

HALL  
GARNER  
REED/ABSENT AND EXCUSED

UNCONTESTED AGENDA

Wednesday, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

UNCONTESTED (New Water Quality Permits)

Item 1. APPLICATION BY COASTAL STATES CRUDE GATHERING COMPANY for a permit (Proposed Permit No. 03549) to authorize intermittent flow variable discharges of treated tank bottom water and stormwater. The applicant operates a petroleum pipeline pumping station and truck loading facility. The plant site is at 5032 Upriver Road on the south side of the Corpus Christi Ship Channel slightly east of Navigation Boulevard in the City of Corpus Christi, Nueces County, Texas.

APPROVED, PG/JH

Item 2. APPLICATION BY COASTAL STATES CRUDE GATHERING COMPANY for a permit (Proposed Permit No. 03552) to authorize an intermittent dry weather flow variable discharge of treated tank bottom water and stormwater runoff. The applicant currently operates a refined petroleum products pipeline pump station, storage and loading facility. The plant site is approximately 0.5 mile west of U.S. Highway 281 on F.M. Road 405, and approximately three miles north of the City of Falfurrias, Jim Wells County, Texas.

APPROVED, PG/JH

Item 3. APPLICATION BY COOPER'S MARINE SERVICE, INC. for a permit (Proposed Permit No. 03424) to authorize an intermittent flow variable discharge of wastewater generated from a barge cleaning facility. The barges will contain grain, fertilizer, steel, rock, coke, and lumber products. The plant site is in the City of Channelview at 18302 Market Road east of the intersection of IH-10 and Crosby-Lynchburg Road in Harris County, Texas.

APPROVED, PG/JH

Item 4. APPLICATION BY JUDY AND MIKE LLOYD DBA JM DAIRY for a permit (Proposed Permit No. 03497) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 990 head. Wash-down water, flushwater and stormwater will be retained in one (1) pond. Wastewater from the pond is to be disposed of by irrigation on agricultural land. The dairy is on the north side of Farm-to-Market Road 8, approximately seven miles west of the intersection of Farm-to-Market Road 8 and Farm-to-Market Road 219 in Erath County, Texas.

APPROVED, PG/JH

Item 5. APPLICATION BY ELVIS C. LOWE for a permit (Proposed Permit No. 03578) to authorize disposal of waste and wastewater from a dairy operation. The dairy will consist of a maximum of 400 head. Washdown water, flushwater and stormwater will be retained in two storage ponds, where subsequently it will be used to irrigate agricultural land. The dairy is on an unnamed county road, approximately 4 miles north of the intersection of State Highway 108 and State Highway 219 in the City of Huckabay in Erath County, Texas.

APPROVED, PG/JH

Item 6. APPLICATION BY MILKY WAY FARM INC. for a permit (Proposed Permit No. 03538) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 300 head. Washdown water, flushwater and stormwater will be retained in one (1) pond. Wastewater from the pond is to be disposed of by evaporation and/or irrigation on agricultural land. The dairy is on the east side of an unnamed county road, approximately 4 miles southeast of the intersection of State Highway 8 and Farm-to-Market Road 2149 in the City of Old Boston in Bowie County, Texas.

APPROVED, PG/JH

Item 7. APPLICATION BY NATIONAL CONVENIENCE STORES INC. for a permit (Proposed Permit No. 03517) to authorize a discharge of treated wastewater at a volume not to exceed an average flow of 8,000 gallons per day via Outfall 001. The permit also authorizes an intermittent flow variable discharge of stormwater via Outfall 002. The applicant operates a convenience store and truck stop. The plant site is on the northwest corner of Interstate Highway 10 and Magnolia Avenue, approximately 1.8 miles west of the intersection of IH 10 and the San Jacinto River in the City of Houston, Harris County, Texas.

APPROVED, PG/JH

Item 8. APPLICATION BY NEW ULM WATER SUPPLY CORPORATION for a permit (Proposed Permit No. 13655-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day from the wastewater treatment facilities. The proposed permit will also grant a variance to the buffer zone requirements upon issuance of this permit. The plant site is on Bernard Road, one mile southeast of the intersection of Farm-to-Market Road 109 and Farm-to-Market Road 1094 in Austin County, Texas.

APPROVED, PG/JH

Item 9. APPLICATION BY ELMER J. PARKS for a permit (Proposed Permit No. 03590) to authorize disposal of wastes and wastewater from a dairy. The dairy will consist of a maximum of 700 head. Washdown water, flushwater and stormwater will be retained in two (2) ponds. Wastewater from the ponds is to be disposed of by evaporation and/or irrigation on agricultural land. The dairy is located on the south side of Farm-to-Market Road 8, approximately 1 mile east of the intersection of Farm-to-Market Road 8 and Farm-to-Market Road 219 in Erath County, Texas.

APPROVED, PG/JH

Item 10. APPLICATION BY SEPCO CORPORATION for a permit (Proposed Permit No. 03583) to authorize a discharge of wastewater at a volume not to exceed an average flow of 2,400 gallons per day. The applicant proposes to operate a facility that designs and manufactures metallic, spiral wound, heat exchanger gaskets for the petrochemical industry. The plant site is on the northeast corner of Clark-Wheeler Road and Kindred Street south of U.S. Highway 90, approximately 1/2 mile west of South Lake Houston Parkway in the City of Houston, Harris County, Texas.

