

HALL  
REED  
GARNER - ABSENT & EXCUSED

UNCONTESTED AGENDA

Wednesday, July 28, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

UNCONTESTED (Municipal Solid Waste Permit)

- Item 1. APPLICATION BY CITY OF HARLINGEN for a municipal solid waste permit (Proposed Permit No. MSW2131) to authorize a Type I (landfill) municipal solid waste management facility for the disposal of municipal solid waste, special waste and Class II and Class III industrial waste. Authorized wastes are to be received at a rate averaging 93 tons per day over the total life of the site. The site is to be on a 42.3 acre site, approximately 0.8 mile east of the intersection of Loop 499 and Farm-to-Market Road 106 or approximately 2-1/2 miles east of the center of Harlingen in Cameron County, Texas.

APPROVED, PR/JH

UNCONTESTED (Transfer of Municipal Solid Permit)

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR ADMINISTRATIVE APPROVAL FOR THE TRANSFER OF MUNICIPAL SOLID WASTE DISPOSAL PERMIT NO. MSW 1535 FROM HAZELWOOD ENTERPRISES, INC. TO SANIFILL OF TEXAS, INC.

APPROVED, PR/JH

UNCONTESTED (Class 3 Modification Compliance Plan)

- Item 3. Consideration of an application by AIR PRODUCTS MANUFACTURING CORPORATION for a Class 3 Modification to Compliance Plan No. CP-50134 in accordance with 31 TAC Section 305.69. The compliance plan modification authorizes an additional corrective action program for the Lower Shallow and Intermediate Zones of the uppermost aquifer associated with the two permitted, closed surface impoundments in the existing Compliance Plan. The modification will also authorize an

investigation to further define the lateral extent of contamination in the Intermediate Zone at the Effluent Impoundment. The hazardous waste management facility is near the intersection of State Highway 225 and Red Bluff Road, approximately 1/2 mile south of Buffalo Bayou in northern Pasadena, Harris County, Texas.

APPROVED, PR/JH

UNCONTESTED (Hazardous Waste Permits)

- Item 4. APPLICATION BY BAYLOR COLLEGE OF MEDICINE for a new hazardous waste permit (Proposed Permit No. HW50354) to authorize storage of hazardous wastes generated during medical and research laboratory activities, associated maintenance activities and the surplus chemicals exchange programs. The permit will authorize operation of an 11,000-gallon capacity (22 55-gallon drums) container storage area for storage of wastes generated from the Baylor College of Medicine and affiliated researchers. The wastes will be stored prior to being sent off-site to a permitted disposal facility. The wastes authorized to be managed under this permit are classified as ignitable, toxic, corrosive, acute hazardous, TC toxic and reactive. The container storage facility covers a .042-acre section of a warehouse at 3325 Yellowstone Boulevard in the City of Houston, Harris County, Texas.

APPROVED, PR/JH

- Item 5. APPLICATION BY MOBIL OIL CORPORATION - Beaumont Refinery for an amendment to Permit No. HW50139-000 which authorizes operation of a land disposal facility for the management of Class I hazardous and non-hazardous, Class II and Class III wastes. The authorized hazardous wastes are generated solely on-site from the Beaumont Refinery plant sources. The amendment would authorize revisions to the ground water monitoring program presently in place at the facility. The amendment would also include updated language which clarifies the permit. Mobil is authorized to operate an above-grade landfill consisting of three (3) sections with the total surface area of all sections not exceeding 45 acres, and a total volume not exceeding 1,200,000 cubic yards. Wastes authorized for disposal are classified as ignitable, toxic, corrosive, acute hazardous toxicity characteristic and reactive. The facility is located on a 1120-acre tract of land at the end of Burt Street in the City of Beaumont, Jefferson County, Texas.

APPROVED, PR/JH

UNCONTESTED (New Water Quality Permits)

- Item 6. APPLICATION BY FFP OPERATING PARTNERS, L.P. for a permit (Proposed Permit No. 13661-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed

an average flow of 18,000 gallons per day. The wastewater treatment facility will serve a restaurant, fuel stations and other facilities associated with a truck stop. The plant site is at the northeast corner of the intersection of U.S. Highway 75 and Farm-to-Market Road 455 in Collin County, Texas.

APPROVED, PR/JH

Item 7. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109 for a permit (Proposed Permit No. 11026-02) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,000,000 gallons per day. Upon completion of the facility regulated by this permit (Permit No. 11026-02), the existing facility regulated by Permit No. 11026-01 will be abandoned. The wastewater facility will serve a residential subdivision. The plant site is at 13415 Bammel-North Houston Road in the City of Houston, 0.57 mile southwest of the intersection of Veterans Blvd. (Stuebner-Airline Road) and Bammel-North Houston Road in Harris County, Texas.

APPROVED, PR/JH

Item 8. APPLICATION BY HOOKS INDEPENDENT SCHOOL DISTRICT for a permit (Proposed Permit No. 13634-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 12,500 gallons per day. The proposed wastewater treatment facilities will serve the Hooks Independent School District Junior High School. The plant site is on the east side of Farm-to-Market Road 560, approximately 3 miles north of Interstate Highway 30 in Bowie County, Texas.

APPROVED, PR/JH

Item 9. APPLICATION BY MAGNOLIA INDEPENDENT SCHOOL DISTRICT for a permit (Proposed Permit No. 13653-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day. The wastewater treatment facility will serve the J. L. Lyon Elementary School. The plant site is approximately 4.73 miles due south of the City of Magnolia central business district on the west side of Nichols Sawmill Road in Montgomery County, Texas.

