

HALL
REED - ABSENT & EXCUSED FOR ITEMS 54 - 62
GARNER

UNCONTESTED AGENDA

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

UNCONTESTED (Class 2 Modifications to Hazardous Waste Permits)

- Item 1. Consideration of an application by MONSANTO COMPANY for a Class 2 Modification to Permit No. HW50189 in accordance with 31 TAC Section 305.69. The permit modification authorizes construction and operation of two tank units to replace a hazardous waste impoundment system. The modification is part of the commitment Monsanto made to the Clean Texas 2000 program of the Texas Water Commission. Monsanto operates a regional Class I hazardous industrial waste storage, processing and disposal facility in Alvin, Brazoria County, Texas.

APPROVED, PR/PG

- Item 2. Consideration of an application by ROLLINS ENVIRONMENTAL SERVICES (TX), INC. for a Class 2 Modification to Permit No. HW-50089-001 in accordance with 31 TAC Section 305.69. The permit modification would authorize Bin Storage Areas 1, 2 and 3 to manage containers of various sizes, so long as the total permitted capacity of the respective storage areas are not exceeded. Rollins operates a commercial hazardous and non-hazardous industrial solid waste storage, processing and disposal facility which is located at 2027 Battleground Road in Deer Park, Harris County, Texas.

APPROVED, PR/PG

UNCONTESTED (Minor Amendment to Waste Disposal Wells)

- Item 3. APPLICATION BY STERLING CHEMICALS, INC. for minor amendment to Permits Nos. WDW-91 and WDW-196 which currently authorize subsurface disposal of industrial waste from the permittee's Texas City plant. The minor amendments incorporate injection zone and injection interval language and depths, EPA hazardous waste

codes, and restrictive specific gravity values as required by the Hazardous and Solid Waste Amendments (HWSA) variance no-migration petition approval conditions. The wells are authorized to inject site-generated hazardous wastewaters. The waste disposal wells are located on company property approximately 45 miles southeast of Houston in Galveston County, Texas.

APPROVED, PR/PG

UNCONTESTED (New Water Quality Permits)

Item 4. APPLICATION BY CITY OF PALMER for a permit (Proposed Permit No.13620-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 226,000 gallons per day. The proposed permit will also authorize a variance to the buffer zone requirements. The plant site is approximately 0.40 miles south and 0.10 miles west of the intersection of Farm-to-Market Road 813 and Interstate Highway 45 in the City of Palmer in Ellis County, Texas.

APPROVED, PG/PR

UNCONTESTED (Amendment to Water Quality Permits)

Item 5. APPLICATION BY ANCHOR WEST, INC. for an amendment to Permit No. 02667 to authorize the disposal of screen vegetable washwater by irrigation at a volume not to exceed an average flow of 120,000 gallons per day and change the disposal area, as the previous leased disposal site has been sold. The proposed amendment also authorizes a reduction in the maximum application rate from 5.3 acre-feet/acre/year to 2.0 acre-feet/acre/year. The applicant operates a vegetable processing and freezing plant. The plant site is at 200 E. Palmer, south of Interstate Highway 20, in the City of Pecos in Reeves County, Texas.

APPROVED, PG/PR

Item 6. APPLICATION BY CITY OF CARTHAGE for an amendment to Permit No. 10074-03 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 2,000,000 gallons per day to a volume not to exceed an average flow of 2,800,000 gallons per day from the Hoggs Bayou Wastewater Treatment Facilities. The proposed amendment would also authorize a variance to the buffer zone requirements. The plant site is east of Carthage and south of Hoggs Bayou, approximately 1.5 miles, south of

the intersection of U.S. Highways 59 and 79 in Panola County, Texas.

APPROVED, PG/PR

Item 7. APPLICATION BY DIAMONDHEAD WATER SUPPLY CORPORATION for an amendment to Permit No. 11478-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 20,000 gallons per day to a volume not to exceed an average flow of 80,000 gallons per day from the wastewater treatment facilities. The proposed amendment would also authorize a variance to the buffer zone requirements. The plant site is approximately 1.0 mile north of the intersection of State Highway 105 and McCaleb Road and approximately 1.25 miles northwest of the Lake Conroe Dam in Montgomery County, Texas.

APPROVED, PG/PR

Item 8. APPLICATION BY CITY OF TEXARKANA for an amendment to Permit No. 10374-05 in order to authorize a buffer zone variance and increase the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 11,700,000 gallons per day to 16,500,000 gallons per day. The applicant operates the New Regional South Wastewater Treatment Facilities. The plant site is along the east bank of Days Creek adjacent to the west side of State Line Road, approximately one mile south of the intersection of Phillips Lane and State Line Road in South Texarkana in Bowie County, Texas.

APPROVED, PG/PR

UNCONTESTED (Minor Amendment to Water Quality Permits)

Item 9. APPLICATION BY HOECHST CELANESE CHEMICAL GROUP, INC. for a minor amendment to Permit No. 02891 in order to allow for the installation of either a reverse osmosis treatment system or a flue gas injection system. The permit currently authorizes intermittent, flow variable discharges of stormwater, which will remain the same. The applicant operates an organic chemicals production facility. The plant site is southwest of the intersection of U.S. Highway 60 and FM Road 2300, approximately 3 1/2 miles southwest of the City of Pampa, Gray County, Texas.

