

HALL
REED
GARNER

UNCONTESTED AGENDA

Wednesday, March 24, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY COASTAL REFINING AND MARKETING, INC. for a permit (Proposed Permit No. 03558) to authorize intermittent flow variable discharges of stormwater runoff from an asphalt storage and loading facility. The plant site is one mile east of Wayside Drive on Avenue R, approximately two miles south of Interstate Highway 10, along the Houston Ship Channel in the City of Houston, Harris County, Texas.

APPROVED, PR/JH

Item 2. APPLICATION BY COASTAL STATES CRUDE GATHERING COMPANY for a permit (Proposed Permit No. 03559) to authorize an intermittent flow variable discharge of treated tank bottom water and stormwater from a petroleum refined product storage and loading facility. The plant site is 1/2 mile west of Farm to Market Road 2061 on the south side of Las Milpas Road in Hidalgo County, Texas.

APPROVED, PR/JH

Item 3. APPLICATION BY CITY OF GARLAND for a permit (Proposed Permit No. 03519) to authorize an intermittent flow variable discharge of cooling tower blowdown from Units 1 & 2, low volume wastewater, and stormwater via Outfall 001. The permit also authorizes an intermittent flow variable discharge of cooling tower blowdown from Units 3, 4, and 5 and low volume wastewater via Outfall 002. The applicant operates the Newman Electric Plant, which is a steam electric station. The plant site is on the north side of State Highway 66, approximately 2,000 feet east of the intersection of State Highway 66 and State Highway 78 in the City of Garland, Dallas County, Texas.

APPROVED, PR/JH

Item 4. APPLICATION BY CITY OF MINERAL WELLS for an amendment to Permit No. 10585-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 1,920,000 gallons per day to a volume not to exceed an average flow of 2,350,000 gallons per day from the Pollard Creek Wastewater Treatment Facilities. The plant site is southwest of the City of Mineral Wells at the crossing of Pollard Creek by 26th Street in Palo Pinto County, Texas.

APPROVED, PR/JH

Item 5. APPLICATION BY RAYFORD ROAD MUNICIPAL UTILITY DISTRICT for a minor amendment to Permit No. 12030-01 in order to add an Interim II phase 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 permit currently authorizes a discharge at a volume not to exceed an average flow of 280,000 gallons per day in the interim phase and a discharge at a volume not to exceed an average flow of 650,000 gallons per day in the final phase, which will remain the same. The plant site is north of Rayford Road, approximately 2.1 miles east of the intersection of Rayford Road and Interstate Highway 45, which is about 26 miles north of the City of Houston in Montgomery County, Texas.

APPROVED, PR/JH

Item 6. APPLICATION BY CITY OF BENJAMIN for renewal of Permit No. 11162-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 42,500 gallons per day. The wastewater treatment facilities are south of the City of Benjamin, approximately 3/4 mile south of the intersection of U.S. Highway 82 and State Highway 6 and approximately 800 feet west of State Highway 6 in Knox County, Texas.

APPROVED, PR/JH

Item 7. APPLICATION BY CITY OF BONHAM for renewal of Permit No. 10070-01 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 1/2 mile east of the City of Bonham on Seven Oaks Road in Fannin County, Texas.

APPROVED, PR/JH

Item 8. APPLICATION BY CITY OF CALLISBURG for renewal of Permit No. 11840-01 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 adjacent to and west of Farm to Market Road 678, approximately 3,000 feet southeast of the intersection of Farm to Market Roads 678 and 2896 in Cooke County, Texas.

APPROVED, PR/JH

Item 9. APPLICATION BY CITY OF CENTER for renewal of Permit No. 10063-05 which authorizes a discharge of treated wastewater effluent at a volume not to exceed an average flow of from 150,000 gallons per day from the Aiken Surface Water Treatment Plant. The plant site is south of Pinkston Reservoir and west of State Highway 7, approximately 3 miles east-northeast of the intersection of State Highway 7 and Farm-to-Market Road 2913, Shelby County, Texas.

APPROVED, PR/JH

Item 10. APPLICATION BY EXXON CORPORATION for renewal of Permit No. 00610 which authorizes a discharge of treated process, utility and stormwater at a volume not to exceed an average flow of 190,000 gallons per day via Outfall 001. The permit also authorizes intermittent flow variable discharges of stormwater runoff via Outfalls 002 and 003. The applicant operates a plant manufacturing specialty chemicals. The plant site is at 8230 Stedman Street in the City of Houston, Harris County, Texas.

