

HALL-PRESENT
REED-PRESENT
GARNER-PRESENT

UNCONTESTED AGENDA

Wednesday, April 7, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY CITY OF BROWNFIELD for a municipal solid waste permit (Proposed Permit No. MSW2170) to authorize a Type I (landfill) municipal solid waste management facility for the disposal of municipal solid waste and special waste. Authorized wastes are to be received at a rate averaging 75 tons per day over the total life of the site. The site is on an 139.77 acre site, approximately 0.8 mile east of Texas Highway 137, and 1.2 miles south of Old Lamesa Road and 1.0 mile southeast of U.S. Highway 62/385 (Seagraves Road) in Terry County, Texas.

Approved, PG/PR

Item 2. APPLICATION BY SOJO, INC. for a municipal solid waste permit (Proposed Permit No. MSW2183) to authorize a Type V non-hazardous and non-industrial grease and grit trap and special wastes processing facility. Authorized wastes are to be received at a rate not to exceed 41 tons (24 tons per day for grit trap and 17 tons per day for grease trap) in a 24-hour period over the total life of the site. The permittee is authorized to store wastes for a maximum of seventy-two (72) hours. The site is on a 0.9 acre site at 1401 East Highway 80 in the City of Abilene, Taylor County, Texas.

Approved, PG/PR

Item 3. APPLICATION BY TEXAS ECOLOGISTS, INC. for a minor amendment to Permit No. WDW-278 in order to conform the existing permit to EPA No-Migration Petition standards. The minor amendment incorporates injection zone and injection interval language and depths, EPA hazardous waste codes and restrictive specific gravity values as required by the no-migration petition approval conditions. Waste disposal well WDW-278 is on company property, approximately 13,700 feet from the south line and approximately 1050 feet from the east line of the Mariano Lopez de Herrera Survey, A-606 four miles south of Robstown in Nueces County, Texas.

Approved, PR/PG

Item 4. APPLICATION BY AMOCO CHEMICAL COMPANY for an amendment to Permit No. 01333 to authorize an increase in the discharge of treated process, sanitary, cooling tower blowdown and stormwater from a volume not to exceed an average flow of 6,000,000 gallons per day to an average flow not to exceed 8,000,000 gallons per day. The proposed amendment will also add three additional Outfalls 003, 004 and 005 to regulate an intermittent flow variable discharge of stormwater. The permit currently authorizes an intermittent flow variable discharge of stormwater and low volume wastewaters via Outfall

002, which will remain the same. The applicant operates the Chocolate Bayou Chemical Plant which manufactures organic chemicals. The plant site is on the northwest side of FM 2004 approximately 2 miles south of the intersection of FM 2917 and FM 2004 in Brazoria County, Texas.

Approved, PG/PR

Item 5. APPLICATION BY CITY OF BRYSON for an amendment to Permit No. 10135-01 to authorize an increase in the disposal volume of treated domestic wastewater effluent from 50,000 gallons per day average to 60,000 gallons per day average. The proposed amendment would also authorize a variance to the buffer zone requirements and would increase the amount of land used for irrigation from 25.0 acres to 43.5 acres. Application rates for the irrigated land shall not exceed 2.8 acre-feet/acre/year for the Interim phase. Application rates for the irrigated land shall not exceed 1.55 acre-feet/acre/year for the Final phase. The plant site for the existing facility in the Interim phase is located on the east side of a gravel road known as Lovers Lane, 1/2 mile south of the intersection with U.S. Highway 380 in Jack County, Texas. The irrigated land area is located approximately 5000 feet due south in Jack County, Texas. The Imhoff Tank in the Final phase is located on the east side of a gravel road known as Lovers Lane, 1/2 mile south of the intersection with U.S. Highway 380 in Jack County, Texas. The stabilization ponds and irrigation site are located approximately 1/2 mile south-southeast of the intersection of U.S. Highway 380 and Farm-to-Market Road 1191 in Jack County, Texas.

Approved, PG/PR

Item 6. APPLICATION BY CITY OF HONDO for a minor amendment to Permit No. 10189-01 to authorize changing the method of disinfection from chlorination with sulfur dioxide dechlorination to ultraviolet radiation disinfection. The permit currently authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed an average flow of 1,800,000 gallons per day, which will remain the same. The East Wastewater Treatment Facilities are in the southwest section of the City of Hondo approximately 1,400 feet east of the intersection of Farm-to-Market Road 462 and 30th Street in Medina County, Texas.

