



May 10, 2022

Dallas City Council  
City of Dallas  
1500 Marilla Street  
Dallas, Texas 75201

*Re: Support for May 11 Item Agenda 22-1020  
Proposed Code Amendment and the Requirement of a Specific Use Permit (SUP) for  
Temporary and Permanent Concrete and Asphalt Batch Plants*

Dear Honorable Mayor Johnson and City Council Members:

Public Citizen is writing to request your support for agenda item #22-1020 regarding the proposed zoning code amendment that will remove the administrative and by-right approval processes currently in place for temporary and permanent concrete and asphalt batch plants. The new zoning amendment will require a Specific Use Permit (SUP) for all concrete batch plant zoning categories.

Our organization has worked on batch plant facilities both locally and statewide, including advocating at the Texas State Legislature for reforms. In Dallas, we have worked with local communities to protect citizens from the harmful impacts these polluting facilities can bring.

Most of the public associates concrete batch plants with the nuisance of dust, but these plants have been documented to release toxic chemicals into the air on a continuous and ongoing basis. These hazardous emissions include Particulate Matter, Nitrogen Oxide (NOX), Carbon Monoxide (CO), Volatile Organic Compounds (VOCs), Formaldehyde, and Nickel.

The Particulate Matter (PM) released is what most residents see as dust. PM2.5 and PM10 are released into the air from the sand, cement and other materials utilized by concrete batch plants. When inhaled by humans, the particulate matter impacts the lungs and heart and causes respiratory and cardiovascular problems. Continued exposure can lead to chronic obstructive pulmonary disease (COPD), asthma and heart disease potentially causing premature death, especially in asthmatic children.

Crystalline silica is another emission associated with concrete batch plants. It has been well-documented for decades by OSHA and NIOSH, along with other noted organizations, that exposure to crystalline silica produces an increased risk of developing lung cancer, pulmonary tuberculosis and other airway diseases including silicosis.

As with concrete batch plants, asphalt batch operations also release VOCs, NOX, PM10 and PM2.5. In addition, asphalt batch plants emit Sulphur Dioxide (SO2) and other hazardous air pollutants including the carcinogenic "BTEX" compounds Benzene, Toluene, Ethylbenzene, and Xylene. Hazardous metals released by an asphalt plant include arsenic, cadmium, chromium, mercury, and lead. Not unlike batch plants, asphalt operations may also release crystalline silica.

A common concern regarding the Texas Commission on Environmental Quality's (TCEQ) permitting of concrete batch plants is the lack of notification and public input opportunities afforded to those whose health and quality of life would be most impacted. Replacing the administrative and by-right approval processes with SUP-mandated public hearings at the City Plan Commission and City Council would provide an opportunity for Dallas residents to have a say in what happens in their neighborhoods.

The health and environmental impacts of incompatible industrial land use near or within neighborhoods and critical infrastructure can no longer go unaddressed. Requiring an SUP process for proposals will allow residents to be part of a more equitable solution to this long-standing issue for local communities. We applaud the cooperation and concern of city staff regarding this issue and the carefully crafted solutions they have proposed.

We respectfully request that the Dallas City Council approve this amendment. We thank you for your time and consideration.

*Sincerely,*

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