



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org
With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

TCEQ AIR QUALITY PERMIT NUMBER 76338L002

Docket # 2019-0946-AIR

Chief Clerk, MC-105
Texas Commission on Environmental Quality
P.O. Box 13087 Austin, Texas 78711-3087

Re: Request for Reconsideration Regarding in response to Executive Director's Response in regard to application for Air Quality Permit No. 76338L002 authorizing continued operation of Austin Asphalt Inc.

Dear Chief Clerk,

Legal Aid of Northwest Texas files this Request for Reconsideration of the Texas Commission on Environmental Quality ("TCEQ") draft Austin Asphalt Inc., permit No. 76338L002, on behalf of its client, Joppa Freedman's Town Association ("JFTA").

I. BACKGROUND

On November 20, 2018 Austin Asphalt, Inc., submitted an application to renew its permit. On November 30, 2018 the application was administratively complete. Legal Aid of NorthWest Texas on behalf of its client timely submitted a public comment letter, and TCEQ issued a response and preliminary decision to not change the draft for permit No. 76338L002. We are timely filing the following Request for Reconsideration. Please direct communications concerning this request for reconsideration to the undersigned attorneys.

Ms. Temeckia Derrough, president of JFTA, still opposes the permit for the asphalt plant and the air pollution associated with the plant's use. Ms. Derrough resides at 7931 Kiska St. approximately one-half mile from the asphalt plant. Residents at the community entrance live a quarter-mile from the asphalt plant. The Joppa neighborhood is a low-income, majority minority neighborhood that is already overburdened with harmful industries. The continued operation of an asphalt plant and granting of this permit will negatively impact the residents' health and well being.

II. REQUEST FOR RECONSIDERATION

We respectfully request reconsideration to address the following:

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Comment 1: Air Quality/Health Effects

The TCEQ standard for harmful levels of particulate matter pollution contradict the standards determined through research by the scientific community. In a recent study conducted by Harvard University, focusing on the impact of particulate matter pollution on low-income and minority populations, it was concluded that “there was significant evidence of adverse effects related to exposure to PM2.5 and ozone at concentrations below current national standards. This effect was most pronounced among self-identified racial minorities and people with low income.”¹ The effectiveness of the national standards of assessing air quality were directly challenged in the study, citing that the “findings suggest that lowering the annual NAAQS may produce important public health benefits overall, especially among self-identified racial minorities and people with low income.”²

TCEQ based their analysis in this permit on standards that are not up-to-date, and the TCEQ findings were conducted in previous permitting action. This permit finding is insufficient as the information is not an accurate assessment of the air quality and health effects on the current Joppa residents who live there today.

Jim Schermbeck also filed a request for reconsideration regarding this permit for Downwinders at Risk. This document refers to highly specific, technical information regarding how the current analysis of TCEQ is insufficient in this permitting process for Austin Asphalt’s impact on Joppa’s air quality and health. JFTA supports the Downwinders at Risk analysis in air quality/health section and supports their recommendations for reconsideration.

Comment 2: Cumulative Effects

The Executive Director’s Response to Public Comment fails to sufficiently address the cumulative impact on how further industrial use will impact residents in Joppa. The cumulative testing done previously is not up-to-date for the current Joppa community and TCEQ should update the studies in relation to this permit. This permit will contribute to the cumulative health risks for the community and is an appropriate and necessary situation for cumulative exposure analysis.

Executive Order 1289, titled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, states that: “Environmental human health analyses, whenever practicable and appropriate, shall identify multiple and cumulative exposures.”³ As an

¹ Qian Di, et al., *Air Pollution and Mortality in the Medicare Population*, *New Eng. J. Med.* 376: 2513-2522 (2017).

² *Id.*

³ Exec. Order No. 12898, 59 FR 7629 (1994).

