

HALL  
REED  
GARNER

UNCONTESTED AGENDA

Wednesday, February 3, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 1. Consideration of the Executive Director's request for administrative approval for the transfer of municipal solid waste Permit No. MSW1421 from NATIONAL WASTE COMPANY to ALLWASTE RECOVERY SERVICES, INC..

APPROVED, PG/PR

Item 2. Consideration of an application by NSSI/RECOVERY SERVICES, INC. for a Class 2 Modification to Permit No. HW50269 in accordance with 31 TAC Section 305.69. NSSI/Recovery Services, Inc. operates a commercial hazardous waste facility located at 5711 Etheridge in the City of Houston, Harris County, Texas.

APPROVED, PR/JH

Item 3. APPLICATION BY AUSTIN REHABILITATION CENTER, INC. for a permit (Proposed Permit No. 13635-01) to authorize the disposal of treated domestic sewage effluent by irrigation on 4.5 acres of land. The disposal volume is not to exceed an average of 10,000 gallons per day. The wastewater treatment facility will serve a rehabilitation center. The wastewater treatment facility, effluent storage pond and irrigation site are approximately 3.3 miles east of the intersection of Interstate Highway 35 and Farm-to-Market Road 1327, and approximately 1.4 miles south of the intersection of Farm-to-Market Road 1327 and Wright Road in Travis County, Texas.

APPROVED, PG/PR

Item 4. APPLICATION BY CAMCO INTERNATIONAL, INC. DBA NOWCAM SERVICES for a permit (Proposed Permit No. 03472) to authorize an intermittent flow variable discharge of treated wastewater from a truck washing facility, plus a flow variable discharge of stormwater. The applicant operates an oil and gas field services facility. The plant site is on the east side of Waverly Road, approximately one-half mile north of the intersection of Greens Road and Waverly Road in the City of Houston, Harris County, Texas.

APPROVED, PG/PR

Item 5. APPLICATION BY CITY OF LA MARQUE for a permit (Proposed Permit No. 10410-03) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow

of 1,500,000 gallons per day. The plant site is adjacent to Mahan Park approximately 1300 feet south of the intersection of Woodlawn and Lake Streets on North Bank of Highland Bayou in Galveston County, Texas.

APPROVED, PG/PR

Item 6. APPLICATION BY CITY OF POTEET for a permit (Proposed Permit No. 13630-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 280,000 gallons per day. The plant site is approximately 0.4 mile east of State Highway 16 and 0.75 mile south of Farm-to-Market Road 476 in the southern section of the City of Poteet in Atascosa County, Texas.

APPROVED, PG/PR

Item 7. APPLICATION BY PAUL WOHLGEMUTH for a permit (Proposed Permit No. 03463) to authorize disposal of wastes 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 and north of Farm-to-Market Road 716 approximately four miles west of the intersection of Farm-to-Market Road 716 and U.S. Highway 281 in the City of Premont in Jim Wells County, Texas.

APPROVED, PG/PR

Item 8. APPLICATION BY TRINITY RIVER AUTHORITY OF TEXAS for an amendment to Permit No. 10984-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 20,000,000 gallons per day to a volume not to exceed an average flow of 24,000,000 gallons per day. The Ten Mile Creek Wastewater Treatment Facilities are approximately 2.0 miles northeast of the City of Ferris, north of Ten Mile Creek and 3.5 miles from its confluence with the Trinity River in Dallas County, Texas.

APPROVED, PG/PR

Item 9. APPLICATION BY CALLISBURG INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 13393-01 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 0.7 mile east-southeast of the intersection of Farm-to-Market Roads 678 and 3164 in Cooke County, Texas.

RENEWED, PG/PR

Item 10. APPLICATION BY CHEVRON U.S.A., INC. DBA CHEVRON U.S.A. PRODUCTS COMPANY for renewal of Permit No. 02865 which authorizes a discharge of stormwater at a volume variable with rainfall from a petroleum storage and transfer facility. The plant site is on the south side of State Highway 31 E, approximately 4 miles east of the City of Dawson, Navarro County, Texas.