Approved, PG/PR

Item 7. APPLICATION BY CITY OF PINELAND for a minor amendment to Permit No. 10249-01 to authorize the two hour peak discharge to be increased from a volume not to exceed 372 gallons per minute to a volume not to exceed 596 gallons per minute. The permit currently authorizes the discharge of treated domestic wastewater at a volume not to exceed an average flow of 214,000 gallons per day, which will remain the same. The plant site is at the intersection of Thomas Street and Transmission Boulevard in the City of Pineland approximately 1.25 miles southeast of the intersection of U.S. Highway 96 and Farm-to-Market Road 83 in Sabine County, Texas.

Approved, PG/PR

Item 8. APPLICATION BY ALLIGATOR HEAD CLUB for renewal of Permit No. 11874-01 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 Caleta Subdivision Wastewater Treatment Facilities. The plant site is approximately one mile west of Port O'Connor on Maple Street on the north bank of the Intracoastal Waterway in Calhoun County, Texas.

Approved, PG/PR

Item 9. APPLICATION BY COUNTRY CLUB PARK ESTATES UTILITY TRUST for renewal of Permit No. 11107-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 52,000 gallons per day. The wastewater treatment facilities are in Country Club Park Estates Subdivision, approximately two miles north of State Highway 73 and six miles west of the City of Port Arthur, adjacent to the bank of Taylor Bayou in Jefferson County, Texas.

Approved, PG/PR

Item 10. APPLICATION BY CREEKSIDE UTILITIES, INC. for renewal of Permit No. 11375-01 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 Creekside Estates Wastewater Treatment Facilities. The plant site is approximately 2.5 miles east of the intersection of Farm-to-Market Road 529 (Spencer Road) and U.S. Highway 290 on the north bank of Whiteoak Bayou between Windfern Road and Fairbanks-North Houston Road in Harris County, Texas.

Approved, PG/PR

Item 11. APPLICATION BY CAL J. MYERS dba Woodgate Mobile Home Village for renewal of Permit No. 12414-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 35,000 gallons per day. The wastewater treatment facilities are approximately 1/4 mile west of the intersection of Veterans Memorial Drive and Frick Road on the south side of Frick Road in Harris County, Texas.

Approved, PG/PR

Item 12. APPLICATION BY NORTHEAST UTILITIES, INC. for renewal of Permit No. 12733-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 450,000 gallons per day. The wastewater treatment facilities are on the north side of and adjacent to Dessau Lane, at a point approximately 1.3 miles east of Interstate Highway 35 in Travis County, Texas.

Approved, PG/PR

Item 13. APPLICATION BY PENDLETON ASSOCIATES, INC. for renewal of Permit No. 11099-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 20,000 gallons per day. The wastewater treatment facilities are approximately 500 feet north of State Highway 21 on the west shore of Toledo Bend Reservoir at Pendleton Bridge in Sabine County, Texas.

Approved, PG/PR

Item 14. APPLICATION BY PIRATES COVE WATER SUPPLY AND SEWER SERVICE CORP. for renewal of Permit No. 12553-01 which authorizes a discharge of treated domestic wastewater effluent at a volume

not to exceed an average flow of 17,000 gallons per day from the Pirates Cove Condominium Wastewater Treatment Facilities. The plant site is approximately 1250 feet south of State Highway 185, between 15th and 16th Streets in the City of Port O'Conner in Calhoun County, Texas.

Approved, PG/PR

Item 15. APPLICATION BY LAKEWAY MUNICIPAL UTILITY DISTRICT for a Temporary Order (Temporary Order 93-3T) to empty its effluent storage pond by increasing its authorized irrigation rate from 2.7 acre-feet/acre/year to 5.15 acre-inches/acre/month from April 1, 1993 to September 27, 1993. The removal of the effluent is necessary to make necessary and unforeseen repairs to the effluent storage pond. The facility and irrigation site are in the eastern portion of Lakeway, approximately 2.0 miles north of the intersection of Ranch Road 620 and Lakeway Boulevard, 250 feet west of Yaupon Creek in the Village of Lakeway in Travis County, Texas.