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

application of this executive order, the City of Newark, New Jersey, passed an ordinance on July 7, 2016 specifically addressing the cumulative impact that continued permitting of industrial uses in industrially burdened communities has on the health and wellbeing of that community.⁴ The ordinance specifically cites that pollution tends to “disproportionately burden the health of low-income communities of color...which outcome is known as environmental injustice, and which has been addressed in federal and state policy through Presidential Executive Order 12898.”⁵ Similarly, the ordinance highlights that:

“State law and regulation on environmental pollution currently focuses primarily on individual rather than cumulative impacts from proposed projects when assessing eligibility for permits related to the environment, limiting the ability of State agencies to provide protection from the cumulative impacts of pollution on human health.”⁶

Accordingly, TCEQ should update cumulative studies in this permitting case. The Joppa area is a landlocked community, with only two roads leading in and out from Highway I-45, crossing over the bordering railroad. Joppa is bordered to the west by the railroad, Highway 310 and I-45, to the north by Union Pacific, an asphalt batching plant, a roofing company, and two proposed concrete batching plants, to the east by the Trinity River, and to the south by Joppa Preserve and McCommas Landfill Bluff. The impact of a single industry is assessed when considering the impact on a community. However, in neighborhoods like Joppa, which are surrounded and inundated with industrial activity, the addition of a single industry is compounded by the preexisting pollution generated from industrial activity. In census tract 202 alone, there are at least 33 active industrial uses.⁷ These industrial uses are both large (TAMKO roofing and Martin Marietta concrete batching) and small (car parts and repair shops). Many of these industrial uses also have a list of complaints and violations which we listed in Appendix C.⁸ The fence line of Austin Asphalt, Inc. is within 250 feet of the nearest residence, creating a direct danger for many Joppa residents.⁹ Mapping also reveals how condensed industrial uses are in the Joppa community and how they negatively impact minorities at a much higher level.¹⁰ Renewing Austin Asphalt’s

⁴ Newark, N.J., Ordinance 16-0803 (2016).

⁵ *Id.*

⁶ *Id.*

⁷ See Appendix A.

⁸ See Appendix C.

⁹ See Appendix D.

¹⁰ See Appendix B.

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

permit, allows industries to cumulatively and negatively impact residents of Joppa. Therefore, TCEQ should reconsider the permit and complete an updated cumulative impact analysis.

Comment 3: Monitor for Air Quality Analysis

In the response to the public comment, TCEQ states that placement of air monitors are based on cost and logistics, and that mainly these monitors are placed in “areas with potential regional air quality issues, such as those related to increased oil and gas activity in the Barnett shale and Eagle Ford Shale areas.”¹¹ Additionally, TCEQ states that normally the agency does not place air monitors to measure the impact on industrial zones. Thus, TCEQ will not monitor this area more specifically to determine whether or not to grant the permit.

JFTA requests TCEQ reconsider this option. This statement and practice violates Executive Order 12898. Placing monitors in this area should be a priority and this measurement should be done immediately, before TCEQ issues the renewal of permit NO. 76338L002. This step will protect Joppa resident’s rights to health and safety.

Comment 6: Emissions Rates and Calculations

Jim Schermbeck also filed a request for reconsideration regarding this permit for Downwinders at Risk. This document refers to highly specific, technical information regarding how the current analysis of TCEQ is insufficient in this permitting process for Austin Asphalt’s emissions rates and calculations. We request TCEQ reevaluate the ESL and NAAQs for PM 2.5 as the science utilized by TCEQ for this permit is outdated. Also, analysis from SCREEN3 is a “product of a previous generation of air dispersion modeling” and “is no longer a recommended model... it does not allow for multiple sources, and it does not include atmospheric chemistry or deposition.”¹²

JFTA is concerned that the scientific findings in this permit request are outdated and ineffective to protect the health and safety of the community. JFTA requests TCEQ reconsider the emissions rates and calculations. JFTA supports the Downwinders at Risk analysis in the emissions rates and calculations section and requests similar recommendations for reconsideration.

Comment 7: Environmental Justice

¹¹ TCEQ, Decision of the Executive Director and Response to Public Comment, Air Quality Permit No. 76338L002 (Aug. 6, 2019).

¹² Alex De Visscher, *Air Dispersion Modeling: Foundations and Applications*, Ch. 13 (2013).

