July 28, 2008

H OPA

AUG 0 1 2008

BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 64144

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 31 PM 2:44
CHIEF CLERKS OFFICE

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Alice Alvarado

Address 320 Amy Dr Midlothian, Texas 76065

Daytime phone number _____

Alice Alvarado 7-29-08

Signature Date

mw

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H
AUG 08 2008
BY EB

TJSR
64144

CHIEF CLERKS OFFICE
2008 AUG -8 AM 9:52
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
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TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Leon + Janean Baker

Address 3050 Starwashed Dr. Midlothian, Texas 76065

Daytime phone number 972-723-7902

Leon Baker
Signature

Aug. 5 2008
Date

NSR
LC41141

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 12 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 PM 3:
CHIEF CLERKS OFFICE

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Rick + Mary Beaty

Address 908 Tremont St. Mansfield, TX 76063
~~Midlothian~~, Texas ~~76065~~

Daytime phone number 817-561-5473 or 817-825-1996

Rick Beaty Mary T. Beaty 8-4-08
Signature Date

BG

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

1+ OPA

AUG 0 1 2008

BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:23
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Elizabeth Anne Booth, MD

2049 Glenco Terrace, Fort Worth, 76110

817-920-9231

Elizabeth Anne Booth, MD

July 30, 2008

BG

Downwinders at risk
reducing toxic air pollution in north texas

P. O. Box 763844, Dallas, Texas 75376
9792/230-3185, info@downwindersatrisk.org

NSR 04144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:51
CHIEF CLERKS OFFICE

OPA
AUG 07 2008
BY BB

August 5, 2008

Ms. LaDonna Castanuela
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP (TXI)
Midlothian, Ellis County, Texas
Permit No. 1360A
Application for Permit Renewal

To Whom It May Concern:

On July 10, 2008, the Texas Commission on Environmental Quality (TCEQ) issued a notice by mail of the "Receipt of Application and Intent to Obtain Air Permit Renewal" for the above referenced existing facility. This notice included a deadline to submit public comments of fifteen (15) days after newspaper notice publication.

Downwinders at Risk is a diverse grassroots citizens group dedicated to reducing toxic industrial air pollution in North Texas. We are dedicated to speaking out on behalf of those who feel their health and property are being harmed by cement plant pollution.

Downwinders at Risk (DAR) hereby **requests that this permit renewal be denied and a contested case hearing be granted. DAR requests party status in a contested case hearing**. DAR has 115 members in the city of Midlothian and thousands of members in North Texas who may be interested in pursuing a contested case hearing. Due to the limited time available for comment, we have identified five members who have standing and wish to proceed with a hearing. They are: Alex & Kerrie Allred, Kathy Flanagan, Debra Markwardt and Ann Sears, all residents of Midlothian who have been granted party status in TXI matters previously.

Our membership, including but not limited to the above-mentioned members, is affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ their residences, their children's schools and their families' outdoor activities are in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect their health and safety and the use and enjoyment of their property.

DAR requests the TCEQ add us to the mailing list to receive all future correspondence regarding this application.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. Thisfirst

BG

report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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TXI Operations LP (TXI)'s Midlothian facility represents a complex operation with numerous problems generating many volumes of data and records. The fifteen days of allotted time is not adequate for a thorough and accurate review. Furthermore, we have requested by letter dated August 4 a 15-day extension of time to comment since the application was not available for viewing at the Midlothian Library until approximately seven days ago. **Therefore DAR requests this matter be held in abeyance and any renewal action be delayed to provide additional time for a more thorough review of these records.**

Historically, TXI's concern is making a profit on their Portland cement with little regard toward compliance with permit conditions, health, safety and welfare of public citizens residing in close proximity to the facility.

For many years TCEQ has ignored offenses and violations and neglected enforcement procedures provided them by law. It is time for this to change and for TXI to conform to regulations or be prosecuted. This is intended to be TCEQ's primary function in Texas government.

CHANGES AND MODIFICATIONS

TXI has in many instances as found in the records requested and been granted changes and modifications to their process through Permit by Rule and SB1126 exemptions. Neither of these functions provide (nor are required) public notice and are only revealed by searching the many volumes of records at the Regional Office.

The fifteen-day time limit did not allow a thorough search of all the documents, but those viewed represented some increase in particulate matter (PM) emissions. Generally the TCEQ has approved these changes by letter stating "Based on the information you provided on the above-referenced Form P1-E the TCEQ has no objections to the proposed change". This assumes a lot and requires no proof by testing to verify the new emissions do not exceed the permit limits.

In some cases it was noted, TXI has justified (or offset) these increases by requesting interplant trading between this source and another source (EPN). Continued juggling of numbers and offsets appears to lead to confusion until no one knows for sure what the actual releases are.

One case in point is a 2005 change, represented as an SB1126 Change, where the Coal Feed Crusher was relocated to serve both wet and dry kilns. The throughput was increased from 280,000 to 500,000 tons per year (tpy). TXI admitted this would increase PM emissions by 0.013 tpy. TXI requested interplant trading between this source and Finish Mill No. 6 Feed Baghouse as an offset. This capability is justified by TXI in stating "the capture efficiency of this device is higher than previously represented". How was this verified? Further, in review of the compliance files, numerous problems

have been encountered with this Finish Mill that resulted in release of large amounts of particulate matter and at numerous occasions.

It is imperative that TCEQ require actual test data to verify the accuracy of these "reduction" claims rather than accepting TXI on their word. **DAR is requesting TCEQ open an investigation to review all changes of this nature and assure MAERT values are current and accurate since 1999.**

In August 2004, TXI petitioned for authorization to increase production from 2.2 million to 2.8 million tons of clinker per year. In addition TXI sought to discontinue the operation of the Regenerative Thermal Oxidizers (RTOs) stating a hardship due to the ever-increasing price of natural gas increasing their operating costs. What was not discussed at the time was the fact the production increase would also increase the flow through the kiln, scrubber and RTOs. TXI was already having problems with static pressure. By by-passing the RTOs this pressure could be reduced.

The reason behind the system pressure problem was the scrubber and number of RTO units were reduced from the original design, presumably for economic reasons, creating additional system resistance and increased static pressure

TCEQ Commissioners and the Executive Director immediately gave their approval to allow an enormous increase in pollutants, leading Downwinders At Risk and Blue Skies Alliance (DAR/BSA) to protest the decision and the matter being directed to SOAH. At this point DAR/BSA and TXI entered into non-binding mediation on July 12, 2005.

TXI agreed to continue RTO operation, which intended and provided that ALL effluent flow passed through the RTOs, emission limits were adjusted to accommodate the production increase and the production increase was approved.

On January 15, 2008, TXI applied for a "Notification of Change". Once again this was an SB1126 Change and avoided public notice and public participation. Only by reviewing the files for this facility would anyone be aware of any change handled in this manner.

TXI proposed to "vent part of the exhaust gases from the clinker cooler through a heat exchanger, into a new baghouse and then to the kiln exhaust stack downstream of the RTOs" **This is a by-pass around the RTOs**. TXI further states *"The planned change does not decrease emissions and may actually result in an increase in downstream actual emissions from Kiln No. 5 due to improved operation and increased efficiency"*.

Regardless of TXI's claims, in whole or in part, this change will divert emissions around the RTOs and the action is in direct conflict with the 2005 agreement between DAR/BSA and TXI. Attempts to confirm the status of this change were not successful, however the available documents made mention this construction was scheduled for early 2009.

In view of these facts, TXI is in violation of SOAH Docket No. 582-05-5189 and TCEQ Docket No. 2004-1378-AIR Settlement Agreement. This act by TXI demands that TCEQ immediately direct this matter to SOAH and to convene a Contested Case Hearing for the purpose of resolution. This renewal application must be delayed and not approved until resolution.

It should be noted that TCEQ has become a party to this violation by approving a non-conforming, non-complying change to an existing facility.

TXI could have avoided all these gyrations and deception by simply installing one or two additional RTO units as was originally designed.

COMPLIANCE HISTORY

The following data was taken directly from the Regional Office files and reveals the years of non-compliance and disregard for TXI's neighbors:

2/25/1999	RFC-Site Review	Concerns for nuisance odors. Potential moderate.
01/11/2000	RFC-Site Review	Concerns for nuisance odors-Potential moderate/concerns for PM concentrations.
03/22/2000	040001028 006017A	Complaint-sulfur odor hour complaint, no investigator available.
03/29/2000	040001028 170018A	Sulfur odors
09/27/2000	040100032 187799A	Complaint-Strong sulfur and steel odors
02/11/2001	040100142 06963A	Complaint-Strong sulfur odor. Reported on Sunday. No investigation until Wednesday. Found no odor.
02/17/2001	040100145 06964A	All five kilns #1,2,3,4,5 operating at same time.
08/06/2001 *	Excursion Report	Kiln #5-High SO_2 emissions. Water turned off to scrubber. Twelve hours operation where SO_2 exceeded permit limits (322.25 lbs/hr.). Exceedances ranged from a low of 337.7lb/hr. to a high of 1,012.2lbs./hr. **(no NOV no penalty)**
02/03/2005	349193	Operating kilns #2,3,4 and 5 at same time. Violation of Special Conditions.
04/21/2005	376168	Strong sulfur odor. CAMS 302-SO_2 "higher than normal per investigator. Requested CEMS history from TXI. (Not found in records).
07/19/2005	376172	Burnt-match odor/burnt tire odor/visible emissions on kiln #3.
08/23/2005	406362	Dust pouring out of west end of clinker storage area. Citizen captured event on infrared video. Provide tape to TCEQ investigator.
03/07/2006	Recon Invest	Constant visible emissions from the northeast clinker barn door. A light burnt-match odor-6 minutes, moderate burnt-match odor-6 minutes. (04/21/2006-NOV issued).
05/02/2006	Recon Invest.	Visible emissions from kilns #1,4 and 5.
07/26/2006	Recon Invest.	Intermittent dust from clinker barn door, continuous dust from limestone Storage building and conveyor belt to cement storage silos. (#s 455047 and 488997).
09/21/2006	513418	White cloud rolling out of Finish Mill #6. (Investigator-Sixth complaint of dust in past 12 months)
09/26/2006	Recon Invest.	Light sulfur odor.
11/28/2006	515919	Moderate, constant burnt-match odor. (Investigator-Cause-Sulfur from

		raw materials being emitted from the stacks".
12/21/2006	541233	Struck-match odor observed 10 minutes.
02/07/2007	543216	Hugh sulfur odor (02/01). Visible emissions from clinker barn. Tire burning odor/chemical odor. (02/12)
02/14/2007	541873	Struck-match odor. Observed 5 minutes.
02/20/2007	Recon Invest.	Light bluish emissions from Kiln #1 stack.
02/22/2007	542478	Struck-match odor 5 minutes. Investigator-13 complaints in past 12 months. Eight include sulfur odor.
04/05/2007	556555	Burnt plastic odor.
07/12/2007	566370	(5/11 Incident)Strong sulfur odor. Excess O_2 less than 1%. Investigator-Six odor complaints in last 12 months.
09/06/2007	593801	(Focused Investigation) Visible emissions Finish Mill #6 and Transfer Tower Baghouse.
10/16/2007	598374	Fire cracker (sulfur) odor. "Investigator may have experienced odor detection fatigue from being in the strong odor plume" (Investigator-8 odor complaints in the past 12 months).
11/30/2007	610617	Excess opacity.
12/17/2007	613725	Excess opacity.
02/04/2008	618858	Opacity-44.47% (limit 35%)
02/21/2008	636265	Failure to comply with opacity limits 10 items.
04/04/2008	618853	Emission Event-SO_2 Kiln #5
04/04/2008	639848	Emission Event-Opacity
04/07/2008		Ammonia release Kiln #4
04/09/2008	639367	Very, very strong sulfur odor 3/16-3/17 O_2 = 1.3 to 2.8%
04/29/2008	685551	Odor-sulfur
05/27/2008	641857	Failure to report Title V required (PCC) excess SO_2 emissions. Failure to report emission point. Failure to report daily calibration K-4 NO_x, SO_x analyser. Failure to perform daily visible emissions (10)
06/19/2008	683771	Complaint-Strong sulfur odor. Four (4) odor complaints in 3 days-chemical lab-burnt odor. Potential for a moderate weekly-lasting over 4 hours. Potential for a strong monthly-lasting over 4 hours.

PRIOR ENFORCEMENT ISSUES

This data was taken from the TCEQ Regional Office files and illustrates how TCEQ enforces violations at TXI. These are only examples of many similar cases.

12/03/2002	NOV	Exceeding permit limits THC, H_2SO_4 (Resolved 3/28/2003
08/05/2003	NOV	Exceeding permit limit THC (tire test burn) (Resolve 08/15/2003)
10/04/2004	NOV	Did not include opacity limit on excess opacity Event Notification/ Not reporting electronically.

		(Resolved 10/04/2004)
05/17/2005	NOV	Operating over 2 wet kilns with Kiln #5 (Resolved------)
04 21/2006	NOV	Failure to prevent fugitive emissions at clinker barn. (Disposition unknown)

There was no enforcement action of any kind in the above cases. TCEQ Austin staff merely dismissed the NOVs.

In the investigator's narrative of investigations a common phrase has been used which needs to be corrected. In incidents where "odors" have been verified these are described as "unpleasant but not offensive". Whether an odor is "offensive' depends upon the individual subjected to the odor and depends upon the duration and location of this intrusion. DAR is quite sure the TCEQ Commissioners, subjected to a sample of sulfur dioxide or hydrogen sulfide from TXI's stacks, in their living rooms would classify the odor as "offensive" regardless of the concentration.

This phrase may diminish the severity of the event for the report but does not lessen the discomfort of the individual compelled to inhale TXI's non-compliance emissions from lack of proper operation and attention to control devices. DAR requests this phrase be eliminated from the investigators descriptive language.

NUISANCE CONDITIONS

DAR has been involved in issues in Midlothian and the surrounding area and specifically TXI for many years. We are well aware that odors and dust (PM) are almost daily occurrences from this facility.

Persistent odor events are the number one source of complaints in the immediate area around the TXI facility. Investigations by TCEQ substantiate these odors originate from TXI. The most prominent and identifiable type of odor is sulfur based. This is sulfur dioxide, hydrogen sulfite or related sulfur compounds. Sulfur and sulfur compounds occur in the raw material as well as the fuel (coal). Although TXI has a sulfur content limit on coal from the supplier, there is no evidence that TXI or TCEQ has actually verified the content. The permitted fuel sulfur allowable is 3.5%, which under today's values could be considered "dirty". There are much lower sulfur content coals available, many which are being used in the very near proximity of this plant and this cleaner fuel is just as available as the present fuel. Understandably, the cleaner coal costs more, but if TXI wants to be a good neighbor their concern should be to protect the health and well-being of near-by residents.

DAR made the case in TXI's hazardous waste permit hearing ten years ago for adding cost-effective, technologically feasible scrubbers to these kilns to control SOx problems. TXI is not operating with Best Available Control Technology since other wet kilns in the U.S. are operating with scrubbers. TXI has to this day never received the kind of formal and comprehensive BACT review the law demands.

Sulfur based odors will be more predominate coming from the wet kilns as opposed to the dry kiln, since the dry kiln operates with a wet scrubber and RTOs and the wet kilns have no such control devices.

Odors were a major issue in the previous SOAH Hearing-DAR/ Sierra Club vs TXI. Resulting from this hearing was an Agreed Order that imposed short-term excess exit Oxygen (O_2) limits of 0.75%. In closing the ALJ is quoted as saying (the order) "has adequately addressed alleged nuisance odors from the plant". Obviously, he was wrong.

Recently, investigators responding to odor complaints have been reviewing stack monitoring data (Sulfur and Oxygen) at the time of these incidents. Although inconclusive at this time it would appear that the 0.75% O_2 is not adequate to abate the odor and this value may have to be increased. Once again TXI's objection will be the oxygen cost.

It is unconscionable of the TCEQ to allow this issue of injustice imposed upon the residents to continue one more day when there are solutions available.

The second most predominant nuisance and source of complaints is dust (particulate matter). As evidenced from the voluminous number of complaints, TXI is not exercising adequate care and attention to maintenance and repair of the facility. Issues where broken bags, conveyor malfunctions or stoppages and breakage in duct and other conveyance of product or raw material are allowed to persist for hours, sometimes days is pure neglect and disregard for the surrounding residents.

TXI has been sited on numerous occasions (as evidenced from the enclosed summary of investigation reports) for not performing visible emission checks and TXI has failed to perform due diligence when malfunctions or accidents occur to effect a prompt repair. There is documentary proof where bags have burst and TXI has continued to operate, allowing dust to pour out of these baghouses for days before correcting the problem.

Broken bags occur from too high loading, meaning the proper frequency for cleaning is not being followed. Devices such as broken bag detectors are available that will alert the operator when an event has occurred and the problem can be repaired before an emission event become a major disaster.

FEDERAL VIOLATION

A significant violation committed by TXI prompted The United States Environmental Protection Agency (USEPA) to issue a "Notice of Violation on 06/12/2007. TXI violated Title I of the Clean Air Act by failure to comply with the special conditions of Permit 1360A that requires specific action be taken and establishes air pollution control requirements for volatile organic compounds (VOCs).

Shipments of hazardous waste, used as kiln fuel, were received without the transfer vehicle being attached to the vapor back system, the control equipment for VOCs.

In this case the USEPA acted in accordance with law that the TCEQ failed to enforce.

CONCLUSION

DAR requests that TCEQ defer and deny any and all action toward the approval for a Renewal of this Permit until the discrepancies presented herein have been satisfied and all cited problems resolved to the protesting parties' satisfaction.

Respectfully submitted,

Becky Bornhorst

Becky Bornhorst
Board member

NSR
064144

Downwinders at Risk

reducing toxic air pollution in north texas

P. O. Box 763844, Dallas, Texas 75376
972/230-3185, info@downwindersatrisk.org

2008 AUG -7 PM 3:57
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

August 5, 2008

Ms. LaDonna Castanuela
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY GB

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04/09/2008	639367	Very, very strong sulfur odor 3/16-3/17 O_2 = 1.3 to 2.8%
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This phrase may diminish the severity of the event for the report but does not lessen the discomfort of the individual compelled to inhale TXI's non-compliance emissions from lack of proper operation and attention to control devices. DAR requests this phrase be eliminated from the investigators descriptive language.

NUISANCE CONDITIONS

DAR has been involved in issues in Midlothian and the surrounding area and specifically TXI for many years. We are well aware that odors and dust (PM) are almost daily occurrences from this facility.

Persistent odor events are the number one source of complaints in the immediate area around the TXI facility. Investigations by TCEQ substantiate these odors originate from TXI. The most prominent and identifiable type of odor is sulfur based. This is sulfur dioxide, hydrogen sulfite or related sulfur compounds. Sulfur and sulfur compounds occur in the raw material as well as the fuel (coal). Although TXI has a sulfur content limit on coal from the supplier, there is no evidence that TXI or TCEQ has actually verified the content. The permitted fuel sulfur allowable is 3.5%, which under today's values could be considered "dirty". There are much lower sulfur content coals available, many which are being used in the very near proximity of this plant and this cleaner fuel is just as available as the present fuel. Understandably, the cleaner coal costs more, but if TXI wants to be a good neighbor their concern should be to protect the health and well-being of near-by residents.

DAR made the case in TXI's hazardous waste permit hearing ten years ago for adding cost-effective, technologically feasible scrubbers to these kilns to control SOx problems. TXI is not operating with Best Available Control Technology since other wet kilns in the U.S. are operating with scrubbers. TXI has to this day never received the kind of formal and comprehensive BACT review the law demands.

Sulfur based odors will be more predominate coming from the wet kilns as opposed to the dry kiln, since the dry kiln operates with a wet scrubber and RTOs and the wet kilns have no such control devices.

Odors were a major issue in the previous SOAH Hearing-DAR/ Sierra Club vs TXI. Resulting from this hearing was an Agreed Order that imposed short-term excess exit Oxygen (O_2) limits of 0.75%. In closing the ALJ is quoted as saying (the order) "has adequately addressed alleged nuisance odors from the plant". Obviously, he was wrong.

Recently, investigators responding to odor complaints have been reviewing stack monitoring data (Sulfur and Oxygen) at the time of these incidents. Although inconclusive at this time it would appear that the 0.75% O_2 is not adequate to abate the odor and this value may have to be increased. Once again TXI's objection will be the oxygen cost.

It is unconscionable of the TCEQ to allow this issue of injustice imposed upon the residents to continue one more day when there are solutions available.

The second most predominant nuisance and source of complaints is dust (particulate matter). As evidenced from the voluminous number of complaints, TXI is not exercising adequate care and attention to maintenance and repair of the facility. Issues where broken bags, conveyor malfunctions or stoppages and breakage in duct and other conveyance of product or raw material are allowed to persist for hours, sometimes days is pure neglect and disregard for the surrounding residents.

TXI has been sited on numerous occasions (as evidenced from the enclosed summary of investigation reports) for not performing visible emission checks and TXI has failed to perform due diligence when malfunctions or accidents occur to effect a prompt repair. There is documentary proof where bags have burst and TXI has continued to operate, allowing dust to pour out of these baghouses for days before correcting the problem.

Broken bags occur from too high loading, meaning the proper frequency for cleaning is not being followed. Devices such as broken bag detectors are available that will alert the operator when an event has occurred and the problem can be repaired before an emission event become a major disaster.

FEDERAL VIOLATION

A significant violation committed by TXI prompted The United States Environmental Protection Agency (USEPA) to issue a "Notice of Violation on 06/12/2007. TXI violated Title I of the Clean Air Act by failure to comply with the special conditions of Permit 1360A that requires specific action be taken and establishes air pollution control requirements for volatile organic compounds (VOCs).

Shipments of hazardous waste, used as kiln fuel, were received without the transfer vehicle being attached to the vapor back system, the control equipment for VOCs.

In this case the USEPA acted in accordance with law that the TCEQ failed to enforce.

CONCLUSION

DAR requests that TCEQ defer and deny any and all action toward the approval for a Renewal of this Permit until the discrepancies presented herein have been satisfied and all cited problems resolved to the protesting parties' satisfaction.

Respectfully submitted,

Becky Bornhorst
Board member

NSR
64144

Downwinders at Risk
reducing toxic air pollution in north texas

P. O. Box 763844, Dallas, Texas 75376
972/230-3185, info@downwindersatrisk.org

August 5, 2008

Ms. LaDonna Castanuela
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY EB

CHIEF CLERKS OFFICE
2008 AUG -7 PM 3:50
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP (TXI)
Midlothian, Ellis County, Texas
Permit No. 1360A
Application for Permit Renewal

To Whom It May Concern:

On July 10, 2008, the Texas Commission on Environmental Quality (TCEQ) issued a notice by mail of the "Receipt of Application and Intent to Obtain Air Permit Renewal" for the above referenced existing facility. This notice included a deadline to submit public comments of fifteen (15) days after newspaper notice publication.

Downwinders at Risk is a diverse grassroots citizens group dedicated to reducing toxic industrial air pollution in North Texas. We are dedicated to speaking out on behalf of those who feel their health and property are being harmed by cement plant pollution.

Downwinders at Risk (DAR) hereby **requests that this permit renewal be denied and a contested case hearing be granted. DAR requests party status in a contested case hearing.** DAR has 115 members in the city of Midlothian and thousands of members in North Texas who may be interested in pursuing a contested case hearing. Due to the limited time available for comment, we have identified five members who have standing and wish to proceed with a hearing. They are: Alex & Kerrie Allred, Kathy Flanagan, Debra Markwardt and Ann Sears, all residents of Midlothian who have been granted party status in TXI matters previously.

Our membership, including but not limited to the above-mentioned members, is affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ their residences, their children's schools and their families' outdoor activities are in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect their health and safety and the use and enjoyment of their property.

DAR requests the TCEQ add us to the mailing list to receive all future correspondence regarding this application.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. Thisfirst

mw

report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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NUISANCE CONDITIONS

DAR has been involved in issues in Midlothian and the surrounding area and specifically TXI for many years. We are well aware that odors and dust (PM) are almost daily occurrences from this facility.

Persistent odor events are the number one source of complaints in the immediate area around the TXI facility. Investigations by TCEQ substantiate these odors originate from TXI. The most prominent and identifiable type of odor is sulfur based. This is sulfur dioxide, hydrogen sulfite or related sulfur compounds. Sulfur and sulfur compounds occur in the raw material as well as the fuel (coal). Although TXI has a sulfur content limit on coal from the supplier, there is no evidence that TXI or TCEQ has actually verified the content. The permitted fuel sulfur allowable is 3.5%, which under today's values could be considered "dirty". There are much lower sulfur content coals available, many which are being used in the very near proximity of this plant and this cleaner fuel is just as available as the present fuel. Understandably, the cleaner coal costs more, but if TXI wants to be a good neighbor their concern should be to protect the health and well-being of near-by residents.

