

HALL
REED
GARNER

AGENDA

Wednesday, September 1, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

7:15 - 8:15 a.m.
12124 Park 35 Circle
Building C
Ground Floor Break Room

- Item 1. The Commission will meet with the employees of the Texas Natural Resource Conservation Commission in an informal question and answer period on subjects within the jurisdiction of the Commission.

COMMISSION MET WITH STAFF. NO ACTION TAKEN.

Hall-Absent 1 - 22 and 24, Present for 23
Reed-Present
Garner-Present

UNCONTESTED AGENDA

Wednesday, September 1, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
(TNRCC)

9:00 a.m.
Room 118

UNCONTESTED (Class 3 Modification to Hazardous Waste Permits)

Item 1. Consideration of an application by SAFETY-KLEEN CORPORATION ABILENE for a Class 3 Modification to Permit No. HW50237 in accordance with 31 TAC Section 305.69. The permit authorizes operation of a commercial hazardous waste storage and processing facility. The permit modification authorizes addition of a 12,000 gallon tank for waste antifreeze and updates the permit language, the contingency plan and the waste analysis plan. The hazardous waste management facility is at 4234 Oil Belt Lane, in the City of Abilene, Taylor County, Texas.

Approved, PG/PR

Item 2. Consideration of an application by SAFETY-KLEEN CORPORATION - MIDLAND for a Class 3 Modification to Permit No. HW50215 in accordance with 31 TAC Section 305.69. The permit authorizes operation of a commercial hazardous waste storage and processing facility. The permit modification authorizes addition of a 20,000 gallon tank for waste antifreeze, enlarges the container storage area to 5,190 gallons and updates the permit language, the contingency plan and the waste analysis plan. The hazardous waste management facility is 1.9 miles southwest of the Midland Regional Airport passenger terminal in Midland County, Texas.

Approved, PG/PR

Item 3. Consideration of an application by SAFETY-KLEEN CORPORATION - MISSOURI CITY for a Class 3 Modification to Permit No. HW50236 in accordance with 31 TAC Section 305.69. The permit authorizes operation of a commercial hazardous waste storage and processing facility. The permit modification authorizes addition of a 12,000 gallon tank for waste antifreeze and updates the permit language, the contingency plan and the waste analysis

plan. The hazardous waste management facility is at 1580 Industrial Road, in the City of Missouri City, Fort Bend County, Texas.

Approved, PG/PR

UNCONTESTED (Class 2 Modification to Hazardous Waste Permit)

- Item 4. Consideration of an application by TEXAS EASTMAN DIVISION - EASTMAN CHEMICAL COMPANY for a Class 2 Modification to Permit No. HW50043 in accordance with 31 TAC Section 305.69. The permit authorizes operation of an industrial hazardous waste storage, processing and disposal facility. The permit modification clarifies, revises and updates certain permit provisions and requirements and updates the waste analysis plan. The hazardous waste management facility is located off of Estes Parkway at the end of Kodak Boulevard, near Longview, in Harrison County, Texas.

Approved, PG/PR

UNCONTESTED (New Water Quality Permit)

- Item 5. APPLICATION BY COLE YOUNGER for a permit (Proposed Permit No. 03591) to authorize the disposal of treated wastewater from a cattle trailer cleaning facility by irrigation on 27 acres of land on site. The volume of wastewater removed from the pond for irrigation shall not exceed 610,000 gallons per month. Wastewaters and manure are disposed of via land application. The facility is on Farm-to-Market Road 2575, one mile north of Interstate Highway 40 and 14 miles east of the City of Amarillo, Carson County, Texas.

Approved, PG/PR

UNCONTESTED (Amendments to Water Quality Permit)

