

HALL
REED
GARNER

UNCONTESTED AGENDA

Wednesday, February 17, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. APPLICATION BY W. C. BARTON for a permit (Proposed Permit No. 03513) to authorize disposal of waste and wastewater from a dairy. The dairy will consist of a maximum of 450 head. The dairy is at a point approximately 0.5 mile south of the intersection of Farm-to-Market Road 4 and Farm-to-Market Road 417, approximately 5 miles east-southeast of the City of Cleburne, in Johnson County, Texas.

APPROVED, PR/PG

Item 2. APPLICATION BY M & M DAIRY for a permit (Proposed Permit No. 03502) to authorize disposal of waste and wastewater from a dairy operation. The dairy will consist of a maximum of 600 head. The dairy is on the south side of Farm-to-Market Road 852 approximately 5 miles west of the City of Winnsboro in Wood County, Texas.

APPROVED, PR/PG

Item 3. APPLICATION BY MEADOWLAND UTILITY CORPORATION for a permit (Proposed Permit No. 13632-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The proposed wastewater treatment facilities will serve Meadowland Development Sections II and III. The plant site is approximately 7600 feet west of the intersection of State Highway 35 and the American Canal, approximately 1.9 miles north of the intersection of State Highway 6 and McCormick Street in Brazoria County, Texas.

APPROVED, PR/PG

Item 4. APPLICATION BY JAMES PARKS for a permit (Proposed Permit No. 03514) to authorize disposal of waste and wastewater from a dairy. The dairy will consist of a maximum of 350 milking head. The dairy is on the north side of Farm-to-Market Road 8, approximately one and one-half miles northwest of the intersection of Farm-to-Market Road 8 and Farm-to-Market Road 219 north of Lingleville in Erath County, Texas.

APPROVED, PR/PG

Item 5. APPLICATION BY CITY OF SINTON for a permit (Proposed Permit No. 13641-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day from the Rob & Bessie Welder Park Wastewater Treatment Facilities. The plant site is in Rob & Bessie Welder Park on U.S. Highway 181, approximately 2.4 miles north of the intersection of U.S. Highway 181 and Farm-to-Market Road 881 in San Patricio County, Texas.

APPROVED, PR/PG

Item 6. APPLICATION BY UNITED STATES DEPARTMENT OF THE INTERIOR, AMISTAD NATIONAL RECREATION AREA for a permit (Proposed Permit No. 03505) to authorize disposal of treated wastewater from a recreational area by evaporation. The plant site is south of the Amistad Village, approximately 13 miles north of the City of Del Rio, Val Verde County, Texas.

APPROVED, PR/PG

Item 7. APPLICATION BY BEN WHEELER WATER SUPPLY CORPORATION for an amendment to Permit No. 02044 to authorize an increase in the discharge of filter backwash wastewater from a volume not to exceed an average flow of 2,000 gallons per day to 5,500 gallons per day. The plant site is approximately 3.7 miles east-northeast of Ben Wheeler and 0.6 miles north of Farm to Market Road 858 in Van Zandt County, Texas.

APPROVED, PR/PG

Item 8. APPLICATION BY BEN WHEELER WATER SUPPLY CORPORATION for an amendment to Permit No. 03044 to authorize an increase in the discharge of filter backwash wastewater from a volume not to exceed an average flow of 1,000 gallons per day to 5,500 gallons per day. The plant site is approximately 100 feet south of Farm to Market Road 279 (behind the First State Bank Building) which is adjacent to and on the south side of FM 279 in the Community of Ben Wheeler in Van Zandt County, Texas.

APPROVED, PR/PG

Item 9. APPLICATION BY HOUSTON LIGHTING & POWER COMPANY for an amendment to Permit No. 13368-01 to authorize a change in the effluent limitation for ammonia nitrogen from 3 mg/l throughout the year to a seasonal limitation of 3 mg/l from April to October and 5 mg/l from November to March. The seasonal limitations are consistent with the recommendations for discharges in the Houston Ship Channel Waste Load Evaluation. The permit authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day, which will remain the same. The plant site is approximately 2500 feet southwest of the intersection of Grant Road and Farm-to-Market Road 149 immediately west of the T.H. Wharton Electric Generating Station in Harris County, Texas.

APPROVED, PR/PG

Item 10. APPLICATION BY CLIFFORD DEAL for a minor amendment to Permit No. 02049 to authorize the disposal of waste and wastewater from a dairy. The proposed amendment is to include an additional waste storage pond constructed after the permit was originally issued. The dairy consists of a maximum of 500 head. The dairy is located on the south side of State Highway 174 at the intersection of State Highway 174 and Farm-to-Market Road 56 in Bosque County, Texas.

