



JOHNSON COUNTY COMMISSIONERS COURT

Christopher Boedeker
County Judge

Rick Bailey
Commissioner
Precinct 1

Kenny Howell
Commissioner
Precinct 2

Mike White
Commissioner
Precinct 3

Larry Woolley
Commissioner
Precinct 4

THE STATE OF TEXAS

§

COUNTY OF JOHNSON

§

§

RESOLUTION 2024-03

RESOLUTION CALLING FOR THE PROHIBITION ON APPLYING BIOSOLIDS IN JOHNSON COUNTY, TEXAS

WHEREAS, biosolids, sewage sludge, and other products derived from human waste are known to be a vector for pathogens, heavy metals, microplastics, PFAS, and other toxins; and

WHEREAS, biosolids are derived from municipal wastewater treatment plants and, by volume, the largest constituent of municipal wastewater is municipal drinking water; and

WHEREAS, the City of Fort Worth has acknowledged that its drinking water is contaminated with PFAS; and

WHEREAS, Johnson County has engaged in significant testing for the presence of PFAS through an accredited laboratory, including testing of biosolids derived from the City of Fort Worth’s wastewater treatment plant as well as soil, groundwater, surface water, and animal tissue in Johnson County; and

WHEREAS, the doctors, laboratory technicians, scientists, and other professionals retained by Johnson County have determined that the biosolids originating at the City of Fort Worth’s wastewater treatment plant and being spread in Johnson County as a “fertilizer” product are contaminated with PFAS a/k/a “Forever Chemicals” at unsafe levels; and

WHEREAS, testing has revealed that PFAS from these biosolids have contaminated soil, groundwater, surface water, fish, and animal tissue in Johnson County; and

WHEREAS, PFAS can migrate or travel beyond the site where they are directly applied, resulting in well water near the site of the application of biosolids that has tested positive for PFAS at levels several hundred times the safe limit established by the EPA for drinking water; and

WHEREAS, animal tissue in Johnson County has tested positive for PFAS at levels that render the livestock unsafe for human consumption; and

WHEREAS, when animals in other jurisdictions that have tested positive for high levels of PFAS (similar to the levels observed in Johnson County), those jurisdictions have forcibly euthanized entire herds; and

WHEREAS, PFAS are not quickly or easily eliminated from soil, water, or animal tissue; and

WHEREAS, the City of Fort Worth continues to send tons of biosolids to Johnson County for disposal on Johnson County farms, threatening the drinking water, food chain, livestock, and residents of Johnson County; and

WHEREAS, biosolids are being applied in the watershed for Chamber's creek, a tributary to Richland Chambers Reservoir, a lake serving the City of Fort Worth, threatening to contaminate drinking water within the City of Fort Worth; and

WHEREAS, as of the date of this Resolution, counties in Texas are not authorized by statute to regulate the application of biosolids; and

WHEREAS, as of the date of this Resolution, the State of Texas does not yet prohibit waste producers from poisoning Texas farmland, livestock, and drinking water with PFAS.

THEREFORE, BE IT RESOLVED by Johnson County, by and through its Commissioners Court, that:

- **JOHNSON COUNTY** calls on the City of Fort Worth to immediately suspend its practice of disposing of biosolids from its wastewater treatment plant in Johnson County pending further testing and a full analysis by TCEQ and/or the EPA; and
- **JOHNSON COUNTY** calls on the TCEQ to conduct a full investigation of its biosolid program, specifically urging TCEQ to test for the presence of PFAS in harmful amounts; and
- **JOHNSON COUNTY** calls on the EPA to regulate PFAS within biosolids insofar as those biosolids may be disposed of in such a manner as to cause their migration into drinking water; and
- **JOHNSON COUNTY** calls on the USDA and FDA to regulate PFAS within biosolids insofar as those biosolids may be applied to farmland in a manner that is likely to introduce PFAS into the food supply; and

- **JOHNSON COUNTY** calls on any waste treatment provider and/or any waste hauler operating in Johnson County to temporarily suspend the application of any biosolid in Johnson County until further testing can be completed; and
- **JOHNSON COUNTY** calls on the Texas State Chemist to revoke the license or other authorization to sell biosolids as a fertilizer product in the State of Texas unless that product has been tested for the presence of pathogens, heavy metals, microplastics, and PFAS; and
- **JOHNSON COUNTY** calls on the Texas Legislature to either adequately regulate the application of toxins to Texas farmland or to empower Texas counties to do so; and
- **JOHNSON COUNTY** calls on Tarrant County, Ellis County, Parker County, Bosque County, Somervell County, Hill County, Hood County, and all other surrounding counties impacted by municipal waste disposal contamination to join in this Resolution and, to the extent authorized by law, prohibit this practice.

DONE IN OPEN COURT THIS 25TH DAY OF MARCH, 2024.

Christopher Boedeker

Christopher Boedeker, Johnson County Judge

Voted: ___ yes, ___ no, ___ abstained

Rick Bailey

Rick Bailey, Comm. Pct. 1

Voted: yes, ___ no, ___ abstained

Kenny Howell

Kenny Howell, Comm. Pct. 2

Voted: yes, ___ no, ___ abstained

Mike White

Mike White, Comm. Pct. 3

Voted: yes, ___ no, ___ abstained

Larry Woolley

Larry Woolley, Comm. Pct. 4

Voted: yes, ___ no, ___ abstained

April Long
ATTEST: April Long, County Clerk



AGENDA PLACEMENT FORM

(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

Date: _____

Meeting Date: 3/25/2024

Submitted By: County Judge's Office

Department: County Judge's Office

Signature of Elected Official/Department Head:

Court Decision: <small>This section to be completed by County Judge's Office</small>
 March 25, 2024

Description:

Consider and Approve Resolution 2024-03 - "Resolution Calling for the Prohibition on Applying Biosolids in Johnson County, Texas"-County Judge's Office

(May attach additional sheets if necessary)

Person to Present: _____

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: _____ minutes

Session Requested: (check one)

Action Item Consent Workshop Executive Other _____

Check All Departments That Have Been Notified:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) _____

**Please List All External Persons Who Need a Copy of Signed Documents
In Your Submission Email**