DAR made the case in TXI's hazardous waste permit hearing ten years ago for adding cost-effective, technologically feasible scrubbers to these kilns to control SOx problems. TXI is not operating with Best Available Control Technology since other wet kilns in the U.S. are operating with scrubbers. TXI has to this day never received the kind of formal and comprehensive BACT review the law demands.

Sulfur based odors will be more predominate coming from the wet kilns as opposed to the dry kiln, since the dry kiln operates with a wet scrubber and RTOs and the wet kilns have no such control devices.

Odors were a major issue in the previous SOAH Hearing-DAR/ Sierra Club vs TXI. Resulting from this hearing was an Agreed Order that imposed short-term excess exit Oxygen (O_2) limits of 0.75%. In closing the ALJ is quoted as saying (the order) "has adequately addressed alleged nuisance odors from the plant". Obviously, he was wrong.

Recently, investigators responding to odor complaints have been reviewing stack monitoring data (Sulfur and Oxygen) at the time of these incidents. Although inconclusive at this time it would appear that the 0.75% O_2 is not adequate to abate the odor and this value may have to be increased. Once again TXI's objection will be the oxygen cost.

It is unconscionable of the TCEQ to allow this issue of injustice imposed upon the residents to continue one more day when there are solutions available.

The second most predominant nuisance and source of complaints is dust (particulate matter). As evidenced from the voluminous number of complaints, TXI is not exercising adequate care and attention to maintenance and repair of the facility. Issues where broken bags, conveyor malfunctions or stoppages and breakage in duct and other conveyance of product or raw material are allowed to persist for hours, sometimes days is pure neglect and disregard for the surrounding residents.

TXI has been sited on numerous occasions (as evidenced from the enclosed summary of investigation reports) for not performing visible emission checks and TXI has failed to perform due diligence when malfunctions or accidents occur to effect a prompt repair. There is documentary proof where bags have burst and TXI has continued to operate, allowing dust to pour out of these baghouses for days before correcting the problem.

Broken bags occur from too high loading, meaning the proper frequency for cleaning is not being followed. Devices such as broken bag detectors are available that will alert the operator when an event has occurred and the problem can be repaired before an emission event become a major disaster.

FEDERAL VIOLATION

A significant violation committed by TXI prompted The United States Environmental Protection Agency (USEPA) to issue a "Notice of Violation on 06/12/2007. TXI violated Title I of the Clean Air Act by failure to comply with the special conditions of Permit 1360A that requires specific action be taken and establishes air pollution control requirements for volatile organic compounds (VOCs).

Shipments of hazardous waste, used as kiln fuel, were received without the transfer vehicle being attached to the vapor back system, the control equipment for VOCs.

In this case the USEPA acted in accordance with law that the TCEQ failed to enforce.

CONCLUSION

DAR requests that TCEQ defer and deny any and all action toward the approval for a Renewal of this Permit until the discrepancies presented herein have been satisfied and all cited problems resolved to the protesting parties' satisfaction.

Respectfully submitted,

Becky Bornhorst
Board member

NSR
64144

Downwinders at risk

reducing toxic air pollution in north texas

P. O. Box 763844, Dallas, Texas 75376
9792/230-3185, info@downwindersatrisk.org

August 3, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

CHIEF CLERKS OFFICE
2008 AUG -4 PM 2: 22
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

After receiving notice of the above-referenced application in the mail, one of our members went to Midlothian's public library on July 22 to review the application. The notice states:

> "The application was submitted to the TCEQ on June 24, 2008. The application is available for viewing and copying at the TCEQ central office, TCEQ Fort Worth regional office, and the A. H. Meadows Library, 922 South 9th Street, Midlothian, Ellis County, Texas."

However, the application was not on file in the library. According to the librarian (Reesa) at the A. H. Meadows Library, the application was brought to the library during the week of July 28, most likely on Wednesday or Thursday (30 or 31), a week after the newspaper notice and over a month after the application was submitted to TCEQ. That has seriously limited our ability to thoroughly comment on the application in a timely manner.

Please grant a 15-day extension of time to comment on this application based on noncompliance with notice requirements. Please notify us of your decision immediately by telephone or e-mail since the deadline is approaching.

Sincerely,

Becky Bornhorst

Becky Bornhorst

cc: Emily Boyd, Office of the Public Interest Council

BG

July 28, 2008

NC-
104144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10: 02
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Linda Bostic

Address 4960 Old Fort Worth Rd Midlothian, Texas 76065

Daytime phone number 972 723 1272

Linda Bostic July 30, 2008
Signature Date

BG

August 4, 2008

NSR
04144

H

OPA
AUG 07 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:53
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

My family is affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility. These emissions, including those listed above are of a proven nature to adversely affect my health and safety.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. We disagree that the obsolete wet kilns are in fact "Best Available Control Technology".

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Please place me on your mailing list to receive future public notices for this specific application.

Sincerely,

Bonita Bowman

Bonita Bowman
1601 University Drive, Arlington, TX 76013
phone: 817-265-0008

BG

Ms. Ladonna Castañuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144

OPA

AUG 05 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM. 3: 34

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to eithe retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Karl Bradford

Address 541 Allen Ln Midlothian, Texas 76065

Daytime phone number 972 723-1089

Signature Karl Bradford Date 7-31-08

BG

NSR
04/44

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

2008 AUG -4 PM 3:29

H AUG 05 2008

CHIEF CLERKS OFFICE

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name_Sam Brasfield and Suellen Brasfield

Address 319 Boardwalk Midlothian, Texas 76065

Daytime phone number 972-775-6173

Signature Date 8-1-08

BG

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 01 2008
BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 9:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

My family and I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Sandra Breakfield
5610 Cliff Haven Drive
Dallas TX 75236
972-296-9142

Sandra
7/30/08

BG

OPA

AUG 0 1 2008

BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 64144

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

July 30, 2008

2008 JUL 31 PM 2:41
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: Rick Breckenridge

Address 1928 Realistic Dr. Bedford, TX 76021

Daytime phone number 469 363-6999

Sincerely,

Rick Breckenridge

mw

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H

OPA
AUG 04 2008
BY AB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 AM 11:12
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Annette Briggs

Address 2904 Roxboro Dr. Ewless, Tx 76039 ~~Midlothian, Texas 76065~~

Daytime phone number 817-707-9686

Annette Briggs 7-28-08
Signature Date

PS - My allergies are getting worse + worse + the air in the Metroplex is the reason. Please DO something? AB

BG

NSR
L04144

Deborah Brown
8039 Westover Drive - Dallas TX 75231

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 01 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:10
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

TXI's four wet kilns and Ash Grove's three wet kilns combined produce a majority of Midlothian air pollution but a small percentage of actual cement. Retrofitting these wet kilns with modern pollution controls or replacing them with newer dry ones would significantly reduce downwind air pollution.

"Wet kilns" are obsolete within the cement industry - no wet kilns have been built in the US since the 1970's. These kilns have **no scrubbers.** They have no modern controls for Particulate Matter. **They produce twice as much ozone-forming Nitrogen Oxide pollution as TXI's newer dry kiln in Midlothian.** TXI does not operate these kilns for the cement they produce. The company's newer dry kiln now provides at least 80-90% of all the cement they make in North Texas. They operate the four wet kilns because they're the only ones permitted to burn hazardous waste and provide a separate revenue stream as incinerators. **The result is that the oldest, dirtiest kilns, the ones that lack fundamental pollution controls, are the very ones doing the most dangerous job with the most dangerous chemicals.**

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Best Regards,
Deborah Brown

Deborah Brown

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 104144 #

OPA
AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 8:8
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Drew Brown
1122 Judy Avenue, Benbrook, TX 76126
817-327-3000

Sincerely
Drew Brown 8-5-2008

BG

INSR
C04144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10: 0
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Name Mahesh Brown

Address 7022 Pasadena Ave. Dallas, TX 75214

Mahesh R
Signature

8-3-08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY EB

2008 AUG -8 AM 10:07
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Kara Browne

Address 3011 Plainview Rd. Midlothian, Texas 76065

Daytime phone number 214-949-5019

Kara L. Browne
Signature

July 31, 2008
Date

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a contested case hearing on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ deny this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Joan M. Burnard
Address 7621 Clearview Dr
Daytime phone number 214-725-8746

PO Box 361
Midlothian, Texas 76065
mailing address

Joan M Burnard
Signature

8/1/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144
#

OPA
AUG 05 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10: 00
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ deny this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name William M. Burnard

Address 2621 Cleaaview Dr Midlothian, Texas 76065

Daytime phone number 972 953-8600

William M. Burnard 7-31-08
Signature Date

BG

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

AUG 05 2008

2008 AUG -4 PM 3:39

BY GB

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Janine Byard

Address 3341 Joe Wilson Rd Midlothian, Texas 76065

Daytime phone number 214 869 2110

Signature Janine Byard Date 7-30-08

BG

OPA

H AUG 04 2008

BY GB

NSR 104144

2008 AUG -8 AM 9:59

CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, our residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect our health and safety and the use and enjoyment of our property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to our health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Christie and Parks Campbell

3741 Hamilton Ave,, Fort Worth, TX 76107

817-732-0556

Christie Campbell
Signature

Aug 6, 2008
Date

Parks Campbell

8-6-08

MW

ly 28, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
C04144
#

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:25
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Don + Peggy Campbell

Address 4330 Cement Valley Rd. Midlothian, Texas 76065

Daytime phone number 972-891-1112

Peggy M. Campbell 8-28-08
Signature Date

BG

July 28, 2008

NSR
64144

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -4 PM 3:25

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

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Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Stan Campbell

Address 4328 Cement Valley Rd. Midlothian, Texas 76065

Daytime phone number 469-254-6151

Signature 7/28/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
04141

OPA

AUG 05 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:33

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name KEN CHAMBERS

Address 1711 WINDSWEPT DR. Midlothian, Texas 76065

Daytime phone number 972-775-6569

Signature 7/31/08
Date

BG

NSR
L04141

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

H

OPA
AUG 08 2008
BY GB

2008 AUG -8 AM 10: 10
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: Kay Christlieb

Address: 6108 Castle Creek Road Arlington TX 76017-1902

Daytime phone number: 817-483-1914

Kay Christlieb 8/5/2008

MW

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 01 2008
BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 31 PM 2:43
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

NSR 64144

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Kenneth and Kathy Chruscielski
208 Remuda Circle West
Fort Worth, TX 76108

Daytime phone number 817.448.6348

Signature

Date 7/20/08

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

KCSR
044144

OPA

H

AUG 06 2008

BY EB

CHIEF CLERKS OFFICE

2008 AUG -6 AM 10:40

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I am requesting a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

My family is affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Rita Clarke

Address 14244 Coral Harbour Ct. (75239) ~~Midlothian~~ Dallas, Texas 76065

Daytime phone number 972.241-7542

Signature Rita Jo Clarke Date 7/31/08

BG

NSR
64144
H
OPA
AUG 0 1 2008
BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Melanie Clifton

Address 201 Mountain Peak Bend Midlothian, Texas 76065

Daytime phone number 972-775-3151

Signature [signature] Date 7/31/08

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 64144 H

OPA
AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:42
CHIEF CLERK'S OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Amanda and Bryan Coley

✓ 3635 Copper Stone Dr
Dallas, TX 75287

Address _____ Midlothian, Texas 76065

Daytime phone number 469.892.2243

Bryan Coley
Signature

July 31, 2008
Date

No address on envelope

BG

NSR
64144
#

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:40
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Kim Collie

Address 6408 Walnut Springs Dr., Arlington ~~Midlothian,~~ Texas 76001

Daytime phone number (817) 500-1813

Kim E. Collie 7/31/08
Signature Date

BG

NSR
041144

SERENA SIMMONS CONNELLY
3117 BROOKHOLLOW DRIVE
DALLAS, TEXAS 75234

July 30, 2008

H OPA
AUG 04 2008
BY 913

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 AM 11:09
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

Dear Ms. Castanuela,

I urge TCEQ to grant a contested case hearing on TXI's application to obtain an air permit renewal (No. 1360A). I have heard reports that this would authorize TXI to continue to use outdated technology in its Midlothian cement kilns and emit serious toxins into the air of its upwind neighbors in North Texas. I have become very concerned about the quality of air in Dallas where I live, because visible smog is evident on the horizon and most everyone I know now suffers from severe allergies. Given the concerns of me and others like me, please allow citizens to present their concerns before this permit is renewed.

Sincerely,

Serena Simmons Connelly, MSSW
Mother
Director, Harold Simmons Foundation
sconnelly@valhi.net

BG

NSR
064144

Ms. Ladónna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 11:45
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Paulette Cooper

Address 4132 Bryn Mawr Dallas, TX 75225

Daytime phone number 214-739-4630

Paulette L Cooper
Signature

Date Aug 2, 2008

mw

July 28, 2008

NSR
041144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA

2008 AUG -4 PM 3:29

AUG 05 2008

CHIEF CLERKS OFFICE

BY AB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name ALBERT R. CULLINS

Address 240 WORTH Ct, Midlothian, Texas 76065

Daytime phone number 972-723-3087

A R. Cullins 8-2-08

Signature Date

BG

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:36
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name___Kim Davis _____

Address _210 Mountain Peak Bend_____ Midlothian, Texas 76065

Daytime phone number _____

Signature _____ 7-31-08 _____
Date

BG

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

NSR
U4KU

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:40

CHIEF CLERKS OFFICE

OPA

H

AUG 05 2008

BY GB

Re: TXI Operations LP

Permit No 1360A

Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it **could not say with confidence that these emissions were safe.** This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I **protest the approval** of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Dawn Davison, 108 Creekview Circle, Maypearl, TX 76064, 972-435-3504, ddtwilite@ectisp.net

Thank you,
Dawn Davison 7-31-08

BG

NSR
041144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

2008 AUG -4 PM 3:24

AUG 05 2008

CHIEF CLERKS OFFICE

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living *adjacent and downwind of TXI is a very good reason to grant a contested case hearing.*

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Anna DeSelle

Address 401 Shiloh Road Midlothian, Texas 76065

Daytime phone number (972) 775 5462

Anna DeSelle 7/30/08

Signature Date

BG

N 312
UC1144

H

OPA
AUG 0 1 2008
BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:25
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I/ We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I/ We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name JULIE A. DILL

Address 120 CLINTON LANE Midlothian, Texas 76065

Daytime phone number 972-775-4273

Julie A. Dill
Signature

7/31/08
Date

BG

NSR
64144

OPA

H AUG 08 2008

BY EB

CHIEF CLERKS OFFICE
2008 AUG -7 PM 4:55
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Connie Domingue

Address 351 Daisy Road Midlothian, Texas 76065

Daytime phone number 214-906-4866 cell

Connie Domingue 7-31-08

Signature Date

mw

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY EB

2008 AUG -7 PM
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name James Domingue

Address 351 Daisy Rd Midlothian, Texas 76065

Daytime phone number 972-979-1202

James Domingue
Signature

03/03/08
Date

mw

NSR
64144
H

OPA
AUG 04 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 AM 11:
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Barbara Downey

Address 2511 Wedglea #718 Dallas, Texas 75211

Daytime phone number 214-948-6641

Barbara A. Downey July 31, 2008

Signature Date

BG

July 28, 2008

NSR
64144

OPA
JUL 30 2008
H
BY [signature]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 30 AM 9:34
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Mr & Mrs. [signature] (Dunklin)

Address 3711 Cement Valley Rd. Midlothian, Texas 76065

Daytime phone number 972-775-1947

[signature] - Patricia Dunklin 7-28-08
Signature Date

mw

NSR

A OPA 64144

AUG 0 1 2008

BY BP

CHIEF CLERKS OFFICE

2008 AUG -1 AM 11: 22

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
Re: TXI Operations LP
Permit No 1360A

Application for Renewal

We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name RICHARD D DURHAM
Address 2310 FM 1387 REAR APT Midlothian, Texas 76065
Daytime phone number 817 994 6602

Signature Date Richard D. Durham
30 JULY 08

BG

ISR
64144

Ms. Eadonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10:03
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Randie Ellis

Address 6400 Independence Pkwy #908 Plano, TX 75023

Daytime phone number 214-537-6507

Randie Ellis 6/4/08

Signature Date

BG

NSR
04144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:31

CHIEF CLERKS OFFICE

H OPA

AUG 05 2008

BY EB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury. **If not now, when can Fort Worth citizens ever expect to have clean air again?**

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the path of emissions from this facility and these emissions affect my health and the use and enjoyment of my property. Texas officials should be ashamed to let this go on.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing. I guarantee you there is no doubt in anyone's mind who lives in Fort Worth as to how this plant impacts our air. It's worse than Los Angeles here. I moved back here from Virginia 2 years ago and the air quality here is appalling. I grew up in Graham and this is hard for me to believe. We need your help to fix this problem.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, **I protest the approval of this application** based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name H. D. Ellison

Address 500 Throckmorton St., #2612, Fort Worth, Texas 76102

Daytime phone number 817-810-9721

H. D. Ellison 7-30-08

Signature Date

BG

July 28, 2008

H OPA NSR 04144

AUG 01 2008

BY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

2008 AUG -1 AM 11:24
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Veronica Estrada

Address 3931 Cement Valley Midlothian, Texas 76065

Daytime phone number 817 781-7300

Veronica Estrada 7-30-08

Signature Date

BG

NSP
U4144

H OPA

AUG 0 1 2008

BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:02
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Billie Kay Fields

Address 603 S 2nd Street Midlothian, Texas 76065

Daytime phone number 972-268-5932

Billie Kay Fields 7/30/08

Signature Date

BG

NSR
U64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Dan & Becky Fowler

Address 200 N. 3rd Street Midlothian, Texas 76065

Daytime phone number 972-723-1488

Dan Fowler & Rebecka A. Fowler 8/1/08
Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 1 1 2008
BY BP

NSR
L04144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 AM 11:02
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Patricia Gant + Ronald Gant

Address 555 Woodcreek Drive Midlothian, Texas 76065

Daytime phone number 214-209.0730

Patricia Gant
Signature

Aug. 6, 2008
Date

Ronald Gant

BG

NSR
64144

OPA
AUG 04 2008
BY GB

2008 AUG -4 AM 11: 11
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jennifer Garcia

Address 604 First St. Terrell, Texas 75160

Daytime phone number 972-524-6171

Jennifer Garcia 7-30-08
Signature Date

BG

NSR
041441

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
A
AUG 08 2008
BY GB

CHIEF CLERKS OFFICE
2008 AUG -8 AM 10:13
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Brian Garrison and Tama Garrison

Address 2014 Fawn Drive Midlothian, Texas 76065

Daytime phone number 972-775-6412

Signature 8/2/08 Date

X Tama Garrison 8/2/08

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

2008 AUG -6 AM 10:34
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

NameLois & Stanley Golman_____

Address 5200 Keller Springs #623_____

BG

Dallas, Tx 75248_____

Daytime phone number 972-774-1004_____

_____

Signature

Stanley Golman
Lois Golman

Date 8-3-08

July 28, 2008

NSR
64144

OPA
JUL 30 2008
BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 30 AM 9:35
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

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Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name MIKE GRIFFITH & CYNTHIA GRIFFITH

Address 4186 OLD FT. WORTH RD. Midlothian, Texas 76065

Daytime phone number (972) 723-3125

Mike Griffith Cynthia Griffith 7-29-08

Signature Date

mw

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY aB

NSR
U4144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 11:44
CHIEF CLERK'S OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Elaina Gross

Address 3425 Centenary Drive Dallas, TX 75225

Daytime phone number 214-361-9009

Elaina Gross
Signature

August 6, 2008
Date

mw

NSR 64144 H

OP

AUG 04 2008

BY EB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 PM 2:48
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Marilyn M Guenther

Address 214 Mountain Peak Bend Midlothian, Texas 76065

Daytime phone number 214 926-7220

[signature] 8-1-08

Signature Date

BG

NSR
641441

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:36

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA

AUG 05 2008

BY EB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Name: Regina B Hall

Address: 16106 Terrace Trail, Whitewright, TX 75491

Regina B Hall 7-30-08

Signature Date

BG

NSR.
104144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 01 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:20
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are injurious to the health of our family.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Candy & Wayne Halliburton

Address 905 Ridgewood Terrace, Arlington, TX 76012

Candy Halliburton Wayne Halliburton 7/30/2008
Signature Date

BG

NCR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H
AUG 06 2008
BY EB

CHIEF CLERKS OFFICE
2008 AUG -6 AM 10:39
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Maralyn Hamaker

Address 1139 Haines Avenue Dallas, Texas 75208

Daytime phone number 214-941-8607

Maralyn Hamaker 8-2-08
Signature Date

BG

NSR
L041144

August 1, 2008

OPA
AUG 05 2008
BY aB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 9:57
CHIEF CLERKS OFFICE

Linda Hanratty
4236 Oak Park Court
Fort Worth, TX 76109

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Subject: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal for the subject operations. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. I also protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Please place my name on the mailing list to receive future public notices for this specific application.

Sincerely,

Linda Hanratty

BG

NSR
04144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

2008 AUG -4 PM 3: 24

AUG 05 2008

CHIEF CLERKS OFFICE

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it **could not say with confidence that these emissions were safe.** This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I **protest the approval** of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: Bonnie Harllee

Address: 8327 Winecup Ridge

City/State/Zip: Dallas, TX 75249

Daytime phone number: (214) 533-6424 email: [redacted]

Bonnie J Harllee 7/31/2008

Signature Date

BG

OPA
AUG 0 1 2008
BY BP

NSR
04144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:19
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Re: TXI Operations LP

Permit No 1360A

Application for Renewal

I, Sara Harllee, request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am negatively affected by this outdated plant!!!!

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it **could not say with confidence that these emissions were safe.** This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I **protest the approval** of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health. The statistics on pulmonary disease and allergies among children and adults in this region of the state are horrendous, and I find it unacceptable.

BG

I also would like to be placed on a mailing list to receive future public notices for this specific application. Thank you most sincerely for accepting my request for a contested case hearing.

Sara Elizabeth Harllee

Sara Harllee

Name SARA HARLLEE

Address 8327 Winecup Ridge

City/State/Zip Dallas, TX 75249

Daytime phone number 972-765-6822

email: [redacted]

Signature Sara Elizabeth Harllee

Date 8/1/2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

N°R 64144

OPA

AUG 01 2008

BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 10:57
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Walt Harrison WALT HARRISON

Address 105 Waits Circle Midlothian, Texas 76065

Daytime phone number 972-278-0978

Walt Harrison 7/29/08

Signature Date

Please help us!
Walt

BG

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

NSR
64144

H OPA
AUG 12 2008
BY bp

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 PM 3:23
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name HASTINGS CC

Address 2934 EAST 73RD PLACE
TULSA, OKLAHOMA 74136

Daytime phone number 918 494 0495

BG

NSR
L04144
OPA
AUG 07 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:52
CHIEF CLERKS OFFICE

August 4, 2008

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I hereby request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I live in Bedford and am affected by this plant since, as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. **Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs.** A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance, which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Sincerely,

M J Hawkins

Michaelynn Hawkins
2801 Meadow Creek
Bedford TX 76021
Tele: 817-545-6617

BG

NSR
64144

3200 Overton Park Dr. W.
Fort Worth, TX 76109

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -6 AM 10: 46

CHIEF CLERKS OFFICE

August 4, 2008

Ms Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P.0.Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY EB

Re: TXI Operations LP
Permit No. 1360A
Application for Renewal

Dear Ms Castanuela:

I am joining others in requesting a contested case hearing of the application by TXI for a renewal of its permit to continue operating its older wet cement kilns. Toxic emissions from these plants reach as far as the Metroplex, which is already in non-attainment of air quality standards. TXI is a profitable enough company to afford conversion to the most current pollution control processes. There is no reason to continue to allow the corporation to continue with outdated technology with no regard to the health and safety of the citizens of North Texas. I protest the approval of this application.

Elizabeth G. Hedden

Elizabeth G. Hedden

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 12 2008
BY BP

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 PM 3:22
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Philip G. Hennen & Myra Z. Waldrop

1824 Martel Avenue, Fort Worth, Texas 76103

817-718-6735

Philip G Hennen
4 August 2008

BG

NSR
04444

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

2008 AUG -4 PM 3:27

H AUG 05 2008

CHIEF CLERKS OFFICE

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: George T Hill

Address: 1930 Westview Terrace Arlington, Tx 76013

Daytime phone number: *817.261.8031*

Signature George T Hill Date 7/31/2008

BG

NSR
041141

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:25
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name SUSAN CATHERINE HILTON

Address 706 N. BISHOP AVE APT 4 DALLAS, TX 75208 ~~Midlothian, Texas 76065~~ I DO NOT LIVE IN MIDLOTHIAN, TX BUT THIS PERMIT RENEWAL AFFECTS ALL OF THE DFW AREA.

