

HALL  
GARNER  
REED

UNCONTESTED AGENDA

Wednesday, December 15, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.  
Room 118

UNCONTESTED (**Waste Discharge Permit Renewals**)

Item 1. APPLICATION BY DEGUSSA CORPORATION for renewal of Permit No. 02077 which authorizes an intermittent flow variable discharge of stormwater from the Aransas Pass Carbon Black Plant. The plant site is adjacent to and on the west side of State Highway 35, approximately six (6) miles south of the City of Rockport in Aransas County, Texas.

APPROVED APPLICATION, PR/PG

Item 2. APPLICATION BY IMPERIAL HOLLY CORPORATION for renewal of Permit No. 00442 which authorizes a discharge of once through cooling water and cold lime water treatment wastes at a volume not to exceed an average flow of 5,000,000 gallons per day via Outfall 001. The permit also authorizes a discharge of once through cooling water at a volume not to exceed an average flow of 20,000,000 gallons per day via Outfall 002. The applicant operates a sugar refining plant. The plant site is at 198 Kempner Street, bordered on the south by Kempner Street, and on the west by Ulrich Street, on the north by Avenue D, and on the east by Oyster Creek, in the City of Sugar Land, Fort Bend County, Texas.

APPROVED APPLICATION, PR/PG

Item 3. APPLICATION BY G. KARBALAI for renewal of Permit No. 12399-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 25,000 gallons per day from the Sundown Mobile Home Park Wastewater Treatment Facilities. The plant site is at 12117 Aldine - Westfield Road, 4000 feet south of the intersection of Aldine - Westfield Road and Aldine Mail Road; 3.5 miles east of the intersection of Interstate Highway 45 and Farm to Market Road 149 in Harris County, Texas.

APPROVED APPLICATION, PR/PG

**UNCONTESTED (Water Right Permits)**

- Item 4. Application No. 16-2085B by the Lavaca-Navidad River Authority and the Texas Water Development Board (TWDB) to amend Certificate of Adjudication No. 16-2085, as amended and two related matters (Cause Nos. 361,294 and 374,305) remanded from the Travis County District Court. (For Commission Consideration). Applicants seek to amend Certificate No. 16-2085, as amended, which authorizes the construction and maintenance of a dam and reservoir (Lake Texana) in Jackson County on the Navidad River, Lavaca River Basin and a dam and reservoir (Palmetto Bend 2) in Jackson County on the Lavaca River and use of water from the two reservoirs for municipal and industrial use, by defining releases of inflows from the reservoirs for bay and estuary needs and requesting an additional appropriation of water from the Palmetto Bend 2 Reservoir. Cause No. 361,294 is an appeal by the TWDB of a February 8, 1984 Commission order denying a request for use of additional water out of Lake Texana. Cause No. 374,305 is an appeal by the TWDB of a November 13, 1984 Commission order granting Certificate No. 16-2095B. The TWDB indicates that the amendment included an insertion, without an evidentiary hearing, of a requirement to release water for the maintenance of the bay and estuary. (Smith/tls)

REMANDED TO THE OFFICE OF HEARINGS EXAMINERS

- Item 5. Application No. 7138 by Weirich Bros., Inc for a Temporary Water Use Permit. (For Commission Consideration). Applicant seek authorization to divert not to exceed a total of 432 acre-feet of water (with a 10% consumptive use) within a three-year period from the Pedernales River, Colorado River Basin, for mining purposes in Gillespie County. (Smith/arc)

REMANDED TO THE OFFICE OF HEARINGS EXAMINERS

**UNCONTESTED (District Matters)**

- Item 6. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11 FOR APPROVAL OF \$2,000,000 WATERWORKS AND SEWER SYSTEM COMBINATION UNLIMITED TA AND REVENUE BONDS, SERIES 1993; 5.5% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. Applicant requests Commission approval to issue bonds to finance the construction of a wastewater treatment plant and improvements to the existing collection system. (Ferguson)