Approved, PG/PR

Item 16. APPLICATION NO. 5443 BY MONTCLAIR PARC, INC. FOR A TWC SECTIONS 11.121 § 11.143 WATER USE PERMIT. FOR COMMISSION ACTION. Applicant seeks authorization to impound water in an existing exempt reservoir and three proposed dams and reservoirs on Little Bear Creek, Trinity River Basin which will be used for stormwater run-off control and recreation purposes in Montclair Parc Development in Colleyville, Texas, 14.4 miles northeast of Ft Worth, Tarrant County. (Smith/lb)

Approved, PR/PG

Item 17. APPLICATION NO. 5444 BY GUADALUPE RIVER RV RESORT, INC. FOR A WATER USE PERMIT PURSUANT TO TWC SECTION NO. 11.121. FOR COMMISSION ACTION. Applicant seeks to divert and use 100 acre-feet of water per annum from the Guadalupe River -based on a Subordination Agreement with the GBRA- to irrigate 25.5 acres of land out of a 28 acre-tract approximately 4 miles northwest of Kerrville, Kerr County, Texas.

Remand to Office Hearing's Examiner (All Commissioner's agree)

Item 18. APPLICATION BY MEMORIAL VILLAGES WATER AUTHORITY OF HARRIS COUNTY FOR APPROVAL OF \$4,225,000 UNLIMITED TAX AND REVENUE BONDS, 6.75% NET EFFECTIVE INTEREST RATE, SERIES 1993, THIRD ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$4,225,000 in unlimited tax and revenue bonds to finance rehabilitation of a portion of the wastewater collection system and to loop certain dead-ends of the water distribution system. (Ferguson)

Approved, PG/PR

Item 19. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 46 FOR APPROVAL OF \$1,675,000 UNLIMITED TAX BOND ISSUE, 6.935% NET EFFECTIVE INTEREST RATE, THIRD ISSUE, SERIES 1993. For Commission consideration and action. Applicant requests approval of \$1,675,000 in tax bonds to finance additional water & wastewater plant and trunkline capacity, shared wastewater lift station, force main, & drainage facilities in Grogans Point Road, and water, wastewater & drainage facilities to serve the Village of Grogans Mill, Sections 59 & 60. (Ferguson)

Approved, PG/PR

Item 20. APPLICATION BY ROYALWOOD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL TO USE SURPLUS FUNDS; \$1,000,000 BOND ISSUE APPROVED JUNE 12, 1972. For Commission consideration and action. Applicant requests approval to use \$115,134 in surplus funds to finance shared costs of participation in surface water conversion project. (Ferguson)

Approved, PG/PR

Item 21. APPLICATION BY PECAN GROVE MUNICIPAL UTILITY DISTRICT OF FORT BEND COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$2,815,000 BOND ISSUE APPROVED SEPTEMBER 9, 1988. For Commission consideration and action. Applicant requests approval of the release of \$32,223 of escrowed funds for engineering fees for Grove Section 12. (Ferguson)

Approved, PG/PR

Item 22. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 18 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$5,230,000 BOND ISSUE APPROVED SEPTEMBER 13, 1991. For Commission consideration and action. Applicant requests approval to use \$171,822 of surplus funds for construction of water, wastewater, and drainage facilities to serve Bentwater Drive, Phase 2 (1990 Phase 1 Construction) and construction of drainage facilities for Bentwater Drive, Phase 2 (1990 Phase 4 Construction). (Ferguson)

Approved, PG/PR

Item 23. APPLICATION BY ELLIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS & THE USE OF SURPLUS FUNDS, \$14,095,000 BOND ISSUE APPROVED JULY 12, 1985. For Commission consideration and action. Applicant requests approval of the release of \$149,098 of escrowed funds and the use of \$50,902 of surplus funds to finance construction of wastewater treatment plant improvements. (Ferguson)

Approved, PG/PR

Item 24. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR COMMISSION APPROVAL TO ENTER INTO CONTRACTS TO PROVIDE ON-SITE TECHNICAL ASSISTANCE TO RURAL UTILITIES WHICH SERVE COLONIAS. The primary goal of the technical assistance program is to enable utilities and their customers to access Federal funds currently available to extend wastewater services to colonias. The contracts would be for a four month term, beginning May 1, 1993. The amounts of the individual contracts are not expected to exceed \$20,000. The number of contracts executed is dependent on the number of qualified proposals. (Wrenn)

Remand to Executive Director (All Commissioner's Agree)