APPROVED, PR/PG

Item 11. APPLICATION BY CITY OF ALVORD for renewal of Permit No. 10036-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 112,000 gallons per day. The wastewater treatment facilities are approximately 2500 feet south of Farm-to-Market Road 1655 adjacent to Elm Creek at a point approximately 1/2 mile southwest of the business district of the City of Alvord in Wise County, Texas.

RENEWED, PR/PG

Item 12. APPLICATION BY CENTRAL POWER & LIGHT COMPANY for renewal of Permit No. 01490 which authorizes a discharge once through cooling water and previously monitored effluents (PMEs) at a volume not to exceed an average flow of 540,000,000 gallons per day from a steam electric station. The plant site is at 4301 Waldron Road; the plant site is bounded on the east by Laguna Madre and on the west by Oso Creek and on the south by the southern city limits of the City of Corpus Christi in Nueces County, Texas.

RENEWED, PR/PG

Item 13. APPLICATION BY COASTAL REFINING AND MARKETING, INC., COKE STORAGE FACILITY for renewal of Permit No. 02540 which authorizes an intermittent flow variable discharge of impounded stormwater from a coke sizing, storage and shipping facility. The plant site is on the north side of Corpus Christi Inner Harbor, approximately one mile west of the lift bridge over the channel on Navigation Boulevard near the City of Corpus Christi, Nueces County, Texas.

RENEWED, PR/PG

Item 14. APPLICATION BY CITY OF COLUMBUS for renewal of Permit No. 10025-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 650,000 gallons per day. The wastewater treatment facilities are approximately 0.2 of a mile north of Interstate Highway 10, on the west bank of the Colorado River near the easterly end of McCormick Street, in the southeast corner of the City of Columbus in Colorado County, Texas.

RENEWED, PR/PG

Item 15. APPLICATION BY ROY H. CULLEN for renewal of Permit No. 12424-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 370,000 gallons per day from the Pearland Tract Wastewater Treatment Plant. The plant site is to be 0.3 of a mile northeast of the intersection of Farm-to-Market Road 518 and Farm-to-Market Road 865, approximately 2.5 miles east of State Highway 288 and 3.6 miles west of the City of Pearland in Brazoria County, Texas.

RENEWED, PR/PG

Item 16. APPLICATION BY CITY OF ELGIN for renewal of Permit No. 10100-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 520,000 gallons per day. The wastewater treatment facilities are located approximately 1/4 mile south of U.S. Highway 290 at 611 Cleveland Street in Elgin, Bastrop County, Texas.

RENEWED, PR/PG

Item 17. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37 for renewal of Permit No. 12370-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 175,000 gallons per day. The wastewater treatment facilities are approximately 2700 feet southeast of Crossover Road and approximately 1600 feet southwest of Green-Busch Road in Fort Bend County, Texas.

RENEWED, PR/PG

Item 18. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 70 for renewal of Permit No. 11486-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day. The wastewater treatment plant is on the north bank of Langham Creek at Farm-to-Market Road 529 (Freeman Road) in Harris County, Texas.

RENEWED, PR/PG

Item 19. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT #149 for renewal of Permit No. 11836-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 925,000 gallons per day from the Sommerall Subdivision Wastewater Treatment Facilities. The plant site is at 16427 Skyblue Lane which is approximately 1/2 mile west of State Highway 6 and North of Spencer Road in northwest Harris County, Texas.

RENEWED, PR/PG

Item 20. APPLICATION BY CITY OF JEWETT for renewal of Permit No. 11392-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day from the Lower Keechi Creek Wastewater Treatment Facilities. The plant site is approximately 500 feet southeast of Sugar Street, approximately 4,000 feet east

of State Highway 79, on the east side of the City of Jewett in Leon County, Texas.

RENEWED, PR/PG

Item 21. APPLICATION BY LAMAR WATER SUPPLY CORPORATION for renewal of Permit No. 10669-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 34,000 gallons per day from the Sea Gun Inn Wastewater Treatment Facilities. The plant site is approximately five miles north of the City of Fulton near the north end of the Lyndon Baines Johnson Causeway over Copano Bay (State Highway 35) in Aransas County, Texas.