APPROVED, PR/JH

Item 10. APPLICATION BY ROBERT E. MEYER for a permit (Proposed Permit No. 13654-01) to authorize the disposal 5,000 gallons per day average of treated domestic sewage effluent by irrigation on 8.25 acres of land. Application rates for the irrigated land are not to exceed 0.68 acre-feet/acre/year. The wastewater treatment facility and irrigation site are approximately 100 feet south of the motel located at the southeast corner of the intersection of State Highways 180 and 84 in Scurry County,

Texas.

APPROVED, PR/JH

Item 11. APPLICATION BY RAFTER O CATTLE, INC. for a permit (Proposed Permit No. 03588) to authorize disposal of waste and wastewater from a cattle feedlot operation. The feedlot operation will consist of a maximum of 1,700 head. Stormwater will be retained in two storage ponds. Wastewater from the ponds is to be disposed of by evaporation and/or irrigation on agricultural land. Manure/solids will be disposed as fertilizer on agricultural land. The feedlot is on the north side of an unnamed county road and west of County Road 1920 on the south west 1/4 of Section 157 in Lipscomb County, Texas.

APPROVED, PR/JH

Item 12. APPLICATION BY TEXAS EASTERN PRODUCTS PIPELINE COMPANY for a permit (Proposed Permit No. 03546) to authorize a discharge of treated process, utility, and stormwater at a volume not to exceed an average flow of 500,000 gallons per day. The applicant proposes to operate a plant manufacturing an organic chemical, Methyl Tert-Butyl Ether. The plant site is on the east bank of the Neches River at the end of a private road west of Farm-to-Market Road 105, adjoining Mansfield Ferry Road, approximately 12 miles south of the City of Vidor, Orange County, Texas.

APPROVED, PR/JH

UNCONTESTED (Water Quality Permit Amendments)

Item 13. APPLICATION BY GULF CHEMICAL AND METALLURGICAL CORPORATION for an amendment to Permit No. 01861 to authorize an increase in the discharge of treated process wastewater, utility wastewater, domestic sewage and stormwater from a volume not to exceed an average flow of 150,000 gallons per day to a volume not to exceed an average flow of 220,000 gallons per day via Outfall 001 and an intermittent discharge of stormwater via Outfall 002, which shall remain the same. The applicant operates a plant that recovers metals (molybdenum and vanadium) from spent refinery hydro-desulferizing catalyst. The plant site is at 302 Midway Road in the City of Freeport in Brazoria County, Texas.

APPROVED, PR/JH

Item 14. APPLICATION BY MILES INC. AND TEXAS PETROCHEMICAL CORPORATION for an amendment to Permit No. 00587 in order to incorporate the revisions of the Texas Surface Water Quality Standards, adopted July, 1991, for the effluent limitations of copper, lead, silver and zinc. The permit currently authorizes a discharge of raw water treatment wastewaters, non-chromate cooling tower blowdown, and non-process area stormwater at a volume not to exceed an average flow of 1,000,000 gallons per day via Outfall 001; a discharge of treated process wastewaters, chromate and non-chromate cooling tower blowdown,

boiler blowdown, and stormwater at a volume not to exceed an average flow of 5,500,000 gallons per day via Outfall 002; plus, an intermittent flow variable discharge of rainfall runoff from non-process areas via Outfall 003, which will remain the same. The applicant operates a plant which manufactures industrial organic chemicals, chloroprene, and polymers of chloroprene. The plant site is at 8701 Park Place Boulevard in the City of Houston, Harris County, Texas.

APPROVED, PR/JH

Item 15. APPLICATION BY SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1 for an amendment to Permit No. 11647-01 in order to change from a discharge permit to a permit authorizing disposal by irrigation and decrease the volume of treated domestic wastewater effluent. The permit currently authorizes the discharge of treated effluent in the final phase at a volume not to exceed 1,000,000 gallons per day average with provisions for disposal by irrigation. The permit amendment would authorize a disposal volume in the final phase not to exceed 750,000 gallons per day average with the treated effluent used to irrigate 24 acres of land. Application rates from would increase from 3.1 acre-feet/acre/year to 3.5 acre-feet/acre/year. The wastewater treatment facility and irrigation site are on a 35 acre tract bounded on the east by State Highway 16 (Bandera Road), on the north by Ranch Parkway and on the west by Wildlake Parkway in Bexar County, Texas.

APPROVED, PR/JH

Item 16. APPLICATION BY CITY OF SOUTH HOUSTON for an amendment to Permit No. 10287-01 in order to combine Permit No's 10287-001 and 10287-002 into a single permit (10287-01) and increase the combined flow of 3,000,000 gallons per day to a volume not to exceed an average flow of 4,000,000 gallons per day. The amendment will also authorize a variance to the buffer zone requirements. The permit currently authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day. The Old Wastewater Treatment Facilities are on the west bank of Berry Bayou at the intersection of Georgia and Amarillo Streets in the City of South Houston in Harris County, Texas.

APPROVED, PR/JH

UNCONTESTED (Water Quality Minor Amendments)

Item 17. Consideration of a staff initiated minor amendment to Permit No. 00367, issued to BELL HELICOPTER TEXTRON, INC. in order to include whole effluent toxicity limits. The permit authorizes a discharge of air conditioning condensate and stormwater runoff at a volume not to exceed a dry weather flow of 200,000 gallons per day average. The applicant operates a plant which manufactures components for the aircraft industry and assembles complete helicopters. The plant site is at 600 E. Hurst Boulevard in the City of Fort Worth, Tarrant County,

Texas.