APPROVED, PG/JH

UNCONTESTED (Water Quality Permit Amendments)

Item 11. APPLICATION BY CITY OF ARCOLA for an amendment to Permit No. 13367-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 125,000 gallons per day to a volume not to exceed an average flow of 500,000 gallons per day. The wastewater treatment facilities are approximately 1,000 feet east of Farm-to-Market Road 521 and 3,200 feet south of the intersection of Farm-to-Market Road 521 and Texas Highway 6 in Fort Bend County, Texas.

APPROVED, PG/JH

Item 12. APPLICATION BY CITY OF AUSTIN for an amendment to Permit No. 10543-011 to authorize a change in the discharge point to the Colorado River Below Town Lake to a point approximately 6,000 feet southwest of the plant site. The permit currently authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 60,000,000 gallons per day from the Walnut Creek Wastewater Treatment Facilities, which will remain the same. The plant site is approximately 1 mile east of the Intersection of Farm-to-Market Road 969 and U.S. Highway 183, on the south side of Farm-to-Market Road 969 in Travis County, Texas.

APPROVED, PG/JH

Item 13. APPLICATION BY CITY OF CACTUS for an amendment to Permit No. 03436 (formerly 11379-01) in order to reclassify the permit from municipal to industrial and renumber the permit to reflect the change. The amendment would also authorize an increase in flow and change the method of disposal. The permit currently authorizes the disposal of treated domestic sewage effluent by evaporation and irrigation. The disposal volume is not to exceed an average of 2,130,000 gallons per day. The proposed amendment would authorize a discharge of treated wastewater at a volume not to exceed an average flow of 2,545,000 gallons per day. The proposed amendment would also authorize treated effluent to be irrigated on 2045 acres at an application rate not to exceed 4.2 acre-feet/acre/year. The plant site is approximately 2 miles north of the intersection of Farm-to-Market Road 281 and U.S. Highway 287 which is east in the City of Cactus, Moore County, Texas.

APPROVED, PG/JH

Item 14. APPLICATION BY HARTLEY FEEDERS, INC. for an amendment to Permit No. 01790 to authorize the disposal of waste and wastewater from a feedlot operation. The proposed amendment

is to increase the herd size from 20,000 head to a maximum of 30,000 head and increase the stormwater retention structure. Wastewater will be retained in one playa lake. Wastewater from the playa lake is to be disposed of by evaporation and/or irrigation on agricultural land. The feedlot is on the north side of Farm-to-Market Road 998 approximately 3.5 miles west of Farm-to-Market Road 998 and Farm-to-Market Road 2357 in Hartley County, Texas.

APPROVED, PG/JH

Item 15. APPLICATION BY LAKESIDE UTILITIES, INC. for an amendment to Permit No. 13477-01 to authorize an increase in the disposal of treated domestic sewage effluent from 120,000 gallons per day average to 160,000 gallons per day average. The amendment also authorizes the disposal of treated domestic sewage effluent to be used on 19 acres of a golf course in the Interim I phase and 193 acres of a golf course in the Interim II and Final phases. The wastewater treatment facility and irrigation site are on Haynie Flat road, approximately two miles north of the intersection of State Highway 71 and Haynie Flat Road in Travis County, Texas.

APPROVED, PG/JH

Item 16. APPLICATION BY SCHENECTADY INTERNATIONAL, INC. for an amendment to Permit No. 01961 to authorize an increase via Outfall 101 of treated process wastewater and treated contaminated stormwater from 40,000 gallons per day average to 100,000 gallons per day average. The proposed amendment would also: (1) change the volume for treated wastewater via Outfall 001 from intermittent to 1,400,000 gallons per day average; (2) regulate the discharge of industrial wastewater from the plant to the plant moat surrounding the company property at a volume not to exceed an average flow of 200,000 gallons per day; and (3) renumber and delete various outfalls. The applicant operates an alkyl phenol/petrochemical plant. The plant site is on FM Road 523, approximately 0.5 mile southwest of the intersection of FM Road 523 and State Highway 332 (at 702 FM Road 523) in the City of Freeport, Brazoria County, Texas.

APPROVED, PG/JH

Item 17. APPLICATION BY SHELL OIL COMPANY for an amendment to Permit No. 01437 to authorize an increase in the discharge from a volume not to exceed an average flow of 360,000 gallons per day to a volume not to exceed an average flow of 468,000 gallons per day via Outfall 004. The permit currently authorizes an intermittent flow variable discharge of stormwater via Outfalls 001, 002 and 003; a discharge of treated process wastewater, cooling tower blowdown, boiler blowdown and stormwater at a volume not to exceed 360,000 gallons per day via Outfall 004. The applicant operates a petroleum refinery. The plant site is adjacent to South Grandview Street south of the City of Odessa and southeast of the intersection of US Hwy 385 and Interstate 20 in Ector County, Texas.

APPROVED, PG/JH

Item 18. APPLICATION BY U.S. DEPARTMENT OF THE ARMY for an amendment to Permit No. 02713 in order to delete the discharge of treated domestic wastewater at a volume not to exceed an average flow

of 9,000 gallons per day via Outfall 002 and the discharge of wastewater at a volume not to exceed an average flow of 90,000 gallons per day via Outfall 003. The proposed amendment will also develop new effluent limitations and monitoring requirements for a new outfall designated Outfall 002 to regulate a flow variable volume of impounded stormwater. The permit currently authorizes the discharge of domestic, cooling tower and boiler blowdown, HMX wastewater, lab wastewater and X-ray development wastewater at a volume not to exceed an average flow of 500,000 gallons per day via Outfall 001, which will remain the same. The applicant operates the Longhorn Army Ammunition Plant. The plant site is adjacent to Caddo Lake with the Town of Uncertain at the northern boundary and the Town of Karnack at the western boundary in Harrison County, Texas.

