

HALL  
REED  
GARNER

UNCONTESTED AGENDA

Wednesday, March 10, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 1. APPLICATION BY CITGO REFINING AND CHEMICALS, INC., CITGO PORT ARTHUR TERMINAL for a permit (Proposed Permit No. 03562) to authorize intermittent, flow variable discharges of stormwater runoff. The applicant operates a petroleum bulk storage terminal. The plant site is north of Interstate Highway 37, adjacent to Port Avenue on the Corpus Christi Inner Harbor in the City of Corpus Christi, Nueces County, Texas.

APPROVED, PG/PR

Item 2. APPLICATION BY SAN PATRICIO COUNTY MUNICIPAL UTILITY DISTRICT NO. 1 for a permit (Proposed Permit No. 13644-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 75,000 gallons per day. The proposed wastewater treatment facilities will serve the City of Edroy. The plant site is approximately 3,700 feet south of the intersection of Interstate Highway 37 and State Highway 234, on Main Avenue in Edroy in San Patricio County, Texas.

APPROVED, PG/PR

Item 3. APPLICATION BY AMERICAN TEXMARK, INC. for an amendment to Permit No. 00786 to authorize an increase in the discharge from a volume not to exceed an average flow of 65,000 gallons per day to a volume not to exceed an 80,000 gallons per day from an oil distilling and chemical processing plant. The plant site is at 900 Clinton Drive in the City of Galena Park in Harris County, Texas.

APPROVED, PG/PR

Item 4. APPLICATION BY CHAMPION INTERNATIONAL CORPORATION for an amendment to Permit No. 01598 in order to add two outfalls (Outfall 005 and 006) to regulate the flow variable discharges of stormwater; renumber Outfall 003 to Outfall 103 and relocate the discharge point of Outfall 103. The permit currently authorizes discharges of treated industrial wastewater at a volume not to exceed 90,000 gallons per day during any 24-hour period, plus discharges of stormwater runoff which vary with rainfall. The applicant operates a lumber, chip and plywood manufacturing plant. The plant site is on the south side of the intersection of FM 942 and FM 62 in the Town of Camden in Polk County, Texas.

APPROVED, PG/PR

Item 5. APPLICATION BY ANGELINA SAVINGS & LOAN ASSOCIATION for renewal of Permit No. 11588-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an

average flow of 50,000 gallons per day. The wastewater treatment facilities are on the west bank of Willis Creek, approximately one mile south of the Willis Creek crossing of Farm-to-Market Road 842 and approximately two miles northeast of the intersection of Farm-to-Market Road 842 and State Highway 103E near the City of Lufkin in Angelina County, Texas.

RENEWED, PG/PR

Item 6. APPLICATION BY BOLING MUNICIPAL WATER DISTRICT for renewal of Permit No. 10843-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 133,000 gallons per day. The wastewater treatment facilities are adjacent to Caney Creek, west of and adjacent to Rycade Avenue in the City of Boling in Wharton County, Texas.

RENEWED, PG/PR

Item 7. APPLICATION BY BROWNING-FERRIS, INC. for renewal of Permit No. 02887 which authorizes discharges of stormwater runoff at volumes variable with rainfall from its "Little York Truck Maintenance Facility". The plant site is at 8101 Little York Road, approximately 3.6 miles east of the intersection of Little York Road and U.S. 59 in the City of Houston, Harris County, Texas.

RENEWED, PG/PR

Item 8. APPLICATION BY CITY OF CORPUS CHRISTI for renewal of Permit No. 10401-03 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000,000 gallons per day from the Westside Wastewater Treatment Facilities. The plant site is located to the south of the State Highway 357 (Saratoga Boulevard), approximately one mile west of the intersection of State Highway 286 and State Highway 357 in the City of Corpus Christi in Nueces County, Texas.

CONTINUED TO APRIL 7, 1993 AT 9:00 A.M.