APPROVED, PR/JH

Item 18. APPLICATION BY BLUE RIDGE WEST MUNICIPAL UTILITY DISTRICT for a minor amendment to Permit No. 11553-01 to authorize a decrease in the discharge of treated domestic wastewater effluent in the Interim II phase from 1,000,000 gallons to 850,000 gallons and the final volume from 1,500,000 gallons per day to 1,300,000 gallons per day. The Hunters Glen Wastewater Treatment Facilities are approximately 1.2 miles southeast of the intersection of Settegast Road and Farm-to-Market Road 2234 in Missouri City in Fort Bend County, Texas.

APPROVED, PR/JH

Item 19. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285 for a minor amendment to Permit No. 12928-01 in order to add an Interim I phase which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 150,000 gallons per day. The proposed amendment will also add an Interim II phase which authorizes a discharge at a volume not to exceed an average flow of 350,000 gallons per day. The permit currently authorizes a discharge at a volume not to exceed an average flow of 500,000 gallons per day in the Final phase, which will remain the same. The wastewater treatment facilities are approximately 500 feet north of the intersection of Wickhamford Way and Crosshaven Drive, approximately 3/4 mile west of Carpenters Bayou in Harris County, Texas.

APPROVED, PR/JH

UNCONTESTED (Water Quality Permit Renewal)

Item 20. APPLICATION BY AIRPORT UTILITIES, INC. for renewal of Permit No. 11159-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The wastewater treatment facilities are on the southeast corner on North Belt Drive and John F. Kennedy Boulevard, south of the Houston Intercontinental Airport in Harris County, Texas.

RENEWED, PR/JH

Item 21. APPLICATION BY AMERICAN BUILDINGS COMPANY & NCI BUILDING SYSTEMS, INC. for renewal of Permit No. 12552-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 10,000 gallons per day. The wastewater treatment facilities are at 7301 Fairview, approximately 18 miles northwest of the City of Houston central business district and 1.5 miles northwest of the intersection of Farm-to-Market Road 529 and U.S. Highway 290, approximately 0.4 of a mile north of Farm-to-Market Road 529, near the City of Jersey Village, in Harris County, Texas.

RENEWED, PR/JH

Item 22. APPLICATION BY CITY OF ANGUS for renewal of Permit No. 11864-01 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 wastewater treatment facilities. The plant site is adjacent to Interstate Highway 45 approximately 2000 feet north of its intersection with Farm-to-Market Road 739 in the north central portion of the City of Angus in Navarro County, Texas.

RENEWED, PR/JH

Item 23. APPLICATION BY ANZON, INC. for renewal of Permit No. 01264 which authorizes disposal of stormwater runoff and recovered ground water in an evaporation pond. The applicant operates an antimony processing plant. The company produces antimony oxide from crude antimony oxide and antimony metal, antimony trichloride and refines sodium antimonate and antimony sulfide. Fire retardant and smoke suppressant concentrates are produced from finished antimony oxide and other flame retardants. The plant site is near the intersection of Mines Road (FM 1472) and Interstate Highway 35 in the City of Laredo in Webb County, Texas.

RENEWED, PR/JH

Item 24. APPLICATION BY BEVIL OAKS MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11551-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 200,000 gallons per day. The wastewater treatment facilities are approximately 6.5 miles northwest of the intersection of State Highway 105 and U.S. Highway 287, at a point 2.3 miles north of State Highway 105, in the northeast corner of the Town of Bevil Oaks, approximately 200 feet south of Pine Island Bayou in Jefferson County, Texas.

RENEWED, PR/JH

Item 25. APPLICATION BY COOPER INDUSTRIES, INC. for renewal of Permit No. 12412-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day. The wastewater treatment facilities are at the southwest corner of the intersection of Interstate Highway 10 and Penderson Road, approximately 3 1/2 miles east of the City of Brookshire in Waller County, Texas.

RENEWED, PR/JH

Item 26. APPLICATION BY COUNTRYWIDE PARTNERSHIP INVESTMENTS INC. for renewal of Permit No. 12677-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The Pecan Plantation Mobile Home Park Wastewater Treatment Facilities are approximately 1/4 mile south of the intersection of Spencer Highway and Canada Street, 3/4 mile southwest of the intersection of Spencer Highway and Underwood Road in Harris County, Texas.

RENEWED, PR/JH

Item 27. APPLICATION BY DOWDELL PUBLIC UTILITY DISTRICT for renewal of Permit No. 11404-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 300,000 gallons per day. The wastewater treatment facilities are in the northwest quadrant of the intersection of Kuykendahl Road and Dowdell Road, approximately one mile east of Farm-to-Market Road 2920 and approximately seven miles west of Interstate Highway 45 in the northwest quadrant in Harris County, Texas.

RENEWED, PR/JH

Item 28. APPLICATION BY ENCYCLE/TEXAS, INC. for renewal of Permit No. 00314 which authorizes a discharge of treated process wastewater, treated domestic sewage, and treated stormwater runoff at a volume not to exceed an average flow of 500,000 gallons per day via Outfall 001. The permit also authorizes an intermittent flow variable discharge of stormwater runoff via Outfall 002. The applicant operates a metals reclamation facility. The plant site is at 5500 Up River Road in the City of Corpus Christi, Nueces County, Texas.

RENEWED, PR/JH

Item 29. APPLICATION BY CITY OF FLORENCE for renewal of Permit No. 10944-01 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 1/2 mile south of the City of Florence and 3/4 mile east of State Highway 195 in Williamson County, Texas.