CONTINUED TO AUGUST 18, 1993 AT 9:00 A.M.

Item 19. APPLICATION BY WEST TEXAS UTILITIES COMPANY, INC. for an amendment to Permit No. 00961 to authorize the addition of two new stormwater outfalls (Outfalls 002 and 003). The permit currently authorizes a discharge of cooling tower blowdown at a volume not to exceed an average flow of 864,000 gallons per day from the Rio Pecos Steam Electric Station, which will remain the same. The plant site is adjacent to the Pecos River and about one-half (1/2) mile north of U.S. Highway 67 in Crockett, County (Section II, Block 31, H&TC RR Survey) approximately three (3) miles northeast of the Town of Girvin in Pecos County, Texas.

APPROVED, PG/JH

UNCONTESTED (Water Quality Minor Amendments)

Item 20. APPLICATION BY HULL FRESH WATER SUPPLY DISTRICT for a minor amendment to Permit No. 13544-01 to authorize a decrease in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 250,000 gallons per day to a volume not to exceed an average flow of 150,000 gallons per day from the wastewater treatment facilities. The plant site is on East Sabine Avenue, approximately 0.75 miles northeast of the intersection of State Highway 770 and the Missouri Pacific Railroad in Hull, Liberty County, Texas.

APPROVED, PG/JH

Item 21. APPLICATION BY TEXAS A & M UNIVERSITY POWER PLANT for a minor amendment to Permit No. 02836 to authorize an additional cooling tower discharge from a Cyclotron Facility on the Texas A & M campus. The permit currently authorizes a discharge of cooling tower blowdown commingled with low volume wastes at a volume not to exceed an average flow of 930,000 gallons per day from the Texas A & M Central Utilities Power Plant. The plant site is between Asbury and Ireland Streets at the Ross Street intersection on the A & M main campus in the City of College Station, Brazos County, Texas.

APPROVED, PG/JH

UNCONTESTED (Water Quality Renewal Permits)

Item 22. APPLICATION BY EL PASO COUNTY WATER CONTROL & IMPROVEMENT

DISTRICT NO. 4 for renewal of Permit No. 10166-01 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 approximately 8000 feet east of the intersection of U.S. Highway 80 and State Highway 76 and approximately 2000 feet south of U.S. Highway 80 in El Paso County, Texas.

RENEWED, PG/JH

Item 23. APPLICATION BY EXXON CORPORATION, MONT BELVIEU PLASTICS PLANT for renewal of Permit No. 02546 which authorizes a discharge of process water, stormwater, boiler and cooling tower blowdown, and treated sanitary wastewater at a volume not to exceed an average flow of 1,500,000 gallons per day from a polyethylene manufacturing plant. The plant site is immediately west of the Southern Pacific Railroad Line (about 1 mile west of State Highway 146) and immediately east of Hatcherville Road and approximately 2 miles northwest of the City of Mount Belview, Chambers and Liberty County, Texas.

RENEWED, PG/JH

Item 24. APPLICATION BY CITY OF FREDERICKSBURG for renewal of Permit No. 10171-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,750,000 gallons per day. The wastewater treatment facilities are approximately 1/2 mile southeast of the City of Fredericksburg and immediately east of U.S. Highway 290 in Gillespie County, Texas.

RENEWED, PG/JH

Item 25. APPLICATION BY GULF STATES UTILITIES COMPANY for renewal of Permit No. 01966 which authorizes an intermittent flow variable discharge of previously monitored effluents from the Lewis Creek Reservoir via Outfall 001. The permit also authorizes an intermittent flow variable discharge of once through cooling water via Outfall 002. The applicant operates the Lewis Creek Steam Electric Station. The plant site is off Longstreet Road, approximately 2.6 miles west-northwest of the City of Willis, Montgomery County, Texas.

RENEWED, PG/JH

Item 26. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 119 for renewal of Permit No. 12714-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 250,000 gallons per day. The wastewater treatment facilities are approximately 13 miles northwest of the City of Houston central business district and 4.9 miles due west of the intersection of Farm-to-Market Road 149 and Interstate Highway 45 on the east side of the North Houston-Rosslyn Road, approximately 1.6 miles south of the intersection of the North Houston-Rosslyn Road and Farm-to-Market Road 149 in Harris County, Texas.

RENEWED, PG/JH

Item 27. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150 for renewal of Permit No. 11863-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,000,000 gallons per day from the wastewater treatment facilities. The plant site is

at 11621 C. Walters Road approximately 3 miles west of the intersection of Interstate Highway 45 and Greens Bayou Crossing in Harris County, Texas.

RENEWED, PG/JH

Item 28. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT No. 199 for renewal of Permit No. 12636-01 which authorizes a discharge of treated domestic wastewater effluent at an average flow not to exceed 600,000 gallons per day. The renewed permit has decreased the final volume to 308,000 gallons per day average. The plant site is 1/2 mile north of Highway 290 and 600 ft. west of Jones Road in Harris County, Texas.

RENEWED, PG/JH

Item 29. APPLICATION BY CITY OF MARSHALL for renewal of Permit No. 10583-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,910,000 gallons per day from the Southside Wastewater Treatment Facilities. The plant site is southeast of the City of Marshall, approximately 1,800 feet southeast of the intersection of Interstate Highway 20 and Five Notch Road in Harrison County, Texas.

CONTINUED TO OCTOBER 13, 1993 AT 9:00 A.M.