APPROVED, PR/JH

Item 11. APPLICATION BY CITY OF FULSHEAR for renewal of Permit No. 13314-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 75,000 per day. The wastewater treatment facilities are on a tract of land bounded by Farm to Market Road 1093 and Sante Fe Pacific Railroad, approximately 1000 feet west southwest of the intersection of Farm to Market Road 1093 and Farm to Market Road 359, in the City of Fulshear in Fort Bend County, Texas.

APPROVED, PR/JH

Item 12. APPLICATION BY GARDNER-CULLER INDUSTRIES, INC. for renewal of Permit No. 02919 which authorizes a discharge of treated process wastewater at a volume not to exceed an average flow of 34,000 gallons per day via Outfall 001. The permit also authorizes an intermittent flow variable discharge of stormwater runoff at a volume variable with rainfall via Outfall 002. The applicant operates a plant manufacturing flat and beveled-edge mirrors. The plant site is approximately 4 miles southeast of the City of Huntsville on the east side of State Highway 75 and immediately south of the Goree Prison Farm in Walker County, Texas.

APPROVED, PR/JH

Item 13. APPLICATION BY LIBERTY CITY WATER SUPPLY CORPORATION for renewal of Permit No. 11179-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 180,000 gallons per day. The wastewater treatment facilities are immediately west of State Highway 135 on the south bank of Rocky Creek in Gregg County, Texas.

APPROVED, PR/JH

Item 14. APPLICATION BY CITY OF LOS FRESNOS for renewal of Permit No. 10590-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 590,000 gallons per day. The wastewater treatment facilities are southwest of Los Fresnos approximately 2,000 feet west of Farm-to-Market Road 1847 and 3,000 feet south of State Highway 100 at the end of Nogal Street in Cameron County, Texas.

APPROVED, PR/JH

Item 15. APPLICATION BY MATAGORDA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 5 for renewal of Permit No. 10217-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 75,000 gallons per day. The Blessing Wastewater Treatment Facilities are immediately west of the intersection of Pecan Street and 6th Street in the City of Blessing in Matagorda County, Texas.

APPROVED, PR/JH

Item 16. APPLICATION BY NORTH BELT FOREST UTILITY DISTRICT, INC. for renewal of Permit No. 12571-01 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 wastewater treatment facilities. The renewed permit will decrease the final volume to 100,000 gallons per day average. The plant

site is on Wilson Road approximately 15 miles northeast of the City of Houston central business district at a point 2.7 miles east of U.S. Highway 59 and approximately 3/4 of a mile south of the intersection of Atascocita Road and Wilson Road in northern Harris County, Texas.

APPROVED, PR/JH

Item 17. APPLICATION BY CITY OF PASADENA for renewal of Permit No. 10053-05 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 7,000,000 gallons per day from the Vince Bayou Wastewater Treatment Facilities. The plant site is on the east and west banks of Vince Bayou, west of McDonald Street and north of West Richey Access Road in Harris County, Texas.

APPROVED, PR/JH

Item 18. APPLICATION BY PIONEER CONCRETE OF TEXAS, INC., WOODLANDS SAND AND GRAVEL for renewal of Permit No. 02502 which authorizes a discharge of treated groundwater and stormwater runoff at a volume not to exceed an average flow of 350,000 gallons per day from a sand and gravel plant. The plant site is four miles east of Interstate Highway 45 adjacent to Sleepy Hollow Road in Montgomery County, Texas.

APPROVED, PR/JH

Item 19. APPLICATION BY PROTESTANT EPISCOPAL CHURCH OF THE DIOCESE OF TEXAS for renewal of Permit No. 11462-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 13,500 gallons per day. The wastewater treatment facilities are approximately 1500 feet east of Farm-to-Market Road 362, approximately 2000 feet north of the Waller-Grimes county line in Grimes County, Texas.

APPROVED, PR/JH

Item 20. APPLICATION BY RED LICK INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 13392-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 13,000 gallons. The wastewater treatment facilities are approximately 1.5 miles east of the intersection of Interstate Highway 30 and Farm-to-Market Road 2253; approximately 1,000 feet west of the intersection of Earnest Road and Farm-to-Market Road 2148 in Bowie County, Texas.

APPROVED, PR/JH

Item 21. APPLICATION BY SOUTH TEXAS ELECTRIC COOPERATIVE INC. for renewal of Permit No. 01521 which authorizes a discharge of once through cooling water and previously monitored effluents at a volume not to exceed an average flow of 34,000,000 gallons per day plus low volume waste and stormwater from the Sam Rayburn Steam Electric Station. The plant site is south of FM Road 447 on the east bank of the Guadalupe River approximately 12 miles northwest of the City of Victoria, and four miles west of the City of Nursery in Victoria County, Texas.

