LaDonna Castañuela, Chief Clerk
TCEQ MC-105
P.O. Box 13087
Austin, TX 78711-3087

23 October, 2008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008-0870-AIR

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CHIEF CLERKS OFFICE

Subject: Reply to Responses - Permit No. 76508 – Wheatcraft, Inc

Thomas H and Sherry L Collins submit the following comments and replies to those submitted by the Executive Director and Wheatcraft, Inc.

My wife and I own and reside on 57 acres at 261 Red Bird Loop, Center Point, TX, 78010. Our property is almost exactly 1 mile due North to North West of the Wheatcraft,Inc. property line. Wheatcraft's elevation is 1500 feet and my property is 1580 feet at the south property line rising to 1650 at the north end of the ranch. I state this because the prevailing winds are south to south west during the majority of the year. Any dust created by the processes operating on the Wheatcraft site or by large truck traffic can directly impact my residence. There is no land feature that will slow or modify the winds. I can easily see the quarry from the majority of my land.

1. Wheatcraft failed to send out its responses to all the people on the distribution list. I believe according to the rules, Wheatcraft should have sent a copy to each of the landowner parties on the list. Wheatcraft recommends that the permit be issued per the Executive Director. The Executive Director did not recommend permit approval. Wheatcraft states: "Wheatcraft acknowledges our responsibility to comply with all conditions stated in the permit". They do not state they will follow the TCEQ rules they have broken, which resulted in Compliance Violations cited by the TCEQ.

2. The map sent out with home addresses marked is in error. The map shows our property a mile further down Red Bird Loop than it is. If you use my correct property line, I am one mile from Wheatcraft. Other neighbors and friends property location are incorrect. The one mile circle is arbitrary and the property locations on the map are in error. All parties in Group A and the excluded Group B land owners must be included.

3. A Storm Water Permit (Per Executive Director) is not sufficient to cover water used in a process.
   a. Per TCEQ: "Storm water discharge associated with industrial activity is defined as storm water runoff that exits any system that is used for collecting and conveying storm water that originates from manufacturing, processing, material storage, and waste material disposal areas..."
   b. Wheatcraft will be using water drawn from the Guadalupe River to wash the process equipment and it is unknown how the process water will be handled. This is different from rain water discharge. The industrial process water will have oil, lubricants and solvents collected during the process of washing the screens and conveyer belts that can result in contamination to the Guadalupe River and ground water.
   c. A TCEQ Industrial Waste Water Permit should be required if the Air Permit is approved.

Thomas H. Collins Sherry L. Collins

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