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

Item 22. APPLICATION BY STEVE NEUSSE AND MICHAEL HAMMOND for renewal of Permit No. 12723-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 73,000 gallons per day from the Whiskey Flats Mobile Home Park Wastewater Treatment Plant. The plant site is approximately 16 miles southwest of the City of Fort Worth central business district and 0.5 of a mile south of the intersection of U.S. Highway 377 and Farm-to-Market Road 1187 in Tarrant County, Texas.

RENEWED, PR/PG

Item 23. APPLICATION BY CITY OF ORANGE GROVE for renewal of Permit No. 10592-01 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 wastewater treatment facilities are on the east side of County Road 351, approximately 0.5 mile south of the City of Orange Grove in Jim Wells County, Texas.

RENEWED, PR/PG

Item 24. APPLICATION BY CITY OF PASADENA for renewal of Permit No. 10053-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 4,000,000 gallons per day from the Deepwater Wastewater Treatment Facilities. The plant site is north of the 3,600 block of Darling Avenue; approximately 4,000 feet east-southeast of the intersection of South Avenue and State Highway 225 in Harris County, Texas.

RENEWED, PR/PG

Item 25. APPLICATION BY THE PILLSBURY COMPANY for renewal of Permit No. 02515 which authorizes the disposal of process wastewater and sludge by irrigation from a food processing plant which produces refrigerated dough products. The maximum cumulative total volume of effluent applied to the disposal area during any calendar year shall not exceed 2.1 acre-feet/acre, nor shall the combined effluent and sludge applied to the irrigated field exceed 50,000 gallons per acre per month. The

plant site property is bordered by Highway 84 on the north side and Helen Drive on the south side, on the northern edge of the City of Denison in Grayson County, Texas.

RENEWED, PR/PG

Item 26. APPLICATION BY CITY OF PORT ARTHUR for renewal of Permit No. 10364-09 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 Pleasure Island No. 1 Wastewater Treatment Facilities. The plant site is on Pleasure Island, adjacent to the Sabine-Neches Waterway, approximately 1.6 miles northeast of the Gulfgate Bridge in Jefferson County, Texas.

RENEWED, PR/PG

Item 27. APPLICATION BY PURINA MILLS, INC. for renewal of Permit No. 02932 which authorizes disposal by irrigation of wastewater from an animal feed plant at a volume not to exceed an average volume flow of 5,000 gallons per day. Wastewater from this tank is pumped to a five acre irrigation field on company property. The plant is at 825 State Highway 36 North in Fort Bend County, Texas.

RENEWED, PR/PG

Item 28. APPLICATION BY CITY OF SANGER for renewal of Permit No. 10271-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 480,000 gallons per day. The wastewater treatment facilities are approximately 1,000 feet south of Jones Street, approximately 1,500 feet east of the Atchison, Topeka, and Santa Fe Railroad and southeast of the City of Sanger in Denton County, Texas.

RENEWED, PR/PG

Item 29. APPLICATION BY SHELL OIL COMPANY for renewal of Permit No. 00402 which authorizes a discharge of treated wastewaters at a volume not to exceed an average flow of 9,900,000 gallons per day via Outfall 001 and an intermittent flow variable discharge of stormwater via Outfalls 002 and 003. The plant site is at 5900 State Highway 225 in the City of Deer Park in Harris County, Texas.

RENEWED, PR/PG

Item 30. APPLICATION BY THE STROH BREWERY COMPANY for renewal of Permit No. 01703 which authorizes a discharge of treated process wastewater, utility wastewater and treated domestic sewage at a volume not to exceed an average flow of 2,000,000 gallons per day from a brewery located at 1400 West Cotton Street, a can manufacturing plant owned by American National Can Company located at 1001 Fisher Road and a wastewater treatment plant located on Farm-to-Market Road 1845 adjacent to the City of Longview wastewater treatment plant. All the facilities are located in the City of Longview, Gregg County, Texas.

RENEWED, PR/PG

Item 31. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE for renewal of Permit No. 10878-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 540,000 gallons per day from the Clemens Unit Wastewater Treatment Facilities. The plant site is approximately 5.0 miles southeast of the City of Brazoria, north of the intersection of State Highway 36 and Farm-to-Market Road 2611 in Brazoria County, Texas.

RENEWED, PR/PG

Item 32. APPLICATION BY UNITED STATES DEPARTMENT OF THE AIR FORCE for renewal of Permit No. 12651-01 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 from the Laughlin Air Force Base Wastewater Treatment Facilities. The plant site is on the southwest of Laughlin Air Force Base, approximately 2.3 miles northeast of the intersection of U.S. Highway 277 and Spur 317 in Val Verde County, Texas.