RENEWED, PG/PR

Item 11. APPLICATION BY CITY OF GANADO for renewal of Permit No. 10010-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 200,000 gallons per day. The Ganado Wastewater Treatment Facilities are approximately 800 feet southwest of the Ganado City limits and approximately 1,900 feet west of the intersection of Baker Street and State Highway 172 at the end of Baker Street in Jackson County, Texas.

RENEWED, PG/PR

Item 12. APPLICATION BY CITY OF GATESVILLE for renewal of Permit No. 10176-01 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 south of the City of Gatesville, on the north bank of the Leon River, at a point approximately eight blocks south of Main Street in Coryell County, Texas.

RENEWED, PG/PR

Item 13. APPLICATION BY HILL COUNTRY UTILITIES, INC. for renewal of Permit No. 11402-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 400,000 gallons per day from the Lamplight Village Subdivision Wastewater Treatment Facilities. The plant site is approximately 300 feet north of Parmer Lane and 1 mile east of Farm-to-Market Road 1325 in Travis County, Texas.

RENEWED, PG/PR

Item 14. APPLICATION BY LUTHER'S BAR-B-Q, INC. for renewal of Permit No. 02508 which authorizes a discharge of treated wastewater at a volume not to exceed an average flow of 5,000 gallons per day from a wastewater treatment facility for a restaurant. The plant site is at 703 West Farm to Market Road 1960 at Hafer Road in Harris County, Texas.

RENEWED, PG/PR

Item 15. APPLICATION BY MARATHON OIL COMPANY, PASADENA TERMINAL for renewal of Permit No. 02557 which authorizes a discharge of stormwater at a volume variable with rainfall from a light oil storage terminal. The plant site is at 431 N. South Avenue in the City of Pasadena, Harris County, Texas.

RENEWED, PG/PR

Item 16. APPLICATION BY CITY OF MOULTON for renewal of Permit No. 10227-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 121,000 gallons per day from the City of Moulton Wastewater Treatment Facilities. The plant site is at 106 East South First Street, approximately three blocks south of the intersection of East First Street and Moore Avenue in the City

of Moulton, in Lavaca County, Texas.

RENEWED, PG/PR

Item 17. APPLICATION BY REDLAND STONE PRODUCTS COMPANY for renewal of Permit No. 00331 which authorizes a discharge of wastewater at a volume not to exceed an average flow of 50,000 gallons per day from a sand and gravel production plant. The plant site is on the south side of Flat Creek approximately 0.4 miles west of the FM Road 434 and 3 miles north of the intersection of FM 434 and FM 3400, McLennan County, Texas.

RENEWED, PG/PR

Item 18. APPLICATION BY TEXAS COMMERCE BANK for renewal of Permit No. 12816-01 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 Sunshine Country Acres Wastewater Treatment Facilities. The plant site is approximately 1.7 miles east of Farm to Market Roads 2736 and 917, and 1.2 miles southeast of the intersection of Farm to Market Roads 2738 and 917 in Johnson County, Texas.

RENEWED, PG/PR

Item 19. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY for renewal of Permit No. 00947 which authorizes a discharge of once through cooling water and previously monitored effluents at a volume not to exceed an average flow of 425,000,000 gallons per day from the Trinidad Steam Electric Station. The plant site is on the north shore of Trinidad Lake off FM Road 764, approximately one mile south of the City of Trinidad, Henderson County, Texas.

RENEWED, PG/PR

Item 20. APPLICATION BY TRENDMAKER, INC. for renewal of Permit No. 12406-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 12,000 gallons per day. The Ten Plaza West Wastewater Treatment Facilities are approximately 400 feet south of Interstate Highway 10 (Katy Freeway) at a point 1.1 miles west of State Highway 6 and 1.3 miles east of Barker-Cypress Road in Harris County, Texas.