Item 25. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF LITTLE CYPRESS UTILITY DISTRICT FOR EXTENSION OF TIME TO COMMENCE AND CONSTRUCT A DAM AND RESERVOIR PROJECT AUTHORIZED BY PERMIT NO. 5098 TO CONSTRUCT A RESERVOIR TO IMPOUND AN AMOUNT OF WATER NOT TO EXCEED 193,845 ACRE-FEET AND TO DIVERT AN AMOUNT NOT TO EXCEED 100,000 ACRE-FEET PER ANNUM FROM THE LITTLE CYPRESS BAYOU IN

CYPRESS RIVER BASIN, FOR MUNICIPAL AND INDUSTRIAL PURPOSES.
RECOMMENDATION: DISMISSAL PER WITHDRAWAL OF APPLICATION.
(THOMAS)

Adopt Examiner's Memorandum and Issue Order, PR/PG

Item 26. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF PONDEROSA UTILITY CO., INC. FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 12203 AND THE TRANSFER OF AND SUBSEQUENT CANCELLATION OF CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11602 TO PROVIDE WATER SERVICE IN DENTON COUNTY, TEXAS. (DOCKET NO. 9595-S).
RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (ROGAN)

Adopt Examiner's Memorandum and Issue Order, PR/PG

Item 27. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF SOUTHWEST MATERIALS, INC. FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 12-3737A IN WILLIAMSON COUNTY, TEXAS, TO DIVERT NOT TO EXCEED 300 ACRE-FEET OF WATER PER ANNUM FROM THE SOUTH FORK SAN GABRIEL RIVER, TRIBUTARY OF THE SAN GABRIEL RIVER, TRIBUTARY OF THE LITTLE RIVER, TRIBUTARY OF THE BRAZOS RIVER, IN THE BRAZOS RIVER BASIN FOR MINING PURPOSES. RECOMMENDATION: ISSUANCE OF AUTHORIZATION.

Adopt Examiner's Memorandum and Issue Order, 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.)

UNCONTESTED OLD BUSINESS

Wednesday, April 7, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from the Agenda of March 10, 1993.

- Item 1. 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 May 5, 1993

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

- Item 2. APPLICATION BY JAMES E. LAUBACH for renewal of Permit No. 12478-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 48,000 gallons per day from the Tower Terrace Wastewater Treatment Facilities. The plant site is approximately one mile south of Farm-to-Market Road 565 and two miles east of the intersection of Farm-to-Market Roads 565 and 1405 in Chambers County, Texas.

Approved, PR/PG

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

- Item 3. APPLICATION BY WALLACE A. RAYNOR for renewal of Permit No. 11032-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000 gallons per day. The Alta Vista Mobile Home Park Wastewater Treatment Plant is approximately 13 miles north-northeast of the City of Fort Worth central business district and 1.9 miles east of Interstate Highway 35W on the north bank of Big Bear Creek, west of its crossing of Alta Vista Road and approximately 0.5 of a mile south of the intersection of Alta Vista Road and Keller-Hicks Road, in the City of Keller in Tarrant County, Texas.

Approved, PR/PG

Item carried forward from Agenda of March 17, 1993.

- Item 4. APPLICATION BY ZAPATA COUNTY for renewal of Permit No. 10462-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 800,000 gallons per day. The permittee is also authorized to use treated effluent to irrigate Los Ebanos Golf Course at an application rate of not to exceed 4.2 acre-feet/acre/year.

The wastewater treatment facilities are approximately 1/2 mile east of U.S. Highway 83 on Third Avenue in the City of Zapata County, Texas.

Approved, PR/PG

Item carried forward from Agenda of March 31, 1993.

Item 5. APPLICATION BY BACLIFF MUNICIPAL UTILITY DISTRICT OF GALVESTON COUNTY FOR APPROVAL OF A FIRE PROTECTION PLAN. For Commission consideration and action. Applicant requests approval of a proposed fire plan to contract for fire protection services with the Bacliff Volunteer Fire Department. (Ferguson)

Continued to April 14, 1993

CONTESTED AGENDA

Wednesday, April 7, 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 MARGARET MILLER; TEXAS MUNICIPAL SOLID WASTE UNAUTHORIZED SITE NO. 31553 (J. SMITH)

Remand to Office Hearing's Examiner, (All Commissioner's Agree)

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF SHAMROCK FOR VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE; PERMIT NO. 10279-01. (Carlton)

Remand to Office Hearing's Examiner, (All Commissioner's Agree)

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF PLANTATION FOODS, INC., (SULAK FARM); NO PERMIT. (Carlton)

Remand to Office Hearing's Examiner, (All Commissioner's Agree)