RENEWED, PR/JH

Item 30. APPLICATION BY GRANT ROAD PUBLIC UTILITY DISTRICT for renewal of Permit No. 11887-01 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 renewed permit has decreased the flow to 750,000 gallons per day average. The wastewater treatment facilities are approximately 30 miles northwest of downtown Houston, approximately one-half mile south of Grant Road near the Kluge Road crossing of Little Cypress Creek in Harris County, Texas.

RENEWED, PR/JH

Item 31. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155 for renewal of Permit No. 12726-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,000,000 gallons per day. The renewed permit has decreased the flow to 2,000,000 gallons per day average. The wastewater treatment facilities are on the southern bank of Horsepen Creek, approximately 8,500 feet north of Farm-to-Market Road 529 and 9,000 feet west of Farm-to-Market Road 1960 in Harris County, Texas.

RENEWED, PR/JH

Item 32. APPLICATION BY HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY

DISTRICT NO. 3 for renewal of Permit No. 12498-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 430,000 gallons per day. The wastewater treatment facilities are approximately 2 miles generally east from the intersection of Farm-to-Market Road 1463 and Interstate Highway 10, and approximately 4200 feet south of Interstate Highway 10 and 800 feet east of Katy-Fort Bend Road in Harris and Fort Bend Counties, Texas.

RENEWED, PR/JH

Item 33. APPLICATION BY LONGHORN TOWN UTILITY DISTRICT for renewal of Permit No. 12356-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,000,000 gallons per day. The renewed permit has decreased the flow to 125,000 gallons per day average. The wastewater treatment facilities are approximately 0.5 mile south of Interstate Highway 10 and 0.5 mile east of Baker Road in Harris County, Texas.

RENEWED, PR/JH

Item 34. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 24 for renewal of Permit No. 11789-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 400,000 gallons per day. The wastewater treatment facilities are approximately 2-1/2 miles east of U.S. Highway 59 and 1/2 mile northwest of the point where White Oak Creek leaves Montgomery County in Montgomery County, Texas.

RENEWED, PR/JH

Item 35. APPLICATION BY NIPPON PIGMENT (USA) INC. for renewal of Permit No. 02892 which authorizes a discharge of wash water and cooling tower blowdown at a volume not to exceed an average flow of 15,000 gallons per day via Outfall 001. The permit also authorizes a discharge of treated domestic sewage at a volume not to exceed an average flow of 5,000 gallons per day via Outfall 002. The applicant operates a plastic pellet coloring plant. The plant site is at 10900 Strang Road, Harris County, Texas.

RENEWED, PR/JH

Item 36. APPLICATION BY ORANGE COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 for renewal of Permit No. 10240-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 920,000 gallons per day. The West Orange Wastewater Treatment Facilities are in West Orange at 1600 Western Avenue, approximately 450 feet east-northeast of the intersection of Western Avenue and Albany Street in Orange County, Texas.

RENEWED, PR/JH

Item 37. APPLICATION BY SUE PELLEGRINO for renewal of Permit No. 13303-01 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 Cross Winds Development Wastewater Treatment Facilities. The renewed permit has decreased the flow to 21,600 gallons per day average. The plant site is across the street from Hooks Airport on the northeast corner of the intersection of Boudreaux Road and Farm-to-Market Road 2920 in Harris County, Texas.

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

Item 38. APPLICATION BY JAMES E. PETERSEN for renewal of Permit No. 12398-01 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 7500 feet west of the intersection of U.S. Highway 290 and Farm-to-Market Road 529 and south of the intersection of Fairview Road and Farm-to-Market Road 529 in Harris County, Texas.

RENEWED, PR/JH

Item 39. APPLICATION BY STAGECOACH PROPERTIES, INC. for renewal of Permit No. 10884-01 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 southeast of the intersection of Salado Creek and Interstate Highway 35 and north of Farm-to-Market Road 2268 in Bell County, Texas.

RENEWED, PR/JH

Item 40. APPLICATION BY TEXAS DEPARTMENT OF TRANSPORTATION for renewal of Permit No. 11959-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day. The Interstate Highway 35E Rest Area Northbound Wastewater Treatment Facilities are along and within the right-of-way of Interstate Highway 35 East, at a point approximately 1.4 miles north of Farm-to-Market Road 329 in Ellis County, Texas.

RENEWED, PR/JH

Item 41. APPLICATION BY TEXAS DEPARTMENT OF TRANSPORTATION for renewal of Permit No. 11973-01 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 Harrison County Rest Area Wastewater Treatment Facilities are within the right-of-way of Interstate Highway 20 at a point approximately 3.4 miles east of Farm-to-Market Road 450 in Harrison County, Texas.

RENEWED, PR/JH

Item 42. APPLICATION BY THE CARBIDE/GRAPHITE GROUP, INC. for renewal of Permit No. 02586 which authorizes the discharge of industrial wastewater and previously monitored treated domestic effluent

at a volume not to exceed an average flow of 193,000 gallons via Outfall 001 and an intermittent flow variable discharge of stormwater runoff via Outfall 002 from a petroleum needle coke production and calcining facility. The plant site is between State Highway 185 and the Victoria Barge Canal, south of the intersection of State Highways 185 and 35, near the City of Seadrift, Calhoun County, Texas.

