

RESOLUTION NO.

WHEREAS, on May 17, 2007 the Austin City Council unanimously adopted Resolution #20070517-030 opposing the expansion application of the Allied BFI and Waste Management Community landfills; and

WHEREAS, in 2008 the City of Austin , Travis County, the Northeast Neighbors Coalition (NNC) and TJFA, LP were designated as parties by the State Office of Administrative Hearings to oppose the Waste Management of Texas, Inc. (WMI) permit for expansion; and

WHEREAS, the City of Austin participated with the other designated parties in a contested case hearing to oppose the WMI permit; and

WHEREAS, the Administrative Law Judge recommended that the TCEQ issue the permit authorizing the expansion of WMI , and TCEQ has adopted and issued the requested permit; and

WHEREAS, the deadline to file a motion for rehearing is April 12, 2010; and

WHEREAS, Travis County, NNC and TJFA, LP are in the process of filing both a motion for rehearing and an appeal to district court; **NOW, THEREFORE**,

BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to participate in the motion for rehearing and the appeal process in TCEQ Docket No. 2006-0612-MSW; Application of Waste Management of Texas, Inc. for a Municipal Solid Waste Permit Amendment; Permit No. MSW-249D.

ADOPTED: _____, 2010 **ATTEST:** _____

Shirley A. Gentry
City Clerk