Daytime phone number 210.273.0610

Signature Susan Catherine Hilton

Date 7.30.08

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
044444H

OPA
AUG 07 2008
BY aB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Name BONNIE HOFFMAN

Address 614 RENEE LN. DESOTO TX 75115

Bonnie Hoffman
Signature

8/3/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64444 H

OPA
AUG 07 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:58
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Name Brian Hoffman

Address 1302 Halifax DR. Grand Prairie Tx 75050

Signature _____ Date 8-5-08

BG

INSR
064144

MS. LADONNA CASTANUELA
OFFICE OF THE CHIEF CLERK MC-105
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
PO BOX 13087
AUSTIN TX 78711-3087

OPA
AUG 07 2008
BY GB

2008 AUG -7 AM 9:58
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

RE TXI OPERATIONS LP
PERMIT # 1360A
APPLICATION FOR RENEWAL

I REQUEST A CONTESTED CASE HEARING ON THE APPLICATION & INTENT TO OBTAIN AN AIR PERMIT RENEWAL REFERENCED ABOVE. PERMIT # 1360A WOULD AUTHORIZE TXI TO EMIT NITROGEN OXIDES, CARBON MONOXIDE, HYDROGEN CHLORIDE, ORGANIC COMPOUNDS, SULFUR DIOXIDE, CHLORINE, HYDROGEN FLUORIDE SULFURIC ACID, TOTAL REDUCED SULFUR, HYDROGEN SULFIDE, PM10 ORLESS, BARIUM, TRIVALENT CHROMIUM, LEAD, SELENIUM, THALLIUM, ZINC TRACE METALS INCLUDING LEAD & MERCURY. I AM AFFECTED BY THIS PLANT SINCE AS DEMONSTRATED BY METEOROLOGICAL & OTHER SCIENTIFIC DATA PROVIDED BY TCEQ, MY RESIDENCE AT 614 RENEE LN, DESOTO TX 75115 IS IN THE DIRECT PATH OF EMISSIONS FROM THIS FACILITY AND THESE EMISSIONS ARE OF A PROVEN NATURE TO ADVERSELY AFFECT MY HEALTH AND SAFETY AND THE USE & ENJOYMENT OF MY PROPERTY.

★ DO NOT APPROVE PERMIT # 1360A. I AM FORWARDING A COPY OF THIS LETTER TO MY LAWYER FOR MY PROTECTION AND THE PROTECTION OF MY FAMILY.

BG

I PROTEST APPROVAL OF THIS APPLICATION BASED UPON PAST HISTORY OF PERMIT VIOLATIONS AND NON-COMPLIANCE WHICH HAVE RESULTED IN EXCESS EMISSION RELEASES THAT ARE PROVEN INJURIOUSE TO MY HEALTH.

STEPHANIE HOFFMAN
LOLY RENEE LN.
DESOTO TX 75115
PH # 972-274-3521

8/4/08

CC: HENRY PARKHILL
COWDEN + COWDEN LLC

July 28, 2008

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY QB

2008 AUG -4 PM 3:29
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Barbara Holley

Address 881 N. WARD Midlothian, Texas 76065

Daytime phone number 972-723-8342

Barbara Holley 8-1-08

Signature Date

BG

N SR
104144

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

H OPA
AUG 12 2008
BY bp

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 PM 3:23
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Cynthia Hollins

Address 2915 Wilhurt Ave.
Dallas, TX 75216

Daytime phone number 214-374-0582

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
H OPA 64144
AUG 08 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 9:52
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name CAROLE ANN HOPPENSTEIN

Address 3831 DUCHESS TRL DALLAS, TX 75229

Daytime phone number (214) 358-0625

Ca Hoppenstein 8/5/08
Signature Date

mw

NSR
064144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 9:58
CHIEF CLERKS OFFICE

bruce

From: Paula Thornton [redacted]
Sent: Wednesday, July 30, 2008 10:27 PM
To: Elisa Hopewell
Subject: Fwd: URGENT! TXI Permit Renewal for Haz-Waste Kilns

---------- Forwarded message ----------
From: **Becky Bornhorst** < >
Date: Wed, Jul 30, 2008 at 10:04 PM
Subject: Re: URGENT! TXI Permit Renewal for Haz-Waste Kilns
To: Paula Thornton < >

OPA
H AUG 08 2008
BY EB

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to

mw

either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Elisa Hopewell

Address 903 Warrington Ct Arl. TX 76014

Daytime phone number 817-299-8595

E Hopewell 8-5-08

Signature Date

NSR
64K14

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

CHIEF CLERKS OFFICE
2008 AUG -6 AM 10: 30
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name John Huffman

Address 3809 Trail Lake Dr. Fort Worth, Texas 76109

Daytime phone number 817 924.9845

John P. Huffman
Signature

4 Aug '08
Date

BG

NSR
64144

OPA

H

AUG 06 2008

BY EB

CHIEF CLERKS OFFICE

2008 AUG -6 AM 10:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Charlotte Hyams, Ph.D.

Address 3221 Donnelly Circle #1811, Fort Worth, Texas, 76107

Daytime phone number 817-735-9032

Charlotte Hyams, Ph.D. 8-4-08

Signature Date

BG

NSR
64141

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3: 27

CHIEF CLERKS OFFICE

OPA
AUG 05 2008
BY GB

August 1, 2008

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Linda Walsh Jenkins

Address 5021 Granite Shoals Ave., Fort Worth, Texas 76103

Daytime phone number 817-266-3382

Linda Jenkins — Signature

August 1, 2008 — Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H

OPA
AUG 0 1 2008
BY BP

NSR 64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 31 PM 2:46
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jess Jessen

Address 3109 Knox St. # 648 Dallas, Texas 75205

Daytime phone number 214-418-6170

Signature [signature] Date 7-26-08

MW

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
041441

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:29
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to eithe retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name ROBERT JOHNSON

Address 1771 WINDSWEPT DR. Midlothian, Texas 76065

Daytime phone number 817-343-4155

Robert Johnson 8/1/08
Signature Date

BG

JSR
064144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:47
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Taylor Jones

Address 1302 Panhandle Denton, Tx 76201

Daytime phone number

Taylor Jones 8-2-08

Signature Date

BG

NSR
064144
H

OPA
AUG 07 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:33
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Paul G Kalich

Address 5640 East Side, Dallas Tx 75214 ~~Midlothian, Texas 76065~~ EAST SIDE AVE.

Daytime phone number 214.823.6977

Signature

August 1, 2008
Date

BG

NSR
64144

OPA

AUG 06 2008

BY GB

August 4, 2008

2008 AUG -6 AM 10:25
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ladonna Castanuela, Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

I request a contested case hearing on the application and intent to obtain an air permit renewal for permit number 1360A. The permit would authorize TXI to emit many dangerous chemicals which will contribute to the already poor air quality in the Dallas/Ft. Worth area.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Sincerely,

Kerrie Kimberling

Kerrie Kimberling
209 S. Lois Lane
Richardson, TX 75081
214-734-7816

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

NSR
041144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 29
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Daniel Kocurek

Address 3000 Sieber Drive, Arlington, Texas 76016

Daytime phone number 8173686019

Signature

7/29/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA NSR 64144

AUG 01 2008

BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11: 1
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Leslie Kuhn 8/30/08

Signature Date

BG

Leslie C. Kuhn
Apt 2
4101 Hawthorne Avenue
Dallas, TX 75219

DALLAS TX 752

31 JUL 2008 PM 2 T

"LET US DARE TO
THINK, SPEAK AND
John Adams, 1
poweroftheletter.com

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:14
CHIEF CLERKS OFFICE

105

Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Tx
78711

RECEIVED
AUG 01 2008
TCEQ MAIL CENTER
MM

7871143087

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
U4144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

AUG 21 2008

BY EB

2008 AUG 21 AM 10: 04

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Marilyn Kuss

Address 1616 Overcup Ln Keller ~~Midlothian~~, Texas 76248 ~~76065~~

Daytime phone number 817-457-7103

Marilyn Kuss
Signature

8-18-08
Date

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
041441

H OPA
AUG 08 2008
BY EB

2008 AUG -8 AM 9:47
CHIEF CLERK'S FILE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Kelly Lane

Address 7421 Kell Drive Ft. Worth 76112
~~Midlothian~~, Texas 7~~6065~~

Daytime phone number 817-905-1879

Kelly Lane
Signature

8/4/2008
Date

mw

July 28, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
04144
OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 42
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Rhonda Laudermilk

Address 3750 Cement Valley Rd. Midlothian, Texas 76065

Daytime phone number 214-949-0008

Rhonda L. Laudermilk 8/3/08
Signature Date

BG

NSR
L64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:34

CHIEF CLERKS OFFICE

OPA

AUG 05 2008

BY EB

July 28, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

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Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Bobby D. and Carolyn A. Lee

Address 4961 Old Fort Worth Road, Midlothian, Texas 76065

Daytime phone number 972-723-6286

Carolyn A. Lee / Bobby Lee
Signature

August 1, 2008
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 01 2008
BY BP

NSR
64144

2008 AUG -1 AM 8:17
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name LEWIS LEE

Address 3418 CHARING CROSS RD Midlothian, Texas 76065

Daytime phone number 972-775-4906

Lewis Lee 7-30-08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144

OPA

AUG 05 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3: 39

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Deborah J. LeMoine

Address 3421 Starwashed Dr Midlothian, Texas 76065

Daytime phone number 972-205-4477

Deborah LeMoine
Signature

31 July 2008
Date

BG

NSR
04144

Katherine Liddle
415 Falling Leaves Dr
Duncanville, TX 75116
(972)283-6757
[redacted]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:37

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H
AUG 05 2008
BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. Both of my young sons suffer from asthma, and their outdoor activity is often restricted by poor air quality.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it **could not say with confidence that these emissions were safe.** This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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BG

Additionally, I **protest the approval** of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Sincerely,

Katherine R Liddle

Katherine Liddle

NSR
04144

11517 Mid Surrey Court

Dallas, TX 75229

August 5th, 2008

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

2008 AUG -8 AM 9:52
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA
H
AUG 08 2008
BY EB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

I suffer from a very severe obstructive pulmonary disease. I have enough difficulty breathing on any day, but on ORANGE LEVEL DAYS it is worse. I am hoping that we do not have any RED OZONE LEVEL DAYS this summer.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Sincerely,

Lou Ann Ligon

Lou Ann Ligon and neighbors and friends

MW

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H

OPA
AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:31
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Cindy Little Cindy LITTLE

Address 4831 Monroe Ct ~~Midlothian TX~~ Midlothian, Texas 76065

Daytime phone number (972) 775-5399

Cindy Little
Signature

7/30/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 04 10 01
CHIEF CLERK'S OFFICE

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name EVA LLOYD

Address POBOX 595155 Midlothian, Texas 76065

Daytime phone number 214 452 8999

Signature Date 7/30/08

BG

NSR
064144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 08 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 8:54
CHIEF CLERK'S OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jody Luckie

Address 205 Marilyn Ln N. Richland Hills, TX 76180

Daytime phone number 817-917-9527

Signature Jody Luckie

Date 8/5/08

mw

NSR
041144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H

OPA
AUG 08 2008
BY QB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 9:47
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Samantha Luckie

Address 7205 Marilyn Ln N Richland Hills, TX 76180

Daytime phone number 817-605-7191

Samantha Luckie — 8-5-08
Signature — Date

mw

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
064144 OPA
H
AUG 07 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:59
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the path of emissions from this facility and these emissions are of a proven nature to adversely affect our health and safety and the use and enjoyment of our property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to our health and that of others in the community.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: Toby and Kassi Marks

Address: 2101 Carnation Court, Garland, Texas 75040

Daytime phone number: 469-443-3144

Kassi Dee Patrick Marks
Signature

8/5/08
Date

BG

NSR
104144

H OPA IP+

SEP 15 2008

BY BP

Sept. 10, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 SEP 12 PM 3:03
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

Attached is a copy of the lawsuit that I wish to add as additional comments

I Debra L. Markwardt hereby request that this permit be denied and a contested case hearing be granted. I feel the health of my animals, my health and the use and enjoyment of my property will be greatly adversely affected by the granting of this permit.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Sincerely

Debra L. Markwardt

Debra L. Markwardt
1241 E. Wyatt Rd.
P.O. Box 1323
Midlothian, TX 76065
972-775-2562
972-740-9157

mw

CAUSE NO. 08-0224

FILED
2008 MAR 12 PM 3:35
DALLAS CO., TEXAS
DEPUTY

DEBRA MARKWARDT,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
v.	§	DALLAS COUNTY, TEXAS
	§	
TEXAS INDUSTRIES, INC, GERDAU AMERISTEEL CORPORATION, GERDAU AMERISTEEL U.S., INC., CHAPARRAL STEEL MIDLOTHIAN, L.P., CHAPARRAL STEEL TEXAS, LLC, CHAPARRAL STEEL TEXAS, INC., CHAPARRAL STEEL INVESTMENTS, INC., CHAPARRAL STEEL COMPANY, and CHAPARRAL STAR RECYCLING, L.P.,	§	
	§	C-68th
Defendants	§	JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

Plaintiff Debra Markwardt files this Original Petition and in support would respectfully show the Court the following:

DISCOVERY LEVEL

1. Discovery in this case is intended to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure.

PARTIES

2. Plaintiff Debra Markwardt is a citizen and resident of Texas residing in Midlothian, Ellis County, Texas.

3. Defendant Texas Industries, Inc. ("TXI") is a Delaware corporation with its principal place of business in Dallas, Texas. It may be served with process through its registered agent, CT Corporation System, 350 N. St. Paul, Dallas, Texas 75201.

4. Defendant Gerdau Ameristeel Corporation ("Gerdau") is incorporated under the laws of the Province of Ontario, Canada and has its principal U.S. office in Tampa, Florida. The causes of action asserted herein relate to Gerdau's purposeful business activities in Texas through the operation of the former Chaparral Steel mill in Midlothian, Texas. Gerdau may be served with process through its registered agent, Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, Texas 78701.

5. Defendant Gerdau Ameristeel U.S. Inc. ("Gerdau") is incorporated under the laws of Florida and has its principal place of business in Texas in Carrolton, Texas. The causes of action asserted herein relate to Gerdau's purposeful business activities in Texas through the operation of the former Chaparral Steel mill in Midlothian, Texas. Gerdau may be served with process through its registered agent, Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, Texas 78701.

6. Defendant Chaparral Steel Midlothian, L.P. ("Chaparral") is a Delaware limited partnership with its principal place of business in Midlothian, Texas. The causes of action asserted herein relate to Chaparral's purposeful business activities in Texas through the operation of the Chaparral Steel mill in Midlothian, Texas. Chaparral may be served with process through its registered agent, Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, Texas 78701.

7. Defendant Chaparral Steel Texas, LLC ("Chaparral") is a Delaware limited liability company with its principal place of business in Midlothian, Texas. The causes of action asserted herein relate to Chaparral's purposeful business activities in Texas through the operation of the Chaparral Steel mill in Midlothian, Texas. Chaparral may be served with process through its registered agent, CT Corporation System, 350 N. St. Paul, Dallas, Texas 75201.

8. Defendant Chaparral Steel Texas, Inc. ("Chaparral") is a Delaware corporation with its principal place of business in Midlothian, Texas. The causes of action asserted herein relate to Chaparral's purposeful business activities in Texas through the operation of the Chaparral Steel mill in Midlothian, Texas. Chaparral may be served with process through its registered agent, CT Corporation System, 350 N. St. Paul, Dallas, Texas 75201.

9. Defendant Chaparral Steel Investments, Inc. ("Chaparral") is a Delaware corporation with its principal place of business in Midlothian, Texas. The causes of action asserted herein relate to Chaparral's purposeful business activities in Texas through the operation of the Chaparral Steel mill in Midlothian, Texas. Chaparral may be served with process through its registered agent, CT Corporation System, 350 N. St. Paul, Dallas, Texas 75201.

10. Defendant Chaparral Steel Company ("Chaparral") is a Delaware corporation with its principal place of business in Midlothian, Texas. The causes of action asserted herein relate to Chaparral's purposeful business activities in Texas through the operation of the Chaparral Steel mill in Midlothian, Texas. Chaparral may be served with process through its registered agent, Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, Texas 78701.

11. Defendant Chaparral Star Recycling, L.P. ("Chaparral") is a Delaware limited partnership with its principal place of business in Midlothian, Texas. The causes of action asserted herein relate to Chaparral's purposeful business activities in Texas through the operation of the Star Recycling shredder in Midlothian, Texas. Chaparral may be served with process through its registered agent, CT Corporation System, 350 N. St. Paul, Dallas, Texas 75201.

JURISDICITON AND VENUE

12. This Court has jurisdiction over this action because the events giving rise to Plaintiff's causes of action occurred in Texas and the amount in controversy exceeds the minimum jurisdictional limits of this Court.

13. Pursuant to TEX. CIV. PRAC & REM CODE §15.002, venue is proper in Dallas County, Texas because Defendant TXI's principal office in this state is located Dallas County, Texas.

FACTS

14. The town of Midlothian is in Ellis County, 30 miles south of the Dallas/Fort Worth Metroplex. The town consists of commercial/retail buildings and residential properties. The city limits encompass 38 square miles of land. Based on U.S. Census Bureau data for 2000, the population of Midlothian was 7,480; 2,333 of these individuals were under the age of 18 years. While the U.S. Census Bureau has not published official population estimates since 2000, according to the Midlothian Economic Development Board, the 2007 population was approximately 13,800 with another 13,003 within the city's extra-territorial jurisdiction. According to the petition there are seven school campuses (6 primary/middle schools and 1 high school); approximately 5,800 children attend school in the city. The schools are clustered near the center of town, and many are located within two miles of one or more industries.

15. Midlothian has a history of large scale industrial operations that include three cement plants and a steel mill. These industries, including the TXI Cement Plant and the Chaparral Steel Mill, are the top four emission sources in the county. Together they account for 33,018 tons of particulates (PM10 and PM2.5), volatile organic compounds (VOCs), nitrogen oxides (NOx), sulfur dioxide, and carbon monoxide emissions per year.

16. Plaintiff Debra Markwardt is a resident of Midlothian, Ellis County, Texas and ahs been since 1988. She owns two parcels of real property totaling approximately 23 acres. The property is located on Wyatt Road north of Highway 67 and south of Highway 287. Markwardt resides on the property and also raises dogs for sale.

17. Defendant TXI is a large industrial company that supplies cement, aggregate and consumer product building materials to the construction industry. Upon information and belief, from 1975 to 2007, TXI, through its subsidiary, Chaparral Steel Company, owned and operated the Chaparral Steel mill located on Highway 67 in Midlothian, Texas, less than one mile from Debra Markwardt's property. At various times, Defendants Chaparral Steel Midlothian, L.P., Chaparral Steel Texas, LLC, Chaparral Steel Texas, Inc., Chaparral Steel Investments, Inc., and Chaparral Steel Company owned and operated the Chaparral Steel mill. Defendant Chaparral Star Recycling, L.P. owned and operated the Star recycling facility located at the Chaparral Steel Mill in Midlothian. In 2007, Defendants Gerdau Ameristeel Corporation and Gerdau Ameristeel U.S., Inc. acquired Chaparral Steel from TXI. Since that time, they have owned and operated the Chaparral Steel Mill and the Star recycling plant in Midlothian.

18. The Chaparral Steel Mill, which was constructed in 1974, recycles automobiles to create steel beams and reinforcing bars. It is the tenth largest steel mill in the U.S. The operation consists of an automobile shredder, two arc furnaces, and three rolling mills. Air emissions are directed to one positive and two negative pressure bag houses. The furnaces and mills are electric and gas-fired, respectively. At the time of the 1995 TNRCC evaluation, the non-metallic residue from the shredding process was disposed in a "fluff landfill" located in the TXI quarry. The primary means of air pollution control at the site are bag houses that vent the furnaces, caster, and reheat furnaces.

19. The Star recycling plant began commercial operations in Midlothian in 1998. Its shredder processes over 600,000 tons of obsolete cars and light scrap, generating over 175,000 tons of shredder residue every year. The shredder residue includes aluminum and other non-ferrous metals in addition to glass, PVC, rubber, and plastics.

20. At all relevant times, TXI owned and operated a cement plant located in Midlothian, Texas at Highway 67 and Ward Road (the "TXI Cement Plant"). The TXI Cement Plant is less than one mile from Debra Markwardt's property. It is the largest cement plant in Texas.

21. The process of making cement begins by mining limestone from pits located adjacent to the cement plant. After mining, the limestone enters either a wet kiln or dry kiln process. Both processes are used in Midlothian. The wet kiln process requires that the limestone (combined with iron oxide, sand, and shale) be finely crushed, mixed with water to form a slurry, and introduced into the upper "cool" end of a rotating cylindrical kiln. Cylindrical kilns are typically 450 feet long and 12 feet in diameter with a 6 to 9 inch thick refractory brick lining. Fuel and air are pumped into the lower "hot" end of the kiln where they burn in a continuous jet of flame at temperatures up to 3,500 °F. The kiln is constructed on an incline, and the limestone slurry moves from the cool upper end to the lower, hot end by the rotating motion of the kiln and the pull of gravity. As the slurry moves closer to the heat source, all moisture evaporates, and numerous chemical reactions occur as the raw materials reach temperatures approaching 2,700 °F. The resulting semi-molten "clinker" is then discharged from the kiln to a cooling unit in golf-ball-sized chunks. After cooling, the clinker is finely ground together with gypsum to form the product known as Portland cement. The dry kiln process requires that the crushed limestone

remain dry. The dry limestone is mixed with fuel (coal, tires, etc.) and heated before entering the kiln.

22. The TXI Cement Plant is the largest of the three cement kilns in Midlothian and the largest in Texas. The TXI facility began operation in the southwest portion of Midlothian in 1960 with one wet cement kiln. Within twelve years, the plant operations increased to include four wet kilns. In 1987, TXI began using HWDF as an alternative fuel source. In 1995, TXI began incorporating slag, which includes chunks of unusable metal residue, from the nearby steel mill as a raw product to create a new cement product. A dry kiln went online in approximately 2002, allowing TXI to produce 2.8 million tons of cement per year. The TXI Cement Plant burns toxic, hazardous waste as fuel. More recently, the Cement Plant has also begun burning tires as fuel.

23. The Cement Plant, the Chaparral Steel Mill and the Star recycling plant have generated toxic and carcinogenic waste that has polluted the Midlothian area. This pollution has affected the soil, air and groundwater. Its health effects remain unknown.

24. Markwardt's property is less than one mile from the TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant. It is located in an area of Midlothian that is zoned single family residential. The TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant have generated toxic and carcinogenic waste that has affected the soil, air and groundwater of Markwardt's property. They have also caused Markwardt to suffer numerous health problems, including lung problems, fatigue, headaches and nausea. Finally, the facilities and their pollution have adversely affected the health of the dogs Markwardt raises, including causing physical abnormalities among newborn pups.

25. The citizens of Midlothian have expressed concerns about the health effects of the noxious emissions from the TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant. As a result of this concern, the Texas Department of State Health Services ("DSHS") in conjunction with the U.S. Department of Health and Human Services' Agency for Toxic Substances and Disease Registry ("ATSDR") conducted a study of the air quality in Midlothian (the "Study"). On December 11, 2007, a draft of the Study was published. Although it was flawed in many respects, the Study showed a shocking concentration of volatile organic compounds ("VOCs") and metals in the air samples that were tested. Many of these substances are known human carcinogens.

26. The Study found the following VOCs as having one or more measured concentration at or above the most stringent health-based screening level for the contaminant: benzene, 1,3-butadiene, carbon tetrachloride, chloroform, 1,2-dibromomethane, 1,2-dichloroethane, methylene chloride, 1,1,2,2tetrachlorethane, 1,1,2-trichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, vinyl chloride, and M+P-xylene.

a. Benzene.

Benzene is a highly flammable, colorless liquid with a sweet odor. Benzene can enter the body through the lungs, gastrointestinal tract, or through the skin. On exposure to high levels of benzene in air, about half of the benzene inhaled passes through the lining of the lungs and enters the bloodstream. When benzene is present in food or drink, most of the benzene ingested passes through the lining of the gastrointestinal tract and enters the bloodstream. During skin contact with benzene or benzene-containing products, a small amount will enter the body by passing through the skin and into the bloodstream. Once in the bloodstream, benzene travels throughout the body and can be temporarily stored in the bone marrow and fat. Very high levels of benzene

in air can result in death if a person is exposed for 5 to 10 minutes. Drowsiness, dizziness, rapid heart rate, headaches, tremors, confusion, and unconsciousness may result from exposure to lower levels. Occupational exposure to benzene may have resulted in decreased ovary size in some female workers who breathed high levels of benzene for many months. Animal studies suggest benzene can cause low birth weight, bone marrow damage, and delayed bone formation in the fetus. Benzene exposure can affect children in the same ways as adults. Benzene also has been shown to pass from the mother's blood to the fetus. Long-term exposure to benzene can affect the immune system and cause cancer of the blood-forming organs. Exposure to benzene has been associated with a particular type of leukemia called acute myeloid leukemia (AML). The Department of Health and Human Services (DHHS) has determined that benzene is a known carcinogen. The International Agency for Research on Cancer (IARC) and the EPA have also determined that benzene is carcinogenic to humans. Benzene was detected at quantifiable levels in 936 of the 952 ambient air samples evaluated as part of the Study.

b. 1, 3-Butadiene.