RENEWED, PG/PR

Item 21. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 8 OF FORT BEND COUNTY FOR APPROVAL OF THE ISSUANCE OF \$2,530,000 IN UNLIMITED TAX BONDS, FIFTH ISSUE, 7.72% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests approval of the issuance of \$2,530,000 in unlimited tax bonds to finance utility infrastructure to serve 311 equivalent single family connections, and purchase connection fees from Fort Bend County MUD No. 13. (DeRusse)

APPROVED, PR/PG

Item 22. APPLICATION BY WALNUT CREEK SPECIAL UTILITY DISTRICT OF PARKER AND WISE COUNTIES FOR APPROVAL OF \$7,000,000 UTILITY SYSTEM REVENUE BONDS, SERIES 1993; FIRST ISSUE; 7.25% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests Commission approval for a bond issue to finance improvements to allow the District to convert it's existing ground water treatment plant to a surface water supply source. (Ferguson)

APPROVED, PR/PG

Item 23. APPLICATION BY BRAZORIA COUNTY FRESH WATER SUPPLY DISTRICT NO. 1 FOR APPROVAL OF \$500,000 COMBINATION TAX AND REVENUE BONDS, SERIES 1993; FOURTH ISSUE; 7.00% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests Commission approval for a bond issue to finance improvements to the District's potable water system. (Ferguson)

APPROVED, PR/PG

Item 24. APPLICATION BY NORTHWEST GRAYSON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, \$1,100,000 WATER SYSTEM TAXABLE REVENUE BONDS, SERIES 1993; FIRST ISSUE; 10.48% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests Commission approval to issue bonds to finance construction of a new water treatment plant. (Ferguson)

APPROVED, PR/PG

Item 25. APPLICATION BY GREEN TRAILS MUNICIPAL UTILITY DISTRICT TO USE \$65,007 IN SURPLUS FUNDS; \$1,260,000 BOND ISSUE APPROVED OCTOBER 19, 1989. For Commission consideration and action. Applicant requests the use of \$65,007 in surplus funds to finance the costs of repairs to the District's well pump and motor assembly. (Wheeler)

APPROVED, PR/PG

Item 26. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 21 FOR APPROVAL OF THE USE OF \$301,062 OF SURPLUS FUNDS; \$4,500,000 BOND ISSUE APPROVED APRIL 11, 1990. For Commission consideration and action. Applicant requests approval of the use of \$301,062 of surplus funds for miscellaneous repairs and construction relating to District's wastewater collection system. (Heroy)

APPROVED, PR/PG

Item 27. APPLICATION OF CITY OF LANCASTER to Acquire B. J. Jones dba B & D Utilities and Cancel Water CCN No. 11843 in Dallas County, Tx (Application No. 9828-S, Holck)

APPROVED, PG/PR

Item 28. APPLICATION OF PERRY BUSHONG DBA SHALAKO ESTATES WATER SYSTEM for a Water Certificate of Convenience and Necessity in Kerr

County, TX (Application No. 9808-C, Holck)

APPROVED, PG/PR

Item 29. APPLICATION OF TEXOMA SERVICES CORPORATION to amend Water Certificate of Convenience and Necessity No. 11363 in Grayson County, TX (Application No. 9841-C, Poe)

APPROVED, PG/PR

Item 30. APPLICATION OF SAN PATRICIO MUNICIPAL WATER DISTRICT to Cancel a portion of Certificate of Convenience and Necessity No. 10572 in San Patricio County, TX (Application No. 9783-Q, Holcomb)

APPROVED, PG/PR

Item 31. APPLICATION OF DONALD L. DICKESN DBA HORSESHOE BEND WATER WORKS for a Rate/Tariff Change in Parker County, Tx (Application No. 9515-R, Mayhew)

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

Item 32. APPLICATION NO. 5435 BY PLAINS PETROLEUM OPERATING COMPANY FOR A SECTION 11.121 WATER USE PERMIT. For Commission action. Pursuant to an upstream water supply agreement with the Brazos River Authority, applicant seeks authorization to divert and use not to exceed 235 acre-feet of water per annum from the underflow of the Brazos River, Brazos River Basin, for mining (secondary oil recovery) use in Knox County, Texas. (SMITH;tls)

