

12 August 2006

To: Texas Commission on Environmental
Quality

OPA

F

AUG 15 2006

78885
2/5/07
NSR

Re: Canyon Lake ~~Landy, Inc.~~
Application for Air Quality Standard
Permit Registration # 78884

From: Mr. and Mrs. Robert C. Bartlett
1041 Blue Water Drive
Canyon Lake, Texas 78133
830-899-7952

This letter is an urgent request that
this application have a public
hearing.

This proposed plant is directly
across the road from an established
residential area populated
primarily by older citizens. Many
of us have respiratory, lung and
allergy conditions that would

be profoundly impacted by
his plant. The Southern
drafts would bring their
airborn dust directly into
our neighborhoods.

There are many areas that are
non-residential that would
be more suitable for this
purpose.

We would appreciate your
consideration and response
to this request.

Sincerely,

Ann and Robert Bartlett

FROM : LIONS MHSU

FAX NO. : 830 609 1136

Jun. 16 2006 11:18 AM

Texas Commission on Environmental Quality
Office of the Chief Clerk
TCEQ MC-105
PO Box 13087
Austin, Texas 78711-3087

PM OPA
JUN 16 2006
BY KY

Ref: Application for Air Quality
Reg# 78844 William Murphy, dba Canyon Ready Mix

78844
7/5/06

Dear Sirs/Madam,

I am a permanent resident of the County of Comal, who resides directly above the area, namely 5004 FM 2673, in Canyon Lake, Texas. This area is the proposed site of a concrete batch plant, for which a permit has been applied for through your Agency.

CHIEF CLERKS OFFICE

2006 JUN 16 PM 12:14

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

My concerns are that the quality of life will be forever changed with the addition of this concrete plant. My health and that of those surrounding and above this area, can and will be compromised by the daily operation of this proposed plant. Air currents, which rise naturally from these lower areas to our residential homes, will contain pollutants and dust which will be the by products of this type of operation. Wells that draw below the proposed areas could possibly be affected negatively. Large truck exhausts would draft upwards. Noise directly from this type of operation will naturally be magnified up towards our homes.

Having been out of State in the beginning of these procedures, and unaware of the ongoing time frames, I am formally requesting that a public meeting and/or a contested case hearing be held, regarding the adverse conditions which would be directly caused by the addition of this commercial operation.

Please contact me regarding this requests,

John P. Donahue Jr.
3590 Lariat Ridge JDJ Ranch
New Braunfels, Texas 78132-2039

Home 830-899-4540
Cell 512-757-3744

Faxed and mailed

Texas Commission on Environmental Quality
Office of the Chief Clerk
TCEQ MC-105
PO Box 13087
Austin, Texas 78711-3087

Ref: Application for Air Quality
Reg# 78844 William Murphy, dba Canyon Ready Mix

AIR
78844
53887

OPA
H
PM
JUN 20 2006

BY 

CHIEF CLERKS OFFICE

JUN 19 11 2:05

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

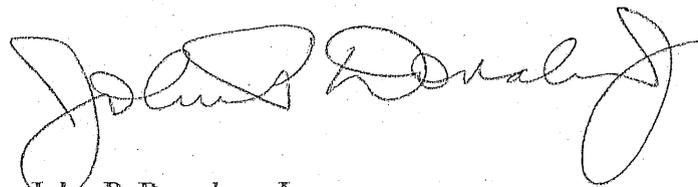
Dear Sirs/Madam,

I am a permanent resident of the County of Comal, who resides directly above the area, namely 5004 FM 2673, in Canyon Lake, Texas. This area is the proposed site of a concrete batch plant, for which a permit has been applied for through your Agency.

My concerns are that the quality of life will be forever changed with the addition of this concrete plant. My health and that of those surrounding and above this area, can and will be compromised by the daily operation of this proposed plant. Air currents, which rise naturally from these lower areas to our residential homes, will contain pollutants and dust which will be the by products of this type of operation. Wells that draw below the proposed areas could possibly be affected negatively. Large truck exhausts would draft upwards. Noise directly from this type of operation will naturally be magnified up towards our homes.

Having been out of State in the beginning of these procedures, and unaware of the ongoing time frames, I am formally requesting that a public meeting and/or a contested case hearing be held, regarding the adverse conditions which would be directly caused by the addition of this commercial operation.