Item 30. APPLICATION BY SOUTHWESTERN ELECTRIC POWER COMPANY, LONE STAR POWER PLANT for renewal of Permit No. 01464 which authorizes a discharge of condenser cooling water and previously monitored effluents at a volume not to exceed an average flow of 80,000,000 gallons per day from a steam electric generating station. The plant site is on the east side of Ellison Creek Reservoir at a point approximately 0.5 mile north of the dam, and approximately one mile southwest of the City of Lone Star, Morris County, Texas.

RENEWED, PG/JH

Item 31. APPLICATION BY SOUTHWESTERN GRAPHITE COMPANY, DIVISION OF DIXON TICONDEROGA for renewal of Permit No. 00350 which authorizes a discharge of stormwater runoff, noncontact cooling water and leachate from the tailings pile at a volume not to exceed an average flow of 300,000 gallons per day. The applicant operates a graphite mine and processing plant. The plant site is approximately 2.1 miles north of the State Highway 29 crossing over Clear Creek which is approximately 10 miles west of the City of Burnet, Burnet County, Texas.

RENEWED, PG/JH

Item 32. APPLICATION BY SPRING LODGING, INC. for renewal of Permit No. 12546-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 16,000 gallons per day from the Travel Lodge Motel Wastewater Treatment Facilities. The plant site is adjacent to the west frontage road of Interstate Highway 45, at a point approximately 0.75 mile south of Spring-Cypress Road in Harris County, Texas.

RENEWED, PG/JH

Item 33. APPLICATION BY T & N LONE STAR WAREHOUSE COMPANY for renewal of Permit No. 13326-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,500 gallons per day. The wastewater treatment facilities are approximately 3 miles northeast of the intersection of U.S. Highway 259 and Ranch Road 250, approximately 2.5 miles east of the City of Lone Star in Morris County, Texas.

RENEWED, PG/JH

Item 34. APPLICATION BY WAGNER UTILITY COMPANY, INC. for renewal of Permit No. 10742-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 37,000 gallons per day from the Brentwood Manor Subdivision Wastewater Treatment Facilities. The plant site is within the Brentwood Manor Subdivision, approximately 0.4 miles south of U.S. Highway 59 and immediately east of Marcado Creek, 2.0 miles due west of the intersection of U.S. Highway 59 and State Highway Loop 175 in Victoria County, Texas.

RENEWED, PG/JH

Item 35. APPLICATION BY CITY OF WEST COLUMBIA for renewal of Permit No. 10312-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,600,000 gallons per day. The wastewater treatment facilities are on Washington Street, approximately 1.7 miles east of the intersection of State Highways 35 and 36; and 2,000 feet west of the Brazos River in Brazoria County, Texas.

RENEWED, PG/JH

Item 36. APPLICATION BY WESTON MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11632-01 which authorizes a discharge of treated domestic wastewater effluent at an interim volume not to exceed an average flow of 100,000 gallons per day and a final volume not to exceed an average flow of 3,000,000 gallons per day. The renewed permit has decreased the final volume flow to 500,000 gallons per day average. The wastewater treatment facilities are approximately 0.60 miles east of Mason Road and 0.40 miles north of Interstate Highway 10 in Harris County, Texas.

RENEWED, PG/JH

UNCONTESTED (Water Right Permits)

Item 37. APPLICATION NO. 14-1351A BY ELMER JACK DICKSON ET AL FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION 14-1351 PURSUANT TO TEXAS WATER CODE SECTION 11.122. FOR COMMISSION ACTION. Applicant seeks an amendment to Certificate of Adjudication 14-1351 to increase the acreage to be irrigated per year from 90 acres to 300 acres and to increase the maximum diversion rate from 1.89 (850 gpm) to 2.79 cfs (1250 gpm), on the Concho River, tributary of the Colorado River, Colorado River Basin, Tom Green County, Texas. (SMITH/arc)

APPROVED, PG/JH

Item 38. APPLICATION NO. 23-3997E BY THE CITY OF LAREDO TO COMBINE AND AMEND WATER RIGHTS PURSUANT TO TWC 11.122. FOR COMMISSION

ACTION. Applicant seeks to amend the 1493.75 acre-feet of Class "B" water rights owned by the City and authorized by Certificates of Adjudication Nos. 23-119 and -227 by changing the purpose of use to municipal (equating to 597.5 acre-feet), changing the place of use to the City's service are, and changing the points of diversion to the City's three diversion points; and then combining these rights with rights held under Certificate No. 23-3997, as amended. (SMITH/jme)

APPROVED, PG/JH

Item 39. APPLICATION NO. 23-3997F BY THE CITY OF LAREDO TO COMBINE AND AMEND WATER RIGHTS PURSUANT TO TWC 11.122. FOR COMMISSION ACTION. Applicant seeks to amend the 374 acre-feet of Class "A" and the 260 acre-feet of Class "B" water rights owned by the City and authorized by Certificates of Adjudication Nos. 23-532, -558, -836, -2422, and -2713 by changing the purpose of use to municipal (equating to 291 acre-feet), changing the place of use to the City's service are, and changing the points of diversion to the City's three diversion points; and then combining these rights with rights held under Certificate No. 23-3997, as amended. (SMITH/jme)