APPROVED, PG/PR

Item 10. APPLICATION BY THE DOW CHEMICAL COMPANY for a minor amendment to Permit No. 00007 to authorize a change in the discharge requirements for internal Outfall 303. As

of January 1, 1995, Outfall 303 would discharge only stormwater on an intermittent basis. The minor amendment would also add internal Outfall 202 which will discharge process wastewater at a volume not to exceed an average flow of 39,500,000 gallons per day from the B-35 wastewater treatment plant, and would add the option to divert Outfall 202 to Outfall 403 during extremely high water levels. The permit currently authorizes a discharge of once through cooling water and previously monitored effluent at a volume not to exceed an average flow of 500,000,000 gallons per day from an organic and inorganic chemical manufacturing plant. The plant site is on the north bank of the Brazos River, approximately 9000 feet upstream of the State Highway 36 Bridge in the City of Freeport, Brazoria County, Texas.

APPROVED, PG/PR

UNCONTESTED (Water Quality Permit Renewals)

Item 11. APPLICATION BY EARL ALLEN, PETER J. ALLEN, THOMAS E. ALLEN, JR. AND RICHARD L. ALLEN for renewal of Permit No. 12738-01 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 approximately 4,000 feet east of the intersection of State Highway 6 and Interstate Highway 10 and 0.1 of a mile north of Interstate Highway 10, below Addicks Dam in Harris County, Texas.

RENEWED, PG/PR

Item 12. APPLICATION BY ARCHER DANIELS MIDLAND COMPANY for renewal of Permit No. 02618 which authorizes an intermittent flow variable discharge of stormwater runoff from the Southern Cotton Oil Lubbock North plant which is an oil extraction plant. The plant is on the east side of Avenue A at the intersection of 17th Street and Avenue A in the City of Lubbock, Lubbock County, Texas.

RENEWED, PG/PR

Item 13. APPLICATION BY B & B SEWER COMPANY for renewal of Permit No. 12519-01 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 Timberwilde Wastewater Treatment Facilities are approximately one mile north of the intersection of Hufsmith Road and Kuykendahl Road in Harris County, Texas.

CONTINUED TO SEPTEMBER 15, 1993 AT 9:00 A.M.

Item 14. APPLICATION BY CITY OF BOGATA for renewal of Permit No. 10065-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 332,000 gallons per day. The wastewater treatment facilities are southeast of the City of Bogata, approximately 3100 feet southwest of U.S. Highway 271 and 5000 feet east of State Highway 37 in Red River County, Texas.

RENEWED, PG/PR

Item 15. APPLICATION BY MICHAEL B. BOYLAN, TRUSTEE & H. DEFOREST RALPH, JR., TRUSTEE for renewal of Permit No. 12564-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 600,000 gallons per day. The renewed permit has decreased the flow to 100,000 gallons per day average. The wastewater treatment facilities are in northwest Houston on the north bank of Cole Creek, east of Guhn Road, north of U.S. Highway 290 and west of Alamo Road in Harris County, Texas.

RENEWED, PG/PR

Item 16. APPLICATION BY CITY OF BRAZORIA for renewal of Permit No. 10133-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 750,000 gallons per day. The wastewater treatment facilities are approximately 2.25 miles southwest of the City of Brazoria and one mile west of the intersection of Farm-to-Market Road 521 and County Road 797 in Brazoria County, Texas.

RENEWED, PG/PR

Item 17. APPLICATION BY CHEMICAL WASTE MANAGEMENT, INC. for renewal of Permit No. 02409 which authorizes the discharge of treated stormwater at a volume not to exceed an average flow of 2,592,000 gallons per day from an inactive Class II nonhazardous industrial solid waste management facility. The plant site is just south of State Highway 73 and approximately one mile southwest of the State Highway 73-Taylor Bayou Crossing in Jefferson County, Texas.

RENEWED, PG/PR

Item 18. APPLICATION BY CITY OF HARLINGEN for renewal of Permit No. 10490-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,100,000 gallons per day from the Plant No. 1 Wastewater Treatment Facilities. The plant

site is at 1102 East Taft, approximately 800 feet southwest of the intersection of 15th Street and Commerce in the City of Harlingen in Cameron County, Texas.

RENEWED, PG/PR

Item 19. APPLICATION BY CITY OF HASKELL for renewal of Permit No. 10728-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 700,000 gallons per day. The wastewater treatment facilities are approximately one mile south and 0.25 mile east of the intersection of U.S. Highway 277 and State Highway 24 in Haskell County, Texas.

RENEWED, PG/PR

Item 20. APPLICATION BY RENE HINOJOSA for renewal of Permit No. 12428-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 7,500 gallons per day from the Pine Place Courts Wastewater Treatment Facilities. The plant site is approximately 2.5 miles east of U.S. Highway 59 on East Mount Houston Road in Harris County, Texas.

RENEWED, PG/PR

Item 21. APPLICATION BY HOUSTON HEMPSTEAD HIGHWAY CENTER NINE, L.P. for renewal of Permit No. 12222-01 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 0.3 mile southwest of the intersection of Fisher Road and Southern Pacific Railroad, on the south bank of Cole Creek in Harris County, Texas.

RENEWED, PG/PR

Item 22. APPLICATION BY HOUSTON LIGHTING AND POWER COMPANY for renewal of Permit No. 01044 which authorizes discharges of once through cooling water and previously monitored effluents at a volume not to exceed an average flow of 570,000,000 gallons per day via Outfalls 001 and 002. The permit also authorizes intermittent flow variable discharges of low volume wastewater via Outfalls 003 and 004. The applicant operates the Webster Steam Electric Station. The plant site is approximately three miles northeast via FM Road 582 of the City of Webster, Harris County, Texas.