1,3-Butadiene is a colorless gas with a mild gasoline-like odor that often is found at low levels in urban air samples. Large quantities of 1,3-butadiene are produced from petroleum and it is used to make man-made rubber, predominantly to make tires. High levels of 1,3-butadiene exposure over a short period of time cause eye, nose, and throat irritation. Studies have shown that low levels of 1,3-butadiene exposure for long periods of time may increase the incidence of heart diseases, blood diseases, lung diseases, and even cancer. Laboratory animals that breathed high levels of 1,3-butadiene for a short time died. Extended exposures to lower concentrations of the chemical resulted in damage to nose tissues and to the organs responsible for blood cell production. Reproductive effects observed in animals include miscarriage and birth defects.

Animals exposed to lower concentrations of 1,3-butadiene for more than one year suffered kidney disease and damage to the lung, liver, and reproductive organs. There is sufficient evidence from epidemiologic studies in humans to conclude that 1,3butadiene is carcinogenic to humans; an excess in cancers of the lymphohematopoetic system (leukemia and Non-Hodgkin's lymphoma) were observed in workers exposed to this chemical. Rats and mice that breathed in small amounts of 1,3-butadiene for a long time period developed cancer in many organs. 1,3-Butadiene was detected at quantifiable levels in 79 of the 952 ambient air samples evaluated as part of the Study.

c. Carbon Tetrachloride.

Carbon tetrachloride is a clear liquid that quickly forms a gas and is used to make refrigeration fluid and propellants for aerosol cans. It does not occur naturally. Historically it was widely used as a cleaning fluid by industry and dry cleaning operations, as well as by households for spot removal and degreasing. It was also used in fire extinguishers and as a fumigating pesticide. The majority of these historical uses were discontinued in the mid-1960s. In 1986, the use of carbon tetrachloride as a pesticide was discontinued. Approximately 30 to 40% of the carbon tetrachloride that is inhaled enters the body, where it can temporarily accumulate in fat or enter the kidneys, liver, brain, lungs or skeletal muscle. The health effects from long term exposure to low levels of carbon tetrachloride are unknown. Carbon tetrachloride can cause liver and/or kidney damage. In severe cases, parts of the liver may be destroyed, resulting in decreased liver function. The nervous system, including the brain, also is affected by exposure to high levels of carbon tetrachloride. Carbon tetrachloride has been shown to produce hepatocellular carcinomas in rats, mice, and hamsters (all animal species evaluated to date). Based on the animal data EPA has classified carbon tetrachloride as a probable human

carcinogen. Carbon tetrachloride was detected at quantifiable levels in 711 of the 952 ambient air samples evaluated in the Study.

d. Chloroform.

Chloroform is a colorless liquid with a pleasant odor and a slightly sweet taste. It is used to make other chemicals. In the past, chloroform was used as an inhaled anesthetic for surgery. Based on human and animal studies, chloroform can easily enter the body through inhalation and is carried by the blood to the fat, liver, and kidneys. Breathing high concentrations of chloroform affects the central nervous system (brain), liver, and kidneys. Short-term exposures to high concentrations have been shown to cause fatigue, dizziness, and headache in exposed workers. Long term exposure to chloroform may cause liver and kidney damage. Reproductive problems and birth defects in humans are not known. However, rats and mice that breathed air containing elevated levels of chloroform had miscarriages. Abnormal sperm were found in mice that breathed air containing elevated levels of chloroform for a few days. Birth defects were observed in rats and mice when chloroform contaminated air was breathed during pregnancy. At high doses, chloroform has been reported to cause cancer in animals with significant increases in the incidence of liver tumors in male and female mice and significant increases in the incidence of kidney tumors in male rats and mice. EPA has classified chloroform as a probable human carcinogen. Chloroform was detected at quantifiable levels in 210 of 952 ambient air samples evaluated in the Study.

e. 1, 2-Dibromoethane.

1,2-Dibromoethane is a colorless liquid with a mild, sweet odor. 1,2-Dibromoethane stays in groundwater and in soil for a long time. Historically, it was used to kill insects that affect crops and to protect grass on golf courses, as well as to kill fruit flies on tropical fruits. Most uses for this compound were banned by EPA in 1984. Regardless of how 1,2-dibromoethane enters

the body, it rapidly enters the bloodstream where it is taken up by the liver and kidneys. Clinical signs (such as depression) in people exposed to high levels of 1,2-dibromoethane are indicative of neurological effects. Except for adverse reproductive effects in men after occupational exposure, chronic non-cancer effects have not been documented in humans. In animals, the liver, kidney, and testis can be affected by 1,2-dibromoethane regardless of the route of exposure [31]. 1,2-dibromoethane is considered a probable human carcinogen. In male rats, an increased incidence in forestomach squamous cell carcinoma, hemangiosarcoma, and thyroid follicular cell adenoma was observed. At high doses, female rats also exhibited treatment-related hepatocellular and adrenocortical carcinoma. In male and female mice, forestomach squamous cell carcinoma was the most common treatment-related cancer. Mice of both sexes also exhibited lung adenomas that were considered treatment related.

f. 1, 2-dichloroethane.

1,2-Dichloroethane is a clear, manufactured liquid that has a pleasant smell and a sweet taste. The most common use of 1,2-dichloroethane is to make vinyl chloride for the production of plastic and vinyl products. It also is used as a solvent and to remove lead from leaded gasoline. Historically, it was found in industrial degreasing products, some household cleaning solutions, pesticides, varnish, finish removers, and adhesives. When animals inhale 1,2-dichloroethane it goes to many organs of the body. People exposed to large amounts of 1,2-dichloroethane in the air often developed nervous system disorders as well as liver and kidney disease. Lung effects also occur after inhaling a large amount of 1,2-dichloroethane; some people exposed to high levels died from heart failure. Studies in laboratory animals also found that breathing or swallowing large amounts of 1,2dichloroethane produced nervous system disorders, kidney disease, lung effects, and a reduced ability to fight infection. Long-term exposure to low

doses may cause kidney disease in animals. EPA has determined that 1,2-dichloroethane is a probable human carcinogen.

g. Methylene Chloride.

Methylene chloride, also known as dichloromethane, is a colorless liquid with a slightly sweet smell that is made from methane gas or wood alcohol. It is commonly used as a paint stripper or chemical solvent and as a component in some aerosol products and pesticides. Since methylene chloride quickly evaporates into the air, exposure by breathing is the most likely way that it can get into the body. Most of the methylene chloride that enters the lungs (over 70%) enters the bloodstream and is quickly transported throughout the body. Most of the methylene chloride in the blood goes to the liver, kidney, brain, lungs, and fatty tissue. Breathing large concentrations of methylene chloride can reduce reaction time, cause unsteadiness, and affect the ability to perform tasks that require precise hand movement. Breathing it for a long enough period of time may cause dizziness, nausea, tingling in the fingers and toes, and drunkenness. Smaller concentrations of methylene chloride may impair hand eye coordination and decrease attentiveness. In most instances these types of affects disappear shortly after stopping the exposure. Animal studies suggest that exposure to higher concentrations can lead to unconsciousness and death and that exposure to lower concentrations has resulted in eye irritation and cornea affects. Animals exposed to methylene chloride also have exhibited changes in the liver and kidney me birth defects have been seen in animals inhaling very high levels of methylene chloride. Some birth defects have been seen in animals inhaling very high levels of methylene chloride. Mice exposed to methylene chloride by inhalation exhibited increased incidences of hepatocellular and alveolar-bronchiolar adenomas and carcinomas. Based on the evidence in animals the World Health Organization has determined that methylene chloride may

cause cancer in humans. The Department of Health and Human Services has determined that methylene chloride can be reasonably anticipated to be a cancer-causing chemical. The EPA has determined that methylene chloride is a probable cancer-causing agent in humans. Methylene chloride was detected at quantifiable levels in 262 (27.5%) of the 952 ambient air samples.

h. 1, 1, 2, 2-Tetrachloroethane.

1,1,2,2-Tetrachloroethane is a synthetic, colorless, dense liquid with a penetrating, sweet odor similar to chloroform. Historically, 1,1,2,2-tetrachloroethane was used as an industrial solvent and to produce other chemicals. 1,1,2,2-Tetrachloroethane can enter the body when a person breathes air containing the chemical. Studies on people have shown that approximately 97% contained in a single breath can be absorbed into the blood stream. Inhalation of this chemical has been shown to cause death both in animals and humans. Exposure to lower concentrations of 1,1,2,2-tetrachloroethane has caused mucosal irritation gastrointestinal problems in humans. Perhaps the most significant effect seen in humans is on the liver, the major target organ both in humans and animals. People exposed in the workplace have developed jaundice and an enlarged liver. The health effects on people from long-term exposure to small amounts of 1,1,2,2-tetrachloroethane are not known. In a long-term animal study, 1,1,2,2-tetrachloroethane caused an increase in liver carcinomas in mice. The Environmental Protection Agency has determined that the chemical is a possible human carcinogen.

i. 1, 1, 2-Trichloroethane.

1,1,2-Trichloroethane is a colorless, sweet-smelling volatile liquid that is used as a solvent. About 90% of the 1,1,2-trichloroethane that enters the lungs is absorbed into the blood and carried throughout the body to the liver, kidney, brain, heart, spleen, and fatty tissue. Animals exposed to various concentrations of this compound in the air have exhibited a variety

of effects, mostly involving the nervous system and the liver. EPA has classified this compound as a Class C, possible human carcinogen.

j. Trimethylbenzenes.

The trimethylbenzenes (1,2,4-trimethylbenzene a.k.a. pseudocumene and 1,3,5-trimethylbenzene a.k.a. mesitylene) are colorless flammable liquids in pure form. They are found in paint thinners and paints, and are naturally occurring in petroleum products, including coal, crude oil, and gasoline. They are used as a solvent in coatings, cleaners, pesticides, and printing inks. Trimethylbenzenes are absorbed into the blood stream through the lungs. Approximately, 85% of the chemical in the blood is bound to red blood cells. Trimethylbenzenes are classified as CNS depressants and skin, eye, and respiratory irritants. Workers breathing high concentrations of trimethylbenzene in the air experienced headache, fatigue, drowsiness, and bronchitis. Long-term exposure to 1,2,4-trimethylbenzene and/or 1,3,5trimethylbenzene may cause nervousness, tension, and bronchitis. Painters who worked for several years with solvents containing various trimethylbenzenes showed nervousness, tension, anxiety, asthmatic bronchitis, anemia, and alterations in the ability of the blood to clot. 2,4-Trimethylbenzene was detected at quantifiable levels in 287 (33.4%) out of 858 ambient air samples surveyed as part of the Study. 1,3,5-Trimethylbenzene was detected at quantifiable levels in 160 (18.6%) out of 858 ambient air samples.

k. Vinyl Chloride.

Vinyl chloride is a colorless gas that is unstable at high temperatures. In the United States, most vinyl chloride is used to make polyvinyl chloride (PVC), a component of several plastic products including PVC pipe, packaging materials, automobile upholstery, house wares, and wall coverings. Historically, vinyl chloride was used as a coolant, as a propellant in spray

cans, and in cosmetics; although these uses were discontinued in the mid-1970s. At low concentrations in air, most of the vinyl chloride that is inhaled quickly enters the bloodstream where it is transported throughout the body. Vinyl chloride at high concentrations will result in dizziness or sleepiness within five minutes, and higher concentrations may cause unconsciousness. Adverse respiratory effects have been reported in several epidemiologic studies. The reports include: increased incidence of emphysema, decreased respiratory volume, decreased vital capacity, decreased oxygen and carbon dioxide diffusion, pulmonary fibrosis, abnormal chest x-rays, and dyspnea. Animal studies have supported the ability of vinyl chloride to adversely affect the lungs. Vinyl chloride also may affect the blood. Female workers exposed to vinyl chloride at concentrations ranging from 200 to 130,700 ppb had a significantly lower number of platelets than non-exposed workers during the early part of their pregnancies. Workers who breathed vinyl chloride for several years exhibited changes in the structure of their livers; vinyl chloride-induced liver damage includes: hypertrophy and hyperplasia of liver cells, fibrosis of the portal tracts and other areas, and focal areas of liver degeneration. Working with vinyl chloride also has been associated with nerve damage, immune reactions, scleroderma like skin changes, decreased blood flow to the hands, and resorption of the bones in the tips of the fingers. Studies in animals generally support the adverse health effects observed in people. Animal studies also suggest that infants and young children might be more susceptible to vinyl chloride-induced cancers than adults. Based on sufficient evidence from human epidemiology studies vinyl chloride is considered to be a known human carcinogen by the inhalation route of exposure. This classification is supported by a consistent causal association between occupational exposure to vinyl chloride and the development of angiosarcoma, an extremely rare tumor; consistent evidence of carcinogenicity in rats, mice, and hamsters both by the oral and

inhalation routes of exposure; and mutagenicity and deoxyribonucleic acid (DNA) adduct formation by vinyl chloride and its metabolites in numerous in vivo and in vitro test systems. The International Agency for Research on Cancer (IARC) has concluded that vinyl chloride is carcinogenic to humans.

l. Xylenes.

Chemical industries produce xylene from petroleum. Xylene also occurs naturally in petroleum and coal tar and is formed during forest fires, to a small extent. It is a colorless, flammable liquid with a sweet odor, and it is used as a solvent, cleaning agent, and paint thinner. Xylene also is used to manufacture plastics and coating for fabrics and paper. When xylene enters the lungs it is rapidly absorbed into the blood. People exposed to xylene concentrations ranging from 50,000 ppb to 200,000 ppb for short periods of time have reported nose and throat irritation. Exposure to high concentrations for several hours has resulted in intra-alveolar hemorrhage and pulmonary edema. Chronic (long-term) exposure to a geometric mean xylene concentration of 14,000 ppb also has resulted in respiratory (nose and throat irritation) and neurological (reduced muscle power) effects. Xylene was detected at quantifiable levels in 561 (61.5%) of the 912 ambient air samples.

27. The Study also found the following metals and other inorganic compounds as having one or more measured concentration at or above the most stringent health-based screening level for that contaminant: arsenic, beryllium, cadmium, chlorine, chromium, lead, and manganese.

a. Arsenic.

When dust containing arsenic is inhaled many of the dust particles settle onto the lining of the lungs and most of the arsenic on these particles is taken up into the body. Inorganic

arsenic has been recognized as a human poison since ancient times, and large oral doses can produce death. Lower levels of inorganic arsenic may cause irritation of your stomach and intestines, with symptoms such as stomach ache, nausea, vomiting, and diarrhea. Other effects include decreased production of red and white blood cells which may cause fatigue, abnormal heart rhythm, blood-vessel damage resulting in bruising, and impaired nerve function causing a "pins and needles" sensation in hands and feet. Exposure to lower concentrations for a longer time period can also result in circulatory and peripheral nervous disorders. Some data suggests that inhalation of inorganic arsenic may cause problems in the developing fetus. Inhalation of inorganic arsenic is associated with an increased risk of lung cancer, particularly in people who work at smelters, mines, and chemical factories. Individuals with skin changes from long-term exposure to arsenic may ultimately develop skin cancer. Long-term ingestion of arsenic has also been reported to increase the risk of cancer in the liver, bladder, kidneys, prostate, and lungs. The Department of Health and Human Services (DHHS) has determined that inorganic arsenic is a known carcinogen. The International Agency for Research on Cancer (IARC) has determined that inorganic arsenic is carcinogenic to humans. Both the EPA and the National Toxicology Program (NTP) have classified inorganic arsenic as a known human carcinogen. Arsenic was detected at quantifiable levels in all 181 ambient air samples.

b. Beryllium.

Most of the beryllium ore that is mined is mixed with other metals to form alloys, which are then used to make electrical or electronic parts or molds for plastics, among other uses. Other uses include computers, automobiles, golf clubs, bicycle frames, and dental bridges. Pure beryllium metal is used for very specific technical purposes, including parts in nuclear weapons and reactors, aircraft and space vehicle structures, instruments, x-ray machines, and mirrors.

Beryllium can be absorbed through the lungs. Beryllium is widely distributed to the organs of animals after pulmonary absorption, particularly the lungs, skeleton, muscle, blood, kidney, brain, liver, heart and spleen. Exposure to beryllium can result in two types of non-neoplastic respiratory disease, acute beryllium disease (ABD) and chronic beryllium disease (CBD); both forms can be fatal. Inhalation of beryllium can result in an acute condition that resembles pneumonia and is referred to as ABD. Death may occur in some individuals with fulminating disease as a result of massive pulmonary edema. Some individuals may become sensitized to beryllium and develop an inflammatory respiratory reaction, referred to as CBD or berylliosis. Long term exposure to beryllium can increase the risk of developing lung cancer in people. The Department of Health and Human Services (DHHS) and the International Agency for Research on Cancer (IARC) have determined that beryllium is a human carcinogen. The resulting BQ of 1.67 for Midlothian indicates that the estimated average concentration found in Midlothian was higher than average background.

c. Cadmium.

Most cadmium used in the United States is extracted as a by-product during the production of other metals such as zinc, lead, or copper. Cadmium has many uses in industry and consumer products, mainly in batteries, pigments, metal coatings, plastics, and some metal alloys. When inhaled, some fraction of this particulate matter is deposited in the airways or the lungs, and the rest is exhaled. Large particles tend to be deposited in the upper airway, while small particles tend to penetrate into the alveoli. If air containing cadmium is breathed over a long time period, it may cause fragile bones, and it may build up in the lungs and the kidneys, causing damage and/or disease. Numerous studies have shown that acute inhalation exposure to cadmium can cause death in humans and animals. Longer-term occupational exposures to levels

of cadmium have been reported to cause emphysema and dyspnea in humans. Long-term exposure to excessive cadmium can affect the kidneys, causing proximal tubular necrosis, lesions in the renal cortex, and kidney dysfunction. Animal studies have shown that rats and mice had fewer litters and higher rates of defects in offspring when dams were exposed to high concentrations of cadmium. High exposure levels in animals have also resulted in decreased body weight and skeleton formation effects in the young. Animal studies have also indicated that liver damage and immune system effects resulted when rats and mice breathe cadmium-containing air. the United States Department of Health and Human Services (DHHS) has determined that cadmium and cadmium compounds may reasonably be anticipated to be carcinogens. The International Agency for Research on Cancer (IARC) has determined that cadmium is carcinogenic to humans. The EPA has determined that cadmium is a probable human carcinogen by inhalation. Cadmium (PM2.5) was detected at quantifiable levels in 57 (35.2%) of the 162 ambient air samples and Cadmium (TSP) was detected at quantifiable levels in 27 of the 40 ambient air samples.

d. Chlorine.

Chlorine is used widely as a bleaching agent for cloth and paper products, as a disinfectant, and in the manufacture of many chemicals, plastics, and resins. Breathing air containing low concentrations of chlorine gas is irritating and corrosive to the respiratory tract, eyes, and skin and may result in coughing. Exposure to higher levels could cause burning of the eyes and skin, rapid breathing, narrowing of the bronchi, wheezing, blue coloring of the skin, accumulation of fluid in the lungs, and pain in the lung region. Exposure to even higher levels can produce severe eye and skin burns, lung collapse, and death. An inflammatory reaction called reactive airways dysfunction syndrome (RADS) is a type of asthma caused by some irritating and corrosive substances that some

people may develop. Chlorine ($PM_{2.5}$) was detected at quantifiable levels in 55 (34%) of the 162 ambient air samples.

e. Chromium.

The most common forms are chromium(0) (metallic), chromium(III) (trivalent), and chromium(VI) (hexavalent). Metallic chromium and hexavalent chromium are produced by industrial process. Chromium compounds are used for chrome plating, the manufacture of dyes and pigments, leather tanning, and wood preserving, as well as other purposes. In air, chromium compounds are present mostly as fine dust particles. High levels of chromium in the workplace have caused asthma attacks in people who are allergic to chromium. Breathing in chromium trioxide (CrO_3), chromic acid (H_2CrO_4), or other chromium(VI) compounds can irritate the nose and cause runny nose, sneezing, itching, nosebleeds, ulcers, and holes in the nasal septum. Long-term exposure to chromium has been associated with lung cancer in workers. Some chromium(VI) compounds produced lung cancer in animals that breathed in the particles or had the particles placed directly in their lungs. the Department of Health and Human Services has determined that certain chromium(VI) compounds (calcium chromate, chromium trioxide, lead chromate, strontium chromate, and zinc chromate) are known human carcinogens. The International Agency for Research on Cancer (IARC) has determined that chromium(VI) is carcinogenic to humans. Chromium (PM10) was detected at quantifiable levels in 148 (81.8%) of the 181 ambient air samples.

f. Lead.

Lead has many different uses including automobile and truck batteries, ammunition, some brass and bronze products, and in solder for making electrical connections in scientific and electronic equipment and computers. Lead compounds have been used as major constituents of paint and as fuel additives to increase octane ratings of gasoline. Shortly after lead gets into your

body, it travels in the blood to the "soft tissues" (such as the liver, kidneys, lungs, brain, spleen, muscles, and heart). After several weeks, most of the lead moves into your bones and teeth. In adults, about 94% of the total amount of lead in the body is contained in the bones and teeth. About 73% of the lead in children's bodies is stored in their bones. Some of the lead can stay in your bones for decades. The effects of lead are the same whether it enters the body through breathing or swallowing. The main target for lead toxicity is the nervous system, both in adults and in children. Long-term exposure of adults to lead at work has resulted in decreased performance in some tests that measure functions of the nervous system. Lead exposure may also cause weakness in fingers, wrists, or ankles. At high levels of exposure, lead can severely damage the brain and kidneys in adults or children. In pregnant women, high levels of exposure to lead may cause miscarriage. High-level exposure in men can damage the organs responsible for sperm production. The Department of Health and Human Services (DHHS) has determined that lead acetate and lead phosphate may reasonably be expected to be capable of causing cancer. Children are more vulnerable to lead poisoning than adults. They can be exposed to lead in the womb if their mothers have lead in their bodies. Babies can swallow lead when they breast feed, or eat other foods and drink water that contains lead. Babies and children can swallow and breathe lead in dirt, dust, or sand while they play on the floor or ground. These activities make it easier for children to be exposed to lead than adults. The dirt or dust on their hands, toys, and other items may have lead particles in it. Lead (TSP) was detected at quantifiable levels in 410 (99.3%) of the 413 ambient air samples surveyed as part of the Study.

g. Manganese.

Manganese compounds are found in batteries, dietary supplements, some ceramics, pesticides, and fertilizers. Manganese can be released into the air by industries that burn fossil

fuels. Additional sources can include iron- and steel-producing plants, power plants, coke ovens, and dust from mining operations. Manganese may be absorbed both from the lungs and in the gastrointestinal tract following inhalation of manganese dust. A combination of symptoms, including mental and emotional disturbances accompanied by slow, clumsy, body movement, has been observed in manganese miners or steel workers exposed to high levels of manganese dust in air. Breathing too much manganese dust over a short or long time can cause irritation of the lungs. Results from occupational studies show that men exposed to manganese in air over a long time period may develop impotence. Animal studies further indicate that inhalation of manganese may affect the testes. Negative adverse effects of exposure to excess levels of manganese have been observed in all ages. Several studies in humans and animals indicate that the elderly may be a potentially susceptible population to the adverse effects of manganese exposure. Further, studies show that the young may also be a susceptible population. Manganese (PM10) was detected at quantifiable levels in all 181 ambient air samples. Manganese (TSP) was detected at quantifiable levels in all 40 ambient air samples.

28. The Study concluded that sixteen out of 59 VOCs and 2 out of 28 metals or other inorganic compounds had average levels above average background levels. The study further concluded that under the aggregate exposure scenario, a total excess lifetime cancer risk for all cancers combined could be interpreted as posing a public health hazard. As a result of the Study, the DSHS and ATSDR classified Midlothian, Texas as an Indeterminate Public Health Hazard.

29. Testing of soil in and around Markwardt's property has revealed abnormally high levels of various metals and inorganic compounds well above typical background levels. Soil taken from nearby properties showed elevated levels of aluminum, arsenic, chromium and manganese. Soil taken from Markwardt's property showed elevated levels of aluminum,

cadmium, chromium, manganese and zinc. The level of cadmium was well above normal background levels, registering at 2.63 mg/kg. The level of zinc was 252 mg/kg. The level of chromium was 266 mg/kg and the level of manganese was 1820 mg/kg. These compare to normal background levels as follows (all measurements in mg/kg):

Source	**Cadmium**	**Chromium**	**Manganese**	**Zinc**
Washington (90th percentile)	1.0	41.8	1095	85.8
Michigan (Mean + 3 std deviations)	1.0	26.2	855.8	90.3
New Jersey (90th percentile)	0.15	16.5	561	65.9
Ontario, Canada (98th percentile)	0.71	58	2200	120
USGS Nationwide	NA	25	550	7
New Hampshire (95th percentile)	1.9	33	NA	NA
Houston, Texas	1.0-2.4	7.9-9.4	217-294	113
Average	1.08	29.8	919	75.8
Debra Markwardt's property	2.63	266	1820	252

30. Markwardt herself has also been tested and found to have abnormally high levels of aluminum and manganese in her body. Her dogs have been tested and found to have toxic levels of aluminum, chromium, mercury, nickel and zinc. All of these substances were produced by Defendants in the course of their business and migrated onto Plaintiff's nearby property.