APPROVED, PG/JH

Item 40. APPLICATION BY WILLIAM WALDINE & SCOTT LIPSEY FOR APPROVAL OF PRELIMINARY PLANS FOR CONSTRUCTION OF A LEVEE & OTHER SUCH IMPROVEMENT. TEXAS WATER CODE SECTION 16.236. FOR COMMISSION ACTION. Applicants seeks approval of preliminary plans for an existing levee system in the 100 year floodway of Keechi Creek, Freestone County, approximately 2.5 miles west-southwest of Oakwood, Tx. Project is 13,000 ft. long, eight ft. high, two part levee system on the east bank. Applicants will lower the downstream crest for 1000 feet and the upstream crest for 300 ft. (SMITH/JM)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item 41. APPLICATION NO. 5408A BY THE WOODLANDS CORPORATION FOR AN AMENDMENT TO WATER USE PERMIT NO. 5408 PURSUANT TO TWC SECTION # 11.122. FOR COMMISSION ACTION. Applicant seeks to amend the permit to include two on-channel reservoirs on Goodson Branch and Cow Branch, San Jacinto River Basin, for in-place recreational use approximately 15 miles southwest of Conroe, Montgomery County, Texas. (SMITH/jme)

APPROVED, PG/JH

UNCONTESTED (District Matters)

Item 42. APPLICATION BY ACTON MUNICIPAL UTILITY DISTRICT OF HOOD & JOHNSON COUNTIES FOR APPROVAL OF THE ISSUANCE OF \$1,000,000 IN UNLIMITED TAX & REVENUE BONDS, 6.75% NET EFFECTIVE INTEREST RATE, SERIES 1993, FOURTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,000,000 in bonds to finance construction of a 3.0 mg ground storage tank & associated pump station, a water transmission line, & repainting of sandpipe no. 1. (Ferguson)

APPROVED, PG/JH

Item 43. APPLICATION BY ELLIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1 FOR APPROVAL OF THE ISSUANCE OF \$4,200,000 IN

UNLIMITED TAX & REVENUE BONDS, 5.75% NET EFFECTIVE INTEREST RATE, SERIES 1993, SEVENTH ISSUE. For Commission consideration and action. Applicant requests approval of issuance of \$4,200,000 in bonds to finance rehabilitation of the S. Prong Dam & of a 750,000 gallon elevated water storage tank, a water line extension project, a new water supply pump at the Bardwell Reservoir, and replace clearwell controls & provide an alternate power supply source for the Water Treatment Plant. (Ferguson)

APPROVED, PG/JH

Item 44. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109 FOR APPROVAL TO RELEASE FUNDS FROM ESCROW, TO USE SURPLUS FUNDS & A CHANGE IN PLANS; \$7,200,000 BOND ISSUE APPROVED AUGUST 14, 1990. For Commission consideration and action. Applicant requests approval for the release of \$122,000 from escrow, the use of \$64,000 in surplus funds to finance construction of a ground storage replacement tank, & a change in plans for funds allocated for drainage improvements. (Ferguson)

APPROVED, PG/JH

Item 45. APPLICATION FOR APPOINTMENT OF DIRECTORS FOR NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28, PURSUANT TO V.T.C.A., WATER CODE, SECTION 54.015. For Commission consideration and action. Applicant requests appointment of (1) Otto L. Carl, III, (2) Drema Futzhugh, (3) Glenn E. Hastings, (4) Larry Muller and (5) Gary N. Young as directors to replace the five who are no longer qualified (Ferguson)

APPROVED, PG/JH

UNCONTESTED (Water Utility Matters)

Item 46. APPLICATION OF WEBB COUNTY FOR A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY IN WEBB COUNTY, TEXAS. (APPLICATION NO. 9975-C, DARRELL NICHOLS)

APPROVED, PG/JH

Item 47. APPROVAL OF GEORGE DERRICK DBA COUGAR WATER SUPPLY TO TRANSFER A PORTION OF WATER CCN NO. 12243 FROM LARRY BREWER; AMEND WATER CCN NO. 12243; AND OBTAIN A CCN IN JASPER COUNTY, TEXAS. (APPLICATION NO. 9958-T, VERA POE)

APPROVED, PG/JH

Item 48. APPROVAL OF HILL COUNTRY S.A. LTD. DBA HILL COUNTRY WATER SYSTEM TO TRANSFER WATER CCN NO. 10664 FROM HILL COUNTRY WATERWORKS COMPANY IN BEXAR COUNTY, TEXAS. (APPLICATION NO. 9937-S, DARRELL NICHOLS)

APPROVED, PG/JH

Item 49. APPLICATION OF COE UTILITIES, INC. TO AMEND WATER CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10342 IN MONTGOMERY COUNTY, TEXAS. (APPLICATION NO. 9990-C, ZEVALLOS)

APPROVED, PG/JH

Item 50. APPLICATION OF HOLLY GLEN/LAKE LIVINGSTON PROPERTY OWNERS

ASSOCIATION, INC. TO TRANSFER SEWER CCN NO. 20685 FROM H. I. DAVIS DBA HOLLY GLEN SUBDIVISION WASTEWATER TREATMENT COMPANY IN SAN JACINTO COUNTY, TEXAS (APPLICATION NO. 30019-S, ALBERT HOLCK)

APPROVED, PG/JH

Item 51. APPLICATION OF BRANCH CREEK PROPERTY, INC. TO TRANSFER WATER CCN NO. 11905 FROM A.T.F., INC. DBA BRANCH CREEK ESTATES; IN TRAVIS COUNTY, TEXAS. (APPLICATION NO. 9780-S, VERA POE)

APPROVED, PG/JH

UNCONTESTED (Determination of Emergency Order)

Item 52. COMMISSION WILL DETERMINE WHETHER EMERGENCY ORDER NO. 93-6E, GRANTED BY THE TEXAS WATER COMMISSION ON JUNE 23, 1993 TO SPRING VALLEY WATER COMPANY, SHOULD BE AFFIRMED, MODIFIED OR SET ASIDE.

