



AGENDA MEMORANDUM

Action Item for the City Council Meeting of May 13, 2014

DATE: May 8, 2014

TO: Ronald L. Olson, City Manager

FROM: Gustavo Gonzalez, P.E., Assistant City Manager Public Works and Utilities
Barney Knight, Interim City Attorney

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

CAPTION:

Resolution of the City of Corpus Christi, Texas supporting McMullen County's letter of protest to Railroad Commission of Texas regarding PetroWaste Environmental, L.P. application for Commercial Disposal Facility in McMullen County.

PURPOSE:

The City of Corpus Christi was recently contacted by McMullen County representatives regarding proposed commercial landfill to be built in McMullen County, approximately 4 miles north of Tilden. McMullen County has filed notice of protest with the Railroad Commission of Texas. The purpose of this agenda item is to approve a resolution in support of McMullen County's letter of protest and authorize the City Manager to take steps necessary to protect the City's water sources in this application process.

BACKGROUND AND FINDINGS:

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".

In its letter of protest, McMullen County notes that the PetroWaste Environmental'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.

If approved, the Resolution will be forwarded to the Railroad Commission of Texas in support of McMullen County's letter of protest and the City Manager will be authorized to take steps necessary to protect the City's water sources in the application process.

ALTERNATIVES:

The Council has multiple options:

- 1) Not approve the Resolution
- 2) Modify the Resolution to provide direction to staff in this matter

OTHER CONSIDERATIONS:

CONFORMITY TO CITY POLICY:

N/A

EMERGENCY / NON-EMERGENCY:

This is a non-emergency item.

DEPARTMENTAL CLEARANCES:

City Attorney

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Year FY 14	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

RECOMMENDATION:

Staff recommends Council adopt the resolution.

LIST OF SUPPORTING DOCUMENTS:

- 1. Resolution
- 2. McMullen County Letter of Protest