

RESOLUTION _____

Resolution of the City of Corpus Christi, Texas supporting protest letter filed by McMullen County regarding application of PetroWaste Environmental, L.P. to Railroad Commission of Texas for operation of a Commercial Disposal Facility in McMullen County and authorizing the City Manager or designee to take steps necessary to protect the City of Corpus Christi's water sources in this application process

WHEREAS, on March 21, 2014, PetroWaste Environmental, LP (PWE) filed an application with the Railroad Commission of Texas to operate a Commercial Disposal Facility at the McMullen County Reclamation & Disposal Facility; and

WHEREAS, the "Public Notice of Application for a Commercial Disposal Facility" states that the proposed Commercial Disposal Facility is located on 1500 acres in McMullen County, approximately four miles north of Tilden, Texas; and

WHEREAS, the "Public Notice of Application for a Commercial Disposal Facility" states that the waste to be accepted for disposal includes: "Water-based drilling fluid and associated cuttings; oil-based drilling fluids and associated cuttings; tank bottoms from gas plants, crude oil reclamation plants, and crude oil production/separation facilities; waste material from produced water collecting pits; produced formation sand; non-injectable waste waters; soil contaminated with produced water, crude oil, or condensate; solid waste from gas dehydration and sweetening; iron sulfide; spent activated carbon and other filtering and separation media; and inert waste as defined by Statewide Rule 8 such as contaminated concrete or wood"; and

WHEREAS, on April 16, 2014, McMullen County filed letter of protest regarding PWE application with the Railroad Commission of Texas and requested a public hearing; and

WHEREAS, on April 30, 2014, the City of Corpus Christi, Texas was informed by McMullen County representatives of PWE's application and McMullen County's letter of protest; and

WHEREAS, in its letter of protest, McMullen County notes that the PWE's proposed site for its disposal facility sits in close proximity to Tilden and certain creeks and tributaries that eventually drain into the Choke Canyon Reservoir; and

WHEREAS, the Choke Canyon Reservoir is managed by the City of Corpus Christi and the City of Corpus Christi holds the water rights associated with Choke Canyon Reservoir;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the Corpus Christi Texas;

Section 1. That the City of Corpus Christi ("the City") supports the protest letter filed by McMullen County regarding application of PetroWaste Environmental for a Commercial Disposal Facility. A copy of the McMullen County protest letter is attached to this Resolution.

Section 2. That the City Manager or designee is authorized to take steps necessary to protect the City's water sources in this application including the filing of a protest letter with the Railroad Commission of Texas on behalf of the City of Corpus Christi regarding the PWE application. In addition, the City Manager or designee is authorized to take steps necessary to participate in the public hearing, including

but not limited to the hiring of experts and/or entering into cost sharing agreements with McMullen County and other interested governmental entities.

Section 3. That a copy of this Resolution be submitted to the Railroad Commission of Texas.

PASSED AND ADOPTED this _____ day of _____, 2014.

APPROVED this _____ day of May, 2014.

ATTEST:

CITY OF CORPUS CHRISTI, TEXAS

Rebecca Huerta
City Secretary
Corpus Christi, Texas

Nelda Martinez
Mayor
Corpus Christi, Texas

The above resolution was passed by the following vote:

Nelda Martinez _____

Kelley Allen _____

Rudy Garza _____

Priscilla Leal _____

David Loeb _____

Chad Magill _____

Colleen McIntyre _____

Lillian Riojas _____

Mark Scott _____