RENEWED, PR/PG

Item 33. APPLICATION BY U.S. DEPARTMENT OF THE ARMY for renewal of Permit No. 02263 which authorizes discharges of treated process wastewater at a volume not to exceed an average flow of 95,000 gallons per day from an ammunition loading, assembling and packing plant. The plant site is adjacent to U.S. Highway 82 at the intersection of U.S. Highway 82 and State Route 74, Bowie County, Texas.

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

Item 34. APPLICATION BY WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 6 for renewal of Permit No. 12499-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day. The renewed permit has decreased the flow to 500,000 gallons per day average. The wastewater treatment facilities are approximately 2000 feet west of Synott Road and 4500 feet south of Westheimer Road in Harris County, Texas.

RENEWED, PR/PG

Item 35. APPLICATION BY WILKE LANE UTILITY COMPANY for renewal of Permit No. 13019-001 which authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed an average flow of 3,600,000 gallons per day. The renewed permit has decreased the flow to 2,100,000 gallons per day average. The wastewater treatment facilities are located approximately 0.5 mile northeast of the intersection of Pflugerville Loop and Wilke Lane, approximately 2 miles north of the Pflugerville central business district in Travis County, Texas.

RENEWED, PR/PG

Item 36. APPLICATION BY NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 16 FOR APPROVAL OF A CHANGE IN PLANS AND A REDUCTION IN AMOUNT OF DEVELOPER'S FINANCIAL GUARANTEE; \$2,620,000 BOND ISSUE APPROVED MARCH 30, 1987. For Commission consideration and action. Applicant requests a change in plans in order to release \$25,000 of the developer's financial guarantee. (Ferguson)

APPROVED, PG/PR

Item 37. APPLICATION BY PARK CENTRAL MUNICIPAL UTILITY DISTRICT OF JEFFERSON COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$12,564,000 BOND ISSUE APPROVED MARCH 31, 1980. For Commission consideration and action. Applicant requests approval of the release of \$61,100 of escrowed funds for the construction of a wastewater line. (Heroy)

APPROVED, PG/PR

Item 38. APPLICATION BY LOUETTA NORTH PUBLIC UTILITY DISTRICT FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$6,250,000 BOND ISSUE APPROVED JANUARY 27, 1984. For Commission consideration and action. The District is requesting approval for the use of \$62,784.16 in surplus funds to finance the construction and installation of an additional hydropneumatic tank at the Louetta North PUD Water Plant. (Ferguson)

APPROVED, PG/PR

Item 39. APPLICATION BY CLEAR LAKE CITY WATER AUTHORITY OF HARRIS COUNTY FOR AN EXTENSION OF TIME OF APPROVAL OF \$5,900,000 OF THE \$14,265,000 BOND ISSUE APPROVED NOVEMBER 21, 1991. For Commission consideration and action. Applicant requests approval of an extension of time of approval (one year from the date of approval of this application) of \$5,900,000 of the \$14,265,000 bond issue to fund a wastewater treatment plant expansion project. (Ferguson)

APPROVED, PG/PR

Item 40. APPLICATION OF BRANCH CREEK PROPERTIES, INC. to Transfer Water CCN No. 11905 from A.T.F., Inc. dba Branch Creek Estates; in Travis County (Application No. 9780-S, Poe)

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

Item 41. APPLICATION OF CENTRAL TEXAS UTILITIES, INC. to Transfer and Cancel Water CCN No. 11806 from Paul E. and Rachel A. Reese dba Perare Water Systems and to Amend CCN No. 11719 in Denton and Cooke Counties, TX (Application No. 9587-S, Poe)

APPROVED, PR/PG

Item 42. APPLICATION NO. 5438 BY MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1 FOR COMMISSION ACTION. Matagorda County Drainage District No. 1 seeks to transfer 260 acre-feet of high-level flood water per annum from Cottonwood Creek, tributary of Peyton Creek, tributary of Live Oak Bayou, tributary of Matagorda

Bay, Brazos-Colorado Coastal Basin, to Colorado River, Colorado River Basin. Only high-level flood waters will be diverted. Normal, low-level flows and initial storm flows, will continue to be carried by Cottonwood Creek to Matagorda Bay.