Item 9. APPLICATION BY DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT for renewal of Permit No. 10270-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 750,000 gallons per day from the wastewater treatment facilities. The plant site is adjacent to and east of Benavides Street approximately 800 feet south of San Diego Creek; also 2200 feet east of State Highway 359 and 3300 feet south of State Highway 44 in Duval and Jim Wells Counties, Texas.

RENEWED, PG/PR

Item 10. APPLICATION BY EMERALD FOREST UTILITY DISTRICT for renewal of Permit No. 11201-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,000,000 gallons per day. The wastewater treatment facilities are approximately 0.5 mile southeast of the intersection of Farm-to-Market Road 1960 (Jackrabbit Road) and Perry Road in Harris County, Texas.

RENEWED, PG/PR

Item 11. APPLICATION BY THOMAS S. GILLIS, JR. for renewal of Permit No. 11821-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day. The wastewater treatment facilities are approximately 1,000 feet southeast of the intersection of Aldine Westfield Road and Aldine Mail Road, between Aldine Mail Road and Isom Street in Harris County, Texas.

RENEWED, PG/PR

Item 12. APPLICATION BY HARRIS-FORT BEND COUNTIES MUD NO. 1 for renewal of Permit No. 12805-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 750,000 gallons per day. The renewed permit has decreased the flow to 375,000 gallons per day average. The wastewater treatment facilities are on the north side of Rosner Road; approximately 3000 feet northeast of the intersection of Green-Busch Road and Rosner Road; approximately 2.5 miles southeast of the intersection of Interstate Highway 10 and Farm-to-Market Road 1463 in Fort Bend County, Texas.

RENEWED, PG/PR

Item 13. APPLICATION BY RONALD G. HONEA for renewal of Permit No. 11175-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 14,500 gallons per day from the Oak Leaf Mobile Home Park Wastewater Treatment Plant. The plant site is approximately 13 miles northeast of the City of Fort Worth central business district and 2 miles northwesterly of State Highway 26, at a point west of Precinct Line Road (Farm-to-Market Road 3029) and approximately 2.75 miles north of the intersection of State Highway 26 and Precinct Line Road (Farm-to-Market Road 3029) in North Richland Hills in Tarrant County, Texas.

RENEWED, PG/PR

Item 14. APPLICATION BY CITY OF JUNCTION for renewal of Permit No. 10199-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 280,000 gallons per day. The wastewater treatment facilities are north of and adjacent to Farm-to-Market Road 2169; approximately 0.4 mile northeast of the intersection of Farm-to-Market Road 2169 and Interstate Highway 10 in Kimble County, Texas.

RENEWED, PG/PR

Item 15. APPLICATION BY THERON L. MOORE, SR. for renewal of Permit No. 11621-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day from the Indian Hill Harbor Wastewater Treatment Facilities. The plant site is at a point approximately 3000 feet north of Farm-to-Market Road 2457, and approximately 12 miles northwest of the City of Livingston on the east shore of Lake Livingston in Polk County, Texas.

RENEWED, PG/PR

Item 16. APPLICATION BY CITY OF PALESTINE for renewal of Permit No. 10244-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow

of 2,500,000 gallons per day from the Wells Creek Wastewater Treatment Facilities. The plant site is on the east side of Palestine north of the Missouri Pacific Railroad Track, approximately 1000 feet east of the intersection of the railroad and State Highway Loop 256 in Anderson County, Texas.

RENEWED, PG/PR

Item 17. APPLICATION BY CITY OF POST for renewal of Permit No. 13048-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 500,000 gallons per day. The wastewater treatment facilities are approximately 0.75 mile southeast of the intersection of U.S. Highway 84 and U.S. Highway 380 in Garza County, Texas.

RENEWED, PG/PR

Item 18. APPLICATION BY QUAIL VALLEY UTILITY DISTRICT for renewal of Permit No. 11046-01 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. The wastewater treatment facilities are 600 feet south of the terminus of Nancy Belle Lane at the confluence of Stafford Run and Oyster Creek, 2-1/2 miles south of the City of Stafford in Fort Bend County, Texas.