RENEWED, PG/PR

Item 23. APPLICATION BY KING'S COLONY, INCORPORATED for renewal of Permit No. 12455-01 which authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed an average flow of 100,000 gallons per day from the Midway Plaza Wastewater Treatment Facilities. The plant site is on the southern bank of Turkey Creek, approximately 1,500 feet north of Farm-to-Market Road 1960, approximately 1.5 miles east of Aldine Westfield Road in Harris County, Texas.

RENEWED, PG/PR

Item 24. APPLICATION BY LUCE BAYOU PUBLIC UTILITY DISTRICT for renewal of Permit No. 11167-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 161,000 gallons per day from the Idleloch-Lochshire Subdivision Wastewater Treatment Plant. The plant site is 3.5 miles north of the intersection of Farm-to-Market Road 1960 and Farm-to-Market Road 2100 at a point 2 miles north of Huffman, Harris County, Texas.

RENEWED, PG/PR

Item 25. APPLICATION BY MAGNOLIA INDEPENDENT SCHOOL DISTRICT for renewal of Permit No. 12703-01 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 Magnolia Elementary School Wastewater Treatment Facilities. The plant site is on the east side of Farm-to-Market Road 2978 at a point approximately 1.1 miles south of the intersection of Farm-to-Market Roads 1488 and 2978 in Montgomery County, Texas.

RENEWED, PG/PR

Item 26. APPLICATION BY CITY OF MARION for renewal of Permit No. 10048-01 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 approximately 1,400 feet west of Farm-to-Market Road 465 and 1,800 feet south of Farm-to-Market Road 78 in the City of Marion in Guadalupe County, Texas.

RENEWED, PG/PR

Item 27. APPLICATION BY MOBIL CHEMICAL COMPANY, INC. for renewal of Permit No. 00462 which authorizes an intermittent flow variable discharge of stormwater associated with industrial discharges from the Beaumont Plant, a petrochemical plant manufacturing olefins and aromatics. The plant site is at a site between State

Highway 347 and the Neches River which is southeast of the City of Beaumont, Jefferson County, Texas.

RENEWED, PG/PR

Item 28. APPLICATION BY MONTGOMERY COUNTY W.C.I.D. NO. 1 for renewal of Permit No. 10857-01 which authorizes a discharge in the interim phase of treated domestic wastewater effluent at a volume not to exceed an average flow of 450,000 gallons per day and a final volume not to exceed 420,000 gallons per day average. The wastewater treatment facilities are approximately 11 miles south of the City of Conroe, 3 miles west of the Interstate Highway 45 crossing of Spring Creek and at the south end of Glen Loch Drive in the Timber Ridge-Timber Lake Subdivision in Montgomery County, Texas.

RENEWED, PG/PR

Item 29. APPLICATION BY MOUNT HOUSTON ROAD MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11154-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 600,000 gallons per day. The renewed permit has decreased the flow to 200,000 gallons per day average. The wastewater treatment facilities are approximately 1.3 miles northwest of the intersection of Farm-to-Market Road 149 (West Mount Houston Road) and Stuebner Airline Road on the east bank of Halls Bayou in Harris County, Texas.

RENEWED, PG/PR

Item 30. APPLICATION BY NORTH TEXAS CEMENT COMPANY, L.P. for renewal of Permit No. 02427 which authorizes a discharge of process wastewater and stormwater runoff at a volume not to exceed 150,000 gallons during any 24-hour period via Outfall 001. The permit also authorizes a discharge of treated domestic wastewater at a volume not to exceed an average flow of 6,000 gallons per day via Outfall 002. The applicant operates a portland cement processing plant. The plant site is north of the City of Midlothian, adjacent to GIFCO Road two miles west of U.S. Highway 67, Ellis County, Texas.

RENEWED, PG/PR

Item 31. APPLICATION BY GARY STEPHEN PERDUE DBA JACKSON HILL MARINA for renewal of Permit No. 11111-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,700 gallons per day from the wastewater treatment facilities. The plant site is approximately 500 feet

southwest of Farm-to-Market Road 2851, 1.3 miles northwest of the intersection of State Highway 147 and Farm-to-Market Road 2851, four miles southwest of the City of Broaddus in San Augustine County, Texas.

RENEWED, PG/PR

Item 32. APPLICATION BY PINE TRAILS UTILITY CO., INC. for renewal of Permit No. 11701-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 800,000 gallons per day from the Pine Trails Wastewater Treatment Facilities. The plant site is on Sulphur Gully, approximately 1/2 mile north of Wallisville Road and one mile east of C.E. King Parkway in Harris County, Texas.

RENEWED, PG/PR

Item 33. APPLICATION BY PLAINS GOLD FARMS, INC. DBA WALKER BROTHERS PRODUCE CO., INC. for renewal of Permit No. 02987 which authorizes a discharge of vegetable wash water at a volume not to exceed an average flow of 250,000 gallons per day from the Plainview Plant, a vegetable washing and packing facility. The plant site is at the corner of Ivy Street and Seventh Street in the City of Plainview, Hale County, Texas.

RENEWED, PG/PR

Item 34. APPLICATION BY CITY OF SULPHUR SPRINGS for renewal of Permit No. 10372-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,400,000 gallons per day. The wastewater treatment facilities are south of the St. Louis Southwestern Railroad approximately 7000 feet northeast of the intersection of Interstate Highway 30 and Farm-to-Market Road 1870 in Hopkins County, Texas.