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

The Executive Director’s Response to Comment states, “Air permits evaluated by the TCEQ are reviewed without reference to the socioeconomic or racial status of the surrounding community.”¹³ However, the response references TCEQ’s strong policy commitment to address environmental equity. The TCEQ decision does not demonstrate an environmental equity policy commitment or properly address environmental justice in accordance with Executive Order 12898, which states states:

“1-301. Human Health and Environmental Research and Analysis. (a) Environmental human health research, whenever practicable and appropriate, shall include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as minority populations, low-income populations and workers who may be exposed to substantial environmental hazards.”¹⁴

Joppa is a low-income, majority minority community and former Freedmen's Town, founded by freed slaves. Founded in 1872, it is also one of Dallas’s oldest neighborhoods. The neighborhood is still a majoritively-minority community and faces high levels of poverty. These demographics are noted below:

Racial Demographics of Census Tract 202 (encompasses Joppa)¹⁵

	White Not Hispanic	Black	Hispanic
2010	2.3%	97.1%	0
2016	1.2%	80.1%	16.5%
2017	1.1%	77.9%	19.4%

Poverty Demographics of Census Tract 202 (encompasses Joppa)¹⁶

Year	Percent Below Poverty
2010	32.5%
2016	29.1%
2017	34.2%

¹³ *Supra*, note 11 at 4.

¹⁴ Exec. Order No. 12898, 59 FR 7629 (1994).

¹⁵ US Census Bureau, <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (last visited Aug. 6, 2019).

¹⁶ *Id.*

Bringing justice to North and West Texans since 1951



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org
With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

This predominantly minority, low-income community faces dangerous levels of exposure from living near industrial use.¹⁷ In this situation, it should be both practical and appropriate for TCEQ to dedicate an environmental justice study on this permit analyzing how minority and low-income communities in the Joppa area are exposed to substantially higher risks from environmental hazards. TCEQ cannot continue to issue permits in minority, low-income communities which historically and currently face high levels of condensed industrial use. TCEQ must follow their policy of environmental equity analysis in Air Quality Permit No. 76338L002 and analyze the environmental impact on the Joppa community before granting this permit.

III. CONCLUSION

For the foregoing reasons, Joppa Freedman's Town Association respectfully requests that TCEQ reconsider the Air Quality Permit No. 76338L002 authorizing continued operation of Austin Asphalt Inc. and reconsider the contested case hearing.

Sincerely,

/s/ Mark Oualline

Staff Attorney
Legal Aid of NorthWest Texas
Community Revitalization Project
1001 Main Street, Suite 502
Lubbock, TX 79401
806-763-4557

/s/ Michael Bates

Staff Attorney
Legal Aid of NorthWest Texas
Community Revitalization Project
1001 Main Street, Suite 502
Lubbock, TX 79401
806-763-4557

¹⁷ *Supra* Comment 2 at 2.

Bringing justice to North and West Texans since 1951



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

/s/ Nina Shoemaker

Staff Attorney
Legal Aid of NorthWest Texas
Community Revitalization Project
203 SW 8th Ave. Suite#600
Amarillo, TX 79101
806-373-6808

cc Eric Johnson – Austin Asphalt, Inc.
David Knollhoff – Debbi Mathews – Westward Environmental, Inc.
Ryan Vise – Director Texas Commission on Environmental Quality
Amy Browning – Staff Attorney Texas Commission on Environmental Quality.
James Nolan – Technical Staff Texas Commission on Environmental Quality.
Vic McWherter, Public Interest Counsel Texas Commission on Environmental Quality.
Kyle Lucas – Texas Commission on Environmental Quality.
Bridget C. Bohac – Texas Commission on Environmental Quality.
Jim Edward Schermbeck – Downwinders at risk Education Fund
Zaida Gallegos – Interested Person

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Appendix A¹⁸

Table 1: This table demonstrates the estimate number of industrial uses currently operating in Census Tract 202 (covers parts of zip code 75216 and 75214).

Industry Name	Address	Zip Code	Type	Distance from Residentially Zoned Area	Distance from Residential Structures
Martin Marietta Miller Yard	4423 Linfield Road	75216	Aggregate supplier	300-400 feet	300-400 feet
TAMKO Building Products Inc	7910 S Central Expy	75216	Roof Shingle Manufacturer	500-600 feet	300-400 feet
Union Pacific Railroad/Miller Yard	8130 S Central Expy	75241	Railyard	300-400 feet	100-200 feet
Oak Cliff Metals Dallas Yard	8242 S Central Expy	75241	Metal Salvage	700-800 feet	500-600 feet

¹⁸ <https://developdallas.dallascityhall.com/> (last visited Aug. 6, 2019).