RENEWED, PR/JH

Item 43. APPLICATION BY JOHN WASILCHAK, for renewal of Permit No. 12902-01 which authorizes a discharge of treated domestic wastewater effluent at an interim volume not to exceed an average flow of 57,000 gallons per day and a final volume not to exceed an average flow of 170,000 gallons per day. The renewed permit will decrease at a volume not to exceed an average flow of 57,000 gallons. The Highland Village Addition wastewater treatment facilities are approximately 16 miles south-southeast of the City of Fort Worth central business district and 3 miles east of Interstate Highway 35W at a point approximately 3,000 feet north-northwest of the intersection of Farm-to-Market Road 1187 and Stephenson-Levy Road, and approximately 2 miles northeast of Oak Grove Airport in Tarrant County, Texas.

RENEWED, PR/JH

Item 44. APPLICATION BY JOHN WASILCHAK for renewal of Permit No. 12903-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 275,000 gallons per day from the Oakdale Village Wastewater Treatment Facilities. The renewed permit has decreased the flow to 165,000 gallons per day average. The plant site is approximately 2,000 feet southwest of the intersection of Bank Road and Shelby Road, approximately 4,500 feet north of the intersection of Bank Road and Rendon Road in Tarrant County, Texas.

RENEWED, PR/JH

Item 45. APPLICATION BY WESTWAY UTILITY DISTRICT for renewal of Permit No. 11330-01 which authorizes a discharge of treated domestic wastewater effluent at an interim I volume not to exceed an average flow of 500,000 gallons per day, an interim II volume not to exceed an average flow of 1,750,000 gallons per day and a final volume not to exceed an average flow of 3,500,00 gallons per day. The renewed permit would decrease the final volume to 500,000 gallons per day average. The wastewater treatment facilities are approximately 250 feet west of the intersection of Genard Road and Steffani Lane in Harris County, Texas.

RENEWED, PR/JH

UNCONTESTED (Water Right Permits)

Item 46. APPLICATION NO. 23-2747D BY ALICE SOUTHERN EQUIPMENT, INC. FOR

AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 23-2747 PURSUANT TO TWC 11.122. FOR COMMISSION ACTION. Applicant seeks to amend 30 acre-feet of Class "A" water rights owned by the applicant and authorized by Certificate of Adjudication No. 23-2747, as amended, by changing the purpose of use to mining, by specifying the diversion rate as 400 gpm, and by changing the diversion point to a point on Falcon Reservoir already authorized by Cert. 23-2747C, approximately 6 miles northeast of Zapata, Zapata County, Texas. (SMITH/jme)

APPROVED, PR/JH

Item 47. APPLICATION NO. 08-4976A BY TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. ONE TO AMEND CERTIFICATE OF ADJUDICATION NO. 08-4976. For Commission consideration. Applicant seeks to amend Certificate No. 08-4976, which authorizes the maintenance of a dam and reservoir (Cedar Creek Reservoir) on Cedar Creek, Trinity River Basin, in Henderson and Kaufman Counties and to divert and use not to exceed 175,000 acre-feet of water per annum from the reservoir for municipal and industrial purposes, to change the purpose of use of 2500 acre-feet of the water now authorized for municipal and industrial use to irrigation use until the water is needed for municipal and industrial use. (SMITH/tls)

APPROVED, PR/JH

Item 48. APPLICATION NO. 08-5035A BY TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. ONE TO AMEND CERTIFICATE OF ADJUDICATION NO. 08-5035. For Commission consideration. Applicant seeks to amend Certificate No. 08-5035, which authorizes the maintenance of a dam and reservoir (referred to as Richland Creek Reservoir) on Richland Creek, Trinity River Basin, in Freestone and Navarro Counties and to divert and use not to exceed 210,000 acre-feet of water per annum from the reservoir for municipal purposes, to indicate the correct name of the reservoir as Richland-Chambers Reservoir and to change the purpose of use of 2500 acre-feet per annum to irrigation use and 2500 acre-feet per annum to industrial use until the water is needed for municipal purposes. (SMITH/tls)

APPROVED, PR/JH

UNCONTESTED (Water District Matters)

Item 49. APPLICATION BY NORTHTOWN MUNICIPAL UTILITY DISTRICT OF TRAVIS COUNTY FOR APPROVAL OF \$1,175,000 UNLIMITED TAX AND REVENUE BONDS, FIRST ISSUE, 8.22% NET EFFECTIVE INTEREST RATE, SERIES 1993. FOR COMMISSION CONSIDERATION AND ACTION. THE DISTRICT'S APPLICATION REQUESTS COMMISSION APPROVAL OF A BOND ISSUE TO FINANCE PHASES IIC & IIC-2 OF A GRAVITY WASTEWATER MAIN, AN INTERIM LIFT STATION AND ASSOCIATED 10-INCH FORCE MAIN, AND WASTEWATER & DRAINAGE FACILITIES FOR NORTHTOWN SECTION 1. (FERGUSON)

APPROVED, PR/JH

Item 50. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 42 FOR APPROVAL OF THE ISSUANCE OF \$3,780,000 IN UNLIMITED TAX BONDS, 7.75% NET EFFECTIVE INTEREST RATE, SERIES 1993, SECOND ISSUE. For Commission consideration and action. Applicant requests approval to issue tax bonds to finance purchase of Land for Detention Lake, Water Plant, Lift Sta; Interim WWTP Const. and Lease; Water Well Repairs; Lift Sta./Force Main; Oper., Engr, & Legal Expenses, Const. of WD&D facilities for Lexintgon Pt, Lakeshore Sec. 2, Brightwater Cen., Cartwright Rd. Ext., Westshore Dr. Ext.; & Lexington Pt Inlets, Lexington Sett. Sec 2&3 Inlets