31. As a result of Defendants' actions, Plaintiff has suffered, and continues to suffer, damages in an amount in excess of this Court's minimum jurisdiction. Such damages include, but are not limited to, diminution in the value of her property, contamination of her property,

damages to her health and well-being, physical pain and mental anguish, damages to the health and well-being of her dogs and lost profits to her dog breeding business.

CAUSES OF ACTION

FIRST CAUSE OF ACTION – TRESPASS

32. Plaintiff incorporates the allegations in Paragraphs 1 through 31 above as if fully set forth herein.

33. Defendants have discharged into the air, water and soil large quantities of hazardous waste, toxic substances, volatile organic compounds, metals and inorganic compounds. Such materials have migrated from the TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant onto Plaintiff's property less than one mile away. As a result, there was an unauthorized physical entry onto Plaintiff's property by contaminants emanating from Defendants' property. This trespass has caused Plaintiff actual damages in excess of the minimum jurisdiction of this Court, for which she now sues Defendants together with prejudgment and post-judgment interest at the highest allowable rate and all costs of court.

SECOND CAUSE OF ACTION – TEMPORARY NUISANCE

34. Plaintiff incorporates the allegations in Paragraphs 1 through 31 above as if fully set forth herein.

35. Defendants have discharged large quantities of hazardous waste, toxic substances, volatile organic compounds, metals and inorganic compounds. Such materials have migrated from the TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant onto Plaintiff's property less than one mile away. Defendants have created a condition that substantially interferes with Plaintiff's use and enjoyment of her land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities attempting to use and enjoy it. This condition has

caused physical harm to Plaintiff and her property. It has also caused emotional harm to Plaintiff from the deprivation of the enjoyment of her property, including fear, apprehension, offense, and loss of peace of mind.

36. Defendants' actions constitute a temporary nuisance. This nuisance has caused Plaintiff actual damages in excess of the minimum jurisdiction of this Court, for which she now sues Defendants together with prejudgment and post-judgment interest at the highest allowable rate and all costs of court.

THIRD CAUSE OF ACTION – NEGLIGENCE

37. Plaintiff incorporates the allegations in Paragraphs 1 through 31 above as if fully set forth herein.

38. Defendants had a duty to conduct their operations in a reasonable manner and without spreading environmental contamination to adjacent landowners. Defendants violated this duty and acted unreasonably in allowing their operations to generate hazardous waste, toxic substances, volatile organic compounds, metals and inorganic compounds and in allowing such substances to migrate from the TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant onto Plaintiff's property. The foregoing actions constitute negligence that has proximately caused Plaintiff actual injury. Such negligence has caused Plaintiff to suffer damages in excess of the minimum jurisdiction of this Court, for which she now sues Defendants together with prejudgment and post-judgment interest at the highest allowable rate and all costs of court.

FOURTH CAUSE OF ACTION – GROSS NEGLIGENCE

39. Plaintiff incorporates the allegations in Paragraphs 1 through 31 above as if fully set forth herein.

40. Defendants had a duty to conduct their operations in a reasonable manner and without spreading environmental contamination to adjacent landowners. Defendants violated this duty and were grossly negligent in allowing their operations to generate hazardous waste, toxic substances, volatile organic compounds, metals and inorganic compounds and in allowing such substances to migrate from the TXI Cement Plant, the Chaparral Steel Mill and the Star recycling plant onto Plaintiff's property. The foregoing actions constitute gross negligence that has proximately caused Plaintiff actual injury. Such gross negligence has caused Plaintiff to suffer damages in excess of the minimum jurisdiction of this Court, for which she now sues Defendants together with exemplary damages to be assessed by the trier of fact, prejudgment and post-judgment interest at the highest allowable rate and all costs of court.

JURY DEMAND

41. Plaintiff demands a jury trial and tenders herewith the appropriate fee.

CONCLUSION AND PRAYER

Plaintiff Debra Markwardt prays that, upon final trial, the Court enter judgment in her favor and against Defendants Texas Industries, Inc., Gerdau Ameristeel Corporation, Gerdau Ameristeel U.S., Inc., Chaparral Steel Midlothian, L.P., Chaparral Steel Texas, LLC, Chaparral Steel Texas, Inc., Chaparral Steel Investments, Inc., Chaparral Steel Company and Chaparral Star Recycling, L.P. for all of her damages, including actual damages, exemplary damages, pre-judgment interest, post-judgment interest at the highest rate allowable by law and all costs of court and that the Court grant Plaintiff such other and further relief in law or in equity to which she may be justly entitled.

Respectfully submitted,

Michael Heygood
State Bar No. 00784267
Eric D. Pearson
State Bar No. 15690472
HEYGOOD, ORR, REYES, PEARSON & BARTOLOMEI
2331 W. Northwest Highway, 2nd Floor
Dallas, Texas 75220
(214) 526-7900 Telephone
(214) 526-7910 Facsimile

ATTORNEYS FOR PLAINTIFF

Debra
P.O.
Midlothian, TX 76065

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 SEP 12 PM 3:03

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

NSR
064144

August 5, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY EB

2008 AUG -7 PM 3:20
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I feel that I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I live within one mile of this facility and I feel that I am affected by the emissions and odors.

I was previously granted party status to the original permit hearing in 1998. My concerns were the odors and excessive emissions that were being produced by TXI at the time. I was "PROMISED" at the time that when they were granted this permit that "ALL" of this was going to end. IT HAS NEVER HAPPENED. It has only gotten worse.

There has been upset after upset at TXI during the past 8 years, especially In the last 2 years. There are sulfur odors almost every night now and a chlorine, bleach and pesticide odor at least once a week. And guess what, the odors generally occur at night when no one is available from the TCEQ.

This has raised a big concern for me. I feel that my property is now contaminated by heavy metals, along with my dogs & myself. I will provide documentation to this fact. My property has TOTALLY devalued due to this contamination. It is impossible for me to sell it and relocate. I feel that my animals are very sick due to this contamination and I have also developed health problems.

If you check the monitors that were in the area, there were/are high levels of So2, PM 2.5, PM 10 and etc. It is unfortunate that all the high readings are averaged out with the low readings during the day, therefore the average is within their permit limits. How much can I breathe at night with these high levels until it affects my health, my pets & my land? There are no monitoring or monitors that monitor many of the previous mentioned emissions from Paragraph 1. It is mostly self reporting by TXI in the TRI. For example, all the industry in Midlothian ONLY self reported 62lbs of Mercury emissions but the input was 196lbs. What happened to the other 134lbs?
(http://www.earthjustice.org/library/report/ej_eip_kilns_web.pdf) You and I both know that it did not just disappear. What other truths are not told here that are affecting my land, animals and myself?

I have called the TCEQ ONLY when the odors were unbearable. The TCEQ generally does not investigate them immediately. When they finally get around to investigating my complaint, most of the time all they do is take the word of TXI that nothing occurred at the plant. The TECQ also just takes the limited data provided by TXI to make a decision.
There have been times that the TCEQ investigator came out, detected odors and ended up ligh-headed, but still nothing is done.

Now there are some "NEW" chemical/mixtures in the overall picture. Since this permit was originally Issued, TXI started to burn tires. Tires may help reduce NOx emissions, but what else may have increased.

mw

Also soon to begin is the injection of aqueous ammonia solution. What kind of new compound mixtures are going to be added to the equation?

Attached is a trend table from the TRI. As you can see after this permit was originally granted, TXI had increases of On & Off Releases. Where are all the air emissions going? Onto my property and into the air we have to breathe. Attached also are some pictures that show direct violations of this permit. Nothing was done but just a slap on the hand, if even that. It is time for the TCEQ to step up to the plate. It is time to clean this mess up. More pictures & documentation will be provide in the contested case hearing.

I Debra L. Markwardt hereby request that this permit be denied and a contested case hearing be granted. I feel the health of my animals, my health and the use and enjoyment of my property will be greatly adversely affected by the granting of this permit.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

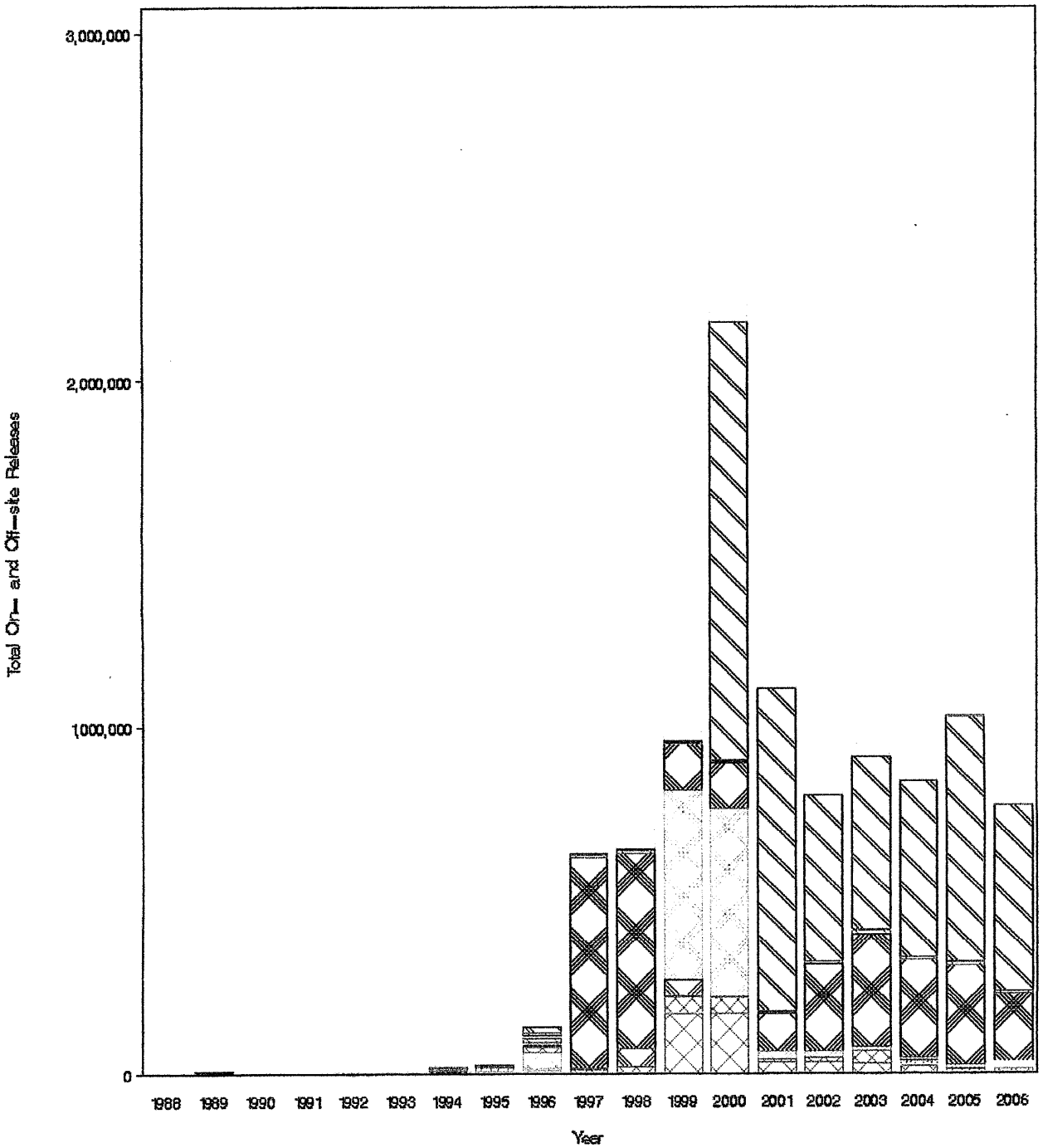
Sincerely

Debra L. Markwardt

Debra L. Markwardt
1241 E. Wyatt Rd.
P.O. Box 1323
Midlothian, TX 76065
972-775-2562
972-740-9157

Attached:
2 pictures of TXI in violation
TXI Compliance History
TRI Trend On/Off Releases Graph of TXI

Total On— and Off—site Releases,98 Chemicals Reported Between 1988 and 2006



Chemical

1,1,1—TRICHLOROETHANE
1,2,4—TRICHLOROBENZENE
1,2—DICHLOROBENZENE
1,4—DICHLOROBENZENE
2—CHLOROACETOPHENONE
2—METHYLPYRIDINE
ACETOPHENONE
ALLYL ALCOHOL
BARIUM
BIS(TRIBUTYLTIN) OXIDE
CERTAIN GLYCOL ETHERS
CHROMIUM
CYANIDE COMPOUNDS
DICHLOROMETHANE
DIETHANOLAMINE
DIOXIN AND DIOXIN—LIKE COMPOUNDS
ETHYLBENZENE
FREON 113
ISOPROPYL ALCOHOL (MANUFACTURING
M—CRESOL
MERCURY
METHYL ACRYLATE
METHYL METHACRYLATE
N—BUTYL ALCOHOL
N—METHYL—2—PYRROLIDONE

1,1,2—TRICHLOROETHANE
1,2,4—TRIMETHYLBENZENE
1,3—BUTADIENE
1,4—DIOXANE
2—ETHOXYETHANOL
2—NITROPROPANE
ACRYLAMIDE
ANILINE
BENZENE
BUTYL ACRYLATE
CHLOROBENZENE
CHROMIUM COMPOUNDS(EXCEPT CHROMI
CYCLOHEXANE
DICYCLOPENTADIENE
DIMETHYL PHTHALATE
DIPHENYLAMINE
ETHYLENE GLYCOL
HYDROCHLORIC ACID (1988 AND AFTE
LEAD
M—XYLENE
MERCURY COMPOUNDS
METHYL ETHYL KETONE
METHYL TERT—BUTYL ETHER
N—DIOCTYL PHTHALATE
NAPHTHALENE

1,2,3—TRICHLOROPROPANE
1,2—BUTYLENE OXIDE
1,3—DICHLOROBENZENE
2,4—DIMETHYLPHENOL
2—METHOXYETHANOL
ACETONE
ACRYLONITRILE
ANTHRACENE
BIPHENYL
BUTYRALDEHYDE
CHLOROFORM
CUMENE
DI(2—ETHYLHEXYL) PHTHALATE
DIEPOXYBUTANE
DINITROBUTYL PHENOL
ETHYL ACRYLATE
ETHYLENE OXIDE
ISOBUTYRALDEHYDE
LEAD COMPOUNDS
MANGANESE COMPOUNDS
METHANOL
METHYL ISOBUTYL KETONE
N,N—DIMETHYLFORMAMIDE
N—HEXANE
NICKEL COMPOUNDS

Compliance History

Customer/Respondent/Owner-Operator:	CN600125157	TXI Operations, LP	Classification: AVERAGE	Rating: 1.93
Regulated Entity:	RN100217199	TXI OPERATIONS LP	Classification: HIGH	Site Rating: 0.02

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	ED0066B
AIR OPERATING PERMITS	PERMIT	1077
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD007349327
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	33918
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50316
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	33918
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50319001
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50316
USED OIL	REGISTRATION	A85557
AIR NEW SOURCE PERMITS	AFS NUM	4813900009
AIR NEW SOURCE PERMITS	PERMIT	53424
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	ED0066B
AIR NEW SOURCE PERMITS	PERMIT	56271
AIR NEW SOURCE PERMITS	PERMIT	1360A
AIR NEW SOURCE PERMITS	PERMIT	49617
AIR NEW SOURCE PERMITS	PERMIT	50701
AIR NEW SOURCE PERMITS	PERMIT	50056
AIR NEW SOURCE PERMITS	REGISTRATION	75198
AIR NEW SOURCE PERMITS	PERMIT	76371
AIR NEW SOURCE PERMITS	REGISTRATION	79370
AIR NEW SOURCE PERMITS	REGISTRATION	79979
AIR NEW SOURCE PERMITS	REGISTRATION	81823
AIR NEW SOURCE PERMITS	REGISTRATION	83073
AIR NEW SOURCE PERMITS	REGISTRATION	83984
AIR NEW SOURCE PERMITS	REGISTRATION	83128
WASTEWATER	PERMIT	WQ0004379000
WASTEWATER	PERMIT	TPDES0064777
WASTEWATER	PERMIT	TX0064777
STORMWATER	PERMIT	TXR05K042

Location:	245 WARD RD, MIDLOTHIAN, TX, 76065	Rating Date: September 01 07 Repeat Violator: NO
TCEQ Region:	REGION 04 - DFW METROPLEX	
Date Compliance History Prepared:	July 02, 2008	
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.	
Compliance Period:	July 02, 2003 to July 02, 2008	

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: BOBBIE ROGANS Phone: 239-6197

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?	Yes
2. Has there been a (known) change in ownership of the site during the compliance period?	No
3. If Yes, who is the current owner?	N/A
4. if Yes, who was/were the prior owner(s)?	N/A
5. When did the change(s) in ownership occur?	N/A

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	07/08/2003	(35987)
2	07/10/2003	(310208)
3	07/10/2003	(310210)
4	07/10/2003	(310212)
5	07/31/2003	(145531)
6	10/16/2003	(310214)
7	10/16/2003	(310215)
8	10/16/2003	(310216)
9	10/28/2003	(252643)
10	12/12/2003	(254100)
11	01/27/2004	(310217)
12	01/27/2004	(310218)
13	01/27/2004	(310219)
14	02/19/2004	(252061)
15	03/09/2004	(256198)
16	04/07/2004	(267085)
17	04/07/2004	(267885)
18	04/27/2004	(358090)
19	04/27/2004	(358091)
20	04/27/2004	(358092)
21	07/28/2004	(310209)
22	07/28/2004	(310211)
23	07/28/2004	(310213)
24	08/09/2004	(281606)
25	08/13/2004	(274106)
26	08/18/2004	(279850)
27	10/04/2004	(283028)
28	10/29/2004	(358093)
29	10/29/2004	(358094)
30	10/29/2004	(358095)
31	01/24/2005	(385152)
32	01/24/2005	(385153)
33	01/24/2005	(385154)
34	02/09/2005	(350243)
35	04/20/2005	(376591)
36	05/02/2005	(423167)
37	05/02/2005	(423168)
38	05/02/2005	(423169)
39	06/21/2005	(371957)
40	07/31/2005	(444039)
41	07/31/2005	(444040)
42	07/31/2005	(444041)
43	08/05/2005	(397942)
44	08/10/2005	(398636)
45	08/19/2005	(398486)
46	08/25/2005	(404972)
47	08/30/2005	(407145)
48	10/19/2005	(434543)
49	10/31/2005	(474327)
50	10/31/2005	(474328)
51	10/31/2005	(474329)
52	11/09/2005	(436682)
53	11/22/2005	(436571)
54	01/27/2006	(438638)
55	04/05/2006	(460280)
56	04/24/2006	(502195)
57	04/24/2006	(502196)
58	04/24/2006	(502197)
59	05/10/2006	(465454)
60	07/24/2006	(524542)

61	07/24/2006	(524543)
62	07/24/2006	(524544)
63	08/01/2006	(488997)
64	08/22/2006	(466039)
65	08/31/2006	(510450)
66	09/27/2006	(510043)
67	10/20/2006	(549497)
68	10/20/2006	(549498)
69	10/20/2006	(549499)
70	10/31/2006	(514213)
71	11/07/2006	(516450)
72	11/07/2006	(517100)
73	11/07/2006	(497706)
74	11/07/2006	(518378)
75	12/14/2006	(533536)
76	01/18/2007	(583303)
77	01/18/2007	(583301)
78	01/18/2007	(583302)
79	02/28/2007	(537123)
80	04/03/2007	(555048)
81	04/18/2007	(583294)
82	04/18/2007	(583295)
83	04/18/2007	(583296)
84	05/08/2007	(583297)
85	06/15/2007	(583298)
86	07/10/2007	(560476)
87	07/17/2007	(583299)
88	08/08/2007	(567610)
89	08/08/2007	(567613)
90	08/09/2007	(567609)
91	08/13/2007	(583300)
92	09/17/2007	(603877)
93	10/03/2007	(593801)
94	11/16/2007	(622654)
95	11/29/2007	(609729)
96	12/05/2007	(610617)
97	12/14/2007	(622655)
98	01/17/2008	(622656)
99	01/23/2008	(613725)
100	02/19/2008	(674203)
101	02/28/2008	(636265)
102	03/19/2008	(674204)
103	04/18/2008	(674205)
104	05/14/2008	(618853)
105	05/21/2008	(618858)
106	05/21/2008	(639848)
107	06/04/2008	(641857)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 08/05/2003 (145531)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Description: Permit MAERT exceeded (for THC) during tire trial burn test.

Date: 03/08/2004 (256198)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)

Rqmt Prov: PERMIT TXR050000

Description: Failure to collect samples for hazardous metals monitoring since permit issuance.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)

Rqmt Prov: PERMIT TXR050000

Description: Failure to conduct storm water discharge sampling required for this activity since permit issuance.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)

Rqmt Prov: PERMIT TXR050000

Description: Failure to conduct benchmark sampling for this activity.

Date: 07/31/2004 (358093)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 10/04/2004 (283028)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to electronically report the excess opacity event that occurred on 4/16/04.

Date: 05/17/2005 (349193)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 1360A, Special Condition 2D

Description: Failure to restrict operation of the cement kilns so that no more than two of Kilns 1, 2, 3 or 4 are operated at the same time as Kiln 5.

Date: 04/21/2006 (455047)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 1360A, Special Condition 7B

Description: Failure to effectively prevent fugitive emissions from the northeast clinker barn door.

Date: 01/25/2008 (613725)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT 1360A, Condition 8B

Description: Failure to comply with opacity limits for Kiln #4 Exhaust Stack stated under Permit No. 1360A.

Date: 06/05/2008 (641857)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT SC 18.A.2

Description: Failure to record the daily calibration for the Kiln 4 NOx and SO2 analyzers for 5/18/07.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.690
40 CFR Chapter 63, SubChapter C, PT 63, SubPT LLL 63.1350(e)
5C THSC Chapter 382 382.085(b)

Description: Failure to perform visible emission observations according to Reference Method 22 as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to report a deviation for missed record of calibration on 5/18/07.

F. Environmental audits.

Notice of Intent Date: 08/19/2005 (439752)
Disclosure Date: 08/30/2005

Viol. Classification: Moderate
Rqmt Prov: PERMIT HW-50316-001 Sections I.I.4 and II.D.4

Description: Accepted a waste load for which there is no record that a required profile sheet had been previously received and reviewed by the Facility.

Viol. Classification: Moderate
Rqmt Prov: PERMIT HW-50316-001 Sections I.I.4 and I.C.1

Description: Facility generated wastewater was pumped into Trailer #314 owned by TXI Transportation and parked at TXI's truck yard for 10 days. In addition, A tanker truck containing waste liquids was recieved, the contents were pumped to an empty trailer and parked in the TXI truck yard for 34 days.

Viol. Classification: Minor
Rqmt Prov: PERMIT HW-50316-001 Section I.I.5

Description: New employee did not receive formal off-site training or on-site class room training described in Section 2

of the Personnel Training Plan.

Viol. Classification: Moderate
Rqmt Prov: PERMIT HW-50316-001 - See Description

Description: Piping system at the Facility was changed without modifying the Permit.

Viol. Classification: Moderate
Rqmt Prov: PERMIT HW-50316-001 Section I.F.11

Description: Piping system at the Facility was changed without modifying the Permit.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

Rqmt Prov: PERMIT 1360A SP 1.C., 22.C.11.A.3, 2.B.

Description: Facility employees have vented vapors from the vent back system on a number of occasions to relieve pressure increases within the Facility's tank system.

Viol. Classification: Minor
Rqmt Prov: PERMIT HW-05316-001 Section II.F.

Description: The audit identified a number of occasions on which records of repairs and maintenance are inconsistent with the Daily Inspection Forms.

Viol. Classification: Minor
Rqmt Prov: PERMIT HW-50316-001 Section II.R.

Description: Failure to maintain Facility.

Viol. Classification: Moderate
Rqmt Prov: PERMIT HW50316-001 Sections II.F and I.I.5

Description: Daily and weekly inspection sheets used in the Facility did not contain the required information found in the inspection schedule.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

NSR
641144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 14 AM 9:32
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

August 4, 2008

OPA
AUG 14 2008
BY gB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Sincerely,

Rebecca Marin

Rebecca Marin
3989 Highgrove Drive
Dallas, TX 75220

mw

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 01 2008
BY BP

NSR 64144

2008 JUL 31 PM 2:48
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name RAYMOND MASSEY

Address 5811 CRYSTAL DRIVE Midlothian, Texas 76065

Daytime phone number 972-723-1746

Signature Ray Massey Date 7/30/08

MW

Aug. 8, 2008

NSR
64144
OPA

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -6 AM 10: 44

CHIEF CLERKS OFFICE

H AUG 06 2008

BY EB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
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I would like to be placed on a mailing list to receive future public notices for this specific application.