RENEWED, PG/PR

Item 35. APPLICATION BY TCF ASSET MANAGEMENT CORPORATION for renewal of Permit No. 12637-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 6,000 gallons per day. The wastewater treatment facilities are approximately 1-1/2 miles north of the City of Spring at 22820 Interstate Highway 45 North in Harris County, Texas.

RENEWED, PG/PR

Item 36. APPLICATION BY THE SETTLEMENT IMPROVEMENT ASSOCIATION WATER SUPPLY CORPORATION for renewal of Permit No.

12483-01 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 approximately 5 miles/south southwest of the City of Lufkin central business district, 4,550 feet north of the intersection of Farm-to-Market Road 324 and U.S. Highway 59 and 650 feet east of Daniel McCall Drive in Angelina County, Texas.

RENEWED, PG/PR

Item 37. APPLICATION BY ELVA WEIMAN for renewal of Permit No. 12310-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 30,000 gallons per day from the wastewater treatment facilities. The plant site is adjacent to and east of Horsepen Bayou, approximately 1500 feet south of the intersection of Farm-to-Market Road 529 and Jackrabbit Road in Harris County, Texas.

RENEWED, PG/PR

UNCONTESTED (Water Right Permits)

Item 38. APPLICATION NO. 4577A BY GEORGE BINGHAM ET AL TO AMEND PERMIT NO. 4264. For Commission Consideration. Applicant seeks to amend Permit No. 4264, to extend or delete the term in Special Condition 3.(b) included in the permit that now indicates it would expire on December 31, 1993. (SMITH/arc)

APPROVED, PR/PG

Item 39. APPLICATION NO. 5416A BY DON P. CHESTER AND WIFE, JOHNNIE CHESTER TO AMEND PERMIT NO. 5416. For Commission Consideration. Applicant seeks to amend Permit No. 5416, to extend or delete the term in Special Condition 4.(A) included in the permit that now indicates it would expire on December 31, 1993. (SMITH/arc)

APPROVED, PR/PG

Item 40. APPLICATION NO. 5463 BY THE CITY OF DENTON FOR A TWC SECTION 11.121 WATER USE PERMIT. For Commission Consideration. Applicant seeks a permit to authorize construction and maintenance of three dams and reservoirs on Fletcher Branch, Trinity River Basin, in Denton County to be used for in-place recreational purposes in a proposed park located within the city limits of Denton, Texas, approximately 3 miles south-southeast of the Denton County Courthouse. (SMITH/tls)

CONTINUED TO SEPTEMBER 29, 1993 AT 9:00 A.M.

Item 41. APPLICATION NO. 5462 BY C J HOLLOWAY, INDIVIDUAL AND TRUSTEE FOR A TWC SECTION 11.121 WATER USE PERMIT. For Commission Consideration. Applicant seeks a permit to authorize construction and maintenance of a dam and a 575.0 acre-foot reservoir on Pickens Branch, Trinity River Basin, in Henderson County to be used for domestic and livestock purposes, approximately 6 miles northwest of Athens, Texas. (SMITH/arc)

CONTINUED TO SEPTEMBER 22, 1993 AT 9:00 A.M.

Item 42. APPLICATION NO. 4353A BY ALLEN D. LAY AND WIFE, NELL LAY TO AMEND PERMIT NO. 4085. For Commission Consideration. Applicant seeks to amend Permit No. 4085, to extend or delete the term in Special Condition 5.(B) included in the permit that now indicates it would expire on December 31, 1994. (SMITH/arc)

APPROVED, PR/PG

Item 43. APPLICATION NO. 23-2710A BY NIXON RANCH PARTNERSHIP TO AMEND CERTIFICATE OF ADJUDICATION NO. 23-2710. For Commission Consideration. Applicant seeks to amend Certificate No. 23-2710, which authorizes the diversion and use of not to exceed 80 acre-feet of water per annum from a point on the Rio Grande to irrigate a maximum of 40 acres of land within a 226.512-acre tract in Webb County, by expanding the area within which irrigation is authorized to an 854-acre tract and to add a diversion point on the Rio Grande adjacent to the larger tract. (SMITH/tls)

APPROVED, PR/PG

Item 44. APPLICATION NO. 5459 BY S & S FARMS, A JOINT VENTURE, COMPRISED OF ELIZABETH WESTMORELAND, SUSANNE MIMS, CAROLYN WILSON AND JOHN BEARD FOR A TEXAS WATER CODE SECTION 11.121 WATER USE PERMIT APPLICATION. For Commission Consideration. Applicants seek authorization for the diversion of 1556 acre-feet of water per annum from West Bernard Creek to the irrigation of 1080 acres of land for rice, cotton and milo growing in Wharton County, approximately 12 miles north of Wharton, Texas. (SMITH/lb)

APPROVED, PR/PG

Item 45. APPLICATION NO. 5359A BY TORCH OPERATING COMPANY TO AMEND PERMIT NO. 5359. For Commission Consideration. Applicant seeks to amend Permit No. 5359, which authorizes the diversion and use of not to exceed 100 acre-feet of water per annum from the underflow (or the

water bearing sands via a shallow well) of the South Fork Double Mountain Fork Brazos River, Brazos River Basin for mining (oil repressurization and waterflood) in Garza County, by increasing the diversion to 200 acre-feet. (SMITH/arc)

APPROVED, PR/PG

Item 46. APPLICATION NO. 12-3545B BY R. D. WALKER TO AMEND CERTIFICATE OF ADJUDICATION NO. 12-3545. For Commission Consideration. Applicant seeks to amend Certificate No. 12-3545, to extend or delete the term in Special Condition 4.(a) included in the permit that now indicates it would expire on December 31, 1993. (SMITH/arc)