Please contact me regarding this requests,



John P. Donahue Jr.
3590 Lariat Ridge JDJ Ranch
New Braunfels, Texas 78132-2039

Home 830-899-4540
Cell 512-757-3744

Faxed and mailed



Texas Commission on Environmental Quality
Office of the Chief Clerk
TCEQ MC-105
PO Box 13087
Austin, Texas 78711-3087

PM OPA
H JUN 16 2006
BY [Signature]

CHIEF CLERKS OFFICE

2006 JUN 16 PM 12:13

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Ref: Application for Air Quality
Reg# 78844 William Murphy, dba Canyon Ready Mix

78844
2/20/06

Dear Sirs/Madam,

I am a permanent resident of the County of Comal, who resides directly above the area, namely 5004 FM 2673, in Canyon Lake, Texas. This area is the proposed site of a concrete batch plant, for which a permit has been applied for through your Agency.

My concerns are that the quality of life will be forever changed with the addition of this concrete plant. My health and that of those surrounding and above this area, can and will be compromised by the daily operation of this proposed plant. Air currents, which rise naturally from these lower areas to our residential homes, will contain pollutants and dust which will be the by products of this type of operation. Wells that draw below the proposed areas could possibly be affected negatively. Large truck exhausts would draft upwards. Noise directly from this type of operation will naturally be magnified up towards our homes.

Having been out of State in the beginning of these procedures, and unaware of the ongoing time frames, I am formally requesting that a public meeting and/or a contested case hearing be held, regarding the adverse conditions which would be directly caused by the addition of this commercial operation.

Please contact me regarding this requests,

John P. Donahue Jr.
3590 Lariat Ridge JDJ Ranch
New Braunfels, Texas 78132

Home 830-899-4540
Cell 512-757-3744

②

Texas Commission on Environmental Quality
Office of the Chief Clerk
TCEQ MC-105
PO Box 13087
Austin, Texas 78711-3087

June 21, 2006

Handwritten: 78844
ASST
5/28/06

Handwritten: OPA *HPM*

Stamp: JUN 22 2006

BY *g*

CHIEF CLERKS OFFICE

2006 JUN 22 AM 8:27

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Ref: Application for Air Quality
Reg# 78844 William Murphy, dba Canyon Ready Mix

Dear Sirs/Madam,

I am a permanent resident of the County of Comal, who resides directly above the area, namely 5004 FM 2673, in Canyon Lake, Texas. This area is the proposed site of a concrete batch plant, for which a permit has been applied for through your Agency.

It only came to my knowledge that this procedure had been ongoing, via word of mouth from the other concerned nearby residents. This was due to the fact that only a hand written sign had been placed on this property in question, and was not legible from the highway. Neighbors had not been made aware of these circumstances, and responded only after several weeks had passed. At this time, this handwritten sign does not even exist on said property in question.

My concerns are that the quality of life will be forever changed with the addition of this concrete plant. My health and that of those surrounding and above this area, can and will be compromised by the daily operation of this proposed plant. Air currents, which rise naturally from these lower areas to our residential homes; will contain pollutants and dust which will be the by products of this type of operation. Wells that draw below the proposed areas could possibly be affected negatively. Large truck exhausts would draft upwards. Noise and dust directly from this type of operation will naturally be magnified up towards our homes.

Having been out of State in the beginning of these procedures, and unaware of the ongoing time frames, I am formally requesting that a public meeting and/or a contested case hearing be held, regarding the adverse conditions which would be directly caused by the addition of this commercial operation. Please contact me regarding these requests,

Handwritten signature of John P. Donahue Jr.

John P. Donahue Jr.
3590 Lariat Ridge JDJ Ranch
New Braunfels, Texas 78132-2039
Home 830-899-4540 Cell 512-757-3744

Faxed and mailed

Handwritten mark

Texas Commission on Environmental Quality
Office of the Chief Clerk
TCEQ MC-105
PO Box 13087
Austin, Texas 78711-3087

June 21, 2006

OPA *H* PM

JUN 23 2006

CHIEF CLERKS OFFICE

JUN 23 AM 9:53

TEXAS
COMMISSION ON
ENVIRONMENTAL
QUALITY

Ref: Application for Air Quality
Reg# 78844 William Murphy, dba Canyon Ready Mix

BY *JF*

18885
NSC

Dear Sirs/Madam,

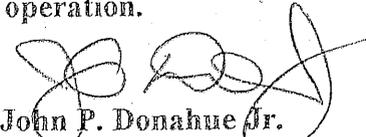
I am a permanent resident of the County of Comal, who resides directly above the area, namely 5004 FM 2673, in Canyon Lake, Texas. This area is the proposed site of a concrete batch plant, for which a permit has been applied for through your Agency.