APPROVED, PR/JH

Item 51. APPLICATION BY FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 3 OF FORT BEND COUNTY FOR APPROVAL OF \$3,740,000 UNLIMITED TAX BONDS, FOURTH ISSUE, 7.71% NET EFFECTIVE INTEREST RATE, SERIES 1993. For Commission consideration and action. Applicant requests Commission approval of a bond issue to finance master utility district connection charges and water, wastewater & drainage facilities for Sutton Forest Sections 1 & 2, Commonwealth Estates Section 2, and Bridgewater Sections 2 & 3. (Ferguson)

APPROVED, PR/JH

Item 52. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 13 FOR APPROVAL OF AN EXTENSION OF TIME OF APPROVAL FOR \$1,770,000 BOND ISSUE APPROVED MARCH 17, 1992. For Commission consideration and action. Applicant requests approval of an extension of time to sell \$1,770,000 in bonds. (Ferguson)

APPROVED, PR/JH

Item 53. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 152 FOR APPROVAL TO ISSUE \$2,150,000 IN UNLIMITED TAX BONDS, 7.72962% NET EFFECTIVE INTEREST RATE, SERIES 1993, SECOND ISSUE. For Commission consideration and action. Applicant requests approval to issue \$2,150,000 in bonds and to use \$425,000 in surplus funds to finance District utility infrastructure and pro rata share of joint wastewater treatment plant capacity and associated facilities. (Ferguson)

APPROVED, PR/JH

Item 54. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 162 FOR APPROVAL OF A CHANGE IN SCOPE & RELEASE OF \$530,033 IN ESCROWED FUNDS; \$1,800,000 BOND ISSUE APPROVED APRIL 3, 1991. For Commission consideration and action. Applicant requests a change in scope and the release of \$530,033 in escrowed funds to finance the District's water plant improvement project. (Ferguson)

APPROVED, PR/JH

Item 55. APPLICATION BY NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 9 FOR APPROVAL OF THE USE OF SURPLUS FUNDS;

\$9,060,000 BOND ISSUE APPROVED SEPTEMBER 20, 1984. For Commission consideration and action. Applicant requests approval of the use of \$213,129 of surplus funds for construction of water, wastewater and drainage facilities for Oak Hollow Estates. (Ferguson)

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

Item 56. APPLICATION BY BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 1 FOR APPROVAL OF \$2,240,000 UNLIMITED TAX & REVENUE BONDS, SECOND ISSUE, 7.92% NET EFFECTIVE INTEREST RATE, SERIES 1993. For Commission consideration and action. Applicant requests approval of a bond issue to finance a pro rata share of permanent wastewater treatment plant, additional pressure tank, minor water plant improvements, pro rata share of water line from auxiliary well, land costs, & water, wastewater & drainage facilities for Southwyck Sections 1 (partial) & 2. (Ferguson)

APPROVED, PR/JH

Item 57. APPLICATION BY WILLOW FORK DRAINAGE DISTRICT OF HARRIS AND FORT BEND COUNTIES FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$8,860,000 BOND ISSUE APPROVED DECEMBER 1, 1992. For Commission consideration and action. Applicant requests approval of the use of \$320,237 of surplus funds for additional developer interest reimbursement. (Ferguson)

APPROVED, PR/JH

Item 58. APPLICATION BY TOM GREEN COUNTY FRESH WATER SUPPLY DISTRICT NO. 3 FOR APPROVAL OF THE LEVY OF A STANDBY FEE. For Commission consideration and action. Applicant seeks approval for the levy of a uniform annual standby fee of \$180 per lot to supplement the operation and maintenance account. (Ferguson)

APPROVED, PR/JH

UNCONTESTED (Water Utility Matters)

Item 59. APPROVAL OF MARSHA WATER SUPPLY CORPORATION TO AMEND WATER CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 12166 IN TRAVIS COUNTY, TEXAS. (APPLICATION NUMBER 9984-C, GUILLERMO ZEVALLOS)

APPROVED, PR/JH

Item 60. APPROVAL OF CADDO LAKE WATER SUPPLY CORPORATION TO TRANSFER WATER CCN NO. 12265 FROM MOSSY ACRES WATER SYSTEM, INC.; AMEND WATER CCN NO. 10367; CANCEL WATER CCN NO. 12265 IN HARRISON COUNTY, TEXAS. (APPLICATION NUMBER 9985-S, GUILLERMO ZEVALLOS)

APPROVED, PR/JH

Item 61. APPROVAL OF CITY OF LEWISVILLE TO DECERTIFY A PORTION OF CITY OF CARROLLTON'S SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY NUMBER 204318 IN DENTON COUNTY, TEXAS. (APPLICATION NUMBER

9977-C, DARRELL NICHOLS)

APPROVED, PR/JH

Item 62. APPROVAL OF CITY OF WILLOW PARK FOR A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN PARKER COUNTY, TEXAS. (APPLICATION NUMBER 9959-C, ALBERT HOLCK)

APPROVED, PR/JH

Item 63. APPROVAL OF SOUTHWEST FANNIN COUNTY WATER SUPPLY CORPORATION TO AMEND WATER CERTIFICATE OF CONVENIENCE AND NECESSITY NUMBER 12406 IN GRAYSON COUNTY, TEXAS. (APPLICATION NUMBER 9991-C, GUILLERMO ZEVALLOS)

APPROVED, PR/JH

Item 64. APPLICATION OF HCH UTILITY CO., INC. FOR A RATE/TARIFF CHANGE; DOCKET NO. 8821-R; CCN NOS. 11737 AND 20587 (8821-R, MIKE MAYHEW)

APPROVED, PR/JH

UNCONTESTED (Superfund Contracts)

Item 65. CONSIDERATION OF EXECUTIVE DIRECTOR'S AUTHORIZATION TO UTILIZE FUND 550 TO CONTRACT FOR AN IMMEDIATE REMOVAL AT THE PERMIAN CHEMICAL COMPANY SITE IN ODESSA, ECTOR COUNTY, TEXAS.