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Parts Department Automotive	4510 S Great Trinity Forest Way	75216	Auto Body Shop	1,300-1,400 feet	1,400-1,500 feet
Quality Auto Recyclers LLC	10466 S Central Expy	75241	Auto parts store used	2,100-2,200 feet	2,000-2,100 feet
Southwest International Freight Services, Inc	8189 S Central Expy	75241	Trucking Company	1,500-1,600 feet	1,500-1,600 feet
Garland Auto Recyclers & Auto Parts	4211 S Great Trinity Forest Way	75241	Auto Parts Store	1,400-1,500 feet	1,700-1,800 feet
Versum Materials	8201 S Central Expy	75241	Chemical plant	1,700-1,800 feet	1,700-1,800 feet
Nick's BG Truck Sales	7035 S Central Expy	75216	Car dealership	925 feet	1,150 feet
Lenamond Auto Supply	7038 S Central Expy	75216	Auto Parts Store	1,300 feet	1,700 feet

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

McCommas Bluff Landfill	5100 Youngblood Rd	75241	landfill	2,100 feet	>4,000 feet
Customer Convenience Recycling Center	5555 Youngblood Rd	75241	Recycling Center	750 feet	> 4,000 feet
McKenzie Diesel & Automotive	4550 S Great Trinity Forest Way	75216	Truck Repair shop	1,500-2,000 feet	1,500-2,000 feet
Kirby Smith Machinery Inc	8505 S Central Expy	75241	Construction Equipment Supplier	2,500-3,000 feet	2,500-3,000 feet
Bill Jones Auto Parts & Perez Used Cars Inc	8601 S Central Expy	75241	Junkyard	2,500-3,000 feet	3,000-3,500 feet
WW Roland Trucking	8770 S Central Expy	75241	Trucking Company	3,000-3,500 feet	4,000-4,500 feet
North Texas Auto Parts	8723 S Central Expy	75241	Used auto parts store	1,500-2,000 feet	2,500-3,000 feet

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

W Winners Container Services	4220 River Oaks Drive	75241	Container Service	900-950 feet	2,500-3,000 feet
Pick n Pull Cash For Junk Cars	8835 S Central Expy	75241	Auto glass shop	2,500-3,000 feet	900-1,000 feet
DFW Truck Parking	8800 S Central Expy	75241	Truck Repair shop	3,500-4,000 feet	1,000-1,500 feet
Universal Intermodal Services	9220 S Central Expy	75241	Transportation service	300-400 feet (AA)	100-200 feet
Yafa Auto Sales	9305 S Central Expy	75241	Car Dealer	10-20 feet (AA)	300-400 feet
United Propane	9323 S Central Expy	75241	Gas Company	(located inside one?)	300-400 feet
Best Electric Motor Services	9404 S Central Expy	75241	Electric Motor repair shop	10-50 feet (AA)	200-300 feet

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Lu-Ros Tool Machine Shop	9449 S Central Expy	75241	Machine shop	10-50 feet	200-300 feet
Atlas Scrap Management	9506 S Central Expy	75241	Junkyard	200-250 feet (AA)	200-300 feet
Blue Star Recycling (Flores Trailer Repair)	9505 S Central Expy	75241	Roof shingle recycling	10-50 feet (AA)	10-50 feet (AA)
US Delivery LLC	9550 S Central Expy	75241	Transportation service	100-200 feet (AA)	550-600 feet (AA)
Casa Flores Inc	5543 McCommas Bluff Road	75241	Plants	800-900 feet (AA)	1,500-2,000 feet (AA)
Reyes Auto Parks #1	9701 S Central Expy	75241	Used auto parts store	(located inside one?)	1,200-1,500 feet (AA)
Bi-Lo Auto Salvage	9801 S Central Expy	75241	Salvage Yard	(located inside one?)	1,500-2,000 feet (AA)
Twin Lakes Auto Salvage	9915 S Central Expy	75241	Used auto parts store	(located inside one?)	2,500-3,000 feet (AA)

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org
 With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Appendix B

This map shows the correlation between majority minority neighborhoods and the presence of industrial zoning. The base map (legend below) is the current zoning in the City of Dallas. The red indicates industrial areas and green residential areas. The dots demonstrate the racial composition of the area. Green dots indicate predominantly minority population and red indicates predominantly white non-hispanic areas.