APPROVED, PR/PG

Item 43. CONSIDERATION OF THE APPLICATION BY STRATEGIC WEATHER SERVICES OF PALM SPRINGS, CALIFORNIA, FOR THE RENEWAL OF A TEXAS WEATHER MODIFICATION LICENSE FOR FISCAL YEAR 1993, IN ACCORDANCE WITH SECTION 18.051 OF THE TEXAS WATER CODE. (Brown/Bomar)

APPROVED, PG/PR

Item 44. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF NORTH BELT FOREST UTILITY DISTRICT FOR CANCELLATION OF CERTIFICATE OF CONVENIENCE AND NECESSITY NOS. 11965 AND 20646 TO PROVIDE WATER AND SEWER SERVICE IN HARRIS COUNTY, TEXAS. DOCKET NOS. 9103-Q & 9104-Q. RECOMMENDATION: DISMISSAL OF PETITION BY AGREEMENT OF PARTIES. (BOURBON)

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

Item 45. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF THE CITY OF WEST FOR AN AMENDMENT TO PERMIT NO. 10544-01 TO AUTHORIZE THE DISCHARGE OF 0.45 GPD OF TREATED DOMESTIC WASTEWATER EFFLUENT IN McLENNAN COUNTY, TEXAS, AND SEGMENT NO. 1242 OF THE BRAZOS RIVER BASIN. APPLICANT ALSO SEEKS A VARIANCE FROM THE BUFFER ZONE REQUIREMENTS OF 31 TAC SECTION 309.13(e). RECOMMENDATION: ISSUANCE OF PERMIT. (BOURBON)

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

Item 46. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF LARRY BREWER TO INCREASE RETAIL WATER RATES IN ORANGE, HARDIN, AND JASPER COUNTIES, TEXAS (DOCKET NO. 9602-R). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 834 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (CRAVEN)

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

Item 47. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF TEJAS FINANCIAL CORPORATION FOR PERMIT NO. 13575-001 TO AUTHORIZE THE DISCHARGE OF 80,000 gpd OF TREATED DOMESTIC WASTEWATER EFFLUENT IN MONTGOMERY COUNTY, TEXAS, and SEGMENT NO. 1012 OF THE SAN JACINTO RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (CRAVEN)

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

Item 48. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF TRENT WATER WORKS TO INCREASE RETAIL WATER RATES IN BRAZORIA AND WALLER COUNTIES, TX. (DOCKET NO. 9590-R). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY

724 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF
PARTIES. (SORRELLS)

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

UNCONTESTED OLD BUSINESS

Wednesday, February 17, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of January 13, 1993.

- Item 1. 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 MARCH 17, 1993 AT 9:00 A.M.

Item carried forward from Agenda of February 3, 1993.

- Item 2. APPLICATION OF DONALD L. DICKESN DBA HORSESHOE BEND WATER WORKS for a Rate/Tariff Change in Parker County, Tx (Application No. 9515-R, Mayhew)

APPLICATION WITHDRAWN

CONTESTED AGENDA

Wednesday, February 17, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF HOUSTON, PERMIT NO. 10495-090. (Ramirez)

Continued to March 17, 1993

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF B. C. WATER, INC., PERMIT NO. 12880-01 AND JAMES C. HALL, CLASS D CERTIFICATE NO. 803006, FOR VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE. (McLeod)

Continued to May 19, 1993

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF UNION PACIFIC RAILROAD COMPANY; TEXAS SOLID WASTE REGISTRATION NO. 34950 (GRUENBERGER)

Continued to May 19, 1993

Item 4. APPLICATION BY DENTON COUNTY RECLAMATION AND ROAD DISTRICT FOR AUTHORIZATION TO PROCEED IN FEDERAL BANKRUPTCY. For Commission consideration and action. Applicant requests authorization to proceed in federal bankruptcy to implement a plan to restructure bonded debt involving the exchange of existing District bonds for new bonds such that conditions will be more favorable for development within the District. (Cavazos)

Continued to March 3, 1993

Item 5. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF TEXCOR INDUSTRIES, INC. FOR PERMIT NO. 03328 AND RADIOACTIVE MATERIALS LICENSE L04336 TO AUTHORIZE THE OPERATION OF A STORAGE/EVAPORATION POND AND RADIOACTIVE BY-PRODUCT MATERIAL DISPOSAL FACILITY IN KINNEY COUNTY, TEXAS. RECOMMENDATION: DENIAL OF LICENSE. (HARDIN)

Continued to March 10, 1993

Item 6. 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 7. 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

CONTESTED OLD BUSINESS

Wednesday, February 17, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of January 6, 1993.

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF E & D WASTE SYSTEMS, INC.; TEXAS SOLID WASTE REGISTRATION NO. 01721. (Ligarde)

Remand to Office Hearing's Examiner, PG/PR