APPROVED APPLICATION, PG/PR

- Item 7. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 67 FOR AMENDMENT OF ORDER DATED NOVEMBER 23, 1993 APPROVING \$8,770,000 UNLIMITED TAX BONDS, FIRST ISSUE. For Commission consideration and action. Applicant requests approval of an amendment to the order to delete the contingencies to the sale of bonds reflecting requirements at 30 TAC, Section 293.47(a), regarding a debt to assessed valuation ratio of less than 10%. (Ferguson)

APPROVED APPLICATION, PG/PR

- Item 8. APPLICATION BY NORTH MISSION GLEN MUNICIPAL UTILITY DISTRICT OF FORT BEND COUNTY FOR APPROVAL OF THE LEVY OF A STANDBY FEE. For Commission consideration and action. Applicant seeks approval for the levy of a debt service fee of \$285.00 per ESFC and \$2,850 per acre per year for an annual total standby fee revenue of approximately \$223,557. (Ferguson)

APPROVED APPLICATION, PG/PR

**UNCONTESTED (Water Utility Matters)**

- Item 9. Application of Two Way Water Supply Corporation to amend Water Certificate of Convenience and Necessity Number 11085 in Cooke and Grayson Counties, Texas. (Application # 30103-C, Albert Holck)

APPROVED APPLICATION, PR/PG

- Item 10. Application of Combined Consumers Water Supply Corporation to Transfer Water CCN No. 10855 in Hunt, Kaufman and Van Zandt Counties, Texas. (Application # 9976-S, Albert Holck)

APPROVED APPLICATION, PR/PG

**UNCONTESTED (Final Action on Emergency Order)**

- Item 11. COMMISSION CONSIDERATION TO AFFIRM, MODIFY, OR SET ASIDE EMERGENCY ORDER 93-9E ISSUED ON NOVEMBER 17, 1993 TO AMERICAN WASTE WATER.

APPROVED EMERGENCY ORDER, PR/PG

**UNCONTESTED (Contract)**

Item 12. Consideration of authorizing the Executive Director to amend the contract with IT/Davy Joint Venture for Phase B Remediation Services for the Remedial Action at the Sikes Disposal Pits Superfund Site.

APPROVED AMENDMENT OF CONTRACT BY EXECUTIVE DIRECTOR, PG/PR

UNCONTESTED (**Examiner's Settled Hearings**)

Item 13. Consideration of Examiner's Memorandum and Order concerning the application of Keystone Consolidated Industries, Inc. dba Sherman Wire for Permit No. 03582 to authorize the discharge of 35,000 gpd of treated industrial wastewater effluent in Grayson County, Texas, and Segment No. 0203 of the Red River Basin. Recommendation: Issuance of Permit. (BROYLES)

ISSUED PERMIT, PR/PG

Item 14. Consideration of Examiner's memorandum and order concerning the petition of Millersview-Doole Water Supply Corporation to discontinue water utility service to Wall Community Estates Subdivision in Tom Green County, Texas. (Docket No. 9992A) Recommendation: Adoption of agreement of parties. (Sorrells)

ADOPTED AGREEMENT AS AMENDED, PR/PG

Item 15. Consideration of Examiner's Memorandum and Order concerning the application of Northwest Harris County MUD No. 24 to adopt and impose standby fees in Harris County, Texas (Docket No. TWC IC No. 020993-D01). Recommendation: Adoption of agreement of parties. (Thomas)

ADOPTED AGREEMENT AS AMENDED, PR/PG

Item 16. Consideration of Examiner's Memorandum and Order concerning the application of Southwestern Water Corp. to increase retail water and sewer rates in Travis and Williamson Counties, Texas (Docket No. 9999-R). Applicant provides retail water service to approximately 482 customers and provides sewer service to approximately 50 customers. Recommendation: Adoption of agreement of parties. (Wood).