Name Cathy Mathia

Address 942 Bridget Ln. Dallas TX 75218

Daytime phone number 214-327-3055

Sincerely,

Cathy Mathia

BG

NSR
64144

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -6 AM 10: 45

CHIEF CLERKS OFFICE

OPA

H

AUG 06 2008

BY GB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I would like to be placed on a mailing list to receive future public notices for this specific application.

Name Hallie Mathia

Address 942 Bridget Lane, Dallas, TX 75218

Daytime phone number 214-327-3055

Sincerely,

H Mathia

BG

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -6 AM 10: 44

CHIEF CLERKS OFFICE

OPA

AUG 06 2008

BY GB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I would like to be placed on a mailing list to receive future public notices for this specific application.

Name JOSEPH MATTIA

Address 942 BRIDGET LN DALLAS TX 75218

Daytime phone number 214 324-5598

Sincerely,

BG

NSR
64144

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -4 PM 3:30

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA

AUG 05 2008

BY aB

Re: TXI Operations LP
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Application for Renewal

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

BG

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name____Ann McFadyen_____

Address __1917 Turner Ridge #2211 Fort Worth, TX 76110 \

Daytime phone number _817 920 0905_____

Signature

Date: August 2, 2008_____

NSR
64144
OPA
#
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:33
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
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I We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Louanne McGhee

Address 301 Stiles Dr. Midlothian, Texas 76065

Daytime phone number 214 399 0098

Louanne D McGhee 7/31/08
Signature Date

BG

July 28, 2008

NSR
061144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 JUL 30 AM 9: 35

CHIEF CLERKS OFFICE

OPA

JUL 30 2008

BY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Alicia Melo

Address 4940 OLD FORTWORTH RD. Midlothian, Texas 76065

Daytime phone number 817-205-6212

Alicia Melo 7/28/08

Signature Date

mcw

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
OPA 041144
H
AUG 06 2008
BY EB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to eithe retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name HOWARD S. MIMS III

Address 20 SAINT CHARLES PLACE Midlothian, Texas 76065

Daytime phone number 972-723-3697

Signature Date 7/31/08

BG

NSR
06/14/41

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

By FAX: (512) 239-5151

P. O. Box 13087

Austin, Texas 78711-3087

H OPA
AUG 08 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 10: 29
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jorge Misium

Address 12660 Hillcrest # 4101, Dallas, TX 75230

Daytime phone number 972 991 7036

Jorge Misium 8/5/08

Signature Date

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

By FAX: (512) 239-5151

P. O. Box 13087

Austin, Texas 78711-3087

NSR
64144

OPA

H AUG 07 2008

BY EB

CHIEF CLERKS OFFICE

2008 AUG -7 AM 11:24

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jorge Misium

Address 12660 Hillcrest # 4101, Dallas, TX 75230

Daytime phone number 972 991 7036

Jorge Misium 8/5/08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY EB

NSR
64144

2008 AUG -8 AM 10:07
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Diane Mitschke

Address 2225 County Rd 619 Venus, TX 76084 Midlothian, Texas 76065

Daytime phone number (817) 807-1464

Diane Mitschke 8/5/08
Signature Date

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 01 2008
BY BP

LSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:20
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Chris & Eileen Moore
8816 Sweetwater Drive
Dallas, TX 75228

Eileen Moore
Signature

7/30/08
Date

BG

NSR
064144

OPA
AUG 07 2008
BY EB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

2008 AUG -6 PM 2:33
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

August 4, 2008

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

My husband is struggling with COPD, a life threatening lung disease. We are both (I have multiple sclerosis) affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, our residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect our health and safety.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

BG

TXI is seeking an operating permit for a technology that was **abandoned by the cement industry itself over 25 years ago.** Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Respectfully,

Mrs. Sarah Moore
10333 Marsh Lane
Dallas, TX 75229

JSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY 913

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:38
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury. That is unacceptable.

I am affected by this plant since my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety. I also believe that unethical lobbying is currently being used to overturn Dallas' "Green Cement" policy and that TXI is acting in bad faith to stigmatize its cleaner competitors and muddy the issue. These dirty policies reveal a pattern of behavior that TXI will likely continue to follow in meeting their clean air obligations if this permit is approved.

TXI is seeking an operating permit for obsolete technology that was abandoned by the cement industry over 25 years ago. These kilns DO NOT meet the mandatory requirement for the "best available technology" to be used in fighting pollution.

I would also like to be placed on a mailing list to receive future public notices for this specific application.

Name George Morris

Address 4900 Pear Ridge, Apt 2505, Dallas TX 75287

Daytime phone number 972-733-3913

George M. 8/4/08

Signature Date

BG

NSR
04144
1A

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 07 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:59
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Name Ethel Nelms

Address 1303 RAINES, ARLINGTON TX 76011

Ethel Nelms
Signature

8/5/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
641144

OPA
AUG 07 2008
BY aB

CHIEF CLERKS OFFICE
2008 AUG -7 AM 9:5
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is near the emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living near and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Sheri Nelson
2640 Brad's Way
Midlothian, Texas 76065
817/258-3000

Sheri Nelson 7/30/08
Signature Date

BG

July 28, 2008

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H JUL 30 2008
BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 30 AM 9:36
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Ned + Norma Newsom

Address 271 Worth Court Midlothian, Texas 76065

Daytime phone number 972-723-2864

Ned Newsom Norma Newsom 7-27-08
Signature Date

MW

NSR
04144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:31

CHIEF CLERKS OFFICE

OPA

AUG 05 2008

BY GB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Chris and Angela Nichols

Address 417 Mountain Peak Bend Midlothian, Texas 76065

Daytime phone number 972 775 3903

Chris Nichols Angela Nichols 7/31/08

Signature Date

BG

1 OR
64444

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

AUG 21 2008

BY GB

2008 AUG 21 AM 9:59

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Lylyan Nobles

Address 4820 Teresa Tr Midlothian, Texas 76065

Daytime phone number 972-775-3885

Lylyan Nobles 8-18-08
Signature Date

mw

NSR
L64144

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -4 PM 3: 32

CHIEF CLERKS OFFICE

OPA

AUG 05 2008

BY GB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant **since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property**

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Willem and Paula Noteboom

Address 3040 Starwashed Drive, Midlothian, Texas 76065

Daytime phone number 972-761-8946

Willem Noteboom Paula Noteboom August 1, 2008
Signature Date

BG

July 28, 2008

OPA

AUG 0 1 2008

BY

2008 JUL 31 PM 2:45

CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

NSR 64144

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Robin D. O'Byrne

Address 315 Amy Drive Midlothian, Texas 76065

Daytime phone number 214-952-7736

Robin D. O'Byrne 7/29/08

Signature Date

MW

July 28, 2008

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 0 1 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 10: 58
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name JOSE & JENNIFER OCHOA

Address 210 WORTH CT Midlothian, Texas 76065

Daytime phone number (469) 245-1358

Signature

07/28/08
Date

BG

Marsha and Gary Paisley
6224 Sudbury
Dallas, TX 75214

NSR
104144 OPA
H AUG 07 2008
BY GB

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 10:00
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

MARSHA PAISLEY

[redacted]

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
OPA 6/1/K/1
H
AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:36
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Anitra Patterson

Address 2345 Globe Ave Dallas, TX 75228

Daytime phone number (214) 356-2895

Anitra Patterson 8-2-08

Signature Date

BG

NSR
144144

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

By FAX: (512) 239-5151

P. O. Box 13087

Austin, Texas 78711-3087

OPA
AUG 08 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 10: 29
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Lori Peniche

Address 12640 Hillcrest #4101, Dallas TX 75230

Daytime phone number 972 980 7176

Lori Peniche 8/5/08

Signature Date

MW

NSR
C04144

OPA
AUG 07 2008
BY GB

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

By FAX: (512) 239-5151

P. O. Box 13087

Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 11:24
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Lori Peniche

Address 12640 Hillcrest #4101, Dallas TX 75230

Daytime phone number 972 980 7176

Lori Peniche 8/5/08

Signature Date

BG

NSR
U4144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H AUG 01 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 10:58
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance, which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Amelia S. Perez

Address 7811 Morton Street Dallas ~~Midlothian~~, Texas 75209 ~~76065~~

Daytime phone number 214-215-5939

Signature 7-30-08
Date

BG

NSR
104144

John L. Peroyea
Eagles Nest Estates
3120 Falcon Way
Midlothian, TX 76065

OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 24
CHIEF CLERKS OFFICE

August 4, 2008

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

My family and I request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

My family and I are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

BG

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, my family and I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I would also like to be placed on a mailing list to receive future public notices for this specific application.

My daytime phone number is 214-561-2142.

Sincerely,

John L. Peroyea

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 000.42⁰
0002159122 AUG 04 2008
MAILED FROM ZIP CODE 75063

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 24
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

RECEIVED
AUG 0 6 2008
TCEQ MAIL CENTER
RB

78711+3087

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

4 OPA
AUG 1 1 2008
BY BP

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 1 1 AM 10:50
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Carolyn Beyer Pickle

Address 2210 Starwashed Rd Midlothian, Texas 76065

Daytime phone number 972-723-9380

Carolyn Beyer Pickle 8/1/8

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144

OPA
AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 43
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Donna Piercy

Address 3602 Biscay Dr. Arlington, TX 76016

Daytime phone number 817-838-4867 H817-429-4466

Donna Peercy 8/4/08

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144
H

OPA

AUG 06 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -6 AM 10: 45

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Harriet P Laskoff

Address 10407 Barrywood Dr. Dallas, TX 75230 ✓

Daytime phone number 214-363-4346

Harriet P Laskoff — Signature

8-3-08 — Date

BG

NSF
64144

H OPA
AUG 0 1 2008
BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:24
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.
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Additionally, I **protest the approval** of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

BG

Name: Suzanne Pope

Address: 524 Morgan Road

City/State/Zip: Italy, TX 76651

Daytime phone number: (972) 483-7535

email: [redacted]

Sincerely,

Suzanne Pope

Suzanne Pope

NSR
041144

Ralph & Sue Pope

476 Hidden Valley Trail, Midlothian, Texas 76065
Phone & Fax (972-299-5298)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 AM 11:00
CHIEF CLERKS OFFICE

IPT
H

OPA
AUG 11 2008
BY BL

FAXED TO: 512-239-3311
August 3, 2008

Ms. Madonna Castanuela
Office of the Chief Clerk
MC-105
Texas Commission on Environmental Quality
P O BOX 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. The permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including, but no limited to lead and mercury. The notice fails to list dioxins which were revealed in the previous test burns.

Again, as in 1998, we feel that we are adversely affected by this plant's emissions because we reside in the downwind wind pattern from this facility and these emissions are of a proven nature to further adversely affect our ill health and safe use and enjoyment of our property. Present health effects being experienced by both include cancer, congestive heart failure, liver and kidney failure, severe bronchial asthma and primary immune deficiency. We reside and raise cattle approximately six miles from this facility; and we feel that we and our operation are some times affected and/or impacted by their odors and emissions due to the wind pattern and upset conditions.

Therefore, Ralph J. Pope and Suzette L. Pope do hereby request that this permit (1360A) be denied as presented to TCEQ, and a contested case hearing be granted to establish the optimum operating conditions, fuel sources and storage safety issues, permit deficiencies, present pollution controls be operated, and future controls to be installed to best protect the public health of the downwind communities.

By copy of this letter, we further request that we be placed on the mailing list for this application to receive the response to comments along with the notification of a Commission meeting and any further activities initiated by TXI. A request for inclusion to the mailing list for all future public notices with regard to any and all TXI's activities has been made numerous times, but for some unknown reason our names continue to be removed. Please correct this mistake now and for the future.

Sincerely,

RALPH J. POPE
476 Hidden Valley Trail
Midlothian, Texas 76065

972-299-5298 Phone & Fax (call first)

SUZETTE L. POPE
476 Hidden Valley Trail
Midlothian, Texas 76065

972-299-5298 Phone & Fax (call first)

BG

NSR
L04144

Ralph & Sue Pope
476 Hidden Valley Trail, Midlothian, Texas 76065
Phone & Fax (972-299-5298)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -7 AM 9:57
CHIEF CLERKS OFFICE

OPA
AUG 07 2008
BY EB

FAXED TO: 512-239-3311
August 3, 2008

Ms. Madonna Castanuela
Office of the Chief Clerk
MC-105
Texas Commission on Environmental Quality
P O BOX 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. The permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including, but no limited to lead and mercury. The notice fails to list dioxins which were revealed in the previous test burns.

Again, as in 1998, we feel that we are adversely affected by this plant's emissions because we reside in the downwind wind pattern from this facility and these emissions are of a proven nature to further adversely affect our ill health and safe use and enjoyment of our property. Present health effects being experienced by both include cancer, congestive heart failure, liver and kidney failure, severe bronchial asthma and primary immune deficiency. We reside and raise cattle approximately six miles from this facility; and we feel that we and our operation are some times affected and/or impacted by their odors and emissions due to the wind pattern and upset conditions.

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Sincerely,

RALPH J. POPE
476 Hidden Valley Trail
Midlothian, Texas 76065

972-299-5298 Phone & Fax (call first)

SUZETTE L. POPE
476 Hidden Valley Trail
Midlothian, Texas 76065

972-299-5298 Phone & Fax (call first)

BG

NSR
64144

OPA
H
AUG 0 1 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:21
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Janet Fay Powell

Address 3321 Joe Wilson Midlothian, Texas 76065

Daytime phone number 972-897-1489 cell

Janet Fay Powell 7/30/08
Signature Date

P.S. I am having to buy a carbon filtered face mask to walk/jog because I keep getting respitory infections because of the pollution.

BG

NSR
L04144

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -4 PM 3: 31

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H
AUG 05 2008
BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ; my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Annabel Qualls

Address 2102 Cloverdale St
Arlington TX 76010

Annabel Qualls 1 Aug 2008
Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA

NSR 64144

AUG 1 1 2008

BY BP

CHIEF CLERKS OFFICE

2008 AUG 11 AM 10:16

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Name JAMES/ JOANN RANTON

Address 121 REDMAN WAXAHACHIE, TX 75165

Daytime phone number 972-937-5988

JoAnn Ranton 08-05-08

Signature Date

BG

NE 2
64144

OPA
H AUG 06 2008
BY EB

CHIEF CLERKS OFFICE
2008 AUG -6 AM 10: 35
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name___Harriet Raskin _____

Address 3831 Turtle Creek Blvd. 16E Dallas, Tx.
75219_____ _____

Daytime phone number ____2145224179_____

Harriet Raskin _____August 3, 2008

_____

BG

NSR
64144

OPA
H
AUG 06 2008
BY EB

CHIEF CLERKS OFFICE
2008 AUG -6 AM 10:40
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Gina Raybourn

Address 2021 Clearview Drive Midlothian, Texas 76065

Daytime phone number 214 226 4513

Gina Raybourn 8-04-08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144

OPA

AUG 05 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:33

CHIEF CLERKS OFFICE

Re: TXI Operations LP
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Application for Renewal

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Additionally, I/~~We~~ protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/~~We~~ also would like to be placed on a mailing list to receive future public notices for this specific application.

Name WILLIAM REDDING

Address 2010 CLEARVIEW DR. Midlothian, Texas 76065

Daytime phone number 972 775 3305

Signature [signature] Date 7/31/08

BG

ISR
L04141

Ms. Ladonna Castañuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10:38
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.
Thank you!

Name Mary Anne Mayer Redmond

Address 14608 Hemingway Court
Addison, TX 75001
Midlothian, Texas 76065

Daytime phone number 972.484.5726

Mary Anne Mayer Redmond
Signature

July 29, 2008
Date

BG

N R
104144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10:00
CHIEF CLERK'S OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name ALLEN REED

Address 321 LYNNIE PENNIE LN. Midlothian, Texas 76065

Daytime phone number 972 723 2214

Allen Reed 03 AUG 2008

Signature Date

BG

H OPA

AUG 0 1 2008

BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 31 PM 2
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

NSR 64144

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jacinto Reyes

Address 111 Waterfront Midlothian, Texas 76065
Waxahachie TX

Daytime phone number 972 296 6051

Jacinto Reyes 7-30-08
Signature Date

Jacinto Reyes

mw

NSR
064144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 08 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 9:57
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name JOHN REYES & KATHY REYES

Address 6302 HUNTERS PKWY Frisco, Texas 75035

Daytime phone number 972-359-1820

Signature 8/5/2008 Date

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 01 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 31 PM 2:44
CHIEF CLERKS OFFICE

NSR 64144

Re: TXI Operations LP
Permit No 1360A
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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Patricia Reyes

Address 1110 W. Camp Wisdom Midlothian, Texas 76065
Duncanville TX 75116

Daytime phone number 972 296 5900

Signature Date 7.30.08

mw

NSR
064144

OPA

H AUG 05 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3: 34

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Sam Rodgers

Address 1140 Cedar Dr. Midlothian, Texas 76065

Daytime phone number 972-723-2056

Sam Rodgers July 31, 2008
Signature Date

BG

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 04 2008
BY GB

2008 AUG -4 AM 11: 12
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are all affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Elizabeth Rodzinsky

Address 3209 Avondale FW 76109 Midlothian, Texas 76065

3209 Avondale St
Fort Worth, TX 76109

Daytime phone number 817 927-7776

Signature

Date 7/31/08

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 26 2008
BY BP

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 25 PM 3:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Sharon Ross, MSSW, LCSW

Address 5617 WILLIAMSTOWN RD. DALLAS, TX 75230

Daytime phone number _____

Sharon L. Ross
Signature

Aug. 10, 2008
Date

MW

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144

OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:38
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury. That is unacceptable.

I am affected by this plant since my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety. I also believe that unethical lobbying is currently being used to overturn Dallas' "Green Cement" policy and that TXI is acting in bad faith to stigmatize its cleaner competitors and muddy the issue. These dirty policies reveal a pattern of behavior that TXI will likely continue to follow in meeting their clean air obligations if this permit is approved.

TXI is seeking an operating permit for obsolete technology that was abandoned by the cement industry over 25 years ago. These kilns DO NOT meet the mandatory requirement for the "best available technology" to be used in fighting pollution.

I would also like to be placed on a mailing list to receive future public notices for this specific application.

Name Mark H. Russo

Address 3312 - Mayda Mayda St., Mesquite, TX 75150 ✓

Daytime phone number 972-698-7719

Signature [signature] Date 8/4/08

BG

NSR
04144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

8-1-08
OPA
AUG 05 2008
BY AB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 9:59
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name KEN SAMBELL

Address 5501 W. MAYFIELD RD ~~Midlothian, Texas 76065~~ ARLINGTON TX 76016

Daytime phone number —

K W Sambell 8-1-08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 0 1 2008
BY BP

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:07
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Jan Sanders

Address 7326 Malabar Dallas 75230 Midlothian, Texas 76065

Daytime phone number 214. 369. 9388

Jan Sanders 7-30-2008
Signature Date

My husband & I suffer from Chronic lung problems. The deterioration of air quality is serious stuff to us!

BG

July 28, 2008

NSR 64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 0 1 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 8:16
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Sandra D. Sanford

Address 3992 Miller Rd. Midlothian, Texas 76065

Daytime phone number 972-935-2166

Sandra D. Sanford 7-29-08

Signature Date

BG

NSR
041144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

2008 AUG -6 AM 10:41
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Mary and Felix Saucedo
Address 6729 Santa Maria Ln. Dallas, TX 75214
Daytime phone number 214-828-1348

Mary Saucedo
Signature

8/4/08
Date

Felix H Saucedo

BG

NSR
104144

Dick & Sharon Schoech
2614 Chinquapin Oak Lane
Arlington TX 76012-2840

30Jul08

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:21
CHIEF CLERKS OFFICE
OPA
AUG 01 2008
BY

Ms. Ladonna Castanuela, Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP Permit No 1360A Application for Renewal

We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

Our family has members with severe breathing disorders which are under treatment. We are directly affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ. My residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to our health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Sincerely

Richard Schoech, Sharon Schoech

Richard & Sharon Schoech
2614 Chinquapin Oak
Arlington Texas 76012
dschoech@sbcglobal.net

BG

July 28, 2008

NSR
104144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 JUL 30 AM 9:35

CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H JUL 30 2008
BY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name M. Ann K. Sears

Address 3911 Cement Valley Rd. Midlothian, Texas 76065

Daytime phone number 972-723-2096

M. Ann K. Sears 7-28-08

Signature Date

N8R
T04444

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H AUG 05 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 PM 3:36
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Robert & Tyda Shields

Address 530 Lynnie Pennie Midlothian, Texas 76065

Daytime phone number 972-723-2657

Robert A. Shields 7/30/2008
Signature Date

Tyda Shields 7/31/2008

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
041441

OPA
AUG 08 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 AM 8:00
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Tami Slater

Address 2020 Clearview Dr Midlothian, Texas 76065

Daytime phone number 972-723-5702

Tami Slater 8-5-08
Signature Date

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 64144

OPA

SEP 17 2008

BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 SEP 17 AM 10:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Alisha Smith

Address 6401 Elm Springs Dr. Arlington 76001
~~Midlothian~~, Texas ~~76065~~

Daytime phone number 817-457-7103

Alisha Smith 9-12-08
Signature Date

mw

July 28, 2008

NSR 64144

OPA

H

AUG 0 1 2008

BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11: 23
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property. I/We live within one mile of this facility and we are affected by the emissions and odors.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

Let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ temporarily **deny** this application.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

I/We also would like to be placed on a mailing list to receive all future public notices including this specific application.

Name Mr. Jack E. Snider

Address 4370 Old Fort Worth Rd. Midlothian, TX 76065-4904 Midlothian, Texas 76065

Daytime phone number 972-723-8319

Signature J E Snider Date 7-29-2008

BG

NSR
041144 H

1620 VICTORIA DRIVE

DENTON,TX 76209

OPA
AUG 06 2008
BY GB

2008 AUG -6 AM 10:29
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

August 4, 2008

Ms. Ladonna Castanuela

Office of the Chief Clerk MC-105

Texas Commission on Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or

BG

replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to the public health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Sincerely,

Edward B. Soph

Carol A. Soph

JSR
64144

14 OPA
AUG 0 1 2008
BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:11
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Edgar R. Stahl & Dora R. Stahl
1507 Ambleside Lane
Richardson, Texas 75082

Daytime phone number 972-231-356

Edgar R. Stahl Dora R. Stahl July 30, 2008
Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144
#

OPA
AUG 06 2008
BY GB

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -6 AM 10: 45

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

My family, neighbors and I are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Patricia Stella

Address 6032 Daven Oaks Dr. Dallas, TX 75248

Daytime phone number 972 931 6533

Signature

Date 8/5/2008

BG

NSR
04144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 05 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -5 AM 10:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I am writing to request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Mary Stevenson

Address 2976 Golfing Green Dr Dallas TX 75234

Daytime phone number 972-247-3466

Mary L. Stevenson 8-2-08
Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
041414
OPA
AUG 05 2008
BY GB

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 AUG -4 PM 3: 39

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since, as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance that have resulted in excess emission releases that are proven injurious to my health.

Name: Carl J Stone

Address: 501 East Lilly Lane, Arlington, TX 76010-5709

Daytime phone number: 682-605-1917

Carl J. Stone
Signature

July 31, 2008
Date

BG

NSR
04144

OPA
AUG 04 2008
BY GB

Attention:

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I urge you to hold a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

2008 AUG 4 AM 11:12
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

My residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

I strongly protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Wendy Sunshine
PO Box 13027
Arlington, TX 76094
817-446-0914

Wendy Sunshine
7/30/8

BG

NSR
OPA 64144
AUG 06 2008
BY EB

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 35
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Darrel Susman

Address 8821 Arborside Dr. Dallas, TX 75243

Daytime phone number 214-215-8175

[signature] 8-3-08

Signature Date

BG

NSR
041144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 11:22
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name JOAN SUSMAN

Address 6227 TWIN OAKS CIRCLE DALLAS, TX 75240

Daytime phone number 972-458-2347

Joan Susman August 3, 2008

Signature Date

BG

NSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

August 4, 2008

OPA
AUG 19 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 19 AM 9:50
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Sincerely,

Steven Svardlik
3989 Highgrove Dr.
Dallas, Tx 75220

mw

NSC-
04144

OPA

H AUG 08 2008

BY EB

CHIEF CLERKS OFFICE

2008 AUG -7 PM 3: 1

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I ~~/We~~ request a **contested case hearing** on the application and intent to obtain an air permit renewal reference above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I ~~/We~~ are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could no say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to eithe retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I~~/We~~ protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I~~/We~~ also would like to be placed on a mailing list to receive future public notices for this specific application.

Name DEAN THOMAS

Address 990 KING ARTHUR DRIVE Midlothian, Texas 76065

Daytime phone number _____

Dean Thomas 08-04-08

Signature Date

mw

MSR
041144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
AUG 01 2008
BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11: 24
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I /We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I /We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name M/M R. Thomas

Address 2908 Crooked Creek Drive - Carrollton, TX 75007 ~~Midlothian, Texas 76065~~

Daytime phone number (9) 242-0963

Signature

7/30/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -6 AM 10: 45

CHIEF CLERKS OFFICE

NSR 104144 H

OPA

AUG 06 2008

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I would like to request a contested case hearing on the application to obtain an air permit renewal by TXI Operations in Midlothian, Texas. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury. All of these chemicals are hazardous to the lung health of all residents in this area and North of Midlothian.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property.