Race Demographic Ratio (Block Group Points)

Predominant category

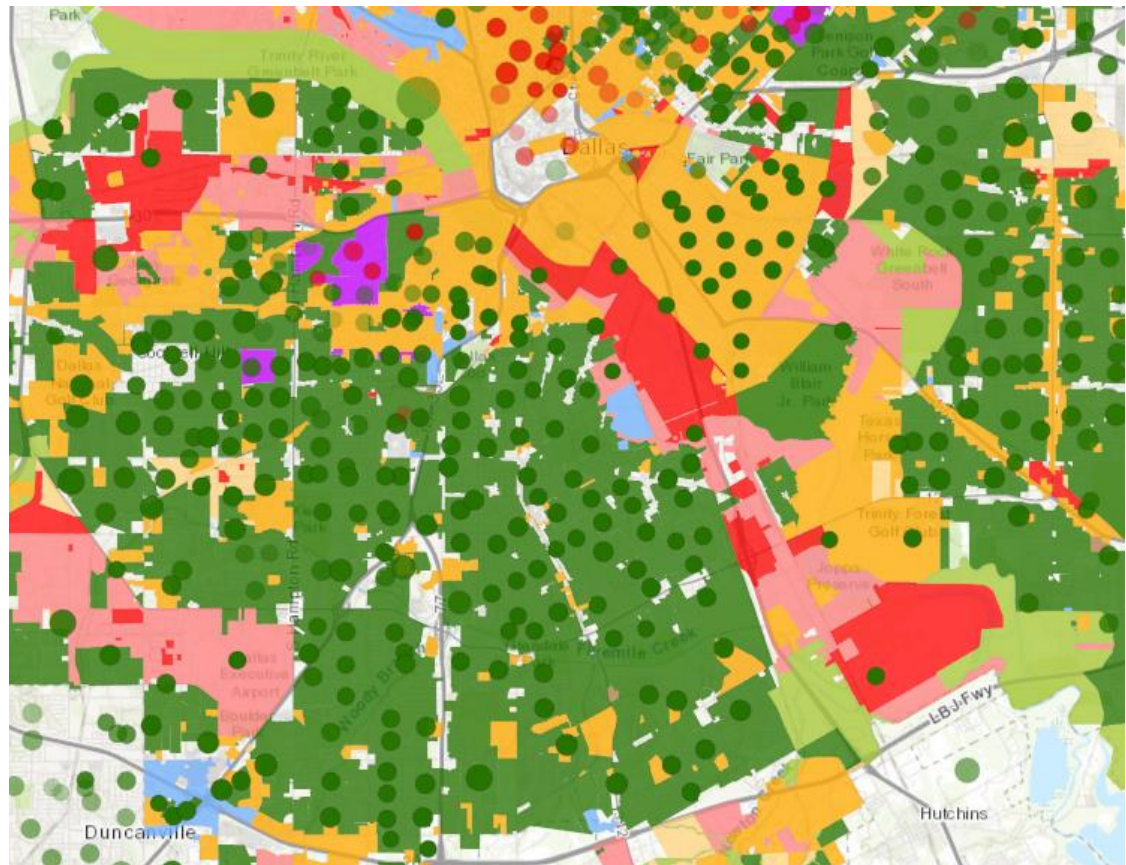
- 2010 White Non-Hispanic Population (U.S. Census)
- 2010 Minority Population (U.S. Census)

Sum of categories

- > 10,039
- 8,000
- 5,000
- 3,000
- < 0

Strength of predominance

- > 99
- < 46



Legend of Zoning Basemap




































Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

 IM	 R-1/2ac(A)	
 IR	 R-1ac(A)	
 LI	 R-5(A)	
 PD	 R-7.5(A)	
 MU-1	 R-10(A)	 MF-2
 MU-1(SAH)	 R-13(A)	 MF-4(A)
 MU-2	 R-16(A)	 TH-1(A)
 MU-2(SAH)	 WR-5	 TH-2(A)
 MU-3	 MF-1(A)	 TH-3(A)
 MU-3(SAH)	 MF-1(A)(SAH)	 D(A)
 WMU-5	 MF-2(A)	 CH
 WMU-8	 MF-2(A)(SAH)	 MH(A)
 A(A)	 MF-3(A)	 CD

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org
 With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Appendix C¹⁹

Table 2: This table demonstrates the TCEQ violation and complaint history, as well as other permits they have been awarded in Census Tract 202.