ADOPTED AGREEMENT, PR/PG

Item 17. Consideration of Examiner's Memorandum and Order concerning the application of Wiedenfeld Water Works to increase retail water rates in Kerr County, Texas (Docket No. 30034-G). Applicant provides retail water service to

approximately 36 customers. Recommendation: Adoption of agreement of parties. (Hurd)

ADOPTED AGREEMENT, PR/PG

Item 18. Consideration of Examiner's Memorandum and Order concerning the application of J. D. Murrell dba Riverside Water Systems to increase retail water rates in Comal County, Texas (Docket No. 30057-G). Applicant provides retail water service to approximately 70 customers. Recommendation: Adoption of agreement of parties.

ADOPTED AGREEMENT, PR/PG

(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.)

UNCONTESTED OLD BUSINESS

Wednesday, December 15, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of August 18, September 22, and November 17, 1993.

- Item 1. 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 JANUARY 12, 1994 AT 9 A.M.

Item carried forward from Agenda of December 1, 1993.

- Item 2. Application of Atascosa Rural Water Supply Corporation to Transfer a Portion of Water CCN No. 11007 from City of Lytle and Amend Water CCN No. 11366 in Bexar County, Texas. (Application # 30136-T, Albert Holck)

APPROVED APPLICATION, PG/PR

Item carried forward from Agenda of December 8, 1993.

- Item 3. APPLICATION BY THREE LAKES MUNICIPAL UTILITY DISTRICT NO. 1 OF HARRIS COUNTY FOR APPROVAL OF THE LEVY OF A STANDBY FEE; For Commission consideration and action. Applicant seeks approval for the levy of an annual standby fee of \$243,705 to supplement the debt service account and \$63,882 to supplement the operation & maintenance account.

REMANDED TO THE OFFICE OF HEARINGS EXAMINERS

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, December 15, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.

Room 118

Item 19. COMMISSION WILL DETERMINE WHETHER EMERGENCY ORDER NO. 93-8E ISSUED TO GIBRALTAR CHEMICAL RESOURCES, INC., ON SEPTEMBER 23, 1993 SHOULD BE AFFIRMED, MODIFIED OR SET ASIDE.

ORDER WAS RENEWED, BUT MODIFIED TO INCLUDE AIR QUALITY MONITORING AND CITIZENS ADVISORY COMMITTEE. THE ORDER WILL NOT RENEW ONSITE MONITORING, PR/JH

CONTESTED AGENDA

Wednesday, December 15, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.  
Room 118

CONTESTED (**Water Quality Enforcement**)

- Item 1. CONSIDERATION OF EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR A TEXAS NATURAL RESOURCE CONSERVATION COMMISSION ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF CITY OF RUSK, PERMIT NO. 10447-01. (PETROV/GREEN)

Issue Agreed Order, PR/PG

- Item 2. Consideration of Executive Director's Preliminary Report and Petition for a Texas Natural Resource Conservation Commission Order Assessing Administrative Penalties and Requiring Certain Actions of Lufkin Industries, Inc., Permit No. 01268. (Keils/Main)

Issue Agreed Order, PR/PG

- Item 3. Consideration of Executive Director's Petition for Order Assessing Administrative Penalties and Requiring Certain Actions of the Tomsa, Inc. (Raymond Winter)

Issue Agreed Order, PR/PG

- Item 4. Consideration of a Texas Natural Resource Conservation Commission Agreed Order Requiring Certain Actions of City of Springtown, TNRCC Permit No. 10649-001. (Mears/Roberts)

Issue Agreed Order, PR/PG

CONTESTED (**Temporary Authorization**)

- Item 5. CONSIDERATION OF A REQUEST BY BASF CORPORATION FOR A TEMPORARY AUTHORIZATION PURSUANT TO 30 TAC §305.69(f). THIS TEMPORARY AUTHORIZATION REQUEST WOULD ALLOW BASF TO INCREASE THE FEED RATE OF THE OFF-GAS WASTE STREAM THAT IS CURRENTLY BEING DISPOSED IN BASF'S ON-SITE INCINERATOR (PERMIT NO. HW-50128). (HIBBS)