APPROVED, PR/JH

Item 66. CONSIDERATION OF EXECUTIVE DIRECTOR'S AUTHORIZATION TO UTILIZE FUND SITE 550 TO CONTRACT FOR AN IMMEDIATE REMOVAL AT THE FORMER SITES OF NUCLEAR TECHNOLOGIES INTERNATIONAL INC, . GULF NUCLEAR INC, . AND R/A SERVICES, AND NUCLEAR TECHNOLOGIES INC. TRACER GROUP DIVISION. (DASCH)

APPROVED, PR/JH

UNCONTESTED (Hearing Examiner's Settled Cases)

Item 67. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF GRANBURY WATER SERVICE, INC. TO INCREASE RETAIL WATER RATES IN HOOD COUNTY, TEXAS (DOCKET NO. 9989-R). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 356 CUSTOMERS. RECOMMENDATION: DISMISSAL WITHOUT PREJUDICE. (BOURBON)

ADOPT EXAMINERS MEMORANDUM AND ISSUE ORDER, PR/JH

Item 68. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF STAFF WATER SUPPLY CORP. TO APPEAL WHOLESALE WATER RATES IN EASTLAND COUNTY, TEXAS (DOCKET NO. 9240-M). RESPONDENT PROVIDES WHOLESALE WATER SERVICE TO APPROXIMATELY 198 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF

PARTIES. (JACKSON).

ADOPT EXAMINERS MEMORANDUM AND ISSUE ORDER, PR/JH

Item 69. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF EVERGREEN PARK-HICKORY HILLS WATER SYSTEM, INC. TO INCREASE RETAIL WATER RATES IN ORANGE COUNTY, TEXAS (DOCKET NO. 9838-G). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 145 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (ROGAN)

ADOPT EXAMINERS MEMORANDUM AND ISSUE ORDER, PR/JH

Item 70. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF ROBERT LUECK DBA ROBERT LUECK DAIRIES FOR PERMIT NO. 03439 TO AUTHORIZE THE DISPOSAL BY IRRIGATION OF MANURE AND SOLID WASTES AS FERTILIZER ON AGRICULTURAL LANDS. THE DAIRY IS LOCATED IN ERATH COUNTY, TEXAS, SEGMENT NO. 1226 OF THE BRAZOS RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (CRAVEN)

ADOPT EXAMINERS MEMORANDUM AND ISSUE ORDER, PR/JH

(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 28, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of June 23, 1993.

- Item 1. APPLICATION NO. 5453 BY RICHARD WILLIAM WALTON FOR A WATER USE PERMIT PURSUANT TO TWC SECTION 11.121. FOR COMMISSION ACTION. Applicant seeks to divert and use 50 acre-feet of water per annum from Bear Creek, Trinity River Basin, to irrigate 30 acres of land out of three tracts totaling 34.04 acres approximately 12.5 miles northeast of Waxahachie, Ellis County, Texas. (SMITH/jme)

APPROVED, PR/JH

Item carried forward from Agenda of June 23, 1993.

- Item 2. APPLICATION NO 3913A BY WILLIAM & AURORA WALKER & JOE G. SMYTH TO AMEND PERMIT NO. 3663(A-3913) TEXAS WATER CODE SECTION 11.122. FOR COM-MISSION ACTION. Applicants seek to delete or extend the term of the permit. Permit authorizes a 1281 acre-foot capacity reservoir on Wood Slough, Nueces River Basin which is maintained for domestic and livestock purposes in Uvalde County, 13 miles southwest of Uvalde, TX. (SMITH/lb)

APPROVED, PR/JH

Item carried forward from Agenda of June 30, 1993.

- Item 3. APPLICATION BY NORTH MISSION GLEN MUNICIPAL UTILITY DISTRICT for an amendment to Permit No. 12379-01 to authorize a variance to the buffer zone requirements. The permit currently authorizes a daily average flow at a volume not to exceed 620,000 gallons per day, which will remain the same. The wastewater treatment facilities are at a point approximately 1/2 mile west of Gaines Road, approximately 3/4 mile south of the intersection of Addicks Clodine Road and Beechnut Street in Fort Bend County, Texas.

APPROVED, PR/JH

Item carried forward from Agenda of June 30, 1993.

- Item 4. APPLICATION BY C.W. DERRINGTON for renewal of Permit No. 11838-01 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 Derrington Mobile Home Park Wastewater Treatment Plant. The plant site is approximately nine miles southeast of the City of Liberty, 2,000 feet northwest of the intersection of Farm-to-Market Road 563 and Farm-to-Market Road 770, adjacent to a county road in Liberty County, Texas.

RENEWED, PR/JH

Item carried forward from Agenda of June 30, 1993.

- Item 5. APPLICATION BY G & L TOOL COMPANY for renewal of Permit No. 12382-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 120,000 gallons per day from the Five Oaks Wastewater Treatment Facilities. The plant site is approximately 3,300 feet west from the bridge where Rothwood Road crosses Spring Creek in Harris County, Texas.

RENEWED, PR/JH

Item carried forward from Agenda of June 30, 1993.

