

RESOLUTION

WHEREAS, the City of Creedmoor (City) has a legitimate concern that the state enforce state and federal laws implemented to protect the lawful actions of emergency service personnel and area solid waste disposal facilities utilized by the City;

WHEREAS, the City has a significant interest in encouraging emergency service personnel and area solid waste disposal facilities utilized by the City to protect the environment and properly manage all regulated quantities of hazardous waste;

WHEREAS, the City has a significant interest in the proper clean-up of hazardous waste generated from highway accidents, especially accidents occurring on IH 35;

WHEREAS, the City has a legitimate concern that regulated quantities of hazardous wastes are properly manifested to and disposed at a permitted hazardous waste facility;

WHEREAS, on October 9, 1997, a highway accident on IH-35 at the 221 exit resulted in the generation of a large quantity of hazardous electronic waste;

WHEREAS, some of the hazardous electronic waste (TV tubes) was first misrepresented as nonhazardous by the Generator and sent to the Texas Disposal Systems Landfill, Inc. (TDSL) municipal solid waste landfill located southeast of Austin, Texas;

WHEREAS, several hours later, the Generator of the hazardous electronic waste notified emergency service personnel, TDSL and regulatory authorities that the waste was hazardous due to its high lead content;

WHEREAS, TDSL rejected the hazardous electronic waste it received due to the false representations and demanded its removal from the landfill;

WHEREAS, TDSL subsequently isolated the hazardous electronic waste for proper management and disposal and it is presently stored in 99 shipping containers on the TDSL site awaiting the Generator's removal to a proper hazardous waste treatment and disposal facility;

WHEREAS, the hazardous electronic waste has been abandoned by the Generator at the TDSL landfill for over nine years;

WHEREAS, the Texas Commission on Environmental Quality (TCEQ), under a delegation of authority from the U. S. Environmental Protection Agency (EPA), has issued a notice of violation to the Generator for improper management of the hazardous electronic waste, but the TCEQ has not forced the Generator to manifest and dispose of the hazardous electronic waste at a proper hazardous waste treatment and disposal facility; and

WHEREAS, on June 21, 2007, TDSL filed with the TCEQ Commissioners a Petition to require the TCEQ Executive Director to order the Generator to properly dispose of the hazardous waste at a permitted hazardous waste facility;

NOW, THEREFORE, be it resolved that the City hereby supports the removal of the hazardous electronic waste from the TDSL landfill site by granting the TDSL Petition and recommends the TCEQ take the appropriate action to require the Generator of the hazardous electronic waste to remove it immediately and properly dispose of it as hazardous waste.

This Resolution was approved by a majority of the members of the City Council on July 19, 2007.

*Robert R. White*  
Mayor Creedmoor 7/19/07  
*Richard L. Crandall Jr.*  
City Administrator  
7-9-07

OFFICE OF ENVIRONMENTAL HEALTH SERVICES  
CITY OF CREEDMOOR  
CLEANERS OFFICE  
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