Approve Temporary Authorization, PR/PG



**CONTESTED (Solid Waste Enforcement)**

Item 6. 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)

Issue Agreed Order, PG/PR

Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF WALTER V. JARNAGIN DBA LUBBOCK ASPHALT PRODUCTS; TEXAS MUNICIPAL SOLID WASTE UNAUTHORIZED SITE NO. 30996 (Persky)

Issue Agreed Order, PG/PR

Item 8. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR THE ISSUANCE OF AN AGREED ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF BRIAN BULLOCK dba BULLOCK TRUCKING, INC.; TEXAS MUNICIPAL SOLID WASTE UNAUTHORIZED SITE NO. 32668 (Ramirez)

Issue Agreed Order, PG/PR

Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF JULIO GARZA; UNAUTHORIZED MUNICIPAL SOLID WASTE SITE NO. 33802 (Bernacki)

Issue Agreed Order, PG/PR

Item 10. CONSIDERATION OF AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AMERICAN TIRE RECYCLERS, INC. AND LARRY HALSTED; PROCESSOR REGISTRATION NO. MSW 79019 AND STORAGE SITE REGISTRATION NO. MSW 44131 (R. SMITH)

Issue Agreed Order, PG/PR

**CONTESTED (Solid Waste Management Plan)**

Item 11. CONSIDERATION OF ADOPTION OF THE REGIONAL SOLID WASTE MANAGEMENT PLAN SUBMITTED BY THE ALAMO AREA COUNCIL OF GOVERNMENTS. REGIONAL SOLID WASTE MANAGEMENT PLANS ARE REQUIRED BY THE TEXAS HEALTH AND SAFETY CODE, CHAPTER 363

(COMPREHENSIVE MUNICIPAL SOLID WASTE MANAGEMENT, RECOVERY, AND CONSERVATION ACT, 1990). (Joey Crumley)

Adopt Regional Solid Waste Management Plan Submitted by Alamo Carea Council of Government, PG/PR

**CONTESTED (Petroleum Storage Tank Enforcement)**

Item 12. CONSIDERATION OF A TEXAS NATURAL RESOURCE CONSERVATION COMMISSION AGREED ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF DENTON PETROLEUM COMPANY OF ROBSTOWN, INC., FACILITY ID NO. 05564; ENF. ID NO. E10442. (WINTER/CARSON)

Issue Agreed Order, PR/JH

**CONTESTED (Water Well Enforcement)**

Item 13. Consideration of the Executive Director's Proposed Agreed Enforcement Order Resolving an Enforcement Action for Alleged Violations of the Texas Water Code, Assessing Administrative Penalties and Requiring Certain Actions of David Coleman (Rubey)

Issue Agreed Order, PR/JH

Item 14. Consideration of the Executive Director's Proposed Agreed Enforcement Order Resolving an Enforcement Action for Alleged Violations of the Texas Water Code, Assessing Administrative Penalties and Requiring Certain Actions of Edward Jarzombeck (Rubey)

Issue Agreed Order, PR/JH

**CONTESTED (Enforcement Pilot Project)**

Item 15. Consideration of Water Quality Field Enforcement Pilot Project, to be implemented in three Regional Offices, in January 1994. (Lynch)

No Action Taken

**CONTESTED (District Matters)**

Item 16. APPLICATION BY GREENS PARKWAY MUNICIPAL UTILITY DISTRICT FOR AUTHORIZATION TO PROCEED IN FEDERAL BANKRUPTCY. For Commission consideration and action. Applicant requests authorization to proceed in federal bankruptcy to implement a plan to restructure the bonded debt and repay

the bonds from (a) revenues from standby fees, (b) revenues from the sale of land and (c) future ad valorem tax revenues generated through increased development. (Cavazos)

Continued to June 15, 1994

Item 17. APPLICATION BY RANKIN ROAD WEST MUNICIPAL UTILITY DISTRICT FOR AUTHORIZATION TO PROCEED IN FEDERAL BANKRUPTCY. For Commission consideration and action. Applicant requests authorization to proceed in federal bankruptcy to implement a plan to restructure bonded debt so that conditions will be more favorable for development within the District and the payment of the District's obligations. (Cavazos)