It only came to my knowledge that this procedure had been ongoing, via word of mouth from the other concerned nearby residents. This was due to the fact that only a hand written sign had been placed on this property in question, and was not legible from the highway. Neighbors had not been made aware of these circumstances, and responded only after several weeks had passed. At this time, this handwritten sign does not even exist on said property in question.

My concerns are that the quality of life will be forever changed with the addition of this concrete plant. My health and that of those surrounding and above this area, can and will be compromised by the daily operation of this proposed plant. Air currents, which rise naturally from these lower areas to our residential homes, will contain pollutants and dust which will be the by products of this type of operation. Wells that draw below the proposed areas could possibly be affected negatively. Large truck exhausts would draft upwards. Noise and dust directly from this type of operation will naturally be magnified up towards our homes.

Having been out of State in the beginning of these procedures, and unaware of the ongoing time frames, I am formally requesting that a public meeting and/or a contested case hearing be held, regarding the adverse conditions which would be directly caused by the addition of this commercial operation.

Please contact me regarding these requests,



John P. Donahue Jr.
3590 Lariat Ridge JDJ Ranch
New Braunfels, Texas 78132-2039
Home 830-899-4540 Cell 512-757-3744

Faxed and mailed



Murphy Inc., for a concrete batch plant to be located at 5001 FM 2673, Canyon Lake, Texas 78133

Sincerely yours,



Robin Nava

Mailing address: P.O. Box 1658, Canyon Lake, Texas 78133
Property address: 990 Highland Terrace, Canyon Lake, Texas 78133

Cc: Mr. Richard Garcia
Regional Director, Region 13
TCEQ
14250 Judson Road
San Antonio, Texas 78233-4480

Ms. Carter Castell
Texas House Representative District 73
254 E. Mill Street
P.O. Box 312404
New Braunfels, Texas 78131

Mr. Nathan Macias
Republican Candidate - 2006
Texas House Representative District 73
P.O. Box 276
Bulverde, Texas 78163

June 19, 2007

NSR
52887

HR
OPA
JUN 20 2007

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

BY AM

JUN 21 11:10

CHIEF CLERKS OFFICE

Office of the Chief Clerk
MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711

RE: Request for contested case hearing
Permit application number 78844 – Canyon Lake Ready Mix Inc.

Dear Sir or Madam:

I request a contested case hearing in the application for new source air permit 78844 for a ready-mix concrete plant to be located in Comal County at or near 5001 FM 2673, Canyon Lake, Texas 78133.

I am an affected property owner, residing at 990 Highland Terrace, Canyon Lake, Texas. My home is located north of the proposed location in the direct path of the prevailing wind that passes over that location. Permitting the plant in the proposed location would negatively affect the use and enjoyment of my residence and property through increased particulates and pollutants in the air and increased noise from the plant operations. If this plant is permitted, I expect its operations and discharges to degrade the environment in the area and pose a risk to human health in an area of increasing population and residential use.

The commission notes that the ground-level concentration standards of repealed 30 TAC § 111.155 are no longer in effect. I challenge whether this is appropriate with respect to this particular application. The regulation 30 TAC § 111.155 was repealed on May 17, 2006. The application by Canyon Lake Ready Mix Inc. was declared administratively complete on May 5, 2006 and notice published on May 17, 2006. Thus the requirement to meet the ground-level concentrations standards remained in effect at that time.

Further I challenge whether appropriate consideration has been given to road emissions from roads located within the proposed facility roads. TDEQ policy requires that road dust be evaluated for applications for facilities that deal with road construction, material handling, and related industries (concrete batch plants, asphalt concrete plants, rock crushers, coal handling, etc.). The Executive Director's response 13 to public comments does not address road dust or emissions generated from internal site transport activities. State Office of Hearing Examiners (SOAH) Administrative Law Judges have determined in past hearings related to concrete plants that road emissions *should* be considered as contributing sources of particulate matter. In such situations, reviews should include the application of Best Management Practices (BMP) to minimize the creation of road dust

mw

and prevent nuisance conditions.¹ The Executive Director's response to comments does not indicate that such BMPs were applied in the review of pending application for permit registration no. 78844.