BG

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the public health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

As a registered nurse and registered respiratory therapist I am greatly concerned about the long term lung effects these chemicals may have, particularly on children. Midlothian and the Dallas/Ft. Worth area are continuing to grow in single family homes. Please do not allow our children to be exposed to these chemicals in the very air that they breathe.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Sincerely,

Marta Tingdale

Marta Tingdale, RRT, RN
202 Overhill
Waxahachie, Texas 75165
972-938-8261

NSR
041141

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 1 1 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG 11 AM 10:50
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name MARILYN TONKON

Address 13 LAKESIDE PARK DALLAS TX 75225

Daytime phone number 214-533-6620

Marilyn Tonkon 8-6-08
Signature Date

BG

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA 2008 AUG -4 PM 3: 38

AUG 05 2008 CHIEF CLERKS OFFICE

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Judith M. Townes

Address 3203 Howard Rd. Waxahachie, Tx 75165 ~~Midlothian, Texas 76065~~

Daytime phone number 972-937-6293 I travel through Midlothian daily & teach in SE Mansfield

J M Townes
Signature

7/31/08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H
AUG 08 2008
BY EB

NSR
64144

2008 AUG -8 AM 10:12
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name GARY TREIDER

Address 2820 CLEARVIEW. Midlothian, Texas 76065

Daytime phone number 469-337-5993

Signature [signature] Date 7-31-08

MW

NSR
04144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

AUG 05 2008

BY AB

2008 AUG -4 PM 3:26

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name ANN TRENTON

Address 4008 BROOKMOOR, ARL. TX 76016 ~~Midlothian, Texas 76065~~

Daytime phone number 817 446 7948

ANN TRENTON 7/31/08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 64144

OPA

H

AUG 06 2008

BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2008 AUG -4 PM 3:33

CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Name Giovanni Ulibarri

Address 301 Stiles Dr. Midlothian, Texas 76065

Daytime phone number 214 566 3272

Giovanni Ulibarri 7/31/08

Signature Date

BG

IRVIN A. UPHOFF
2532 ALDEN AVENUE
DALLAS, TEXAS 75211-2713
VOICE/FAX 214-330-6155
E-MAIL iauphoff@flash.net

NSR
64144

VIA FAXCIMILE TRANSMISSION 512-239-3311
USPS CERTIFIED MAIL- RETURN RECEIPT REQUESTED
NO. 7007 0710 0002 5814 2899

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -8 PM 3:02
CHIEF CLERKS OFFICE

05 AUG 2008

PM
H

OPA
AUG 11 2008
BY BP

Ms. LaDonna Castanuela
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP (TXI)
Midlothian, Ellis County, Texas
Permit No. 1360A
Application for Permit Renewal

To Whom It May Concern:

The Texas Commission on Environmental Quality (TCEQ), on July 10, 2008 did issue a notice by mail of the "Receipt of Application and Intent to Obtain Air Permit Renewal" for the above referenced existing facility. This notice included a deadline to submit public comments of fifteen (15) days after newspaper notice publication.

This facility represents a complex operation with numerous problems which have generated many volumes of data and records. The fifteen days of allotted time in no way is adequate for a thorough and accurate review. Therefore it is requested this matter be held in abeyance and any **renewal action be delayed**, and to provide additional time for this review of these records. It is requested TCEQ convene a public meeting to resolve the operational discrepancies revealed in this document and if necessary a contested case hearing be scheduled.

TXI is concerned with making Portland cement and money (which is acceptable), but with little regard toward compliance with permit conditions, health, safety and welfare of public citizens residing in close proximity of the facility. TXI's negative approach to this issue represents a recurring pattern of egregious conduct which demonstrates a consistent disregard for the regulatory process and which have resulted in excess emissions releases that are proven injurious to public health.

For many years TCEQ has ignored offenses and violations and neglected enforcement procedures provided them by law. It is time that this change and TXI conform to regulations or be prosecuted. This is TCEQ's primary function in Texas government.

BG

CHANGES and MODIFICATIONS

TXI has in many instances, as found in the records, requested and been granted changes and modifications to their process through Permit by Rule and SB1126 changes. Neither of these functions provide (nor require) public notice and are only revealed by searching the many volumes of records at the TCEQ Regional Office.

Fifteen day time limit did not allow a thorough search of all the documents, but those viewed represented some increase in particulate matter (PM) emissions. Generally the TCEQ has approved these changes by letter stating *"Based on the information you provided on the above-referenced Form P1-E the TCEQ has no objections to the proposed change"*. This assumes a lot and requires no proof by testing to verify the new emissions do not exceed the permit limits.

In some cases it was noted, TXI has justified (or offset) these increases by requesting interplant trading between this source and another source (EPN). Continued juggling of numbers and offsets appears to lead to confusion until no one knows for sure what the actual releases are.

One case in point is a 2005 change, represented as an SB1126 Change, where the Coal Feed Crusher was relocated to serve both wet and dry kilns. The throughput was increased from 280,000 to 500,000 tons per year (tpy). TXI admitted this would increase PM emissions by 0.013 tpy. TXI requested interplant trading between this source and Finish Mill No. 6 Feed Baghouse as an offset. This capability is justified by TXI in stating *"the capture efficiency of this device is higher than previously represented"*. How was this verified? Further, in review of the compliance files, numerous and recent problems have been encountered with this Finish Mill that resulted in release of large amounts of particulate matter and at numerous occasions.

It is imperative that TCEQ require actual test data to verify the accuracy of these "reduction" claims rather than accepting TXI on their word. **I am requesting TCEQ open an investigation to review all changes of this nature and assure MAERT values are current and accurate since 1999.**

In August 2004, TXI petitioned for authorization to increase production from 2.2 million to 2.8 million tons of clinker per year. In addition TXI sought to discontinue the operation of the Regenerative Thermal Oxidizers (RTOs) stating a hardship due to the ever increasing price of natural gas increasing their operating costs. What was not discussed at the time was the fact the production increase would also increase the flow through the kiln, scrubber and RTOs. TXI was already having problems with static pressure. By by-passing the RTOs this pressure could be reduced.

The reason behind the system pressure problem was the scrubber and number of RTO units were reduced from the original design (presumably economic reasons), creating additional system resistance and increased static pressure

Not surprising, TCEQ Commissioners and the Executive Director immediately gave their approval to allow TXI to discontinue operation of a permitted emission control device and an enormous increase in pollutants. This led to Downwinders At Risk and Blue Skies Alliance (DAR/BSA) protesting the decision and the matter was directed to SOAH. At this point DAR/BSA and TXI entered into non-binding mediation on July 12, 2005.

TXI agreed to continue RTO operation, which intended and provided that ALL effluent flow passed through the RTOs, emission limits were adjust to accommodate the production increase and the production increase was approved.

On January 15, 2008, TXI applied for a "Notification of Change". Once again this was an SB1126 Change and avoided public notice and public participation. Only by reviewing the files for this facility would anyone be aware of any change handled in this manner.

TXI proposed to "vent part of the exhaust gases from the clinker cooler through a heat exchanger, into a new baghouse and then to the kiln exhaust stack downstream of the RTOs" **This is a by-pass around the RTOs**. TXI further states *"The planned change does not decrease emissions and may actually result in an increase in downstream actual emissions from Kiln No. 5 due to improved operation and increased efficiency"*.

Regardless of TXI's claims, in whole or in part, this change will divert emissions around the RTOs and the action is in direct conflict with the 2005 agreement between DAR/BSA and TXI. Attempts to confirm the status of this change were not successful, however the available documents made mention that this construction was scheduled for early 2009.

In view of these facts, TXI is in violation of SOAH Docket No. 582-05-5189 and TCEQ Docket No. 2004-1378-AIR Settlement Agreement. This act by TXI demands that TCEQ immediately direct this matter to SOAH and to convene a Contested Case Hearing for the purpose of resolution. This renewal application must be delayed and not approved until resolution.

It should be noted that TCEQ has become a party to this violation by approving a non-conforming, non-complying change to an existing facility and violating a SOAH action.

TXI could have avoided all these gyrations and deception by simply installing one or two additional RTO units (as was originally designed).

COMPLIANCE HISTORY
The following data was taken directly from the Regional Office files and reveals the years of non-compliance and disregard for TXI's neighbors:

2/25/1999	RFC-Site Review	Concerns for nuisance odors. Potential moderate.
01/11/2000	RFC-Site Review	Concerns for nuisance odors-Potential moderate/concerns for PM concentrations.
03/22/2000	040001028 006017A	Complaint-sulfur odor After hour complaint, no investigator available.
03/29/2000	040001028 170018A	Sulfur odors

09/27/2000	040100032 187799A	Complaint-Strong sulfur and steel odors
02/11/2001	040100142 06963A	Complaint-Strong sulfur odor. Reported on Sunday. No investigation until Wednesday. Found no odor.
02/17/2001	040100145 06964A	All five kilns #1,2,3,4,5 operating at same time.
08/06/2001	Excursion Report	Kiln #5-High SO_2 emissions. Water turned off to scrubber. Twelve hours operation where SO_2 exceeded permit limits (322.25 lbs/hr.). Exceedances ranged from a low of 337.7lb/hr. to a high of 1,012.2lbs./hr.
*	**(no NOV no penalty)**	
02/03/2005	349193	Operating kilns #2,3,4 and 5 at same time. Violation of Special Conditions.
04/21/2005	376168	Strong sulfur odor. CAMS 302-SO_2 "higher than normal per investigator. Requested CEMS history from TXI. (Not found in records).
07/19/2005	376172	Burnt-match odor/burnt tire odor/visible emissions on kiln #3.
08/23/2005	406362	Dust pouring out of west end of clinker storage area. Citizen captured event on infrared video. Provide tape to TCEQ investigator.
03/07/2006	Recon Invest	Constant visible emissions from the northeast clinker barn door. A light burnt-match odor-6 minutes, moderate burnt-match odor-6 minutes. (04/21/2006-NOV issued).
05/02/2006	Recon Invest.	Visible emissions from kilns #1,4 and 5.
07/26/2006	Recon Invest.	Intermittent dust from clinker barn door, continuous dust from limestone Storage building and conveyor belt to cement storage silos. (#s 455047 and 488997).
09/21/2006	513418	White cloud rolling out of Finish Mill #6. (Investigator-Sixth complaint of dust in past 12 months)
09/26/2006	Recon Invest.	Light sulfur odor.
11/28/2006	515919	Moderate, constant burnt-match odor. (Investigator-Cause-Sulfur from raw materials being emitted from the stacks".
12/21/2006	541233	Struck-match odor observed 10 minutes.
02/07/2007	543216	Hugh sulfur odor (02/01). Visible emissions from clinker barn. Tire burning odor/chemical odor. (02/12)
02/14/2007	541873	Struck-match odor. Observed 5 minutes.
02/20/2007	Recon Invest.	Light bluish emissions from Kiln #1 stack.
02/22/2007	542478	Struck-match odor 5 minutes. Investigator-13 complaints in past 12 months. Eight include sulfur odor.
04/05/2007	556555	Burnt plastic odor.

07/12/2007	566370	(5/11 Incident)Strong sulfur odor. Excess O_2 less than 1%. Investigator-Six odor complaints in last 12 months.
09/06/2007	593801	(Focused Investigation) Visible emissions Finish Mill #6 and Transfer Tower Baghouse.
10/16/2007	598374	Fire cracker (sulfur) odor. "Investigator may have experienced odor detection fatigue from being in the strong odor plume" (Investigator-8 odor complaints in the past 12 months).
11/30/2007	610617	Excess opacity.
12/17/2007	613725	Excess opacity.
02/04/2008	618858	Opacity-44.47% (limit 35%)
02/21/2008	636265	Failure to comply with opacity limits 10 items.
04/04/2008	618853	Emission Event-SO_2 Kiln #5
04/04/2008	639848	Emission Event-Opacity
04/07/2008		Ammonia release Kiln #4
04/09/2008	639367	Very, very strong sulfur odor 3/16-3/17 O_2 = 1.3 to 2.8%
04/29/2008	685551	Odor-sulfur
05/27/2008	641857	Failure to report Title V required (PCC) excess SO_2 emissions. Failure to report emission point. Failure to report daily calibration K-4 NO_x, SO_x analyser. Failure to perform daily visible emissions (10)
06/19/2008	683771	Complaint-Strong sulfur odor. Four (4) odor complaints in 3 days-chemical lab-burnt odor. Potential for a moderate weekly-lasting over 4 hours. Potential for a strong monthly-lasting over 4 hours.

PRIOR ENFORCEMENT ISSUES

This data was taken from the TCEQ Regional Office files and illustrates how TCEQ enforces violations at TXI. These are only examples of many similar cases.

12/03/2002	NOV	Exceeding permit limits THC, H_2SO_4 (Resolved 3/28/2003
08/05/2003	NOV	Exceeding permit limit THC (tire test burn) (Resolve 08/15/2003)
10/04/2004	NOV	Did not include opacity limit on excess opacity Event Notification/ Not reporting electronically. (Resolved 10/04/2004)
05/17/2005	NOV	Operating over 2 wet kilns with Kiln #5 (Resolved------)
04 21/2006	NOV	Failure to prevent fugitive emissions at clinker barn. (Disposition unknown)

There was no enforcement action (fine/penalty) in any of the above cases TCEQ, Austin staff merely dismissed the NOVs

In the investigator's narrative of investigations a common phrase has been used which needs to be corrected. In incidents where "odors" have been verified these are described as "unpleasant but not offensive". Whether an odor is "offensive' depends upon the individual subjected to the odor and depends upon the duration and location of this intrusion. I am quite sure the TCEQ Commissioners, subjected to a sample of sulfur dioxide or hydrogen sulfide from TXI's stacks, in their living rooms would classify the odor as "offensive" regardless of the concentration.

This phrase may diminish the severity of the event for the report but does not lessen the discomfort of the individual compelled to inhale TXI's non-compliance emissions from lack of proper operation and attention to control devices. I trust this phrase will be eliminated from the investigators descriptive language.

CORRECTIVE ACTION

Having been involved in issues in Midlothian and surrounding area and those relating to TXI, odors and dust (PM) have been almost an everyday occurrence from this facility. Therefore, prior to any approval of this Application for Renewal I am requesting the TCEQ:

Immediately conduct an investigation and a fact finding mission to evaluate the nature of emissions released from TXI stacks
Personally verify that the daily operation of all kilns is in accordance with the permit and to assure emissions are not exceeding MAERT limits.
Require TXI provide adequate performance testing and analysis by an independent firm to verify operating emissions are within permit limits.
Evaluate and determine the exact nature and cause of frequent sulfur based releases that plague the neighboring residents and develop adequate methods for abatement.
Review the maintenance and operational procedures and verify these are adequate to eliminate the high frequency of particulate releases from all areas of the plant.
Require TXI to perform the necessary repairs, changes and revisions to eliminate future odor and particular releases.

Persistent odor events are the number one source of complaints in the immediate area around the TXI facility. Investigations by TCEQ substantiate these odors originate from TXI. The most prominent and identifiable type of odor is sulfur based. This is sulfur dioxide, hydrogen sulfite or related sulfur compounds. Sulfur and sulfur compounds occur in the raw material as well as the fuel (coal). Although TXI has a sulfur content limit on coal from the supplier, there is no evidence the TXI or TCEQ has actually verified the content. The permitted fuel sulfur allowable is 3.5%, which under today's values could be considered "dirty". There are much lower sulfur content coals available, many which are being used in the very near proximity of this plant and this cleaner fuel is just as available as the present fuel. Understandably, the cleaner coal costs more, but does greed have to rule every decision. What is important is protection of the health and enjoyment of residents near-by.

Sulfur based odors will be more predominate coming from the wet kilns as opposed to the dry kiln, since the dry kiln operates with a wet scrubber and RTOs, whereas the wet kilns have no such control devices.

Odors were a major issue in the recent SOAH Hearing-DAR/ Sierra Club vs TXI. Resulting from this hearing was a 1995 Agreed Order that imposed short term excess exit Oxygen (O_2) limits of 0.75%. In closing the ALJ is quoted as saying (the order) "has adequately addressed alleged nuisance odors from the plant". Obviously, he was wrong.

Recently, investigators responding to odor complaints have been reviewing stack monitoring data (Sulfur and Oxygen) at the time of these incidents. Although inconclusive at this time it would appear that the 0.75% O_2 is not adequate to abate the odor and this value may have to be increased. Once again TXI's objection will be the oxygen cost.

It is unconscionable of the TCEQ to allow this issue of injustice imposed upon the residents to continue one more day when there is a solution available.

Therefore, as part of the consideration for approval of this permit renewal; the TCEQ must initiate a technical study and investigation with the purpose of establishing methods for the correction and elimination of these odors.

The second most predominant nuisance and source of complaints are dust (particulate matter). As evidenced from the voluminous number of complaints, TXI is not exercising adequate care and attention to maintenance and repair of the facility. Issues where broken bags, conveyor malfunctions or stoppages and breakage in duct and other conveyance of product or raw material are allowed to persist for hours, sometimes days is pure neglect and disregard for the surrounding residents.

TXI has been sited on numerous occasions (as evidenced from the enclosed summary of investigation reports) for not performing visible emission checks and TXI has failed to perform due diligence when malfunctions or accidents occur to effect a prompt repair. There are documentary proof where bags have burst and TXI has continued to operate, allowing dust to pour out of these baghouses for days before correcting the problem.

Bursted bags occur from too high loading, meaning the proper frequency for cleaning is not being followed. Devices such as broken bag detectors are available that will alert the operator when an event has occurred and the problem can be repaired before an emission event becomes a major disaster.

Therefore as a part of the consideration for approval of this permit renewal, the TCEQ must initiate action to demand TXI control these events which are a violation of their permit. That TXI install broken bag detectors on all baghouses and that in all cases of emission releases the equipment must immediately be secured and repaired. This is the only way to correct this on-going problem and associated violation.

FEDERAL VIOLATION

A significant violation committed by TXI prompted The United States Environmental Protection Agency (USEPA) to issue a "Notice of Violation on 06/12/2007. TXI violated Title I of the Clean Air Act by failure to comply with the special conditions of Permit 1360A that requires specific action be taken and establishes air pollution control requirements for volatile organic compounds (VOCs).

Shipments of hazardous waste, used as kiln fuel, were received without the transfer vehicle being attached to the vapor back system, the control equipment for VOCs.

In this case the USEPA acted in accordance with law. Why is it that Texas' own environmental agency, who I will remind you are there primarily for protection of the public health, cannot also act in a responsible manner?

SPECIAL CONDITIONS

The following revisions to the Permit would improve issues relating to emission release events and improve air quality in the area.

Revise, to change the 12 month rolling average to a 30 day rolling average for all emissions. Other cement plants operate on a 30 day average and so can TXI. This plant should not be given special privileges and does not need this elaborate flexibility. TXI can operate just as well, with just a little more attention to their day to day operation. A 12 month rolling average allows TXI to be lax in operation and results in excessive emission releases in quantities which are dangerous to the public.

1-E provides that TXI ..."shall not produce a nuisance..' TXI violates this requirement almost on a daily basis. Why has TCEQ refrained from adequate enforcement and penalties? It is requested that TCEQ follow the recommendation offered herein on pages seven and eight of this document.

22-C-(8) Change "15 days" to five (5) days requirement to repair leaks in pumpable (waste-derived) fuel and or clinker quench wastewater piping/storage systems. Allowing any size leak to continue for 15 days is absolutely absurd and allows TXI to continue to abuse the environment while reducing their operating costs.

CONCLUSION

1. Prior to any action toward approval of this renewal, require the recommendations herein be performed to resolve those discrepancies and deficiencies which exist.

2. It is imperative that TCEQ require actual test data to verify the accuracy of reduction claims rather than rely upon the word of TXI or accepting their conclusions. I am requesting TCEQ open an investigation to review all changes of this nature and assure MAERT values are current and accurate since 1999.

3. Immediately commence legal action to address the violation of a SOAH Settlement Agreement in the matter of the RTO by-pass and rescind the authorization for this work.

4. Respond to the writer why legitimately issued violations and non-conformance have not resulted in prosecution and/or assessment of fines or civil/criminal action as provided under Texas law.

5. Pursue recommendations and corrective action as presented herein, toward a permanent resolution to the persistent odor and dust problems that result from TXI's operation.

6. Adopt those corrections/revisions present in the Special Conditions for this Permit.

7. Defer and deny any and all action toward the approval for a Renewal of this Permit until the discrepancies presented herein have been satisfied.

I am an affected person and subject to the emissions released from this facility, since as represented in the scientific and meteorological information provided by the TCEQ my residence is in the plume from the TXI plant.

Respectfully Submitted,

Irvin A. Uphoff

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Ms. LaDonna Castanuela
Office of the Chief Clerk
Texas Commission on Environmental
Quality
P.O. Box 13087
Austin, Texas 78711-3087

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IRVIN A. UPHOFF
2532 ALDEN AVENUE
DALLAS, TEXAS 75211-2713
VOICE/FAX 214-330-6155
E-MAIL iauphoff@flash.net

OPA
AUG 06 2008
BY EB

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 11:11
CHIEF CLERKS OFFICE

05 AUG 2008

Ms. LaDonna Castanuela
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP (TXI)
Midlothian, Ellis County, Texas
Permit No. 1360A
Application for Permit Renewal

To Whom It May Concern:

The Texas Commission on Environmental Quality (TCEQ), on July 10, 2008 did issue a notice by mail of the "Receipt of Application and Intent to Obtain Air Permit Renewal" for the above referenced existing facility. This notice included a deadline to submit public comments of fifteen (15) days after newspaper notice publication.

This facility represents a complex operation with numerous problems which have generated many volumes of data and records. The fifteen days of allotted time in no way is adequate for a thorough and accurate review. Therefore it is requested this matter be held in abeyance and any **renewal action be delayed**, and to provide additional time for this review of these records. It is requested TCEQ convene a public meeting to resolve the operational discrepancies revealed in this document and if necessary a contested case hearing be scheduled.

TXI is concerned with making Portland cement and money (which is acceptable), but with little regard toward compliance with permit conditions, health, safety and welfare of public citizens residing in close proximity of the facility. TXI's negative approach to this issue represents a recurring pattern of egregious conduct which demonstrates a consistent disregard for the regulatory process and which have resulted in excess emissions releases that are proven injurious to public health.

For many years TCEQ has ignored offenses and violations and neglected enforcement procedures provided them by law. It is time that this change and TXI conform to regulations or be prosecuted. This is TCEQ's primary function in Texas government.

BG

CHANGES and MODIFICATIONS

TXI has in many instances, as found in the records, requested and been granted changes and modifications to their process through Permit by Rule and SB1126 changes. Neither of these functions provide (nor require) public notice and are only revealed by searching the many volumes of records at the TCEQ Regional Office.

Fifteen day time limit did not allow a thorough search of all the documents, but those viewed represented some increase in particulate matter (PM) emissions. Generally the TCEQ has approved these changes by letter stating *"Based on the information you provided on the above-referenced Form P1-E the TCEQ has no objections to the proposed change"*. This assumes a lot and requires no proof by testing to verify the new emissions do not exceed the permit limits.

In some cases it was noted, TXI has justified (or offset) these increases by requesting interplant trading between this source and another source (EPN). Continued juggling of numbers and offsets appears to lead to confusion until no one knows for sure what the actual releases are.

One case in point is a 2005 change, represented as an SB1126 Change, where the Coal Feed Crusher was relocated to serve both wet and dry kilns. The throughput was increased from 280,000 to 500,000 tons per year (tpy). TXI admitted this would increase PM emissions by 0.013 tpy. TXI requested interplant trading between this source and Finish Mill No. 6 Feed Baghouse as an offset. This capability is justified by TXI in stating *"the capture efficiency of this device is higher than previously represented"*. How was this verified? Further, in review of the compliance files, numerous and recent problems have been encountered with this Finish Mill that resulted in release of large amounts of particulate matter and at numerous occasions.

It is imperative that TCEQ require actual test data to verify the accuracy of these "reduction" claims rather than accepting TXI on their word. **I am requesting TCEQ open an investigation to review all changes of this nature and assure MAERT values are current and accurate since 1999.**

In August 2004, TXI petitioned for authorization to increase production from 2.2 million to 2.8 million tons of clinker per year. In addition TXI sought to discontinue the operation of the Regenerative Thermal Oxidizers (RTOs) stating a hardship due to the ever increasing price of natural gas increasing their operating costs. What was not discussed at the time was the fact the production increase would also increase the flow through the kiln, scrubber and RTOs. TXI was already having problems with static pressure. By by-passing the RTOs this pressure could be reduced.