MODIFY EMERGENCY ORDER, PG/JH

UNCONTESTED (Hearing Examiner's Settled Cases)

Item 53. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF SAN JACINTO UTILITY COMPANY, INC. TO INCREASE RETAIL SEWER RATES IN JOHNSON COUNTY, TEXAS (DOCKET NO. 9939-G). APPLICANT PROVIDES RETAIL SEWER SERVICE TO APPROXIMATELY 25 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (BATEMAN)

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

Item 54. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF VACATION VILLAGE WSS, INC. TO INCREASE RETAIL WATER AND SEWER RATES IN DENTON COUNTY, TEXAS. (DOCKET NOS. 9894-R and 9895-R). APPLICANT PROVIDES RETAIL WATER AND SEWER SERVICE TO APPROXIMATELY 269 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (LIMES).

REMANDED BACK TO OFFICE OF HEARINGS EXAMINERS

Item 55. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE COMPLAINT OF HIDDEN VALLEY ESTATES HOMEOWNERS ASSOCIATION REGARDING THE CITY OF CEDAR PARK'S WASTEWATER TREATMENT FACILITY IN WILLIAMSON COUNTY, TEXAS. RECOMMENDATION: DISMISSAL OF ACTION.

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, JH/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, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of June 23, 1993.

- Item 1. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 200 for renewal of Permit No. 12294-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,000,000 gallons per day. The renewed permit has decreased the flow to 2,500,000 gallons per day average. The wastewater treatment facilities are at 13035 Kuykendahl Road, approximately 4000 feet northwest of the intersection of Interstate Highway 45 and Rankin Road in Harris County, Texas.

REMANDED TO EXECUTIVE DIRECTOR

Item carried forward from Agenda of June 23, 1993.

- Item 2. APPLICATION BY LEROY MOODY for renewal of Permit No. 11795-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 12,000 gallons per day from the Leroy's Mobile Home Park Wastewater Treatment Facilities. The plant site is approximately 3100 feet southwest of the intersection of U.S. Highway 59 and Farm-to-Market Road 989 and 1.8 miles southwest of the City of Texarkana in Bowie County, Texas.

REMANDED TO EXECUTIVE DIRECTOR

Item carried forward from Agenda of June 23, 1993.

- Item 3. APPLICATION BY SCHLUMBERGER TECHNOLOGY CORPORATION for renewal of Permit No. 12062-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000 gallons per day from the Sandy Point Wastewater Treatment Plant. The plant site is approximately 13.2 miles west-southwest of the City of Alvin, approximately 1.3 miles north of Farm-to-Market Road 1462 and 1.6 miles northeast of the intersection of Farm-to-Market Road 1462 and Farm-to-Market Road 521, near the intersection of Brazoria County Roads No. 48 and 52, in Brazoria County, Texas.

REMANDED TO EXECUTIVE DIRECTOR

Item carried forward from Agenda of June 23, 1993.

- Item 4. APPLICATION NO. 5454 BY THE SABINE MINING COMPANY FOR A WATER USE PERMIT PURSUANT TO TWC 11.121. FOR COMMISSION ACTION. Applicant seeks to impound 32.5 acre-feet of water in an existing, on-channel reservoir on an unnamed tributary of Hatley Creek, Sabine River Basin, and to divert and use 100 acre-feet of water per annum from the aforesaid reservoir for industrial purposes, approximately 10.5 miles southwest of

Marshall, Harrison County, Texas. (SMITH/jme)

APPROVED, PG/JH

Item carried forward from Agenda of June 30, 1993.

- Item 5. APPLICATION BY ELF ATOCHEM NORTH AMERICA, INC. for an amendment to Permit No. 01872 which currently authorizes a discharge of treated process wastewater, sanitary wastewater, and stormwater at a volume not to exceed 21,000 gallons per day average. The proposed amendment would: (1) add an internal outfall (Outfall 101) to regulate the discharge of treated effluent at a volume not to exceed 54,800 gallons per day average; (2) allow an intermittent flow variable discharge of treated wastewater via Outfall 001. The applicant operates a mercaptans and sulfides manufacturing plant. The plant site is approximately 2.5 miles east of the intersection of U.S. Highway 90 and State Highway 380 and between the Mobil Oil Refinery and P D Glycol near the City of Beaumont, Jefferson County, Texas.

APPROVED, PG/JH

HALL  
GARNER  
REED/ABSENT AND EXCUSED

CONTESTED AGENDA

Wednesday, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

CONTESTED (Water Quality Enforcement Permits)

Item 1. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
ASSESSING PETITION FOR A TEXAS WATER COMMISSION ORDER  
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF AACHEN CLEAR WATER UTILITY CORPORATION, PERMIT NO.  
13060-01.  
(KEILS)

REMANDED TO EXECUTIVE DIRECTOR

Item 2. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
ASSESSING PETITION FOR A TEXAS WATER COMMISSION ORDER  
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF GREIF BROTHERS CORPORATION, PERMIT NO. 01217. (KEILS)

ISSUE AGREED ORDER, PG/JH

Item 3. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
ASSESSING PETITION FOR A TEXAS WATER COMMISSION ORDER  
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF ROBERT PINE DBA WILLOW MANOR MOBILE HOME PARK, NO  
PERMIT.