APPROVED, PR/PG

Item 47. APPLICATION NO. 5456 BY TEXAS UTILITIES MINING COMPANY FOR A WATER USE PERMIT PURSUANT TO TEXAS WATER CODE SECTION 11.121. FOR COMMISSION ACTION. Applicant seeks authorization to construct and operate a sedimentation control Pond H-2 on unnamed tributary of Blundell Creek, Cypress Basin. Applicant also seeks to redirect an adjacent unnamed trib. of Blundell Creek into Diversion Ditch H-2 which will direct flow from this trib. into Pond H-2 for control and treatment of disturbed area runoff from the TUMCO Monticelo-Winfield South H-Area Mine, 8 miles SW of Mt. Pleasant, Tx. SMITH/lb)

REMANDED TO OFFICE OF HEARINGS EXAMINERS WITH INSTRUCTIONS TO ABATE HEARING FOR AT LEAST ONE TO TWO WEEKS, PG/PR

Item 48. APPLICATION NO. 5460 BY THE COUNTY OF SOMERVELL FOR A WATER USE PERMIT PURSUANT TO TWC SECTION NO. 11.121. FOR COMMISSION ACTION. Applicant seeks to divert and use 356.25 acre-feet of water per annum from Squaw Creek, Brazos River Basin, to irrigate 160.74 acres of land (golf course) out of a 200-acre tract approximately 2.5 miles northeast of Glen Rose, Somervell County, Texas. (SMITH/jme)

APPROVED, PR/PG

UNCONTESTED (Water District Matters)

Item 49. APPLICATION BY GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 FOR APPROVAL TO ISSUE \$7,800,000 UNLIMITED TAX & REVENUE BONDS, 7.69158% NET EFFECTIVE INTEREST RATE, SERIES 1993, FIFTH ISSUE. For Commission consideration and action. Applicant requests approval to issue \$7,800,000 in bonds to finance utility plant expansions, drainage projects, utility impact fees &

infrastructure serving developments within the District. (Ferguson)

APPROVED, PR/PG

Item 50. APPLICATION BY OAK RIDGE MUNICIPAL UTILITY DISTRICT OF MONTGOMERY COUNTY FOR APPROVAL OF THE ISSUANCE OF \$1,500,000 IN UNLIMITED TAX BONDS, 7.00% NET EFFECTIVE INTEREST RATE, SERIES 1993, NINTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$1,500,000 in tax bonds to finance construction of Robinson Road drainage improvements and wastewater system improvements. (Ferguson)

APPROVED, PR/PG

Item 51. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 68 FOR APPROVAL OF \$1,670,000 UNLIMITED TAX BONDS, SECOND ISSUE, 7.20% NET EFFECTIVE INTEREST RATE, SERIES 1993. For Commission consideration and action. Applicant requests Commission approval to issue bonds to finance a pro rata share of water plant capacity & an interim wastewater treatment plant, drainage facilities for Cunningham Creek Blvd. extension, & water, wastewater & drainage facilities for High Meadows Section I. (Ferguson)

APPROVED, PR/PG

Item 52. PETITION BY M. C. JOINT VENTURE FOR APPOINTMENT OF DIRECTORS FOR MOORE'S CROSSING MUNICIPAL UTILITY DISTRICT; For Commission consideration and action. Applicant requests appointment of Paul T. Morin, David T. Hayes, Spencer E. Collins, James D. Fiore and Robert N. Ochoa as directors. (Ferguson)

APPROVED, PR/PG

Item 53. APPLICATION BY JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10; \$90,000 UNLIMITED TAX BONDS, SERIES 1993-A & \$1,890,000 UNLIMITED TAX BONDS, SERIES 1993-B; THIRD ISSUE; 6.4% & 5.5% NET EFFECTIVE INTEREST RATES; PURSUANT TO TEXAS WATER CODE SECTION 51.421. For Commission consideration and action. Applicant requests Commission approval to issue bonds to finance the purchase of land, the construction of a wastewater treatment plant and other related expenses. (Ferguson)

APPROVED, PR/PG

UNCONTESTED (Water Utility Matters)

Item 54. APPLICATION OF LAKESHORE UTILITY COMPANY INC. TO TRANSFER WATER CCN NO. 11876 FROM CLEAR CREEK WATER COMPANY, INC.; AMEND WATER CCN NO. 10843; CANCEL WATER CCN NO. 11876 IN HENDERSON COUNTY, TEXAS. (APPLICATION NO. 9982-S, VERA POE)

APPROVED, PG/JH

Item 55. APPROVAL OF POLLOCK-REDTOWN WATER SUPPLY CORPORATION TO AMEND WATER CERTIFICATE OF CONVENIENCE AND NECESSITY, NUMBER 11436, IN ANGELINA AND CHEROKEE COUNTIES, TEXAS. (APPLICATION NO. 9978-C, GUILLERMO ZEVALLOS)

APPROVED, PG/JH

Item 56. APPROVAL OF CITY OF EVANT WATER DEPARTMENT TO TRANSFER WATER AND SEWER CCN NOS. 11272 AND 20510 FROM EVANT WATER SUPPLY CORPORATION; IN CORYELL AND HAMILTON COUNTIES, TEXAS. (APPLICATION NOS. 30045-S AND 30046-S, VERA POE)