Industry Name	TCEQ Violations/Investigation	TCEQ Permits
TAMKO Building Products Inc, 7910 S Central Expy	<p>Two compliance investigations were completed in 2017 and 2018.</p> <p>2002-2019: 43 emissions events occurred, all closed today</p> <p>2013-2019 six compliance investigations for air permits emergency response event in 2004</p> <p>Violations: 6 moderate and 2 minor; all resolved</p>	<p>Air New Source Permit Air Emissions Inventory Industrial and Hazardous Waste Stormwater pollution prevention planning</p>
Union Pacific Railroad/Miller Yard,	<p>Affected Property Assessment Report was created by the TCEQ regarding the miller yard having elevated lead concentrations on sight and potential methods for achieving site closure in January 2018.</p> <p>Emergency Response Events in 2006, 2008, and 2013</p>	<p>Air new source permit Petroleum storage tank</p>

¹⁹ <https://www2.tceq.texas.gov/oce/waci/index.cfm> (last visited Aug. 6, 2019).

Bringing justice to North and West Texans since 1951



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

<p>Versum Materials, 8201 S Central Expy</p>	<p>2017-2019- Four compliance investigations, two air, two hazardous waste</p> <p>Complaints: one in 2009 for odor nuisance, no violations</p> <p>Violations: One minor in 2018, resolved "Failure to update the Notice of Registration with current waste generation and management." 30 TAC Chapter 335, SubChapter A 335.6(c)</p>	<p>Air new source permits Industrial and hazardous waste Pollution prevention planning Stormwater</p>
<p>McCommas Bluff Landfill, 5100 Youngblood Rd</p>	<p>Emissions Complaints: three complaints regarding "oil refinery" like odors. One in 2005, and two 2019. One current open investigation as of 05/06/19 investigating these odors.</p> <p>Emergency responses: 21 between 2002-2018 3 Enforcement Orders: 1997- \$106,040 penalty because filling in the wrong areas and without proper barriers. 2006- \$2,425 missing permits 2005- \$1540 failed to submit compliance documents.</p> <p>6 Waste Complaints: (2003, 2005, 2007, 2011, and 2017) Uncovered waste, detonated explosives on property, dead</p>	<p>Air emissions inventory Air new source Municipal solid waste disposal Petroleum storage tank Stormwater Tires</p>

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

	<p>horses exposed, two contaminated water complaints (related to leachate) [most of these resulted in violations] Solid Waste Compliance</p> <p>Investigations: 11 between 2015-2019</p> <p>Violations: (4) moderate and (2) minor; most had to do with not covering waste and also the leachate level exceeded the amount allowed.</p> <p>One petroleum tank complaint in 2011 One Industrial Hazardous Waste violation in 2011</p> <p>These are only regarding current permits. There are far more violations, emergency responses, and complaints but they are not filed under current permits.</p>	
<p>WW Roland Trucking, 8770 S Central Expy</p>		<p>Inactive Industrial and Hazardous Waste (EPA ID) Inactive Petroleum Storage Tank Registration Inactive Leaking Petroleum Storage Tank Remediation</p>
<p>DFW Truck Parking, 8800 S Central Expy</p>	<p>Occidental Chemical Dallas is was placed in corrective action clean up in 2002; as of</p>	<p>IHW Corrective Action</p>

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
 1001 Main Street, Ste. 502, Lubbock, Texas 79401
 806-763-4557 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

	2018 it is in post-clean up status	
Blue Star Recycling (Flores Trailer Repair), 9505 S Central Expy	Compliance investigations in 2017, 2018; Addresses at 9440 S. Central Expy and 9515 S. Central Expy	Municipal Solid Waste Non Permitted
Twin Lakes Auto Salvage, 9915 S Central Expy	2012 Complaint alleging oil and other substances being poured into dug holes in the ground and then covered up;	Stormwater Permit Cancelled Tire Registration Inactive Petroleum Storage Tank Registration

Bringing justice to North and West Texans since 1951



Legal Aid of North West Texas

COMMUNITY REVITALIZATION PROJECT
1001 Main Street, Ste. 502, Lubbock, Texas 79401
806-763-4557 email: crp@lanwt.org
With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

Appendix D²⁰

This image demonstrates the distance of the fenceline of the property of Austin Asphalt to the closest residential structure, a mere 240 feet away.



²⁰ <https://gis.dallascityhall.com/zoningweb/> (last visited Aug. 6, 2019)

Bringing justice to North and West Texans since 1951