(KEILS)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item 4. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
PETITION FOR A TEXAS WATER COMMISSION ORDER  
ASSESSING  
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF  
ASHLAND KATY COMPANY, EXPIRED PERMIT NO. 11073-01.  
(KEILS)

REMANDED TO EXECUTIVE DIRECTOR

Item 5. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
PETITION FOR A TEXAS WATER COMMISSION ORDER  
ASSESSING  
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS  
OF FINE  
MEADOW FARM, INC., PERMIT NO. 03183. (KEILS)

ISSUE AGREED ORDER, PG/JH

Item 6. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
PETITION FOR A TEXAS WATER COMMISSION ORDER  
ASSESSING  
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF  
DANIEL WORKMAN AND WINDY HILL UTILITIES, INC. AND  
DANIEL  
WORKMAN, PERMIT NO. 11720-001. (KEILS)

ISSUE AGREED ORDER, PG/JH

Item 7. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT AND  
PETITION FOR A TEXAS WATER COMMISSION ORDER  
ASSESSING  
ADMINISTRATIVE PENALTIES AGAINST MR. FRANK ATWOOD;  
CLASS "C"  
CERTIFICATE OF COMPETENCY (EXPIRED FEBRUARY 6, 1985).  
(KEILS)

REMANDED TO EXECUTIVE DIRECTOR

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT

AND PETITION FOR ORDER REQUIRING CERTAIN ACTIONS OF  
THE CITY  
OF DEKALB, PERMIT NO. 10062-002. (Smith, J.)

ISSUE AGREED ORDER, PG/JH

Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT  
AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE  
PENALTIES AND  
REQUIRING CERTAIN ACTIONS OF THE CITY OF TRINIDAD, NO  
PERMIT.  
(McLeod)

ISSUE AGREED ORDER, PG/JH

Item 10. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT  
AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE  
PENALTIES AND  
REQUIRING CERTAIN ACTIONS OF HUDSPETH COUNTY  
DETENTION  
FACILITY, NO TEXAS WATER COMMISSION PERMIT. (McLeod)

ISSUE AGREED ORDER, PG/JH

Item 11. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY  
REPORT  
AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE  
PENALTIES AND  
REQUIRING CERTAIN ACTIONS OF THE CITY OF DILLEY,  
PERMIT NO.  
10404-01. (Rubey)

ISSUE PROPOSED AGREED ORDER, PG/JH

Item 12. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
ENFORCEMENT  
REPORT AND PETITION FOR A TEXAS WATER COMMISSION  
ORDER  
ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING  
CERTAIN  
ACTIONS OF ANA-LAB INC., OPERATIONS COMPANY  
CERTIFICATE NO.  
20020. (RUBEY)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item 13. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY  
ENFORCEMENT REPORT AND PETITION FOR A TEXAS WATER COMMISSION  
ENFORCEMENT ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING  
CERTAIN ACTIONS OF TOWN OF BROADDUS, PERMIT NO. 11772-01.  
(RUBEY)

ISSUE PROPOSED AGREED ORDER, PG/JH

CONTESTED (Hazardous Waste Enforcement Permits)

Item 14. 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 EVANS COOPERAGE OF HOUSTON, INCORPORATED;  
TEXAS SOLID WASTE REGISTRATION NO. 30272. (HAHN)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item 15. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S  
PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER  
ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN  
ACTIONS OF CHEVRON U.S.A. PRODUCTS COMPANY; TEXAS SOLID  
WASTE REGISTRATION NO. 30004. (Hahn)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item 16. CONSIDERATION OF A PROPOSED AGREED ORDER REQUIRING  
CERTAIN ACTIONS OF GIBRALTAR CHEMICAL RESOURCES, INC.,  
SOLID WASTE REGISTRATION NO. 32123. (Grunberger)

ISSUE ORDER WITH CHANGES AND INSTRUCTED STAFF TO PROCEED WITH  
PUBLIC HEARING CONCERNING ORDER AND PLACE AGENDA ITEM CONCERNING  
GIBRALTAR ON AGENDA WITHIN THE NEXT 120 DAYS. JH/PG

CONTESTED (Water Utilities Matter)

Item 17. CONSIDERATION OF THE APPLICATION OF CY-FOREST SERVICE ASSOCIATION, INC., FOR A RATE/TARIFF CHANGE AND PETITION TO AMEND AN OUTSTANDING COMMISSION ORDER DATED MAY 1, 1991; RATE/TARIFF CHANGE APPLICATION NO. 9855-G AND CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 12307. (Montelongo)

APPROVE STAFF RECOMMENDATION, JH/PG

Item 18. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S MOTION REQUESTING THE SETTING OF INTERIM RATES AND PROPOSED ORDER SETTING INTERIM RATES ON THE APPLICATION FOR A RATE INCREASE OF ERNEST H. BAUMGART DBA BAUMGART WATER SUPPLY CORPORATION, ARANSAS COUNTY; DOCKET NO. 30049-R. (Sanchez)

APPROVE STAFF RECOMMENDATION, JH/PG

Proposal CONTESTED (Hearing Examiner Memorandums and for Decisions)

Item 19. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF BAYVIEW IRRIGATION DISTRICT NO. 11 TO REVIEW WHOLESALE WATER RATES IN CAMERON COUNTY, TEXAS (DOCKET NO. 9832-M). RECOMMENDATION: APPROVAL OF INTERIM RATES. (BATEMAN).