APPROVED, PR/JH

Item 22. APPLICATION BY SPECIALTY SAND COMPANY for renewal of Permit

No. 01677 which authorizes a discharge of settled wastewater at a volume not to exceed an average flow of 300,000 gallons per day from a sand dredging operation. The plant site is 0.25 mile west of State Highway 12 at a point approximately 0.5 mile northwest of Deweyville, Newton County, Texas.

APPROVED, PR/JH

Item 23. APPLICATION BY TEMPLE - INLAND FOREST PRODUCTS CORPORATION for renewal of Permit No. 02924 which authorizes intermittent, flow variable discharges of commingled wastewaters and stormwater runoff from a sawmill. The plant site is approximately 1/4 mile east of U.S. Highway 96 and approximately 2 miles northeast of Buna, Jasper County, Texas.

APPROVED, PR/JH

Item 24. APPLICATION BY THE GEORGE FOUNDATION for renewal of Permit No. 12603-01 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 1,500 feet west of the crossing of Farm-to-Market Road 762 and Dry Creek in Fort Bend County, Texas.

APPROVED, PR/JH

Item 25. APPLICATION BY THE SABINE MINING COMPANY for renewal of Permit No. 02538 which authorizes intermittent flow variable discharges of rainfall runoff and mine water via Outfalls 001 through 010 and Outfalls 012 through 015. The permit also authorizes a discharge of domestic sewage at a volume not to exceed an average flow of 6,000 gallons per day via Outfall 011. The plant site is south of Hallsville City, bordered on the north by Farm-to-Market Road 968 and Interstate Highway 20 at their intersection and on the south by the Sabine River, in Harrison County, Texas.

APPROVED, PR/JH

Item 26. APPLICATION BY TISDALE AIR CONDITIONING AND HEATING COMPANY for renewal of Permit No. 12508-01 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 on the north side of Farm-to-Market Road 1485 at a point approximately 2 miles east of State Highway 105 and Farm-to-Market Road 1485 intersection in Montgomery County, Texas.

APPROVED, PR/JH

Item 27. APPLICATION BY TORQUE PETROLEUM PRODUCTS, INC. for renewal of Permit No. 02851 which authorizes an intermittent flow variable discharge of stormwater from diked tank farms and boiler blowdown from a crude oil and fuel blending operation and petroleum tank farm. The plant site is adjacent to and north of FM Road 517 and about 1200 feet east of the intersection of FM Road 517 and State Highway 146, Galveston County, Texas.

APPROVED, PR/JH

Item 28. APPLICATION BY VANCOUVER MANAGEMENT, INC. for renewal of

Permit No. 11051-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 60,000 gallons per day from the White Oak Manor Mobile Home Park Wastewater Treatment Plant. The plant site is approximately 14 miles northwest of the City of Houston central business district, and one mile northeast of U.S. Highway 290 and approximately 500 feet east of Windfern Road on the south bank of Whiteoak Bayou in Harris County, Texas.

APPROVED, PR/JH

Item 29. APPLICATION BY CITY OF WACO for renewal of Permit No. 03570 (formerly Permit No. 10686-01) which authorizes a discharge of settled filtered backwash at a volume not to exceed an average flow of 240,000 gallons per day from the Mount Carmel Surface Water Treatment plant. The plant site is on Lake Shore Drive between Mt. Carmel Drive and Wooded Acres Drive, just east of Lake Waco in the City of Waco, McLennan County, Texas.

APPROVED, PR/JH

Item 30. APPLICATION BY CITY OF WACO for renewal of Permit No. 03571 (formerly Permit No. 10686-02) which authorizes a discharge of settled filtered backwash at a volume not to exceed an average flow of 370,000 gallons per day from the Riverside Water Treatment Plant. The plant site is southwest of the Brazos River, just southwest of University Parks Drive, just southeast of Colcord Avenue in the City of Waco, McLennan County, Texas.