RENEWED, PG/PR

Item 19. APPLICATION BY SARITA SEWER SERVICE & WATER SUPPLY CORPORATION for renewal of Permit No. 13361-01 which authorizes the disposal of treated domestic sewage effluent by evaporation. The disposal volume is not to exceed an average of 44,000 gallons per day. The plant site is approximately 3400 feet west of the intersection of U.S. Highway 77 and La Parra Avenue in the Town of Sarita in Kenedy County, Texas.

RENEWED, PG/PR

Item 20. APPLICATION BY SOLVAY INTEROX for renewal of Permit No. 02544 which authorizes a discharge of stormwater runoff at a volume variable with rainfall from the hydrogen peroxide, percarbonate soda and sodium perborate process and storage area. The plant site is at 1230 Battleground Road (State Highway 134) in the City of Deer Park, Harris County, Texas.

RENEWED, PG/PR

Item 21. APPLICATION BY TENNECO GAS (formerly Tenneco Incorporated) for renewal of Permit No. 12402-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 10,000 gallons per day. The wastewater treatment facilities are located on the Tennwood Recreational property, which is approximately 2.5 miles north of the intersection of Hegar Road and Farm-to-Market Road 2920 in Waller County, Texas.

RENEWED, PG/PR

Item 22. APPLICATION BY TEXAS DEPARTMENT OF TRANSPORTATION for renewal of Permit No. 01786 which authorizes a discharge of treated stormwater at a volume not to exceed 30,000 gallons during any 24-hour period from the Baytown-LaPorte Tunnel Wastewater

Treatment Plant. The plant site is at the north end of the Baytown-LaPorte Tunnel between the City of Baytown and the City of LaPorte on State Highway 146, Harris County, Texas.

RENEWED, PG/PR

Item 23. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY for renewal of Permit No. 00946 which authorizes a discharge of once through cooling water and previously monitored effluents at a volume not to exceed 575,000,000 gallons per day from the Stryker Creek Steam Electric Station. The plant site is on the west shore of Striker Creek Reservoir which is approximately 17 miles east of the City of Jacksonville, Cherokee County, Texas.

RENEWED, PG/PR

Item 24. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY for renewal of Permit No. 01251 which authorizes the discharge of cooling tower blowdown and low volume wastes at a volume not to exceed a combined daily average flow of 2,500,000 gallons per day via Outfalls 001 and 002. The plant site is at 5770 Parkdale Drive, on the East side of White Rock Creek at the confluence of Forney Branch with White Rock Creek in the City of Dallas, Dallas County, Texas.

RENEWED, PG/PR

Item 25. APPLICATION BY THIRTY-TWO LAKE CONROE REAL ESTATE, LTD. for renewal of Permit No. 13395-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 150,000 gallons per day. The wastewater treatment facilities are approximately 100 feet south of Farm to Market Road 1097 and 1/4 mile east of Lake Conroe in Montgomery County, Texas.

RENEWED, PG/PR

Item 26. APPLICATION BY TRANSFIELD CORPORATION for renewal of Permit No. 11797-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 30,000 gallons per day. The wastewater treatment facilities are near the intersection of Chippewa Boulevard and North Houston-Rosslyn Road and one mile south of State Highway 149 in Harris County, Texas.

RENEWED, PG/PR

Item 27. APPLICATION BY TRINITY COVE IMPROVEMENT ASSOCIATION, INC. for renewal of Permit No. 11876-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,000 gallons per day. The wastewater treatment facilities are approximately 4 miles southeast of the City of Trinity, off State Highway 356 within a reserve area of the Trinity Cove Subdivision adjacent to Lot 3, Block 2, Section Two of the subdivision in Trinity County, Texas.