Continued to February 2, 1994

**CONTESTED (Rules)**

Item 18. CONSIDERATION OF THE ADOPTION OF PROPOSED 30 TAC §290.251 RELATING TO WATER SAVING PERFORMANCE STANDARDS AS PUBLISHED IN THE November 9, 1993 issue of the Texas Register. (James Highberg/Montelongo)

Adopt Rules as Recommended, JH/PR

Item 19. CONSIDERATION OF THE ADOPTION OF PROPOSED AMENDMENTS TO 30 TAC §290.28-290.36 RELATING TO CERTIFICATION OF WATERWORKS PERSONNEL AS PUBLISHED IN THE October 15, 1993 issue of the Texas Register. (McEntire/Montelongo)

Adopt Rules as Recommended, JH/PR

Item 20. CONSIDERATION OF THE ADOPTION OF PROPOSED AMENDMENTS TO 30 TAC §290.47 RELATING TO PUBLIC WATER SYSTEMS AS PUBLISHED IN THE October 26, 1993 issue of the Texas Register. (James Pope/Montelongo)

Adopt Rules as Recommended, JH/PR

Item 21. CONSIDERATION OF THE ADOPTION OF PROPOSED AMENDMENTS TO 30 TAC §§295.132-295.134 AND §§295.138-295.139 RELATING TO WATER USE PERMIT FEES AS PUBLISHED IN THE OCTOBER 5, 1993, ISSUE OF THE TEXAS REGISTER. (JORDAN/QUALTROUGH)

Adopt Rules as Recommended, JH/PR

Item 22. CONSIDERATION OF THE ADOPTION OF PROPOSED AMENDMENTS TO 30 TAC §297.83 RELATING TO CONVEYANCES OF LAND AND WATER RIGHTS AS PUBLISHED IN THE OCTOBER 5, 1993, ISSUE OF THE TEXAS REGISTER. (JORDAN/QUALTROUGH)

Adopt Rules as Recommended, JH/PR

- Item 23. CONSIDERATION OF THE ADOPTION OF PROPOSED AMENDMENTS TO 30 TAC §305.48 RELATING TO APPLICATION FOR A PERMIT AS PUBLISHED IN THE SEPTEMBER 28, 1993, ISSUE OF THE TEXAS REGISTER. (JORDAN/KEILS)

Adopt Rules as Recommended, JH/PR

**CONTESTED (AIR QUALITY MATTERS)**

- Item 24. Consideration and discussion on Enforcement Report for the Air Quality Program.

Briefed Commission on Enforcement Report

- Item 25. Consideration of Phase II amendments to the Texas Natural Resource Conservation Commission 30 TAC Chapter 115 regarding Control of Air Pollution from Volatile Organic Compounds and the State Implementation Plan to meet the rate-of-progress reduction of volatile organic compounds required under the 1990 Federal Clean Air Act Amendments. (Karen Kirkpatrick)

Proceed with Publication of amendments and proceed with Public Hearing, PG/PR

- Item 26. Consideration and action on petitions for certification of Area Emission Reduction Credit Organizations (AERCO's) submitted by the Houston-Galveston Area Council and the Southeast Texas Regional Council of Governments:

Proceed With Authorization to Publish and Hold Public Hearings, PR/PG

- Item 27. Consideration of a petition from the pulp and paper industry to delay lowering of the vent gas rule exemption until November 15, 1998. (Karen Kirkpatrick)

Approve Petition, PG/PR

- Item 28. Approval for publication of proposed amendments to 30 TAC Chapter 117, regarding Control of Air Pollution From Nitrogen Compounds, to revise reasonably available control technology regulations for nitrogen oxides, including the use of predictive emissions monitoring systems; the calculation of allowable emission rate using the source cap; oil firing emission limits for electric utility units; clarifications to the existing regulation; and the inclusion of replacement new facilities in the plant averaging and source cap compliance options.

