



## FOR IMMEDIATE RELEASE

### Contacts:

Michael Bates, Attorney      Wendi Hammond, Attorney      Shelby Jean, Director of Communications  
[batesm@lanwt.org](mailto:batesm@lanwt.org)      [hammondw@lanwt.org](mailto:hammondw@lanwt.org)      [jeans@lanwt.org](mailto:jeans@lanwt.org)  
214.243.2582      214.243.2583

## **Joppa Freedman Town Group Continues to Question TCEQ's Enforcement Action Against Concrete Batch Plant Caught Operating Without a Permit**

*Matter to be considered at commissioner's meeting this Wednesday*

DALLAS, Texas — In the ongoing effort to protect its community from environmental discrimination, Joppa Freedman's Town Association (JFTA) will continue advocating for stronger enforcement actions during a Texas Commission on Environmental Quality (TCEQ) commissioners' meeting at 9:30 a.m., Wednesday, July 17. JFTA will appear through its legal counsel, Legal Aid of NorthWest Texas (LANWT), in opposition to a TCEQ-proposed penalty against Texas Star Ready Mix for illegally operating its concrete batch plant.

JFTA has repeatedly complained to the City of Dallas and TCEQ about the concrete batch plant, and both the City and TCEQ have investigated Texas Star Ready Mix (TSRM). During the last TCEQ Commissioners' meeting on May 22, TSRM's representative admitted that it had been operating without a proper air permit from July 2022 through August 2023. Although TCEQ initiated an enforcement action against the facility to assess penalties, JFTA maintains that TCEQ's proposed penalty is too weak because TSRM will have to pay only \$3,500 for illegally operating its plant for more than one year. This enforcement matter will be heard again at the Wednesday's meeting.

"TCEQ repeatedly fails to protect our community," says JFTA President Temeckia Derrough. "This entire enforcement process has been an outright failure of TCEQ's responsibility to properly investigate and penalize bad actors."

LANWT Attorney Michael Bates agrees. "TCEQ is deferring more than 90 percent of the total assessed penalty of \$35,000 because Texas Star Ready Mix claims it is financially unable to pay the total penalty. Considering the amount of inaccurate information that Texas Star has already provided to both TCEQ and the public, JFTA has no reason to trust the company's claim," says Bates.

Bates also noted that both TCEQ and Texas Star Ready mix refuse to provide any information to support TSRM's claim that it is unable to pay the entire penalty.

"There is a long history of the public complaining that TCEQ fails to protect the public, and this is just another example," says LANWT Attorney Wendi Hammond, who is co-counsel with Bates. "Initially TCEQ turned a blind eye despite public outcry about Texas Star Ready Mix operating 10 to 15 trucks per day without a proper air permit. And now," she says, "TCEQ proposes that the company pay only \$100 per month for three years. That barely qualifies as a slap on the wrist, especially when the law allows TCEQ to assess a much larger penalty of up to \$10,000 per day for the year it illegally operated."

While TCEQ is also requiring Texas Star Ready Mix to apply for the proper air permit to operate, JFTA has already submitted several comments pointing out numerous problems with that application. While the Joppa community is already inundated by surrounding heavy industrial uses, JFTA's comments point out that despite the extra time, Texas Star Ready Mix has still made no changes to comply with the minimal statutory and regulatory requirements necessary to protect the public health and environment.

"TCEQ repeatedly provides Texas Star Ready Mix with more time to address the numerous problems concerning its application," said Michael Bates, LANWT staff attorney and lead counsel for JFTA. "But despite these deadline extensions, TSRM still fails to comply with the law. It's not hard to understand why the public doesn't trust TCEQ or TSRM to protect the community."

"What happened to the money the company saved by illegally operating for over a year?" asks Derrough. "It's way past time for TCEQ to protect our people and our community instead of this company's profits."

###

*Legal Aid of NorthWest Texas (LANWT) is a nonprofit organization that strives to meet the legal needs of more than 1.5 million eligible clients in its 114-county service area. The fifth-largest Legal Aid program in the United States, LANWT provides a wide variety of broad-based legal services to low-income and disadvantaged clients including family law, wills and estates, landlord/tenant cases, public benefits, real property, foreclosure prevention, and community revitalization matters.*

Bringing justice to North and West Texans since 1951

**With offices in Abilene, Amarillo, Brownwood, Dallas, Denton, Fort Worth, Lubbock, McKinney, Midland, Odessa, Plainview, San Angelo, Waxahachie, Weatherford, and Wichita Falls**