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF HEDLEY FEEDLOT, INC.; PERMIT NO. 23780. (Carlton)

Issue Agreed Order, PR/PG

Item 5. CONSIDERATION OF AN AGREED ORDER RESOLVING AN ENFORCEMENT ACTION BROUGHT AGAINST UNION PACIFIC RAILROAD COMPANY FOR VIOLATIONS OF THE TEXAS WATER CODE, TEX. WATER CODE ANN. CHAPTER 26 (VERNON SUPP. 1990) AND THE RULES OF THE TEXAS WATER COMMISSION; ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTIAN ACTIONS OF UNION PACIFIC RAILROAD. (RAMIREZ)

Issue Agreed Order, PG/PR

Item 6. CONSIDERATION OF PETITION FOR RULEMAKING FILED FEBRUARY 1, 1993 BY MERICHEM COMPANY. PETITION REQUESTS THAT THE COMMISSION ADOPT REVISIONS TO 31 TEXAS ADMINISTRATIVE CODE SECTION 335.326(c) (RELATED TO DRY WEIGHT DETERMINATION.) (CARLTON)

Deny Petition for Rulemaking, JH/PR

Item 7. CONSIDERATION AND ADOPTION OF PROPOSED NEW CHAPTER 288. AMENDMENTS TO SECTIONS 295.9 AND 297.1, AND NEW SECTIONS 297.53, 297.54, 297.55, AND 297.56, 31 TEX. ADMIN. CODE, RELATING TO THE SUBMISSION OF WATER CONSERVATION PLANS WITH APPLICATIONS FOR WATER USE AND MANAGEMENT PERMITS TO THE TWC FOR REVIEW AND APPROVAL. (JORDAN)

Adopt Proposed Rules with changes as recommended by staff, JH/PR

Item 8. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES, as permitted by TEX.REV.CIV.STAT.ANN. art 6252-17 Sections 2(e) and 2(g). No final action, decision or vote with regard to any matter considered in closed session shall be made in the absence of further notice issued in accordance with TEX.REV.CIV.STAT.ANN. art. 6252-17.

No Action Taken

Item 9. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING PENDING LITIGATION AND OTHER LITIGATION THAT MAY ARISE CHALLENGING OR SUPPORTING COMMISSION ACTION RELATED TO THE EDWARDS AQUIFER: DANNY MCFADEN AND TEXAS FARM BUREAU VS. TEXAS WATER COMMISSION, NO. 92-05214, 331ST DISTRICT COURT OF TRAVIS COUNTY; EDWARDS UNDERGROUND WATER DIST. ET AL. VS. LIVING WATERS ARTESIAN SPS. LTD., ET AL., NO. 91-CI-14862, 57TH DISTRICT COURT OF BEXAR COUNTY; SIERRA CLUB, ET AL. VS. LUJAN, ET AL., NO. 91-CA-069, U.S. DISTRICT COURT, WESTERN DIST. OF TEXAS, MIDLAND ODESSA DIV.; GBRA VS. TEXAS FARM BUREAU, ET AL., NO. 92-05226, 299TH DISTRICT COURT OF TRAVIS COUNTY. L.B.TURLOVE, JR. AND JO HELEN BATOT VS. THE STATE OF TEXAS, TEXAS WATER COMMISSION, CAUSE NO. 92-08-18, 127-CV OF UVALDE COUNTY, 38TH JUDICIAL DISTRICT. THE AUTHORITY FOR THIS MEETING IS TEX. REV. CIV. STAT. ANN. ART. 6252-17, SEC. 2 (e).

No Action Taken

(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 CONTESTED AGENDA

Wednesday, April 7, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 10. 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).

No Action Taken

CONTESTED OLD BUSINESS

Wednesday, April 7, 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)

Issue Agreed Order as Recommended, PR/PG

Item carried forward from Agenda of November 18, 1992 and December 16, 1992, February 3, 1993.

- 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 14, 1993

Item carried forward from Agenda of February 3, 1993.

- Item 3. 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 June 23, 1993

Item carried forward from Agenda of February 3, 1993.

- Item 4. 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 May 26, 1993

Item carried forward from Agenda of March 17, 1993.

Item 5. CONSIDERATION OF THE STATUS OF THE IMPLEMENTATION OF THE
AGREED ORDER ISSUED DECEMBER 2, 1992, IN THE MATTER OF ELF
ATOCHEM NORTH AMERICA, INC. SWR NO. 31695 (GLENN HALL)

No Action Required