Approve Publication of Proposed Amendments, PG/PR

Item 29. Consideration on a petition for rulemaking pursuant to 30 TAC 103.22, Petition for Adoption of Rules, to amend Chapter 116, §116.211, Standard Exemption No. 88, regarding direct flame incinerators. (Karen Kirkpatrick)

Grant Petition, PR/PG

**CONTESTED (Examiner's Proposal for Decision)**

Item 30. Consideration of Examiner's Proposal for Decision concerning the application of Beechnut Municipal Utility District for approval of standby fees in Harris County, Texas (Docket No. 101992-001). Recommendation: Approval of standby fee. (Bateman)

Adopt Examiner's Proposal For Decision and Issue Order, with Corrections, overrule all Exceptions, PR/PG

Item 31. Consideration of Examiner's Proposal for Decision concerning the application of Encanto Real Utility District for approval to levy debt service and operations and maintenance standby fees in Harris County, Texas. RECOMMENDATION: Approval of Order (BATEMAN)

Adopt Examiner's Proposal for Decision and Issue Order, correction of finding of facts #15, overrule all exceptions, JH/PG

Item 32. Consideration of Examiner's Proposal for Decision and Order concerning the application of Jack Tuls dba Jack Tuls Dairy for Permit No. 03366 to authorize the disposal by irrigation of treated domestic wastewater effluent in Erath County, Texas, and Segment No. 1229 of the Brazos River Basin. Recommendation Issuance of permit. (BATEMAN).

Deny Permit, JH/PG

**EXECUTIVE SESSION**

Item 33. 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 GOV'T CODE, Sections 551.071 and 551.074, the Open Meetings Act. 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

Chapter 551 of the Government Code.

No Action Taken

Item 34. COMMISSIONERS WILL MEET IN EXECUTIVE SESSION TO DISCUSS THEIR DUTIES, ROLES, AND RESPONSIBILITIES AS COMMISSIONERS OF THE TNRCC UNDER GOV'T CODE, SECTION 551.074, the Open Meetings Act.

No Action Taken

(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.)

ADDENDUM TO CONTESTED AGENDA

Wednesday, December 15, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.  
Room 118

Item 35. Consideration of a Request by the City of Bastrop and Aqua Water Supply Corporation for Approval of an Agreement Delineating Future Water Service Areas and Appropriate Compensation (Blackhurst)

Approve Staff Recommendation, JH/PR

Item 36. Consideration of Guidelines for the discretionary use of Supplemental Environmental Projects in Enforcement Settlements. (Lynch)

No Action Taken

Item 37. Consideration of TNRCC Statement of Enforcement Philosophy. (Lynch)

No Action Taken

CONTESTED OLD BUSINESS

Wednesday, December 15, 1993

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of September 29, October 27, and December 1, 1993.

- Item 1. APPLICATION BY INTERNATIONAL PAPER COMPANY for renewal of Permit No. 01339 which authorizes treated process wastewater commingled with stormwater from the Texarkana Mill at a volume not to exceed 10% of the flow rate from Lake Wright Patman. The plant site is approximately 14 miles south of the City of Texarkana and 5 miles east (via FM 3129) of U.S. Highway 59 at a site adjacent to and south of the Sulphur River, bounded on the east of the Kansas City Southern Railway and on the west by the Texas and Pacific Railway in Cass County, Texas.

Approve, PG/PR

Item carried forward from Agenda of December 1, 1993.

- Item 2. CONSIDERATION OF THE ADOPTION OF TO ADOPT PROPOSED NEW 30 TAC §293.180 RELATING TO APPEAL OF A DECISION REGARDING FACILITIES CONSTRUCTED FOR A MUNICIPAL UTILITY DISTRICT AS PUBLISHED IN THE October 8, 1993 issue of the Texas Register. (Jones/Montelongo)

Adopt Proposed Rules as Recommended, PG/PR