- Item 6. APPLICATION NO. 4041A BY FLOYD B. NEUMAN FOR AN AMENDMENT TO WATER USE PERMIT NO. 3747 PURSUANT TO TWC SECTION NO. 11.122. FOR COMMISSION ACTION. Applicant seeks to increase his authorized annual appropriation of water from 25 acre-feet to 45 acre-feet out of San Miguel Creek, Nueces River Basin, approximately 15.5 miles NE of Pearsall, Frio County, Texas.  
(SMITH/jme)

APPROVED, PR/JH

CONTESTED AGENDA

Wednesday, July 28, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

CONTESTED (Water Quality Enforcement)

Item 1. CONSIDERATION OF EXECUTIVE DIRECTOR'S PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF COLLEGE STATION. (RAYMOND WINTER)

Issue Agreed Order, PR/JH

Item 2. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TOMSA, INC. PERMIT NO. 12487-01 (EXPIRED). (WINTER)

Remand to Office Hearing's Examiner

Item 3. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF CROWN CENTRAL PETROLEUM CORPORATION DBA LA GLORIA OIL AND GAS COMPANY, PERMIT NO. 01590. (Keils)

Issue Agreed Order, PR/JH

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 ASARCO, INC., PERMIT NO. 02321. (PETROV/ANGELLE)

Issue Agreed Order, PR/JH

Item 5. CONSIDERATION OF A PROPOSED AGREED ORDER RESOLVING AN ENFORCEMENT ACTION BROUGHT AGAINST THE CITY OF HOUSTON FOR VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE, ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS; PERMIT NO. 10495-090. (Ramirez)

Issue Agreed Order, PR/JH

Item 6. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER REQUIRING CERTAIN ACTIONS OF THE CITY OF DECATUR, PERMIT NO. 10009-001. (RUBEY)

Issue Agreed Order, PR/JH

CONTESTED (Solid Waste Enforcement)

Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S AMENDED PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MOBIL OIL CORPORATION; TEXAS SOLID WASTE REGISTRATION NO. 30587. (Ballard)

Remand to Office Hearing's Examiner

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR THE ISSUANCE OF AN AGREED ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN CORRECTIVE ACTIONS OF MARGARET MILLER; TEXAS MUNICIPAL SOLID WASTE UNAUTHORIZED SITE NO. 31553. (Smith, J.)

Issue Agreed Order with changes, PR/JH

CONTESTED (Municipal Solid Waste Enforcement)

Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR THE ISSUANCE OF AN AGREED ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF E & D WASTE SYSTEMS, INC.; TEXAS MUNICIPAL SOLID WASTE PERMIT NO. 01721. (Ramirez)

Issue Agreed Order, PR/JH

CONTESTED (Water Utility Matters)

Item 10. CONSIDERATION OF THE OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT, NOTICE AND PETITION FOR AN AGREED ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST AND REQUIRING CERTAIN ACTIONS OF SUNBELT UTILITIES, CCN NO. 10833; DOCKET NO. 9804-E. (Carlton)

Issue Agreed Order, PR/JH

CONTESTED (Examiner's Proposal for Decision)

Item 11. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE PETITION OF GREYSTONE COUNTRY ESTATES FOR REVIEW OF RATES CHARGED BY HILL COUNTRY WATERWORKS, INC. (HCW). BY THIS PETITION, GREYSTONE COMPLAINS OF AN EXTENSION FEE OF \$2,500 PER PLATTED ACRE THAT HCW IS REQUIRING GREYSTONE TO PAY FOR THE EXTENSION OF SERVICE TO APPROXIMATELY 50 ACRES OF GREYSTONE'S NEW DEVELOPMENT WITHIN HCW'S CERTIFICATED AREA IN BEXAR COUNTY, TEXAS.. RECOMMENDATION: ADOPTION OF INTERIM ORDER PROVIDING INTERIM RATE RELIEF. (SORRELLS)

Adopt Examiner's Proposal for Decision, issue order, overrule all exceptions, JH/PR

Item 12. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF GUY VISS FOR PERMIT NO. 03210 TO AUTHORIZE THE DISPOSAL BY IRRIGATION (NO DISCHARGE) IN ERATH COUNTY, TEXAS., AND SEGMENT NO. 1226 OF THE BRAZOS RIVER BASIN. RECOMMENDATION: DENIAL OF PERMIT. (Jackson)

Adopt Examiner's Proposal for Decision, issue order, Modify finding #6, Finding #5, and overrule all other exceptions, JH/PR

EXECUTIVE SESSION

Item 13. 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 14. 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

Item 15. 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.)



CONTESTED OLD BUSINESS

Wednesday, July 28, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of January 27, and April 28, 1993.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER REQUIRING CERTAIN ACTIONS OF FINA OIL & CHEMICAL COMPANY - COAHOMA; TEXAS SOLID WASTE REGISTRATION NO. 52083. (Ballard)

Remand to Office Hearing's Examiner

Item carried forward from Agenda of May 19, and July 14, 1993.

- Item 2. 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)

Issue Agreed Order, PR/JH

ADDENDUM TO CONTESTED AGENDA

Wednesday, July 28, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 16. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING PENDING LITIGATION RELATING TO RATES INVOLVING THE CITY OF FT. WORTH AND THE CITY OF ARLINGTON AND SECTION 13.043 OF THE WATER CODE: TEXAS WATER COMMISSION AND THE CITY OF ARLINGTON V. CITY OF FT. WORTH, CAUSE NO. 3-92-00502-CV, THIRD DISTRICT COURT OF APPEALS. THE AUTHORITY FOR THIS MEETING IS TEX. CIV. REV. STAT. ANN. ART. 6252-17, SEC. 2 (e).

No Action Taken