RENEWED, PG/PR

Item 28. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 239 FOR APPROVAL OF \$2,350,000 UNLIMITED TAX BONDS, SECOND ISSUE, 7.67% NET EFFECTIVE INTEREST RATE, SERIES 1993. For Commission consideration and action. Applicant requests Commission approval of a bond issue to finance a pro rata

share of a water plant, expansion of the water plant, water mains & wastewater trunk lines, land costs, and water, wastewater & drainage facilities for Bear Creek Plantation Section 2. (Ferguson)

APPROVED, PR/PG

Item 29. APPLICATION BY BIG OAKS MUNICIPAL UTILITY DISTRICT OF FORT BEND COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$3,565,000 BOND ISSUE APPROVED FEBRUARY 24, 1986. For Commission consideration and action. Applicant requests approval of the transfer of \$165,167 in surplus construction funds plus accrued interest to the operating account.

APPROVED, PR/PG

Item 30. APPLICATION BY INTERWOOD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS, THE USE OF SURPLUS FUNDS & A CHANGE IN PLANS; \$8,250,000 BOND ISSUE APPROVED DECEMBER 7, 1982. For Commission consideration and action. Applicant requests approval of the release of \$280,000 from escrow, use of \$70,000 of surplus funds to construct a water interconnect, a FM 525 Water Line Relocation project, and for Wastewater Plant Site costs, and change in plans to fund the requested projects in lieu of a second water well. (Ferguson)

APPROVED, PR/PG

Item 31. APPLICATION OF THE CITY OF BYNUM to Transfer Water CCN No. 11723 from Blackland Water Company; in Hill County, TX (Application No. 9830-S, Poe)

APPROVED, PG/PR

Item 32. APPLICATION OF WADE GRANGER DBA GRANGER WATER SYSTEM to acquire a Portion of Water CCN No. 12243 from Larry Brewer; and obtain a Water CCN; in Orange County, TX (Application No. 9853-S, Poe)

APPROVED, PG/PR

Item 33. APPLICATION NO. 23-2422A BY LEONEL GONZALES TO COMBINE WATER RIGHTS OWNED BY APPLICANT UNDER CERTIFICATE NOS. 23-2422 & 23-2435 into 23-2422 AND TO AMEND 23-2422, AS COMBINED. FOR COMMISSION ACTION. Applicant seeks to combine his water rights under Certificate Nos. 23-2422 & 23-2435 into 23-2422, and to amend 23-2422, as combined to designate a place of use, designate a rate of diversion, and to designate four diversion points on Falcon Reservoir in Zapata County, Texas. (SMITH/jme)

APPROVED, PG/PR

Item 34. APPLICATION NO. TA-6978 BY TEXAS UTILITIES MINING COMPANY FOR A TWC 11.138 TEMPORARY WATER USE PERMIT. FOR COMMISSION ACTION. Applicant seeks to build and operate a sedimentation control Pond H-2 on an unnamed tributary Blundell Creek, Cypress Basin and the redirection of an adjacent unnamed tributary into the H-2 Pond via H-2 diversion Ditch for sediment control purposes in Titus Co., the Monticello-Winfield South H-Area Mine, 8 miles SW of Mt. Pleasant, TX. (SMITH/LB)

REMANDED TO OFFICE OF HEARINGS EXAMINERS, PG/PR

Item 35. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ALBURY MANOR UTILITY CO., INC. TO INCREASE RETAIL WATER RATES IN HARRIS COUNTY, TEXAS (DOCKET NO. 9618-G). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 29 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (BOURBON).

APPROVED, PR/PG

Item 36. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CLIFFORD H. RENCH dba RENCH'S WATER DISTRIBUTION SERVICE FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY AND FOR DECERTIFICATION OF A PORTION OF 439 WATER SUPPLY CORPORATION'S CCN NO. 10001 TO PROVIDE WATER SERVICE IN BELL COUNTY, TEXAS. (DOCKET NO. 9393-C) RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (THOMAS)