The reason behind the system pressure problem was the scrubber and number of RTO units were reduced from the original design (presumably economic reasons), creating additional system resistance and increased static pressure

Not surprising, TCEQ Commissioners and the Executive Director immediately gave their approval to allow TXI to discontinue operation of a permitted emission control device and an enormous increase in pollutants. This led to Downwinders At Risk and Blue Skies Alliance (DAR/BSA) protesting the decision and the matter was directed to SOAH. At this point DAR/BSA and TXI entered into non-binding mediation on July 12, 2005.

TXI agreed to continue RTO operation, which intended and provided that ALL effluent flow passed through the RTOs, emission limits were adjust to accommodate the production increase and the production increase was approved.

On January 15, 2008, TXI applied for a "Notification of Change". Once again this was an SB1126 Change and avoided public notice and public participation. Only by reviewing the files for this facility would anyone be aware of any change handled in this manner.

TXI proposed to "vent part of the exhaust gases from the clinker cooler through a heat exchanger, into a new baghouse and then to the kiln exhaust stack downstream of the RTOs" **This is a by-pass around the RTOs**. TXI further states *"The planned change does not decrease emissions and may actually result in an increase in downstream actual emissions from Kiln No. 5 due to improved operation and increased efficiency"*.

Regardless of TXI's claims, in whole or in part, this change will divert emissions around the RTOs and the action is in direct conflict with the 2005 agreement between DAR/BSA and TXI. Attempts to confirm the status of this change were not successful, however the available documents made mention that this construction was scheduled for early 2009.

In view of these facts, TXI is in violation of SOAH Docket No. 582-05-5189 and TCEQ Docket No. 2004-1378-AIR Settlement Agreement. This act by TXI demands that TCEQ immediately direct this matter to SOAH and to convene a Contested Case Hearing for the purpose of resolution. This renewal application must be delayed and not approved until resolution.

It should be noted that TCEQ has become a party to this violation by approving a non-conforming, non-complying change to an existing facility and violating a SOAH action.

TXI could have avoided all these gyrations and deception by simply installing one or two additional RTO units (as was originally designed).

COMPLIANCE HISTORY
The following data was taken directly from the Regional Office files and reveals the years of non-compliance and disregard for TXI's neighbors:

2/25/1999	RFC-Site Review	Concerns for nuisance odors. Potential moderate.
01/11/2000	RFC-Site Review	Concerns for nuisance odors-Potential moderate/concerns for PM concentrations.
03/22/2000	040001028 006017A	Complaint-sulfur odor After hour complaint, no investigator available.
03/29/2000	040001028 170018A	Sulfur odors

TXI Operations LP (TXI)
Permit No. 1360A Renewal
05 AUG 2008
Page Four

09/27/2000	040100032 187799A	Complaint-Strong sulfur and steel odors
02/11/2001	040100142 06963A	Complaint-Strong sulfur odor. Reported on Sunday. No investigation until Wednesday. Found no odor.
02/17/2001	040100145 06964A	All five kilns #1,2,3,4,5 operating at same time.
08/06/2001	Excursion Report	Kiln #5-High SO_2 emissions. Water turned off to scrubber. Twelve hours operation where SO_2 exceeded permit limits (322.25 lbs/hr.). Exceedances ranged from a low of 337.7lb/hr. to a high of 1,012.2lbs./hr.
*	**(no NOV no penalty)**	
02/03/2005	349193	Operating kilns #2,3,4 and 5 at same time. Violation of Special Conditions.
04/21/2005	376168	Strong sulfur odor. CAMS 302-SO_2 "higher than normal per investigator. Requested CEMS history from TXI. (Not found in records).
07/19/2005	376172	Burnt-match odor/burnt tire odor/visible emissions on kiln #3.
08/23/2005	406362	Dust pouring out of west end of clinker storage area. Citizen captured event on infrared video. Provide tape to TCEQ investigator.
03/07/2006	Recon Invest	Constant visible emissions from the northeast clinker barn door. A light burnt-match odor-6 minutes, moderate burnt-match odor-6 minutes. (04/21/2006-NOV issued).
05/02/2006	Recon Invest.	Visible emissions from kilns #1,4 and 5.
07/26/2006	Recon Invest.	Intermittent dust from clinker barn door, continuous dust from limestone Storage building and conveyor belt to cement storage silos. (#s 455047 and 488997).
09/21/2006	513418	White cloud rolling out of Finish Mill #6. (Investigator-Sixth complaint of dust in past 12 months)
09/26/2006	Recon Invest.	Light sulfur odor.
11/28/2006	515919	Moderate, constant burnt-match odor. (Investigator-Cause-Sulfur from raw materials being emitted from the stacks".
12/21/2006	541233	Struck-match odor observed 10 minutes.
02/07/2007	543216	Hugh sulfur odor (02/01). Visible emissions from clinker barn. Tire burning odor/chemical odor. (02/12)
02/14/2007	541873	Struck-match odor. Observed 5 minutes.
02/20/2007	Recon Invest.	Light bluish emissions from Kiln #1 stack.
02/22/2007	542478	Struck-match odor 5 minutes. Investigator-13 complaints in past 12 months. Eight include sulfur odor.
04/05/2007	556555	Burnt plastic odor.

07/12/2007	566370	(5/11 Incident)Strong sulfur odor. Excess O_2 less than 1%. Investigator-Six odor complaints in last 12 months.
09/06/2007	593801	(Focused Investigation) Visible emissions Finish Mill #6 and Transfer Tower Baghouse.
10/16/2007	598374	Fire cracker (sulfur) odor. "Investigator may have experienced odor detection fatigue from being in the strong odor plume" (Investigator-8 odor complaints in the past 12 months).
11/30/2007	610617	Excess opacity.
12/17/2007	613725	Excess opacity.
02/04/2008	618858	Opacity-44.47% (limit 35%)
02/21/2008	636265	Failure to comply with opacity limits 10 items.
04/04/2008	618853	Emission Event-SO_2 Kiln #5
04/04/2008	639848	Emission Event-Opacity
04/07/2008		Ammonia release Kiln #4
04/09/2008	639367	Very, very strong sulfur odor 3/16-3/17 O_2 = 1.3 to 2.8%
04/29/2008	685551	Odor-sulfur
05/27/2008	641857	Failure to report Title V required (PCC) excess SO_2 emissions. Failure to report emission point. Failure to report daily calibration K-4 NO_x, SO_x analyser. Failure to perform daily visible emissions (10)
06/19/2008	683771	Complaint-Strong sulfur odor. Four (4) odor complaints in 3 days-chemical lab-burnt odor. Potential for a moderate weekly-lasting over 4 hours. Potential for a strong monthly-lasting over 4 hours.

PRIOR ENFORCEMENT ISSUES

This data was taken from the TCEQ Regional Office files and illustrates how TCEQ enforces violations at TXI. These are only examples of many similar cases.

12/03/2002	NOV	Exceeding permit limits THC, H_2SO_4 (Resolved 3/28/2003
08/05/2003	NOV	Exceeding permit limit THC (tire test burn) (Resolve 08/15/2003)
10/04/2004	NOV	Did not include opacity limit on excess opacity Event Notification/ Not reporting electronically. (Resolved 10/04/2004)
05/17/2005	NOV	Operating over 2 wet kilns with Kiln #5 (Resolved------)
04 21/2006	NOV	Failure to prevent fugitive emissions at clinker barn. (Disposition unknown)

There was no enforcement action (fine/penalty) in any of the above cases TCEQ, Austin staff merely dismissed the NOVs

In the investigator's narrative of investigations a common phrase has been used which needs to be corrected. In incidents where "odors" have been verified these are described as "unpleasant but not offensive". Whether an odor is "offensive' depends upon the individual subjected to the odor and depends upon the duration and location of this intrusion. I am quite sure the TCEQ Commissioners, subjected to a sample of sulfur dioxide or hydrogen sulfide from TXI's stacks, in their living rooms would classify the odor as "offensive" regardless of the concentration.

This phrase may diminish the severity of the event for the report but does not lessen the discomfort of the individual compelled to inhale TXI's non-compliance emissions from lack of proper operation and attention to control devices. I trust this phrase will be eliminated from the investigators descriptive language.

CORRECTIVE ACTION

Having been involved in issues in Midlothian and surrounding area and those relating to TXI, odors and dust (PM) have been almost an everyday occurrence from this facility. Therefore, prior to any approval of this Application for Renewal I am requesting the TCEQ:

Immediately conduct an investigation and a fact finding mission to evaluate the nature of emissions released from TXI stacks
Personally verify that the daily operation of all kilns is in accordance with the permit and to assure emissions are not exceeding MAERT limits.
Require TXI provide adequate performance testing and analysis by an independent firm to verify operating emissions are within permit limits.
Evaluate and determine the exact nature and cause of frequent sulfur based releases that plague the neighboring residents and develop adequate methods for abatement.
Review the maintenance and operational procedures and verify these are adequate to eliminate the high frequency of particulate releases from all areas of the plant.
Require TXI to perform the necessary repairs, changes and revisions to eliminate future odor and particular releases.

Persistent odor events are the number one source of complaints in the immediate area around the TXI facility. Investigations by TCEQ substantiate these odors originate from TXI. The most prominent and identifiable type of odor is sulfur based. This is sulfur dioxide, hydrogen sulfite or related sulfur compounds. Sulfur and sulfur compounds occur in the raw material as well as the fuel (coal). Although TXI has a sulfur content limit on coal from the supplier, there is no evidence the TXI or TCEQ has actually verified the content. The permitted fuel sulfur allowable is 3.5%, which under today's values could be considered "dirty". There are much lower sulfur content coals available, many which are being used in the very near proximity of this plant and this cleaner fuel is just as available as the present fuel. Understandably, the cleaner coal costs more, but does greed have to rule every decision. What is important is protection of the health and enjoyment of residents near-by.

Sulfur based odors will be more predominate coming from the wet kilns as opposed to the dry kiln, since the dry kiln operates with a wet scrubber and RTOs, whereas the wet kilns have no such control devices.

Odors were a major issue in the recent SOAH Hearing-DAR/ Sierra Club vs TXI. Resulting from this hearing was a 1995 Agreed Order that imposed short term excess exit Oxygen (O_2) limits of 0.75%. In closing the ALJ is quoted as saying (the order) "has adequately addressed alleged nuisance odors from the plant". Obviously, he was wrong.

Recently, investigators responding to odor complaints have been reviewing stack monitoring data (Sulfur and Oxygen) at the time of these incidents. Although inconclusive at this time it would appear that the 0.75% O_2 is not adequate to abate the odor and this value may have to be increased. Once again TXI's objection will be the oxygen cost.

It is unconscionable of the TCEQ to allow this issue of injustice imposed upon the residents to continue one more day when there is a solution available.

Therefore, as part of the consideration for approval of this permit renewal; the TCEQ must initiate a technical study and investigation with the purpose of establishing methods for the correction and elimination of these odors.

The second most predominant nuisance and source of complaints are dust (particulate matter). As evidenced from the voluminous number of complaints, TXI is not exercising adequate care and attention to maintenance and repair of the facility. Issues where broken bags, conveyor malfunctions or stoppages and breakage in duct and other conveyance of product or raw material are allowed to persist for hours, sometimes days is pure neglect and disregard for the surrounding residents.

TXI has been sited on numerous occasions (as evidenced from the enclosed summary of investigation reports) for not performing visible emission checks and TXI has failed to perform due diligence when malfunctions or accidents occur to effect a prompt repair. There are documentary proof where bags have burst and TXI has continued to operate, allowing dust to pour out of these baghouses for days before correcting the problem.

Bursted bags occur from too high loading, meaning the proper frequency for cleaning is not being followed. Devices such as broken bag detectors are available that will alert the operator when an event has occurred and the problem can be repaired before an emission event becomes a major disaster.

Therefore as a part of the consideration for approval of this permit renewal, the TCEQ must initiate action to demand TXI control these events which are a violation of their permit. That TXI install broken bag detectors on all baghouses and that in all cases of emission releases the equipment must immediately be secured and repaired. This is the only way to correct this on-going problem and associated violation.

FEDERAL VIOLATION

A significant violation committed by TXI prompted The United States Environmental Protection Agency (USEPA) to issue a "Notice of Violation on 06/12/2007. TXI violated Title I of the Clean Air Act by failure to comply with the special conditions of Permit 1360A that requires specific action be taken and establishes air pollution control requirements for volatile organic compounds (VOCs).

Shipments of hazardous waste, used as kiln fuel, were received without the transfer vehicle being attached to the vapor back system, the control equipment for VOCs.

In this case the USEPA acted in accordance with law. Why is it that Texas' own environmental agency, who I will remind you are there primarily for protection of the public health, cannot also act in a responsible manner?

SPECIAL CONDITIONS

The following revisions to the Permit would improve issues relating to emission release events and improve air quality in the area.

Revise, to change the 12 month rolling average to a 30 day rolling average for all emissions. Other cement plants operate on a 30 day average and so can TXI. This plant should not be given special privileges and does not need this elaborate flexibility. TXI can operate just as well, with just a little more attention to their day to day operation. A 12 month rolling average allows TXI to be lax in operation and results in excessive emission releases in quantities which are dangerous to the public.

1-E provides that TXI ..."shall not produce a nuisance..' TXI violates this requirement almost on a daily basis. Why has TCEQ refrained from adequate enforcement and penalties? It is requested that TCEQ follow the recommendation offered herein on pages seven and eight of this document.

22-C-(8) Change "15 days" to five (5) days requirement to repair leaks in pumpable (waste-derived) fuel and or clinker quench wastewater piping/storage systems. Allowing any size leak to continue for 15 days is absolutely absurd and allows TXI to continue to abuse the environment while reducing their operating costs.

CONCLUSION

1. Prior to any action toward approval of this renewal, require the recommendations herein be performed to resolve those discrepancies and deficiencies which exist.

2. It is imperative that TCEQ require actual test data to verify the accuracy of reduction claims rather than rely upon the word of TXI or accepting their conclusions. I am requesting TCEQ open an investigation to review all changes of this nature and assure MAERT values are current and accurate since 1999.

3. Immediately commence legal action to address the violation of a SOAH Settlement Agreement in the matter of the RTO by-pass and rescind the authorization for this work.

4. Respond to the writer why legitimately issued violations and non-conformance have not resulted in prosecution and/or assessment of fines or civil/criminal action as provided under Texas law.

5. Pursue recommendations and corrective action as presented herein, toward a permanent resolution to the persistent odor and dust problems that result from TXI's operation.

6. Adopt those corrections/revisions present in the Special Conditions for this Permit.

7. Defer and deny any and all action toward the approval for a Renewal of this Permit until the discrepancies presented herein have been satisfied.

I am an affected person and subject to the emissions released from this facility, since as represented in the scientific and meteorological information provided by the TCEQ my residence is in the plume from the TXI plant.

Respectfully Submitted,

Irvin A. Uphoff

IRVIN A. UPHOFF
2532 ALDEN AVENUE
DALLAS, TEXAS 75211

TELEPHONE NUMBER 214-330-6155

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 11:10
CHIEF CLERKS OFFICE

TELEFAX TRANSMITTAL

NOTICE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. IF THE READER OF THIS MESSAGE IS NOT THE ADDRESSEE, OR THE PERSON RESPONSIBLE FOR DELIVERY TO THE ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THE MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA U. S. POSTAL SERVICE. THANK YOU

DATE 06 AUG

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TO: Office of the Chief Clerk

FROM: Irvin Uphoff

FIRM: TCEQ

CC to:

512-239-3311
RECIPIENT FAX NUMBER

RECIPIENT PHONE NUMBER

SUBJECT: TXI - Permit #1360A Renewal

IRVIN A. UPHOFF
2532 ALDEN AVENUE
DALLAS, TEXAS 75211-2713
VOICE/FAX 214-330-6155

OPA
JUL 22 2008
BY

NSR
04144

VIA FACSIMILE TRANSMISSION
FAX NO. 512-239-3311

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 JUL 22 AM 8:10
CHIEF CLERKS OFFICE

July 21, 2008

Ms. LaDonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

To Whom It May Concern

The Texas Commission on Environmental Quality (TCEQ), on July 10, 2008 issued a notice of the "Receipt of Application and Intent to Obtain Air Permit Renewal" for the above referenced existing facility. This notice included a deadline to submit public comments of fifteen (15) days after newspaper notice publication.

Traditionally, TXI has not followed 30 TAC rules in selecting a newspaper and the public is unaware of the posting and fails to make the deadline for filing comments. Further, all applicable documents, pertinent to these applications are not always readily available presenting further delays and possibility of missing the deadline for comments.

Therefore, let this letter serve as notice to the TCEQ that I protest the approval of this application based upon past history of permit violations and non-compliance, especially where violations constitute a recurring pattern of egregious conduct which demonstrates a consistent disregard for the regulatory process and which have resulted in excess emission releases that are proven injurious to public health. I am requesting TCEQ defer any action and place this matter in abeyance.

Further, that I intend to follow this notice with specifics and documentation (as these become available to me) of these allegations and I am herewith requesting a **Contested Case Hearing** be scheduled to address these deficiencies.

Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
TXI Operations LP/Application for Renewal
July 21, 2008
Page 2

I am an affected person since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety.

I am requesting a Contested Case Hearing in this matter. Please place me on the **mailing list** for all future issues concerning this facility.

Respectfully Submitted,

Irvin A. Uphoff

OP/ NSR
H AUG 0 1 2008 641144
BY BP

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:20
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I / We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I / We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Sandy Ward

Address 401 Lexington Ln Euless TX 76039 Midlothian, Texas 76065

Daytime phone number 817.706.0947

Sandy Ward
Signature

July 30, 08
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR 64144

OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10:
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: Charles & Susan Waskey

Address : 6230 FM 1830, Argyle, Texas 76226

Daytime phone number: 940-206-5620

Susan L Waskey Charles W. Waskey August 3, 2008
Signatures Date

BG

P.SR
64144

5221 Pebblebrook Drive
Dallas, Texas 75229
July 30, 2008

OPA
AUG 01 2008
BY BP

2008 AUG -1 AM 11:03
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

Dear Ms. Castanuela:

We request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since our residence is in the direct path of emissions from this facility according to meteorological and other scientific data provided by the TCEQ. These emissions are of a proven nature to adversely affect our health and safety.

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

BG

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to the public health of our community.

Sincerely,

Linda P. Wassenich

Linda P. Wassenich

Mark Wassenich

Mark Wassenich

I

NSR

OPA 064144

AUG 06 2008

BY GB

2008 AUG -6 AM 10: 31

CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name: Richard L. Wasserman, MD,PhD

Address: 7153 Lavendale Avenue, Dallas, Texas 75230

Daytime phone number: (972) 566-7788

Signature

August 2, 2008
Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OPA

2008 AUG -4 PM 3: 32

AUG 05 2008

CHIEF CLERKS OFFICE

BY GB

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name _____

Address _____ Midlothian, Texas 76065

Daytime phone number 817-272-5216

(Prof.) Thomas D. Watts, Ph.D. July 31, 2008
Signature Date

N.B. I teach at the University of Texas at Arlington, and live in Arlington, Texas. I have two children, and six grandchildren. I want them all to breathe fresh air. This is not a liberal/conservative issue, but an issue that is simply about clean air and a healthful environment. Thanks.

BG

Mr. Thomas Watts
1108 Briarwood Blvd
Arlington, TX 76013-1509

FORT WORTH TX 761

01 AUG 2008 PM 1 T

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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78711-3087

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OPA
AUG 04 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -4 AM 11: 13
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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We are all affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

The federal Agency for Toxic Substances and Disease Registry released part one of a series of reports examining the pubic health threat caused by Midlothian's three cement plants and steel mill. This first report only covered a portion of the total emissions from the plants, including TXI, but still concluded that it could not say with confidence that these emissions were safe. This new inconclusiveness over the health risks to living adjacent and downwind of TXI is a very good reason to grant a contested case hearing.

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Lee Ann White

Address 3624 Shelby Dr. Midlothian, Texas 76065

Daytime phone number 817 926-3843

Lee Ann White 7-30-08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

H OPA
AUG 0 1 2008
BY BP

MSR
64144

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:20
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

I am affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, I protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

Name Judith Wood

Address 3913 Willow Way Road Fort Worth, Texas 76133

Daytime phone number 817-346-4832

Judith Wood
Signature

July 30, 2008
Date

BG

NSR
64144

H

OPA

AUG 0 1 2008

BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:22
CHIEF CLERKS OFFICE

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
Re: TXI Operations LP
Permit No 1360A

Application for Renewal

We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name JONNA WOODBURN
Address 2310 FM 1387 Midlothian, Texas 76065
Daytime phone number 972-775-7868
Jonna Woodburn July 30, 2008
Signature Date

BG

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NSR 64144

OPA

AUG 0 1 2008

BY BG

2008 AUG -1 AM 11:2

CHIEF CLERKS OFFIC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
Re: TXI Operations LP
Permit No 1360A

Application for Renewal

We request a contested case hearing on the application and intent to obtain an air permit renewal referenced above. This permit (No. 1360A) would authorize TXI to emit nitrogen oxides, carbon monoxide, hydrogen chloride, organic compounds, sulfur dioxide, chlorine, hydrogen fluoride, sulfuric acid, total reduced sulfur, hydrogen sulfide, PM 10 or less, barium, trivalent chromium, lead, selenium, thallium, zinc, trace metals including (but not limited to) lead and mercury.

We are affected by this plant since as demonstrated by meteorological and other scientific data provided by the TCEQ, my residence is in the direct path of emissions from this facility and these emissions are of a proven nature to adversely affect my health and safety and the use and enjoyment of my property

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TXI is seeking an operating permit for a technology that was abandoned by the cement industry itself over 25 years ago. Instead of renewing this permit for obsolete and polluting wet kilns, TXI should be required to either retrofit them to modern standards or replace them with another dry kiln to meet cement production needs. A thorough hearing on whether obsolete wet kilns are in fact "Best Available Control Technology" is another excellent reason to grant citizens a contested case hearing.

Additionally, we protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Robert Woodburn

Address 2310 FM 1387 Midlothian, Texas 76065

Daytime phone number 469-576-3247

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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OPA
AUG 06 2008
BY GB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 46
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non compliance which have resulted in excess emission releases that are proven injurious to my health and request TCEQ **deny** this application.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Brad & Laure Young

Address 3021 Clearcreek Dr. Midlothian, Texas 76065

Daytime phone number 469-575-6170

Signature Date 8-1-08

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
H OPA 04144
AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 34
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Debora Young

Address PO Box 470041, FW, TX 76147 Midlothian, Texas 76065

Daytime phone number 817-731-2787

Debora Young 8/03/08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

NSR
OPA 04144
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AUG 06 2008
BY EB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -6 AM 10: 3
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Don Young

Address P.O. Box 470041, FW, TX 76147 Midlothian, Texas 76065

Daytime phone number 817-731-2787

D. Young 8-04-08

Signature Date

BG

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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064144

H OPA
AUG 06 2008
BY EB

2008 AUG -6 AM 10: 36
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

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Additionally, I/We protest the approval of this application based upon past history of permit violations and non-compliance which have resulted in excess emission releases that are proven injurious to my health.

I/We also would like to be placed on a mailing list to receive future public notices for this specific application.

Name Cathy Zelzer

Address 14833 Midway Rd. Addison, TX 75001

Daytime phone number 972-490-6699

Cathy Zelzer 8-4-08

Signature Date

BG

July 30, 2008

MSR
64144

Ms. Ladonna Castanuela
Office of the Chief Clerk MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
H AUG 0 1 2008
BY BP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 AUG -1 AM 11:25
CHIEF CLERKS OFFICE

Re: TXI Operations LP
Permit No 1360A
Application for Renewal

I would like to request a **contested case hearing** on the application and intent to obtain an air permit renewal referenced above.

I am affected by this plant both because I breath the air 20 miles north of it and because I live and work in a air quality non- attainment district. It is my understanding that scientific data available to the TCEQ confirms that particulate matter from these kilns is a major reason my county of residence is in a non attainment district.

It is my opinion that being in a non-attainment district limits the local economy in ways which affect my job prospects, the worth of my house, and the tax base of my local school district. I believe the economic hardship created for literally millions of people in the areas north of this plant are more important to the local economy than the high dividends owners of TXI stock enjoy due to there continuing policy of trying to achieve maximum profitability by minimizing spending on pollution abatement.

I believe that these kilns could be upgraded with better controls while still burning the wastes which provide TXI with a source of revenue. I believe that press releases by TXI implying that entirely dismantling these plants is the only option if the current permit is not renewed are mistaken and possibly misleading. I believe that a contested hearing would make the controls upgrade option better understood by the public and media, and prove that it would not place and excessive economic burden on TXI.

I believe that the fact that this TXI facility has consistently exceeded the current minimal emission limits is an additional reason to allow a contested hearing in order for the public to be informed what steps (if any) they plan to take to prevent this from reoccurring.

I would like to be placed on a mailing list to receive future public notices for this specific application.

Thank you for your ongoing efforts to administer a very complex situation.

Zip Code
75067-6530

George Zimmerman
217 Teakwood
Lewisville TX
214 914 2977

George Zimmerman

BG