

A Resolution

NO. _____

A RESOLUTION OPPOSING THE APPLICATION FOR AN AIR QUALITY STANDARD PERMIT TO EAST FIRST RECYCLING LLC, (REGISTRATION NO. 146263) FOR A PERMANENT CONCRETE CRUSHER AT 5317 EAST 1ST STREET, FORT WORTH, TEXAS

WHEREAS, East First Recycling LLC has applied to the Texas Commission on Environmental Quality (“TCEQ”) for an air permit to construct a permanent concrete crusher at 5317 East 1st Street, Fort Worth, Texas (Registration No. 146263); and

WHEREAS, the City of Fort Worth is opposed to the issuance of such permit because of its adverse impact to its citizens and environment, as well as its incompatibility with the City’s zoning regulations; and

WHEREAS, the proposed location of the permanent concrete crusher, 5317 East 1st Street, Fort Worth, Texas is adjacent to the Trinity River, and next to Arc Park and Gateway Park; and

WHEREAS, in 2016 the City Council denied a request to change the current zoning from commercial and multifamily uses to O-1 Floodplain and a Planned D/Specific Use for a concrete recycling plant because it was not consistent with the current zoning and not compatible with the City’s Comprehensive Plan; and

WHEREAS, the current zoning is consistent and compatible with the increasing interest as expressed in the Trinity River Vision project that includes the construction of three bridges and a major river bypass channel and the development of stormwater mitigation and construction of ball fields within Gateway Park, upstream from the proposed site; and

WHEREAS, the proposed concrete crusher facility will emit particulate of carbon monoxide, nitrogen oxides, sulfur dioxide and organic compounds; and

WHEREAS, air pollution is a significant environmental issue that can threaten the health of human beings and negatively impact the ecological system; and

WHEREAS, Section 382.112 of the Texas Health and Safety Code allows the City to make recommendations to the TCEQ concerning a rule or determination if it would affect the City; and pursuant to state law TCEQ shall give maximum consideration to the City’s recommendation; and

WHEREAS, although concrete crushing facilities may provide the benefits of concrete recycling, the process must be undertaken in a location that minimizes the impact to citizens, neighborhoods, and the environment; and



WHEREAS, the granting of an air permit to East First Recycling LLC for the construction of a permanent concrete crusher at 5317 East 1st Street, Fort Worth, Texas, would adversely affect the City of Fort Worth, its citizens and the environment; and

WHEREAS, the City Manager issued a letter of protest and requested the denial of the requested air permit to the TCEQ on June 15, 2017.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

1.

That the City of Fort Worth opposes the issuance of an air permit to East First Recycling LLC (Registration No. 146263) by the TCEQ to allow for the construction of a permanent concrete crusher facility at 5317 East 1st Street, Fort Worth, Texas.

2.

That the City Council recommends to the TCEQ that the permit be denied and that the City's recommendation be given maximum consideration in TCEQ's deliberations in considering such permit, pursuant to Section 382.112 of the Texas Health and Safety Code.

3.

That the City Council requests that the TCEQ conduct a public meeting and/or contested case hearing before the granting of this permit.

4.

That the City Manager is authorized to take all necessary action to oppose the granting of an air permit to East First Recycling LLC for the construction of a permanent concrete crusher at 5317 East 1st Street, Fort Worth, Texas.

Adopted this _____ day of _____ 2017.

ATTEST:

By: _____

Mary Kayser, City Secretary