The proposed location is hillside and subject to high winds traveling within the valley in which it is located. The specific conditions of this location make application of BMPs important. It also draws into consideration whether the air modeling referred to by the Executive Director in response 10 was applicable in this situation. Using local weather data, likely available from the Corps of Engineers at Canyon Lake or the National Weather Service in New Braunfels, rather than arbitrary data from Austin Surface Station and Victoria Upper-air Station (which is a combination of types of data from different locations) should be required to accurately model expected site conditions.

It is noted that in Response 10, the Executive Director views a site inspection by the TDEQ to be unnecessary in the review process, even though such an inspection specifically was requested in public comments.

I request to be included on the distribution list of any information provided or correspondence sent to affected parties or the public regarding this application.

Again, I request a contested case hearing with respect to permit 78844, applicant Canyon Lake Ready Mix (having a mailing address in Converse, Texas) or affiliated entity W.P. Murphy Inc., for a concrete batch plant to be located at 5001 FM 2673, Canyon Lake, Texas 78133

Sincerely yours,



Robin Nava
830-899-2006

Mailing address: P.O. Box 1658, Canyon Lake, Texas 78133,
Property address: 990 Highland Terrace, Canyon Lake, Texas 78133

Cc: Mr. Richard Garcia
Regional Director, Region 13
TCEQ
14250 Judson Road
San Antonio, Texas 78233-4480

¹ See Air Permits Division, Interoffice Memorandum dated Feb 25, 2000 regarding Policy for Road Emissions Evaluations.

NSR
32887

OPA
JUN 13 2007
BY KY

Helen Thayer
4915 FM 2673
Canyon Lake
Texas 78133
830-899-3115
June 13 2007

To whom it may concern.

I do request a contested case hearing. On Canyon Lake Ready Mix, TCEQ Standard permit registration No 78844.

I live just 60 feet from the property they want to build on. As stated before I am 78 years old and do not need all the dust that this plant will bring to the surrounding area. I have been around building and cement work in my life and I can guarantee there will be some dust. As for the trucks in and out there also will be dust. Lots of it when the gravel trucks unload and cement trucks.

The other batch plants I've seen have all kinds of dust all over the area. It is in the trees and buildings around the places.

Your determination that dust and particles won't drift with the wind is not right. Why is it when we get the dust storms from way up north? The red dust from Oklahoma, Kansas. When this happens we have dust in our houses and all over outside.

So living this close to their plant I know I'll get dust when the wind blows from the West or South. I have allergies and sinus problems. I know that the fallout from this plant would affect me more than you believe it would.

If you think the air would not be contaminated then you need to live by one. Let Mr. Murphy build it by him.

Sincerely

CHIEF CLERKS OFFICE

2007 JUN 15 AM 10:35

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

MW

OPA

MAY 31 2006

BY *HL*

Helen Thayer
4915 FM 2673
Canyon Lake, Texas
78133
830-899-3115
May 30, 2006

NSR
57887

To Whom It May Concern;

In regards to the permit # 78844 for Canyon Lake Ready Mix Inc. To be built at 5001 FM 2673, Canyon Lake, Texas.

I have lived for the last 22 years at 4915 FM 2673 Canyon Lake, Texas. The property that they want to build a batch plant on is only 60 feet from my fence and about 90 feet. From my bedroom. For a batch plant to be put there is out of the question.

The dust from the trucks bringing in gravel, sand, cement would cause a lot of dust. The loading the cement machine would also cause dust. Not to mention the trucks going in and out to pick up and deliver the cement. The pollution from that alone would be bad enough.

All their trucks and equipment has to be washed down. The dirt from that would turn to dust so where does that go. You bet your life right to my home if the wind is just right. You talk pollution how about all the cement that gets spilled on the ground. Where does that go? Also when washing the mixer out and the trucks where do the plan to empty all of the extra cement. If that is not pollution then I do not know what is.

The water from washing could also contaminate the ground. Not to mention the oil, gas and diesel from their trucks.

As for the traffic at that point it would be asking for trouble. There is a crest on a hill west of their driveway. There would be a blind spot for them to pull out to the highway. Real dangerous if they turned west. I have to sit and wait a second before pulling out to make sure no car is coming from the west. There are all so all the school busses that travel this highway. The busses stop along this stretch to let children out.

County side construction has a good straight flat highway, with good site field to pull on to the highway. So from what I see and know I do believe it would be to their advantage to find another site to put their plant.

Sincerely
Helen Thayer

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 MAY 31 AM 9:41
CHIEF CLERKS OFFICE

HL