- Item 6. APPLICATION BY QUANTUM CHEMICAL CORPORATION for an amendment to Permit No. 00534 in order to combine Permit Numbers 00534, 02175, 02457 and 03053 into a single permit (Permit No. 00534). The proposed amendment would authorize: (1) a discharge of treated process, utility, domestic, and stormwater at a volume not to exceed an average flow of 1,920,000 gallons per day via Outfall 001; (2) a discharge of treated process, utility, sanitary, and stormwater at a volume not to exceed an average flow of 800,000 gallons per day via Outfall 002; (3) an intermittent flow variable discharge of stormwater

runoff and process wastewaters via Outfall 003; (4) a discharge of treated process, utility, sanitary, and stormwater at a volume not to exceed an average flow of 1,800,000 gallons per day via Outfall 004; (5) a flow variable discharge of stormwater runoff, groundwater infiltration (continuous flow) and wastewaters from Decene Terminal via Outfall 005; (6) intermittent flow variable discharges of stormwater runoff via Outfalls 006 and 008; and (7) a discharge of treated process, utility, sanitary and stormwater at a volume not to exceed an average flow of 2,500,000 gallons per day via Outfall 007. The applicant operates their LaPorte Complex which manufactures petrochemicals, plastics and an activated silica gel catalyst. The plant site is approximately one mile north of the intersection of Miller Cutoff Road with State Highway 225, Harris County, Texas.

Approved, PG/PR

Item 7. APPLICATION BY UNITED STATES DEPARTMENT OF THE AIR FORCE for an amendment to Permit No. 02356 to expand the industrial wastewater treatment plant to discharge additional effluent. The permit currently authorizes discharges of treated industrial wastewater and cooling water at a volume not to exceed an average flow of 2,850,000 gallons per day plus stormwater runoff at a volume variable with rainfall. The proposed amendment would authorize discharges of treated industrial wastewater, cooling water and remediated groundwater at a volume not to exceed an average flow of 4,955,000 gallons plus stormwater runoff at a volume variable with rainfall. The Kelly Air Force Base industrial wastewater treatment plant is south of Military Drive and 100 feet north of Leon Creek and 2640 feet east of the intersection of Leon Creek and Military Drive, southwest of the City of San Antonio in Bexar County, Texas.

Approved, PG/PR

Item 8. APPLICATION BY TOWN OF VALLEY VIEW for an amendment to Permit No. 11164-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 48,000 gallons per day to a volume not to exceed an average flow of 111,000 gallons per day. The proposed amendment would also authorize a variance to the buffer zone requirements. The wastewater treatment facilities are on the east side of Interstate Highway 35, approximately one mile south of the Town of Valley View in Cooke County, Texas.

Approved, PG/PR

UNCONTESTED (Renewal of Water Quality Permit)

Item 9. APPLICATION BY CENTRAL POWER AND LIGHT COMPANY for renewal of Permit No. 01254 which authorizes a discharge of cooling tower blowdown commingled with low volume waste, stormwater runoff, and previously monitored metal cleaning waste at a volume not to exceed an average flow of 2,000,000 gallons per day from it's J. L. Bates Power Station. The plant site is southeast of the intersection of FM Road 1427 and Business Route 83 (Loop 374) approximately four and one half (4-1/2) miles west of the City of Mission, Hidalgo County, Texas.

Remand to Office Hearing's Examiner

Item 10. APPLICATION BY CENTRAL POWER AND LIGHT COMPANY for renewal of Permit No. 01255 which authorizes the discharge of cooling tower blowdown commingled with low volume waste at a volume not to exceed an average flow of 1,098,000 gallons per day via Outfall 001 and an intermittent flow variable discharge of cooling tower basins wastewater during maintenance via Outfall 002, which will remain the same. The plant site is on the north side of FM Road 1694 (3501 Callicoatte Road) approximately one (1) mile southwest of the FM Road 1694/ State Highway 9 intersection in the City of Corpus Christi, Nueces County, Texas.

Approved, PG/PR

Item 11. APPLICATION BY EL PASO WATER UTILITIES PUBLIC SERVICE BOARD for renewal of Permit No. 10408-04 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 27,700,000 gallons per day from the Haskell Street Wastewater Treatment Facilities. The plant site is on Delta Street, approximately 0.5 mile south of the Franklin Canal and 0.5 mile north of the Rio Grande in the City of El Paso, El Paso County, Texas.

Continued to September 15, 1993

Item 12. APPLICATION BY PEYTON MARTIN for renewal of Permit No. 13307-01 which authorizes a discharge of treated domestic wastewater effluent at an interim volume not to exceed an average flow of 100,000 gallons per day and a final volume not to exceed an average flow of 400,000 gallons per day. The renewed permit will decrease the flow to a final volume not to exceed 100,000 gallons per day average. The wastewater treatment facilities are approximately 3,500 feet northwest of the intersection of Farm-to-Market Roads 518 and 1128 and 2,500 feet north of Farm-to-Market Road 518, approximately 3.4 miles due west of the City of Pearland central business district in

Brazoria County, Texas.