APPROVED, PR/PG

Item 33. APPLICATION NO. 4025A BY CAPITOL AGGREGATES TO AMEND PERMIT NO. 3732. FOR COMMISSION ACTION. Applicant seeks to amend Permit No. 3732 by increasing the size of the authorized impoundment, increasing the annual diversion, increasing the diversion rate, and increasing their consumptive use at their gravel operation, approximately 13.5 miles southwest of San Antonio, Bexar County, Texas. (SMITH/jme)

APPROVED, PR/PG

Item 34. APPLICATION NO. TA-6946 BY TOM GREEN COUNTY FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION NO. 11.138. FOR COMMISSION ACTION. Applicant seeks to divert and use 9 acre-feet of water within a 3-year period from various streams in the Colorado River Basin within Tom Green County for industrial purposes (county roadway construction and maintenance) from various roadway crossings of various streams all within Tom Green County, Texas. (SMITH/jme)

APPROVED, PR/PG

Item 35. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATIONS OF BRITMORE UTILITY, INC.; CREEKSIDE UTILITY, INC.; REDWOOD UTILITY, INC. AND PEEK ROAD UTILITY, INC. TO

INCREASE RETAIL WATER AND SEWER RATES IN HARRIS COUNTY, TEXAS (DOCKET NOS. 9400-R & 9401-R). APPLICANTS PROVIDE RETAIL WATER AND SEWER SERVICE TO APPROXIMATELY 718 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (WOOD).

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

Item 36. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF OUT OF DISTRICT CUSTOMERS OF CITY OF BONHAM WATER AUTHORITY APPEALING WATER RATES IN FANNIN COUNTY, TEXAS (DOCKET No. 9604-W. APPLICANT PROVIDES WATER SERVICE TO APPROXIMATELY 200 OUT OF DISTRICT CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (JACKSON)

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

Item 37. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF AREACO INVESTMENT DBA LOG CABIN ESTATES WATER COMPANY FOR A TRANSFER OF CERTIFICATE OF CONVENIENCE AND TO PROVIDE WATER SERVICE IN HENDERSON COUNTY, TEXAS. (Docket No. 9169-S). RECOMMENDATION: DISMISSAL OF THE APPLICATION. (BILL ZUKAUCKAS)

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

Item 38. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF AM-TEX, INC., RECEIVER FOR TAWAKONI WATER UTILITY CORPORATION FOR EMERGENCY RATE INCREASE TO INCREASE RETAIL WATER RATES IN HUNT, KAUFMAN AND VAN ZANDT COUNTIES, TEXAS (DOCKET NO. 9478-R). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 2500 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (SORRELLS)

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

Item 39. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CITY OF CONVERSE FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10701 TO PROVIDE WATER SERVICE IN BEXAR COUNTY, TEXAS. (DOCKET NO. 9572-C) RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (LIMES)

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

Item 40. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF SHADY HOLLOW PARTNERS FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE IN TRAVIS COUNTY, TEXAS. (DOCKET NO. 9313-C). RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (JACKSON)

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

CONTESTED AGENDA

Wednesday, February 3, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SOUTHWESTERN CONTAINER CORPORATION, FORMERLY PERMIAN DRUM AND CONTAINER COMPANY; TEXAS SOLID WASTE REGISTRATION NO. 39255. (Hall)

Continued to April 7, 1993

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SERVICE PAINTING COMPANY; TEXAS SOLID WASTE REGISTRATION NO. 35671. (McLeod)

Continued to April 7, 1993

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF LAIDLAW WASTE SYSTEMS/TIGER CORPORATION; TEXAS SOLID WASTE REGISTRATION NO. 01327. (Ramirez)

Continued to March 3, 1993

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AUSTIN LUBRICATION CORPORATION. (Winter)