APPROVED, PR/JH

Item 31. APPLICATION NO. TA-6996 BY TEXAS PARKS & WILDLIFE DEPT. FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION NO. 11.138. FOR COMMISSION ACTION. Applicant seeks to divert and use 50 acre-feet of water within a 1-year period from Geronimo Creek, Guadalupe River Basin, for industrial purposes (fish hatchery) from the creek at the end of Sagebiel Rd., approximately 1 mile east of Seguin, Guadalupe County, Texas. (SMITH/jme)

APPROVED, PG/PR

Item 32. APPLICATION NO. TA-7004 BY FERTEX, INC. FOR A TEMPORARY WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION NO. 11.138. FOR COMMISSION ACTION. Applicant seeks to divert and use 3200 acre-feet of water within a 3-year period from Cottonwood Creek and Ten Mile Creek, Trinity River Basin, for irrigation purposes (rice farming) from the confluence of the creeks just upstream of the confluence with the Trinity River and just downstream of the Parkinson Road crossing, approximately 20 miles southeast of Dallas, Dallas County, Texas. (SMITH/jme)

APPROVED, PG/PR

Item 33. APPLICATION BY CIRCLE C MUNICIPAL UTILITY DISTRICT NO. 4 OF TRAVIS COUNTY FOR APPROVAL OF \$3,000,000 UNLIMITED TAX & REVENUE BONDS, 8.221% NET INTEREST RATE, SERIES 1993, FIRST ISSUE. For Commission consideration and action. Applicant requests approval of \$3,000,000 in unlimited tax and revenue bonds to finance the costs of utilities and drainage projects. (Ferguson)

APPROVED, PR/JH

Item 34. APPLICATION BY EL PASO COUNTY LOWER VALLEY WATER DISTRICT AUTHORITY FOR APPROVAL OF \$466,000 REVENUE BOND ISSUE, 5.0% NET EFFECTIVE INTEREST RATE, SECOND ISSUE, SERIES 1993. For Commission consideration and action. Applicant requests approval of the issuance of \$466,000 revenue bonds to finance District's share of water system improvements for Sparks Addition Colonias. (Ferguson)

APPROVED, PR/JH

Item 35. APPLICATION BY CY-CHAMP PUBLIC UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$3,160,000 BOND ISSUE APPROVED JANUARY 24, 1985. For Commission consideration and action. Applicant requests approval to use \$173,220 in surplus funds to reimburse the developer for water, wastewater and drainage facilities to serve Champions Park North Section 4. (Ferguson)

APPROVED, PR/JH

Item 36. APPLICATION BY WESTLAKE MUNICIPAL UTILITY DISTRICT NO. 1 OF HARRIS COUNTY FOR APPROVAL TO USE SURPLUS FUNDS; \$660,000 BOND ISSUE APPROVED SEPTEMBER 27, 1984. For Commission consideration and action. Applicant requests approval to use \$150,000 in surplus funds to finance installation of a 12-inch wastewater force main and purchase of a lift station generator. (Ferguson)

APPROVED, PR/JH

Item 37. APPLICATION OF CITY OF LORENA to amend Water Certificate of Convenience and Necessity No. 10030 and Decertify a Portion of CCN No. 10039 Issued to the City of Waco in McLennan County, TX (Application No. 9864-C, Holck)

APPROVED, PR/PG

Item 38. APPLICATION OF BLOCKER-CROSSROADS WATER SUPPLY CORPORATION (WSC) for a Water CCN and to Decertify a Portion of CCN No. 10366 of Elysian Fields WSC in Harrison County, TX (Application No. 9479-C, Holck)

APPROVED, PR/PG

Item 39. APPLICATION OF SAN PEDRO NORTH MOBILE HOME PARK, INC.DBA SAN PEDRO NORTH MOBILE HOME PARK ASSOCIATION to Discontinue Providing Water and Sewer Service in Bexar County, TX (Application No. 9157-Q and 9158-Q, Holck)

APPROVED, PR/PG

Item 40. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ROCKETT SUD AND BOYCE WSC FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10099 AND CANCELLATION OF CCN NO. 11097 TO PROVIDE WATER SERVICE IN ELLIS COUNTY, TEXAS. DOCKET NO. 9757-S. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (THOMAS)

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

(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.)

UNCONTESTED OLD BUSINESS

Wednesday, March 24, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from the Agenda of March 3, 1993.

- Item 1. APPLICATION BY CITY OF ANGLETON for an amendment to Permit No. 10548-01 to authorize an increase in the 2-hour peak flow from 7,500 gallons per minute (gpm) to 12,500 gpm in the final phase. The proposed amendment will also change the effective date of dechlorination from July 1, 1991 to July 1, 1993. The permit currently authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,600,000 gallons per day. The Oyster Creek Wastewater Treatment Facilities are adjacent to and south of County Road 609 (Old Highway 35), approximately 1 1/2 miles southwest of the intersection of State Highway 35 and State Highway 227 in Brazoria County, Texas.

APPROVED, PR/PG

Item carried forward from the Agenda of March 3, 1993.