APPROVED, PG/JH

Item 57. APPLICATION OF INDIAN HILLS ESTATES PROPERTY OWNERS ASSOCIATION, INC. TO TRANSFER WATER CCN NO. 12595 FROM HAPPY JACK WATER COMPANY, INC. IN COMAL COUNTY, TEXAS. (APPLICATION NO. 9964-S, ALBERT HOLCK)

APPROVED, PG/JH

Item 58. APPLICATION OF BIG LAKES UTILITIES, INC. TO TRANSFER SEWER CCN NO. 20632 FROM ANALAB CORPORATION; IN SABINE COUNTY, TEXAS (APPLICATION NO. 30021-S, VERA POE)

APPROVED, PG/JH

Item 59. APPLICATION OF CYPRESS VALLEY WATER SUPPLY CORPORATION TO AMEND WATER CERTIFICATE OF CONVENIENCE AND NECESSITY NUMBER 10364, IN HARRISON COUNTY, TEXAS. (APPLICATION NO. 30024-C, GUILLERMO ZEVALLOS)

APPROVED, PG/JH

Item 60. APPLICATION OF LEE W. MOORE DBA MOORE ESTATES WATER SYSTEM FOR A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY IN HOOD COUNTY, TEXAS. (APPLICATION NO. 30032-C, VERA POE)

APPROVED, PG/JH

Item 61. APPROVAL OF WADE GRANGER DBA GRANGER WATER SYSTEMS, CCN NO. 12684, TO TRANSFER WATER CCN NO. 12679 FROM FRANK HATTON; AMEND WATER CCN NO. 12684; AND CANCEL CCN NO.

12679; IN ORANGE COUNTY, TEXAS. (APPLICATION NO. 9963-S, VERA POE)

APPROVED, PG/JH

Item 62. APPROVAL OF MARK SHELTON AND WILLIAM L. BOOMER DBA SUNSET CANYON WATER COMPANY TO TRANSFER A PORTION OF WATER CCN NO. 11908 FROM H2M WATER SYSTEMS, INC., AND AMEND WATER CCN NO. 12263 IN JOHNSON COUNTY, TEXAS. (APPLICATION # 9782-S, ALBERT HOLCK)

APPROVED, PG/JH

UNCONTESTED (Resolution)

Item 63. CONSIDERATION OF A REQUEST FOR A RESOLUTION CONTINUING THE EXECUTIVE DIRECTOR'S CURRENT CONTRACTUAL AUTHORITY THROUGH THE 1994-1995 BI-ENNIUM. (Ray)

APPROVED, JH/PR

UNCONTESTED (Budget Matter)

Item 64. CONSIDERATION OF APPROVAL OF THE PROPOSED BY 1994 OPERATING BUDGET OF THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION.

APPROVED, JH/PR

Item 65. COMMISSION WILL CONSIDER WHETHER EMERGENCY ORDER NO. 93-7E, ISSUED TO SPRING VALLEY WATER COMPANY ON JUNE 30, 1993, SHOULD BE AFFIRMED, MODIFIED OR SET ASIDE.

AFFIRMED, JH/PR

UNCONTESTED (Settled Hearings)

Item 66. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF THE EXECUTIVE DIRECTOR OF THE TEXAS WATER COMMISSION FOR A COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF RIO CHEMICAL CO., INC., SAN ANTONIO, BEXAR COUNTY, TX RECOMMENDATION: ISSUE THE ORDER ASSESSING PENALTIES. (ZUKAUCKAS)

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

Item 67. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF CITY OF LAGO VISTA FOR A RENEWAL OF PERMIT NO. 11752-001 TO AUTHORIZE THE DISCHARGE OF 0.30 MGD OF TREATED DOMESTIC WASTEWATER EFFLUENT IN TRAVIS COUNTY, TEXAS AND SEGMENT NO. 1404 OF THE COLORADO RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (O'NEAL).

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

Item 68. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF JOCHEM JONGSMA DBA JONGSMA DAIRY FOR PERMIT NO. 03431 TO AUTHORIZE THE DISPOSAL OF WASTES AND WASTEWATER FROM A DAIRY OPERATION IN WOOD COUNTY, TEXAS, AND SEGMENT NO. 0514 OF THE SABINE RIVER BASIN. THE DAIRY OPERATION WILL CONSIST OF A MAXIMUM OF 350 HEAD. RECOMMENDATION: ISSUANCE OF PERMIT. (BOURBON)

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

Item 69. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF MANVELTEX, INC. FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER SERVICE IN BRAZORIA COUNTY, TEXAS. (Docket No. 9287-C) Recommendation: Adoption of agreement of parties. (Wood)

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

Item 70. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF LONNIE HARGROVE AND TIMOTHY FOSTER IN APPEAL OF FEES CHARGED BY EAST FORK WATER SUPPLY CORP (DOCKET NO. 9909-X). RECOMMENDATION: DISMISSAL OF PETITION. (BOURBON)

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

Item 71. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF SOUTHGUARD CORPORATION FOR REIMBURSEMENT FROM THE COMMISSION'S PST FUND OR PETROLEUM STORAGE TANK REMEDIATION FUND. RECOMMENDATION. PETITION COMPLAINING OF COST DEEMED NOT REIMBURSABLE FOR APPLICATION 5709. (DISMISSED WITHOUT PREJUDICE.) PETITION COMPLAINING OF COST DEEMED NOT REIMBURSABLE FOR APPLICATION NO. 3460 DISMISSED WITH PREJUDICE. (BATEMAN)