Approved, PG/PR

Item 13. APPLICATION BY MEMORIAL MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11893-01 which authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed an average flow of 3,000,000 gallons per day from the wastewater treatment facilities. The plant site is on the west property line of Baker Reservoir which is south of Harris County Flood Control ditch and approximately 2.5 miles east of the intersection of Clodine Road and Beeler Road in Harris County, Texas.

Approved, PG/PR

Item 14. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 16 for renewal of Permit No. 11386-01 which authorizes from a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 766,000 gallons per day. The renewed permit has decreased the flow to a volume not to exceed 177,000 gallons per day. The wastewater treatment plant is south of the intersection of Hickory Lane and Tupelo Lane, approximately 2 miles north of New Caney in Montgomery County, Texas.

Approved, PG/PR

Item 15. APPLICATION BY CITY OF QUITMAN for renewal of Permit No. 10254-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 456,000 gallons per day. The wastewater treatment facilities are approximately 0.3 mile west-northwest of the intersection of State Highway 37 and State Highway 154 (City of Quitman) and 700 feet north of State Highway 154 in Wood County, Texas.

Continued to October 6, 1993

Item 16. APPLICATION BY REAGENT CHEMICAL & RESEARCH, INC. for renewal of Permit No. 02831 which authorizes an intermittent flow variable discharge of rinsewater, transfer pump seal water and stormwater from a hydrochloric acid bulk terminal. The plant site is at 700 Minton Road, bounded on the north by Minton Road and on the east by the A.T. & S.F. Railroad, in the City of Saginaw, Tarrant County, Texas.

Approved, PG/PR

Item 17. APPLICATION BY THE LUBRIZOL CORPORATION for renewal of Permit No. 00639 which authorizes a discharge of treated

process wastewater, treated stormwater and boiler/cooling wastewater at a volume not to exceed an average flow of 1,000,000 gallons per day via Outfall 001. The permit also authorizes flow variable discharges of stormwater and various other wastewaters. The applicant operates a chemical plant manufacturing additives for lubricating oils, greases, and gasoline. The plant site is north of State Highway 225, south of the Port Terminal Railroad, east of Patrick Bayou, and west of the East Fork of Patrick Bayou in the City of Deer Park, Harris County, Texas.

Approved, PG/PR

Item 18. APPLICATION BY UNITED STRUCTURES OF AMERICA, INC. for renewal of Permit No. 12765-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000 gallons per day. The wastewater treatment plant is at 1912 Buschong in Houston in Harris County, Texas.

Approved, PG/PR

Item 19. APPLICATION BY WINDY HILL UTILITIES, INC. for renewal of Permit No. 11720-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 150,000 gallons per day from the Woodlands Acres Subdivision Wastewater Treatment Facilities. The plant site is south of Woodland Lane, approximately 1,000 feet west of Farm-to-Market Road 1409 and approximately 500 feet north of Old River in Chambers County, Texas.

Approved, PG/PR

UNCONTESTED (District Matters)

Item 20. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286 FOR APPROVAL OF EXTENSION OF TIME ON BOND APPROVAL; \$3,300,000 BOND ISSUE APPROVED DECEMBER 21, 1989. For Commission consideration and action. Applicant requests Commission approval for extension of time to sell the \$1,180,000 remaining installment of bonds. (Ferguson)

Approved, PG/PR

UNCONTESTED (Water Utility Matters)

Item 21. APPLICATION OF DALLAS COUNTY W.C.I.D. NO. 6 TO TRANSFER A PORTION OF WATER CCN NO. 10091 FROM COMMUNITY WATER SERVICE, INC.; AMEND WATER CCN NO., 10061; AND DECERTIFY

PORTION OF WATER CCN NO. 10091 IN DALLAS COUNTY, TEXAS.
(APPLICATION NO. 9981-C, GUILLERMO ZEVALLOS)

Approved, PG/PR

Item 22. APPLICATION OF JAMES D. HILL DBA INVERNESS POINT WATER SYSTEM TO TRANSFER WATER CCN NO. 11170 FROM M & S WATER SYSTEM IN TRAVIS COUNTY, TEXAS. (APPLICATION NO. 9794-S, ALBERT HOLCK)