APPROVED, PR/PG

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TEXAS WATER COMMISSION AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES (SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE) ARE REQUESTED TO CONTACT DOUG KITTS IN THE THE OFFICE OF THE CHIEF CLERK AT (512) 463-7905 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, March 10. 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 37. APPLICATION NO. 23-3997C BY THE CITY OF LAREDO FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 23-3997, AS AMENDED, PURSUANT TO TEXAS WATER CODE SECTION NO. 11.122. FOR COMMISSION ACTION. Applicant seeks to amend the 947.5 acre-feet of Class "B" water rights owned by the City and authorized by Certificates of Adjudication Nos. 23-8, -585, and -586 by changing the purpose of use to municipal (equating to 379 acre-feet of municipal water), changing the place of use to the City's service area, and changing the points of diversion to the City's, and the combining these with Cert. No. 23-3997. (SMITH/jme)

APPROVED, PG/PR

SECOND ADDENDUM TO UNCONTESTED AGENDA

Wednesday, March 10, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 38. Consideration of approval of 2nd Quarter Budget Amendments.  
(Nance)

APPROVED, PR/PG

UNCONTESTED OLD BUSINESS

Wednesday, March 10, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of February 17, 1993.

- Item 1. 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.

REMANDED TO EXECUTIVE DIRECTOR, PR/PG

Item carried forward from Agenda of February 17, 1993.

- Item 2. 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.

APPROVED, PR/PG

Item carried forward from Agenda of March 10, 1993.

- Item 3. APPLICATION BY STRUCTURAL METALS, INC. for an amendment to Permit No. 01712 in order to add one outfall (Outfall 004) to regulate a discharge of stormwater runoff. The permit currently authorizes a discharge of treated process and other wastewaters at a volume not to exceed an average flow of 120,000 gallons per day via Outfall 001. The permit also currently authorizes discharges of stormwater runoff at volumes variable with rainfall via Outfalls 002 and 003. All of these outfalls will remain as currently permitted. The plant site is approximately one mile west of the intersection of IH-10 and FM 464, west of the City of Seguin, Guadalupe County, Texas.

APPROVED, PR/PG

CONTESTED AGENDA

Wednesday, March 10, 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 SOUTHWESTERN LABORATORIES, INC.; TEXAS SOLID WASTE REGISTRATION NO. 31370. (Castanuela)

Continued to March 24, 1993

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DORIS D. EMMEL, DBA DAM B SEWER COMPANY; MUNICIPAL SOLID WASTE REGISTRATION NO. 20828. (Ryland)

Continued to April 28, 1993

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF FISHER COUNTY; TEXAS MUNICIPAL SOLID WASTE PERMIT NO. 00963. (Ryland)

Issue Agreed Order, PG/PR

Item 4. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF FRANK BRAND dba FRANK BRAND DAIRY FOR AN AMENDMENT TO PERMIT NO. 03148 TO AUTHORIZE AN INCREASE IN THE HERD SIZE FROM 900 MILKING HEAD TO A MAXIMUM OF 1500 MILKING HEAD OR 2000 TOTAL HEAD IN COMANCHE COUNTY, TEXAS, AND SEGMENT NO. 1221 OF THE BRAZOS RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (BATEMAN)

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

Item 5. 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 6. 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

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TEXAS WATER COMMISSION AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO CONTACT DOUG KITTS IN THE THE OFFICE OF THE CHIEF CLERK AT (512) 463-7905 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

CONTESTED OLD BUSINESS

Wednesday, March 10, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of October 21, 1992 and January 6, 1993.

- Item 1. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SUSSER ENVIRONMENTAL SERVICES, SWR. NO. 52090 (HALL, GLENN)

Withdraw Petition

Item carried forward from Agenda of November 4, 1992 and January 6, 1993.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF PHILLIPS 66 COMPANY, SWEENEY REFINERY AND PETROCHEMICAL COMPLEX, SWR NO. 30048. (Alvarado)

Continued to June 2, 1993

Item carried forward from Agenda of January 27, 1993.

- Item 3. 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 24, 1993

Item carried forward from Agenda of February 17, 1993.

- Item 4. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF EXCOR 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)

Remand back to OHE (HARDING), with instructions from Chairman Hall. Do not reopen hearing without prior approval of Commission, and Reissue PFD within 60 days and an additional 30 days for comments. Item to be considered on June 2, 1993 at 1:00 p.m. JH/PR