

AGENDA

Wednesday, September 14, 1994

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

9:00 a.m.
Room 118

ITEMS 1 - 5 UNCONTESTED, ITEMS 6 - 14 CONTESTED

UNCONTESTED (Class 2 Modification to WDW Permit)

- Item 1. Consideration of an application by CHEMICAL WASTE MANAGEMENT, INC. - CORPUS CHRISTI for a Class 2 Modification to Permit No. WDW-70 in accordance with 30 TAC Section 305.69. The permit authorizes operation of a commercial industrial and hazardous waste facility for the storage and processing of industrial and hazardous wastes generated from on-site and off-site sources. The permit modification will authorize the addition of newly listed EPA waste codes to the facility's waste code list and the addition of a submittal date. The facility is located at 6901 Greenwood Drive, Corpus Christi, Nueces County, Texas.

UNCONTESTED (District Matters)

- Item 2. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 173 FOR APPROVAL OF \$4,350,000 UNLIMITED TAX BOND ISSUE, 6.678% NET EFFECTIVE INTEREST RATE, SERIES 1994, FIRST ISSUE. For Commission consideration. Applicant requests approval of the issuance of \$4,350,000 in unlimited tax bonds to finance the purchase of District facilities. (Ferguson)
- Item 3. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 46 FOR APPROVAL OF \$1,385,000 UNLIMITED TAX BONDS, THIRD ISSUE, 78.19% NET EFFECTIVE INTEREST RATE, SERIES 1994. For Commission consideration. Applicant requests approval of a bond issue to finance a 12-inch water line serving Reserves A & B, and Timber Forest Drive trunk utilities (water, wastewater, and drainage facilities). (Ferguson)
- Item 4. APPLICATION BY TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 COMANCHE TRAIL DEFINED AREA, \$1,020,000 UNLIMITED TAX BONDS, SERIES 1994-B; 6.60% NET EFFECTIVE INTEREST RATE. For Commission consideration.

Applicant requests approval to issue bonds to finance construction costs associated with the expansion of the District's existing water supply system. (Ferguson)

- Item 5. APPLICATION BY GALVESTON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 8 FOR APPROVAL OF \$1,220,000 UNLIMITED TAX BONDS, EIGHTH ISSUE, 6.77% NET EFFECTIVE INTEREST RATE, SERIES 1994. For Commission consideration. Applicant requests approval to issue bonds to finance improvements of water distribution and wastewater collection systems and expansion of District's wastewater treatment plant. (Ferguson)

CONTESTED (Water Quality Enforcement)

- Item 6. **(Docket No. 94-0336-MSW-E)**. Consideration of a Texas Natural Resource Conservation Commission Amended Agreed Order Requiring Certain Actions of the City of DeKalb, TNRCC Permit No. 10062-002. (Roxanne Cook)

CONTESTED (Water Utility, Interim Rates)

- Item 7. Consideration of request by the Executive Director for Interim Rates in Lake Water Companies (Lake Palestine, CCN NO. 11523; Carrizo, CCN NO. 10974; Blue Water CCN NO. 10822; and Southern Oaks, CCN NO. 12344) in Henderson County; DOCKET NO. 30524-R (STEPHERSON/FORD)

CONTESTED (State Implementation Plans)

- Item 8. Consideration of revisions to Texas Air Control Board Order No. 75-16 authorizing the Rio Grande Valley Sugar Growers, Inc. to conduct outdoor burning of sugarcane for harvesting purposes under certain conditions. (WILLIAMS)

- Item 9. Consideration of the adoption of the Attainment Demonstration revision to the State Implementation Plan for the Dallas/Fort Worth ozone nonattainment area. (Cyril Durrenberger)

- Item 10. Consideration of the adoption of the State Implementation Plan revision concerning the ozone attainment demonstration for El Paso as conducted under Section 818 of the Federal Clean Air Act Amendments. (Cyril Durrenberger)

CONTESTED (Petroleum Storage Tank Enforcement)

- Item 11. **(Docket No. 94-0270-PST-E)**. Consideration of Proposal for Decision and Order concerning the petition of the Executive Director of the Texas Natural Resource Conservation Commission for an Order assessing penalties against Bell Thunderbird Oil Company, doing business in Andrews, Bailey, Cameron, Dawson, Deaf Smith, Donley, El Paso, Gaines, Tom Green, Hale, Lubbock, Parmer, Potter and Randall Counties, Texas, and requiring certain actions. Penalty requested \$65,400.73. Recommendation: Issuance of Order assessing penalties and requiring certain action. (ROBARDS)

CONTESTED (Examiner's Proposal for Decision)

- Item 12. Consideration of Examiner's Proposal for Decision concerning the complaint of Charles L. Johnson against East Crawford Water Supply Corporation appealing a connection fee in McLennan County, Texas, Docket 30348-X. Recommendation: Approval of attached Order setting a reduced connection fee (Zukauckas)

EXECUTIVE SESSION

- Item 13. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES, as permitted by 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.
- Item 14. 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.

(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.)

REGISTRATION FOR AGENDA STARTS AT 8:30 A.M. UNTIL 9:15 A.M. PLEASE REGISTER BETWEEN THESE TIMES AS LATE REGISTRATION COULD RESULT IN YOUR MISSING THE ITEM YOU WISH TO BE PRESENT FOR.