RESOLUTION #07-004

RESOLUTION AUTHORIZING LONE STAR GROUNDWATER CONSERVATION DISTRICT PARTICIPATION AS A PARTY IN STATE OFFICE OF ADMINISTRATIVE HEARING (SOAH) CONTESTED CASE HEARING FOR TEXCOM GULF DISPOSAL, LLC'S INJECTION WELL AND STORAGE FACILITY PERMIT APPLICATIONS.

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §
§
LONE STAR GROUNDWATER CONSERVATION DISTRICT §

ON THIS 14th day of AUGUST, 2007, at a regular called board meeting of the Lone Star Groundwater Conservation District, upon motion of Director Weisinger, seconded by Director Tramm, duly put and carried;

WHEREAS, TexCom Gulf Disposal, LLC proposes to operate a commercial industrial nonhazardous waste management facility on approximately 27 acres located at 16185 Creighton Road, Conroe, Montgomery County, Texas. TexCom Gulf Disposal, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for permits for the (1) storage and processing of nonhazardous industrial solid waste received from off-site sources (TCEQ Proposed Permit No. 87758), and (2) for the construction of four underground injection wells (TCEQ Proposed Permit Nos. WDW410, WDW411, WDW412, and WDW413); and

WHEREAS, on July 9, 2006, the Preliminary Decision of the TCEQ's Executive Director was published regarding TexCom Gulf Disposal LLC's proposed permit for the construction of four underground injection wells. On July 21, 2006, the Preliminary Decision of the Executive Director was published on the proposed permit for the storage and processing facilities; and

WHEREAS, on April 13, 2007, TexCom Gulf Disposal, LLC filed a request for direct referral to the State Office of Administrative Hearings (SOAH) for a contested case hearing. Therefore, TCEQ referred TexCom Gulf Disposal, LLC's permit applications directly to SOAH for a hearing on whether the applications comply with all applicable statutory and regulatory requirements. The SOAH contested case hearing has been assigned SOAH Docket Nos. 582-07-2673 and 582-07-2674; and

WHEREAS, it has been determined that it is in the best interest of Lone Star Groundwater Conservation District to participate as a party in the contested case hearing concerning whether TexCom Gulf Disposal, LLC's applications comply with all statutory and regulatory requirements to protect and preserve the groundwater resources of Montgomery County; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

1. That authorization is hereby granted to for Lone Star GCD to participate as a party in SOAH Docket Nos. 582-07-2673 and 582-07-2674.

2. The General Manager is further authorized to take any and all reasonable action necessary for the implementation of this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 14th day of August, 2007.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Orval R. Love, President

ATTEST:

_____
Sam W. Baker, Secretary