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, ACCEPT EXECUTIVE DIRECTOR'S RECOMMENDATIONS AND BAYVIEWS RECOMMENDATIONS, jh/pg

Item 20. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF RECONTEK OF TEXAS, INC. FOR PERMIT NO. HW-

50324 TO AUTHORIZE THE OPERATION OF A HAZARDOUS WASTE STORAGE FACILITY INCIDENT TO RECYCLING IN HENDERSON COUNTY, TEXAS. APPLICANT SEEKS AUTHORIZATION TO STORE HAZARDOUS MATERIALS AT FACILITIES LOCATED IN SEGMENT 0818 OF THE TRINITY RIVER BASIN. RRECOMMENDATION: DISMISSAL OF APPLICATION WITH PERMIT. (THOMAS)

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

Item 21. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE PETITION OF EDDINS-WALCHER COMPANY FOR DETERMINATION OF PETROLEUM STORAGE TANK OWNERSHIP, TWC FACILITY NO. 0021121. RECOMMENDATION: EDDINS-WALCHER IS NOT THE OWNER OF TWC FACILITY NO. 0021121. (CRAVEN)

ADOPT EXAMINER'S PROPOSAL FOR DECISION AND ISSUE ORDER, JH/PG

Item 22. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE APPLICATION OF JACK H. KEMPENAAR DBA STILL MEADOW DAIRY FOR AN AMENDMENT TO PERMIT NO. 03188 TO AUTHORIZE THE DISPOSAL OF WASTE AND WASTEWATER FROM 1980 HEAD OF CATTLE ON A DAIRY AND CONFINED FEEDING OPERATION IN HOPKINS COUNTY, TEXAS, and SEGMENT NO. 0303 OF THE SULPHUR RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (O'NEAL).

ADOPT EXAMINER'S PROPOSAL FOR DECISION AND ISSUE ORDER, OVERRULE ALL EXCEPTIONS, PG/JH

Item 23. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND PROPOSED ORDER CONCERNING THE PETITION OF CITY OF HIGHLAND VILLAGE FOR REVIEW OF THE WHOLESALE SEWER RATES CHARGED BY THE CITY OF

LEWISVILLE, DENTON COUNTY, TEXAS, AND PETITION BY  
HIGHLAND VILLAGE REQUESTING THE COMMISSION TO COMPEL SERVICE.  
(DOCKET NO. 9271-A & 9324). RECOMMENDATION: APPROVAL OF  
RATE OF \$2.50 PER 1000 GALLONS AND RATE CASE EXPENSE  
SURCHARGE OF \$39,961. (THOMAS)

CONTINUED TO AUGUST 18, 1993,

EXECUTIVE SESSION

Item 24. 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 25. 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.

WESTERN LUJAN, ET AL., NO. 91-CA-069, U.S. DISTRICT COURT,  
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

Item 26. 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

(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, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 27. PROPOSED REPEAL OF COMMISSION RULES CONTAINED IN 31 TAC  
CHAPTER 298, EDWARDS UNDERGROUND RIVER. (Smith, S.)

REPEAL RULES AS RECOMMENDED BY CHAIRMAN HALL, JH/PG

CONTESTED OLD BUSINESS

Wednesday, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of September 16,  
1992 and March 31, 1993.

Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION &  
ORDER  
CONCERNING THE APPLICATION OF FRED WILLIAMSON FOR  
PERMIT NO. 13563-01 TO AUTHORIZE THE 50,000 GPD of TREATED  
DOMESTIC WASTEWATER EFFLUENT IN MATAGORDA COUNTY, TEXAS, AND  
SEGMENT NO. 2441 OF THE BAYS & ESTUARIES. RECOMMENDATION:  
DENIAL OF PERMIT. (JACKSON)

CONTINUED INDEFINITELY

Item carried forward from Agenda of February 17, 1993  
and May 19, 1993.

Item 2. 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)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item carried forward from Agenda of March 17, 1993 and  
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 DAL-TILE CORPORATION, MASTER HALCO, INC. AND  
BILLIE AND CHARLES WALTON; SWR. NO. 39972 (GROMATZKY)

REMANDED TO OFFICE OF HEARINGS EXAMINERS

Item carried forward from Agenda of May 19, 1993.

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S  
PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER  
ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS  
OF KOCH REFINING COMPANY; TEXAS SOLID WASTE REGISTRATION NO.  
30529.  
(Grunberger)

CONTINUED TO JULY 28, 1993 AT 9:00 A.M.

2ND ADDENDUM TO CONTESTED AGENDA

Wednesday, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 28. CONSIDERATION OF MOTION FOR REHEARING ON FORMOSA PLASTICS.

(The commission considered the Examiner's Proposal for Decision on April 14, 1993 at which time the Commission adopted the Proposal for Decision and issued the order.)

DENY MOTION FOR REHEARING, EXECUTIVE DIRECTOR INSTRUCTED TO BRING AN ITEM BEFORE THE COMMISSION REGARDING AN ORDER TO FORMOSA REGARDING RECYCLING OF FECAL COLIFORM ON AUGUST 18, 1993, JH/PG

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, July 14, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 29. CONSIDERATION OF THE PETITION OF STEVEN WHITE DBA WHITE  
BROS. FARMS, J. M. FROST, III, FORT J. FROST AND DEVERS CANAL  
RICE PRODUCERS ASSN., INC., FOR REVIEW OF A WATER RATE  
INCREASE BY TRINITY WATER RESERVE, INC., DBA DEVERS CANAL SYSTEM;  
DOCKET NO. 30102-M. (Montelongo)

APPROVE STAFF RECOMMENDATION, JH/PG

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