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

Item 72. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF GUADALUPE-BLANCO RIVER AUTHORITY FOR A RENEWAL OF PERMIT NO. 11496-01 TO AUTHORIZE THE DISCHARGE OF TREATED DOMESTIC WASTEWATER AT A VOLUME NOT TO EXCEED AN AVERAGE OF 100,000 GPD IN COMAL COUNTY, TEXAS, and SEGMENT NO. 1805 OF THE GUADALUPE RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT.. (LIMES)

APPROVED, PG/PR

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TEXAS WATER COMMISSION AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES

SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING
IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO
CONTACT DOUG KITTS IN THE THE OFFICE OF THE CHIEF CLERK AT
(512) 463-7905 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA,
SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

- Item 73. Consideration of an application by EMPAK, INC. for a Class 3 Modification to Permit No. HW-50025-001. The permit modification authorizes the operation of a container storage area, two filters and two tanks associated with the receipt of manifested wastes at the rail car cleaning rack located within the boundaries of the facility. The applicant operates a commercial hazardous and industrial solid waste storage and processing facility located on a 4.5-acre tract of land adjacent to State Highway 134 (Battleground Road), approximately 0.8 mile southwest of the San Jacinto Monument in Deer Park, Harris County, Texas.

APPROVED, PR/PG

SECOND ADDENDUM TO UNCONTESTED AGENDA

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 74. CONSIDERATION OF AN AGREED MODIFICATION TO ORDERING
PROVISION NO. 4 OF COMMISSION ORDER DATED JULY 15, 1993
RELATING TO THE PETITION OF STEVEN WHITE DBA WHITE
BROS. FARMS, ET.AL. AGAINST TRINITY WATER RESERVE, INC.
DBA DEVERS CANAL SYSTEM, DOCKET NO. 30102-M.
(MONTELONGO)

APPROVED, PR/PG

UNCONTESTED OLD BUSINESS

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of June 23, 1993.

- Item 1. APPLICATION NO. 4087A BY MARY FRAZIER CLARK & DON FRAZIER CLARK TO AMEND PERMIT NO. 3808 (A-4087) PURSUANT TO TWC SECTION 11.122. FOR COMMISSION ACTION. Applicants seek to remove or modify a special condition in the permit which causes the authorization to impound 1271 acre-feet of water and use 1060 acre-feet for irrigation to expire December 31, 1992. This permit is located above Lake Proctor owned by Brazos River Authority. (SMITH/lb)

APPROVED, PR/PG

Item carried forward from Agenda of July 14, 1993.

- Item 2. 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 lowdown, 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.

APPROVED, PG/PR

Item carried forward from Agenda of July 28, 1993.

- Item 3. 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.

REMANDED TO EXECUTIVE DIRECTOR, PG/PR

Item carried forward from Agenda of July 28, 1993.

Item 4. 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 SEPTEMBER 29, 1993 AT 9:00 A.M.

CONTESTED AGENDA

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

(WATER QUALITY ENFORCEMENT)

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ASSOCIATED MILK PRODUCERS, INC., PERMIT NO. 03074. (RAMIREZ)

Remand to Office Hearing Examiner's

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 CITY OF ALVARADO, PERMIT NO. 10567-01. (MCLEOD)

Remand to Office Hearing Examiner's

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 THE CITY OF SAN SABA, PERMIT NO. 10687-001. (KEILS)

Issue Agreed Order, PG/PR

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 WESTERN LITHO PLATE AND SUPPLY COMPANY, PERMIT NO. 02165. (MARTINEZ)

Remand to Office Hearing Examiner's

Item 5. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS WATER COMMISSION ORDER REQUIRING CERTAIN ACTIONS OF CITY OF HUMBLE, PERMIT NO. 10763-001. (RUBEY)

Issue Agreed Order, PR/PG

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 FOREST COVE MUNICIPAL UTILITY
DISTRICT, PERMIT NO. 10807-001. (MARTINEZ)

Issue Agreed Order, PG/PR

- Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF JOSEPH SHAU CHO WONG, PERMIT NO. 13469-01. (McLeod)

Issue Agreed Order, PR/PG

(SOLID WASTE ENFORCEMENT)

- Item 8. 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 RALLYE, INC. (RALLYE RECOVERY SYSTEMS, INC.) AND MR. JIMMY C. ETHERIDGE; TEXAS SOLID WASTE REGISTRATION NO. 52177 (GRUNBERGER)

Issue Default Judgement, PR/PG

- Item 9. 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 TEJAS RESOURCES, INC.; TEXAS SOLID WASTE REGISTRATION NO. 39525 (SWEENEY)

Issue Agreed Order, PG/PR

(MUNICIPAL SOLID WASTE ENFORCEMENT)

- Item 10. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF ZAVALA COUNTY; TEXAS MUNICIPAL SOLID WASTE PERMIT NO. 00715. (Persky)

Remand to Office Hearing Examiner's

(PETROLEUM STORAGE TANK ENFORCEMENT)

- Item 11. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DAHLSTROM CORPORATION, FACILITY ID NO. 37228; ENFORCEMENT ID NO. E10136. (Holmes/Frew)

Remand to Executive Director

- Item 12. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE AUSTIN

INDEPENDENT SCHOOL DISTRICT, FACILITY ID NO. 0048092;
ENFORCEMENT ID NO. E10384. (Sanchez/Frew)

Issue Agreed Order, PG/PR

Item 13. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BILL JOHNSON OIL COMPANY, FACILITY ID NO. 0044722; ENFORCEMENT ID NO. 310346. (Holmes/Frew)

