

RESOLUTION: 2019 - 1



A RESOLUTION IN SUPPORT OF SENATE BILL 950 INTENDED TO FURTHER DEFINE THE DEFINITION OF A COMMERCIAL HAZARDOUS WASTE FACILITY

WHEREAS, the mission of the Colorado County Groundwater Conservation District is to evaluate, preserve, and protect the groundwater of Colorado County; and,

WHEREAS, there have been repeated attempts to place a commercial hazardous waste disposal site in Colorado County in areas previously deemed unacceptable by State regulatory agencies; and,

WHEREAS, by definition, the term “hazardous waste” means an industrial by-product that is destructive to the environment or dangerous to the health of people or animals; and,

WHEREAS, in Colorado County a recent applicant has attempted to circumvent laws to protect the citizens of our County by applying for a ‘non-commercial’ hazardous waste disposal site which requires fewer regulatory hurdles; and,

WHEREAS, the designation of a ‘non-commercial’ site currently allows an applicant to avoid addressing such essential items as local emergency response capabilities or evaluating the impact of adding dozens of big-rig trucks in existing high-traffic areas; and,

WHEREAS, the chosen site for the hazardous waste facility in Colorado County has been completely inundated with flood waters at least once for each year from 2015 through 2017 and was completely inaccessible for extended periods of time; and,

WHEREAS, the Staff and Executive Director of the Texas Commission on Environmental Quality seemingly did not question the applicant’s designation of this permit as ‘non-commercial’ and have issued a draft permit for the proposed site for a ‘non-commercial’ hazardous waste disposal facility on a site previously rejected and which is the subject of a pending contested case hearing at the State Office of Administrative Hearings; and,

WHEREAS, the ‘non-commercial’ designation was intended to apply to contiguous areas adjacent to the generation complex and not intended to apply to virgin areas located over a hundred miles from the site of generation of the hazardous waste;

THEREFORE, BE IT RESOLVED that we, the Board of Directors of the Colorado County Groundwater Conservation District hereby resoundingly support Senate Bill 950, introduced by Senator Lois Kolkhorst, that would effectively close the ‘loophole’ in state law which has been used by at least one waste management company to try and avoid important permitting requirements and prevent citizens from being denied the full protections of a normal permitting process.

CONSIDERED, PASSED, APPROVED, ADOPTED, RESOLVED, SIGNED AND DONE IN OPEN MEETING on this 21st day of March 2019.

Travis Wegenhoff, President

Mary Stavinoha, Vice-President