- Item 2. APPLICATION BY CEDAR POINT UTILITY MANAGEMENT COMPANY, INC. for renewal of Permit No. 12454-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 80,000 gallons per day from the Cedar Point Subdivision Wastewater Treatment Facilities. The plant site is on the east side of the Kickapoo Creek Arm of Lake Livingston approximately 2000 feet south of U.S. Highway 190 within the Cedar Point Subdivision in Polk County, Texas.

APPROVED, PR/PG

Item carried forward from the Agenda of March 3, 1993.

- Item 3. APPLICATION BY CHELFORD CITY MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11599-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,500,000 gallons per day from the Brays Bayou Wastewater Treatment Plant. The plant site is on the south side of Alief-Clodine Road, approximately 2,000 feet due west of the intersection of Alief-Clodine Road and State Highway 6 in Harris County, Texas.

APPROVED, PR/PG

Item carried forward from the Agenda of March 17, 1993.

- Item 4. APPLICATION BY LAKEWAY MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11495-02 (formerly Permit No. 10531-01) which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 65,000 gallons per day from the Inn & Marina Wastewater Treatment

Facilities. The plant site is at 101 Lakeway Drive, approximately 2.0 miles northwest of the intersection of Ranch Road 620 and Lakeway Boulevard, 0.5 mile south of Lake Travis in the Village of Lakeway in Travis County, Texas.

APPROVED PR/PG

COMMISSIONER GARNER ABSENT AND EXCUSED FOR ITEM 1

CONTESTED AGENDA

Wednesday, March 24, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF JIM MILLER AIRCRAFT PAINTING; SWR NO. 52111. (Hahn)

Issue Agreed Order, PR/JH

Item 2. CONSIDERATION OF THE PROPOSED AMENDED ENFORCEMENT ORDER OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 84 TO AMEND THE COMMISSION'S ENFORCEMENT ORDER ISSUED DECEMBER 20, 1989. The December 20, 1989, Order assessed administrative penalties and required certain actions of the District for violations of Chapter 26 of the Texas Water Code and rules of the Texas Water Commission. The proposed amended Order requests an extension of time; Permit No. 10558-01. (Rubey)

Approve staff recommendation, PR/JH

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PROPOSED AGREED ORDER REQUIRING CERTAIN ACTIONS OF WMW PARTNERSHIP, D/B/A WMW HOLDING CO., NECHES CHEMICAL COMPANY, NECHES SUPPLY COMPANY, INC., AND AT&T NASSAU METALS; TEXAS SOLID WASTE REGISTRATION NO. 52066. (Hall)

Issue Agreed Order, PR/JH

Item 4. 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.

General Counsel will do a certified agenda.

Item 5. 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.)

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, March 24, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 6. THE COMMISSIONERS WILL MEET IN EXECUTIVE SESSION TO DISCUSS THEIR DUTIES, ROLES, AND RESPONSIBILITIES AS COMMISSIONERS OF THE TEXAS WATER COMMISSION UNDER SECTION 2(g) OF THE OPEN MEETINGS ACT. TEX. REV. CIV. STAT. ANN. Art 6252-17, AND 2(g).

Continued to March 31, 1993

(An emergency addition to the agenda is necessary due to reasonably unforeseeable circumstances.)

2ND EMERGENCY ADDENDUM CONTESTED AGENDA

Wednesday, March 24, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 7. APPLICATION BY INDUSTRIAL COMPLIANCE FOR AN EMERGENCY ORDER TO AUTHORIZE DISCHARGE OF APPROXIMATELY 2,000,000 GALLONS OF NEUTRALIZED WATER TO A RAILROAD BAR DITCH, THENCE TO THE NAVIDAD RIVER IN SEGMENT 1605 OF THE LAVACA RIVER BASIN.
(RUBEY)

Issue Emergency Order, PG/PR

(Emergency setting is required due to imminent danger to surface and ground water.)

CONTESTED OLD BUSINESS

Wednesday, March 24, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of February 3, 1993.

- Item 1. 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)

Issue Proposed Order as Recommended by Staff, PR/PG

Item carried forward from Agenda of January 27, 1993 and March 10, 1993.

- Item 2. Consideration of the Executive Director's Preliminary Enforcement Report and Petition for an Agreed Enforcement Order assessing administrative penalties and requiring certain actions of Lyondell Petrochemical Company; SWR. 30092 (Hall)

Issue Agreed Order, PG/PR

Item carried forward from Agenda of March 10, 1993.

- Item 3. 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)

Issue Agreed Order, PG/PR