Issue Agreed Order, PG/PR

Item 14. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DEL VALLE JOINT VENTURE, FACILITY ID NO. 0842; ENFORCEMENT ID NO. E10185. (Winter/Frew)

Issue Agreed Order, PG/PR

Item 15. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TONY'S FOOD STORE, FACILITY ID NO. 0048855; ENFORCEMENT ID NO. E10367. (Holmes/Frew)

Issue Agreed Order, PG/PR

Item 16. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MR. LUIS MOLINA, FACILITY ID NO. 0017741; ENFORCEMENT ID NO. E10335. (Winter/Frew)

Issue Agreed Order, PG/PR

Item 17. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF LUCKY LADY OIL COMPANY, FACILITY ID NO. 23348; ENFORCEMENT ID NO. E10247. (Holmes/Frew)

Issue Agreed Order, PG/PR

Item 18. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF GLASS OIL COMPANY, FACILITY ID NO. 0042599; ENFORCEMENT ID NO. E10342. (Pfeifer/Frew)

Issue Agreed Order, PG/PR

Item 19. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MOFFITT OIL COMPANY, FACILITY ID NO. 58332; ENFORCEMENT ID NO. E10101. (Winter/Frew)

Issue Agreed Order, PG/PR

Item 20. 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 CIRCLE K CORPORATION, FACILITY ID NO. 10993; ENF ID NO. E10175 (LIGARDE/CARSON)

Issue Agreed Order, PG/PR

(CONTESTED) WATER UTILITY

Item 21. CONSIDERATION OF A REQUEST BY THE EXECUTIVE DIRECTOR FOR INTERIM RATES IN DOCKET NO. 30089-R; TECHNOLOGY/HYDRAULICS, INC. (Carlton)

Issue Order Setting Interim Rates, PG/PR

(HEARING EXAMINER'S MATTERS)

Item 22. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE APPLICATION OF HUMAN HEALTH SERVICES ONE, INC. FOR PERMIT NO. 13588-01 TO AUTHORIZE THE DISCHARGE OF 12,000 GPD OF TREATED DOMESTIC WASTEWATER EFFLUENT IN TARRANT COUNTY, TEXAS, AND SEGMENT NO. 0828 OF THE TRINITY RIVER BASIN. RECOMMENDATION: Issuance of permit. (SORRELLS)

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

Item 23. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF NORTH TEXAS MUNICIPAL WATER DISTRICT TO AMEND THE CITY OF MCKINNEY MUNICIPAL SOLID WASTE LANDFILL PERMIT NO. 568-A TO AUTHORIZE THE OPERATION OF MUNICIPAL SOLID WASTE TYPE I LANDFILL IN COLLIN COUNTY, TEXAS. APPLICANT SEEKS AUTHORIZATION TO AMEND THE TYPE I MUNICIPAL SOLID WASTE LANDFILL PERMIT NO. 568 PRESENTLY HELD BY THE CITY OF MCKINNEY. SIMULTANEOUSLY WITH THE REQUEST FOR PERMIT AMENDMENTS IS THE REQUEST TO TRANSFER THE PERMIT DESIGNATING THE APPLICANT AS THE HOLDER OF THE AMENDED PERMIT. AUTHORITY IS SOUGHT TO MODIFY CURRENT OPERATIONS SUCH AS: INCREASE SERIAL FILLING; DRAIN SITE LAGOONS; EXHUME & REENTER EXISTING WASTE AT THE SITE; INCREASE DISPOSAL CAPACITY; CONSTRUCT A NEW LEVEE AND DRAINAGE FACILITIES. THE SITE WILL INITIALLY RECEIVE APPROXIMATELY 1240 TONS/WASTE PER DAY INCREASING TO

APPROXIMATELY 2020 TONS/DAY FOR AN AVERAGE OF APPROX. 1591 TONS/DAY. NO INCREASE IN THE SIZE OF THE CURRENT SITE HAS BEEN REQUESTED. THE SITE IS LOCATED 2 MILES NE OF THE INTERSECTION OF S.H. 121 & U.S.75 ON THE S.E. SIDE OF THE SOUTHERN PACIFIC RR IN THE CITY OF MCKINNEY, COLLIN CO., TX. (RECOMMENDATION: ISSUE PERMIT)

Approve Order as Amended, Adopt Proposal for Decision and Issue Amended Order, Overrule all Exceptions, PR/PG

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. 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 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

Item 27. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO SELECT A CANDIDATE TO FILL THE POSITION OF PUBLIC INTEREST COUNSEL UNDER SECTION 2(g) OF THE OPEN MEETING ACT, TEX. REV. CIV. STAT. ANN., ART. 6252-17 (SECTION) 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, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 28. CONSIDERATION AND ACTION ON A RESOLUTION AND ISSUANCE OF PROPOSED RULES REGARDING AN EXPEDITED PROCEDURE FOR CERTAIN UNCONTESTED ITEMS WHICH REQUIRE COMMISSION APPROVAL.

Adopt Resolution, JH/PR

SECOND ADDENDUM TO CONTESTED AGENDA

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 29. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS POTENTIAL APPOINTMENTS TO THE SOLID WASTE ADVISORY COUNCIL UNDER SECTION 2(G) OF THE OPEN MEETINGS ACT, TEX. REV. CIV. STAT. ANN., ART. 6252-17, SECTION 2(G).

No Action Taken

CONTESTED OLD BUSINESS

Wednesday, August 18, 1993

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of July 14, 1993.

- Item 1. 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 November 17, 1993, with instructions to staff to bring draft rules to the Commission when this item is up for consideration on Nov 17, 1993