



8 November 2021

Motion to Overturn

TCEQ Scrap Tire Facility, Roadrunner Express, LLC.

Bell County is requesting a Motion to Overturn the Scrap Tire Facility application from Roadrunner Express, LLC. This Motion is based on the following-

- No notification to the County Judge. The certified letter was sent to Henry Garza, Bell County District Attorney, **NOT** the County Judge. No one with administrative authority (Bell County Commissioners Court) had any knowledge of this application. The District Attorney did not contact the County Judge.
- No notification to the County Fire Marshall. Moffat VFD was notified, however when there is a fire emergency the 911 call goes to the **COUNTY** dispatcher where the County Fire Marshall is notified and coordinates all emergency resources.
- Council of Governments was notified but they play no role in the processing or disposition or ultimate clean up of a scrap tire facility.
- Roadrunner Express, LLC. claims that 500 tires will be stored outside. The Bell County Public Health District aggressively attempts to educate and work with the public related to the increase in Zika Virus cases that occur each summer and the largest contributor to the ability of the mosquito to propagate is scrap tires stored outdoors that hold water. This application directly violates what the Health District initiative is promoting.
- Who will monitor the number of tires that Roadrunner Express, LLC. is asking to permit for? TCEQ? The County does not have the resources to take on the state function of monitoring scrap tire facilities.
- Bell County has several scrap tire facilities that TCEQ has been involved with. TCEQ Docket No. 2002-0421-MSW-E. Enforcement Action Against Frank Henderson dba Temple Tire Transport, TCEQ Reg. No. 27037. There was an \$11,000 fine levied for the cleanup but the fine was not collected. The current owner wants the county to do the cleanup since TCEQ issued the enforcement fine.

Site on Pat Cole Road in Temple. TCEQ notified of massive tire dump ground and told the county to 'take care of it'.

Several other locations that Bell County are in the initial stages of assessing.

If this is the type of response and support that Bell is going to receive from the state agency with the statutory oversight and enforcement of these facilities, then Bell County is not interested in approving any more of these 'state approved' scrap tire facilities.

I feel confident that Bell County is not the only county in Texas that is dealing with this kind of agency lack of oversight. In light of the fact that TCEQ issues fines and does not collect them I would strongly suggest that during the application process a bond be required for cleanup purposes. TCEQ would then have the ability to actually clean up what they approve instead of putting the burden on local taxpayers.

In light of the poor attempt to correctly make the application and the above narrative Bell County would like to move that the application for Roadrunner Express, LLC. to operate a TCEQ approved Scrap Tire Facility be denied.

Respectfully submitted,

A handwritten signature in black ink that reads "Bill Schumann". The signature is written in a cursive, flowing style.

Bill Schumann
Bell County Commissioner
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