Approved, PG/PR

UNCONTESTED (Grants/Contracts Municipal Solid Waste)

Item 23. CONSIDERATION OF RECOMMENDED FISCAL YEAR 1994 CONTRACTS BUDGET FOR MUNICIPAL SOLID WASTE DISPOSAL FEE FUNDED PROJECTS. (MOLINA)

Approved, JH/PR

UNCONTESTED (Settled Hearings)

Item 24. CONSIDERATION OF EXAMINER'S MEMORANDUM AND PERMITS CONCERNING THE APPLICATION OF DEL E. WEBB DEVELOPMENT CO., L.P FOR PERMIT NO. 13650-001 & 13650-002 TO AUTHORIZE THE DISPOSAL BY IRRIGATION OF 160,000 to 674,000 GPD RESPECTIVELY OF TREATED DOMESTIC WASTEWATER EFFLUENT IN TRAVIS COUNTY, TEXAS, and SEGMENT NO. 1404 of the COLORADO RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (DEBORAH THOMAS)

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

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TNRCC 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 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 AGENDA

Wednesday, September 1, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
(TNRCC)

9:00 a.m.
Room 118

CONTESTED (PETROLEUM STORAGE TANK ENFORCEMENT)

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TNRCC ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF ELGIN, FACILITY ID NO. 50257; ENF ID NO. E10259 (LIGARDE/BOWER)

Issue Agreed Order, PG/PR

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TNRCC ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF DALLAS, FACILITY ID NO. 46172; ENF ID NO. E10254 (LIGARDE/CARSON)

Issue Agreed Order, PG/PR

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TNRCC ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF CARROLLTON, FACILITY ID NO. 27151; ENF ID NO. E10257 (LIGARDE/CARSON)

Remand to Office Hearing's Examiner

Item 4. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TNRCC ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SUSER ENVIRONMENTAL SERVICES, ST ID NO. 810112; ENF ID NO. E10160 (WINTER/CARSON)

Remand to Office Hearing's Examiner

CONTESTED (SOLID WASTE ENFORCEMENT)

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR A TNRCC ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF EDD'S METAL FINISHING CORPORATION; TEXAS SOLID WASTE REGISTRATION NO. 36546 (SWEENEY)

Remand to Office Hearing's Examiner

CONTESTED (WATER QUALITY ENFORCEMENT)

- Item 6. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TNRCC ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF PILGRIM'S PRIDE CORPORATION, NO PERMIT. (KEILS)

Issue Agreed Order, PG/JH

EXECUTIVE SESSION

- Item 7. 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 8. 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. TNRCC, 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, TNRCC, 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 9. COMMISSIONERS WILL MEET IN EXECUTIVE SESSION TO DISCUSS THEIR DUTIES, ROLES, AND RESPONSIBILITIES AS COMMISSIONERS OF THE TNRCC 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 TNRC 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 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.)

HALL
REED
GARNER

AGENDA

Wednesday, September 1, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

1:00 p.m.
Palmer Municipal Auditorium
Riverside Drive

Item 1. THE COMMISSION WILL MEET WITH THE ENTIRE STAFF OF THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION IN AN ASSEMBLY TO REVIEW THE GOALS AND PRIORITIES OF THE CONSOLIDATED AGENCY AND TO INTRODUCE THE COMBINED LEADERSHIP OF THE CONSOLIDATED AGENCY.

COMMISSION MET WITH STAFF. NO ACTION TAKEN.

HALL
REED
GARNER

AGENDA

Wednesday, September 1, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

4:00 p.m.
Palmer Municipal Auditorium
Riverside Drive
Austin, Texas

Item 2. The Commission will meet with the executive staff, division directors, and regional managers of the Commission to focus on and review the goals and priorities of the consolidated agency.

COMMISSION MET WITH STAFF. NO ACTION TAKEN.

HALL
REED
GARNER

AGENDA

Wednesday, September 1, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

5:00 p.m.
Palmer Municipal Auditorium
Riverside Drive
Austin, Texas

Item 3. The Commission will hold an informal reception for customer groups of the Commission to introduce the combined management team of the consolidated agency.

COMMISSION MET WITH CUSTOMER GROUPS. NO ACTION TAKEN.