUSINESS

Wednesday, January 27, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

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

- Item 1. APPLICATION BY CITY OF GREENVILLE for renewal of Permit No. 10485-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 4,230,000 gallons per day. The wastewater treatment facilities are approximately 1.3 miles east of the intersection of Interstate Highway 30 and U.S. Highway 69 in Hunt County, Texas.

REMANDED TO EXECUTIVE DIRECTOR, JH/PG

Item carried forward from Agenda of January 13, 1993.

- Item 2. 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)

REMANDED TO EXECUTIVE DIRECTOR, JH/PG

HALL
GARNER
REED-ABSENT & EXCUSED

CONTESTED AGENDA

Wednesday, January 27, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER REQUIRING CERTAIN ACTIONS OF THE U.S. DEPARTMENT OF THE AIR FORCE, THE DEFENSE REUTILIZATION AND MARKETING SERVICE, MR. SEBASTIAN KOCH, MR. EUGENE BOECK, AND THE ESTATE OF LUTHER SMITH; EUGENE BOECK PROPERTY, TEXAS SOLID WASTE REGISTRATION NO. 39770; LUTHER SMITH PROPERTY, TEXAS SOLID WASTE REGISTRATION NO. 52014. (Alvarado)

Continued to March 17, 1993

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S SUPPLEMENTAL ENFORCEMENT REPORT AND PETITION FOR AN ORDER REQUIRING CERTAIN ACTIONS OF THE U.S. DEPARTMENT OF DEFENSE, DEPARTMENT OF THE ARMY, ARMY ARMAMENT, MUNITIONS AND CHEMICAL COMMAND - LONGHORN ARMY AMMUNITION PLANT; TEXAS SOLID WASTE REGISTRATION NO. 30990. (Hall)

Remand to Office Hearings Examiner, JH/PG

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER REQUIRING CERTAIN ACTIONS OF FINA OIL & CHEMICAL COMPANY - COAHOMA; TEXAS SOLID WASTE REGISTRATION NO. 52083. (Ballard)

Continued to April 28, 1993

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 Lyondell Petrochemical Company; SWR. 30092 (Hall)

Continued to March 10, 1993

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN AGREED ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TEXACO REFINING AND MARKETING, INC.; TEXAS SOLID WASTE REGISTRATION NO. 30005. (Hahn)

Issue Agreed Order, PG/JH

Item 6. CONSIDERATION OF A PETITION BY NATIONAL LEAK PREVENTION ASSOCIATION, ET AL., FOR RULEMAKING PURSUANT TO 31 TEXAS ADMINISTRATIVE CODE (TAC) Section 225.78. Petitioner requests change to Petroleum Storage Tank regulations 31 TAC Section 334 to allow for internal lining as a sole method of upgrade for underground storage tanks. (Holmes)

Deny Petition, JH/PG

Item 7. CONSIDERATION OF THE ADOPTION OF PERMANENT RULES 31 TEXAS ADMINISTRATIVE CODE (TAC) SECTIONS 330.1180-330.1190, CONCERNING OIL FILTER MANAGEMENT STANDARDS; AND 31 TAC SECTIONS 330.1170-330.1174, CONCERNING USED OIL REIMBURSEMENT.

Adopt Sections 330.1170 - 330.1174 as recommended by staff, Continued Sections 330.1180 - 330.1190 to February 10, 1993, JH/PG

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

ADDENDUM TO CONTESTED AGENDA

Wednesday, January 27, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 10. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR INTERIM RATES IN THE APPLICATION OF LOLLIPOP WATER WORKS, INC., IN HENDERSON COUNTY, DOCKET NO. 9865-G. (Clayton)

Set Interim Rates as recommended by staff, JH/PG