Remand to Office Hearing Examiner's with instructions to Set for Hearing within 60 days. 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 STAR ENTERPRISE, TWC FACILITY ID NO. 13602. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 6. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF HERTZ RENT-A-CAR CORPORATION, TWC FACILITY ID NO. 31385. (Ligarde/Bower)

Issue Agreed Order, PR/PG



Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BUDGET RENT A CAR SYSTEM, INC., TWC FACILITY ID NO. 47588. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BUDGET RENT A CAR SYSTEM, INC., TWC FACILITY ID NO. 31044. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BUDGET RENT A CAR SYSTEM, INC., TWC FACILITY ID NO. 31046. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 10. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF HAYES LEASING COMPANY, INC., TWC FACILITY ID NO. 23813. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 11. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF FEDERAL EXPRESS CORPORATION, TWC FACILITY ID NO. 58676. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 12. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DOBBS INTERNATIONAL SERVICES, INC., TWC FACILITY ID NO. 00853. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 13. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DALLAS/FT. WORTH INTERNATIONAL AIRPORT, TWC OWNER ID NO. 10457. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 14. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF HAYES LEASING COMPANY, INC., TWC FACILITY ID NO. 23814. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 15. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF NATIONAL CAR RENTAL SYSTEM, INC., TWC FACILITY ID NO. 54038. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 16. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AMERICAN AIRLINES, TWC FACILITY ID NO. 58393. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 17. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AMERICAN AIRLINES, TWC FACILITY ID NO. 58394. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 18. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AMERICAN AIRLINES, TWC FACILITY ID NO. 12474. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 19. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF STAR ENTERPRISE, TWC FACILITY ID NO. 13603. (Ligarde/Bower)

Issue Agreed Order, PR/PG

Item 20. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER REQUIRING CERTAIN ACTIONS OF HART CREOSOTING COMPANY; TEXAS SOLID WASTE REGISTRATION NO. 70080 (GLENN HALL)

Continued to March 24, 1993

Item 21. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST TO ADOPT NEW 31 TEXAS ADMINISTRATIVE CODE, CHAPTER 290.50 CONCERNING LABORATORY ANALYSES. This provision establishes the Texas Department of Health, Bureau of Laboratories, as the State certified laboratory for public drinking water system monitoring. (Montelongo)

Adopt Chapter 290.50 Concerning Laboratory Analyses, PR/PG

Item 22. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE PETITION OF THE EXECUTIVE DIRECTOR OF THE TEXAS WATER COMMISSION FOR A COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DAN ROBERTS DBA DAN ROBERTS WATER SYSTEM, WIMBERLEY, HAYS COUNTY, TX. RECOMMENDATION: ISSUE THE ORDER ASSESSING PENALTIES. (WOOD)

Adopt Examiner's Proposal For Decision and Issue Order, overule all exceptions, and followup on recommendations as made by Commissioner Reed, PR/PG

Item 23. 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 24. 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).

General Counsel will do certified minutes

ADDENDUM TO CONTESTED AGENDA

Wednesday, February 3, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 25. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR INTERIM RATES IN THE APPLICATION OF S. A. DUFFIN DBA WEST PARK VILLAGE; DOCKET NO. 9858. (Montelongo)

Approve Interim rates as requested by staff, PR/PG

CONTESTED OLD BUSINESS

Wednesday, February 3, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of December 16, 1992.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER REQUIRING CERTAIN ACTIONS OF HURRICANE STEEL INDUSTRIES, INC., AT ITS FORMER SITE IN LA GRANGE, TEXAS, MR. AND MRS. JOHN KIGER, RAYMOND G. SCHINDLER, ESTATE OF LEON SCHINDLER, HOWARD SCHINDLER, WILLIAM SCHINDLER, AND THE OTTO WOLFF CORPORATION; TEXAS SWR NO. 30208. (Ballard)

Continued to April 7, 1993

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

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ATLAS ENERGY PRODUCTS, SWR NO. 20082. (HAHN)

Continued to April 7, 1993