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## Landfills and Other Waste Facilities Have Been Stopped in Texas

There is an impression that landfills and waste facilities are never stopped in Texas. There are a number of instances of proposed waste facilities that were stopped in Texas. What is notable is the variety of ways success occurred. However, relying solely on the TCEQ process to win against a waste facility proposal is not recommended.

The City of Hempstead and **Waller County** residents defeated Green Group Holdings after an epic battle that lasted more than four years and dramatically altered county government. When news of the pending landfill spread, Waller County officials passed a siting ordinance to make the proposed landfill site off limits. Unfortunately, a majority of the County Commissioners Court then met secretly with landfill officials and repealed the siting ordinance and sided with the landfill company. The City of Hempstead and Citizens Against the Landfill in Hempstead found out, sued and won a judgment against the County. In the meantime, anti-landfill County Commissioners were elected. In the Contested Case Hearing in 2015, the landfill company eventually had to concede that the water table was higher than claimed in their application and that it did not comply with the requirements. The TCEQ refused to allow the company to make additional changes after hundreds of changes had been made during the application process. With the good county siting ordinance in place again, Green Group's site was off limits.

In **Cameron County**, Consolidated Waste Industries, an out-of-state company with little experience operating landfills, submitted a permit application to build a new landfill near Los Fresnos. Local city and county officials and members of the community rallied strong widespread opposition to the proposal. Cameron County passed a siting ordinance that designated the City of Brownsville landfill as the site for landfills in the County. The TCEQ denied the permit in 2005 because the company failed to resolve deficiencies in the application.

Citizens to Save **Palo Pinto County** defeated repeated attempts to site a landfill near IE 20 that would have served the DFW area. A major issue that led to the defeat of the landfill was its proximity to a railroad and the potential dangers that trash vehicle traffic could pose to trains. The federal government said that the landfill would have to build an overpass over the train tracks which raised the cost and helped to defeat the landfill.

In **Seguin in Guadalupe County** in the 1990's there was an attempt to re-open and greatly expand the old closed Seguin city landfill. Seguin Citizens Against Reopening Stagecoach formed and after the Seguin City Council signed a contract with IESI (now Progressive Waste) without proper public notice, the group collected enough signatures to put a referendum on the local ballot to overturn the contract. The voters supported the referendum to overturn the contract and the landfill was not re-opened.

A landfill was proposed in **Rosesharon in Brazoria County**. This proposal was defeated when State Rep. Dennis Bonnen, who represented the area, passed legislation prohibiting landfills close to irrigation channels that provided water to a state prison nearby.

The application by the company Tan Terra for a landfill in **Willacy County** was denied by the Texas Commission on Environmental Quality based on at least two issues. One was the failure to include an adequate plan to deal with threatened and endangered species. The other was that the applicant failed to recognize that the proposed landfill was in a floodplain.

In 2004-2005, IESI proposed to expand its landfill near the Austin Bergstrom Airport in **Travis County** and combine it with the old City of Austin landfill and expand upwards. After a campaign by Texas Campaign for the Environment and other allies, the Austin City Council backed out of the proposed contract.

In 2008, the City of Austin floated the idea of building a new landfill near **Webberville in Travis County** on City of Austin land. Texas Campaign for the Environment, local neighborhood groups and the leadership of the newly incorporated Village of Webberville raised objections to the plan, including the potential of undermining the emerging Zero Waste plan, and the City of Austin did not pursue it.

In **Cameron County**, Partners Dewatering Inc. (PDI) proposed to treat commercial loads of liquid wastes from grit and grease traps at Rio Hondo's small wastewater treatment plant. The community rallied to protect the sensitive Arroyo Colorado and convinced the Rio Hondo City Commission to back out of the contract with PDI in 2013.

Childress Outhouses, a small waste hauler in **Burnett County**, was briefly allowed to dump commercial loads of portable toilet waste on the owner's land in 2012. Area residents and local officials were horrified because the very shallow drinking water aquifer for thousands of households was exposed by rock quarries on both sides of the property. The local Central Texas Groundwater District, two environmental groups (Texas Campaign for the Environment and the Greater Edwards Aquifer Alliance) and dozens of local residents appealed the decision of the TCEQ Executive Director to grant this registration. The Burnett County Commissioners Court also passed a resolution opposing the registration. After community activists organized a well-attended local forum in Marble Falls with TCE which received local press, the applicant decided not to fight the appeal and withdrew his application in the interests of being a good neighbor.