

*NSD
21079*

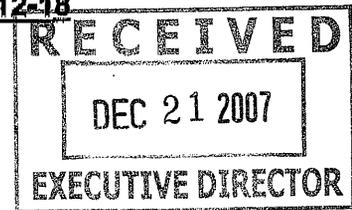
COURT ORDER NO. 2007-

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

-12-18

THE STATE OF TEXAS

2007 DEC 28 PM 2:19



COUNTY OF COLLIN

CHIEF CLERKS OFFICE

Subject: Resolution, Public Hearing-Renewal of Air Quality Permit No. 8597 filed by APAC-Texas, Inc. - Commissioners Court

On December 18, 2007, the Commissioners Court of Collin County, Texas, met in regular session with the following members present and participating, to wit:

Keith Self
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Jack Hatchell

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

*H OPA
DEC 21 2007
BY [Signature]*

During such session the court considered a request for adoption of the following resolution supporting the request for a public hearing on an application filed by APAC-Texas, Inc.'s application for renewal of air quality permit No. 8597 before the Texas Commission on Environmental Quality.

WHEREAS, an application for renewal of air quality permit No. 8597 was filed by APAC-Texas, Inc. and is currently pending before the Texas Commission on Environmental Quality; and

WHEREAS, the proposed permitted activity is solely within the jurisdictional bounds of Collin County, a local government and a political subdivision of the State of Texas; and

WHEREAS, we constitute the Commissioners Court of Collin County as the duly elected representatives of all the people of this county; and

WHEREAS, a number of our citizens have raised serious concerns over the potential adverse impact on health and safety of our citizens by the air emissions and odors allowed under the renewal permit, not only now but in the future.

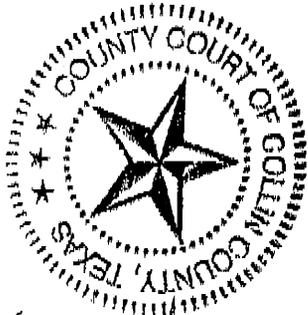
NOW THEREFORE BE IT RESOLVED, by the Collin County Commissioners Court that the court hereby respectfully urges the Texas Commission on Environmental Quality to require a public hearing in Collin County on this permit renewal application to ensure that all public health and safety issues have been fully examined and resolved before final action on this permit renewal application.

PASSED AND ADOPTED ON THE 18TH DAY OF DECEMBER, 2007.

*MW
2/3 ✓*

COURT ORDER NO. 2007 1151 12-18

Page 2



Keith Self

 Keith Self, County Judge

Phyllis Cole

 Phyllis Cole, Commissioner, Pct. 1

Jerry Hoagland

 Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes

 Joe Jaynes, Commissioner, Pct. 3

Jack Hatchell

 Jack Hatchell, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

 Stacey Kemp, Ex-Officio Clerk
 Commissioners' Court
 Collin County, TEXAS

3/3 ✓



COLLIN COUNTY

Public Information Office
210 S. McDonald Street
Suite 626
McKinney, Texas 75069
www.collincountytx.gov

FAX

TO: Glenn Shankle, Executive Director, TCEQ
FM: Collin County Commissioners Court
DATE: 12/21/2007
SUBJ: APAC-Texas, Inc.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 DEC 28 PM 2:19
CHIEF CLERKS OFFICE

3 pages total -

RECEIVED
DEC 21 2007
EXECUTIVE DIRECTOR

28550

NSR
61079



COLLIN COUNTY

Commissioners Court
210 S. McDonald Street
Suite 626
McKinney, Texas 75069
www.collincountytx.gov

December 11, 2007

OPA

PM

DEC 13 2007

BY

2007 DEC 19 AM 10: 09
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

Re: Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas

Dear Mr. Shankle:

I am writing in regards to APAC-Texas Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County, which is situated in my precinct.

Because of a wave of citizen complaints and concern over health issues related to the emissions from the plant, Frisco city officials conducted an extensive study last year that showed operational changes needed to be made in order to lessen the emissions impact on the growing neighborhoods north of this plant.

It is our understanding here in Collin County that APAC-Texas Inc., agreed to make these improvements in order to ensure better air quality; however, company officials have applied for a permit renewal without fulfilling that agreement.

In that light, we are requesting that the TCEQ hold a public meeting in the City of Frisco to address the public health and safety issues related to this application. Thank you for your prompt attention to this very important matter to our Collin County residents.

Sincerely,

Phyllis Cole
Collin County Commissioner
Precinct 1

RECEIVED
DEC 14 2007
EXECUTIVE DIRECTOR

MW ✓

Ruddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



NJR
61079

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 28, 2008

Mr. Vijay Pasan
5886 Stowell
Frisco, Texas 75035

Dear Mr. Pasan:

Thank you for your email to Senator Cornyn dated May 19, 2008, in which you expressed concerns regarding a hot mix asphalt plant located in Frisco, Texas. Your letter was forwarded to the Texas Commission on Environmental Quality (TCEQ), Office of Permitting Remediation & Registration for a response. I hope that you will find the following information helpful.

The plant in question manufactures hot mix asphalt and has been located at 14900 State Highway 121 in Frisco, Texas since 1981. The original issuance of the permit was to Gohmann Asphalt and Construction of Texas. There was a change of ownership to APAC-Texas, Inc. (APAC) in 1996. The current permitting action is a required 10-year renewal of their state Air Quality Permit No. 8597. This area of Frisco has seen substantial growth over the years that this plant has been located at this site. For example, in 1993 there were no schools within 3000 feet and the nearest residence was 800 feet from the plant. Today, the nearest residence is only 195 feet away and there is an elementary school within 2500 feet of the plant.

During the renewal process, state law restricts the actions that may be taken with regard to the air quality permit. The Texas Commission on Environmental Quality (TCEQ) may not impose requirements more stringent than those of the existing permit unless the Commission determines that the requirements are necessary to avoid a condition of air pollution or to ensure compliance with otherwise applicable federal or state air quality control requirements. Although more stringent controls are not being required, the company has voluntarily submitted and been approved for a pollution control project to authorize the replacement of the existing drum-dryer wet scrubber with a fabric filter baghouse. APAC's has stated that the new abatement equipment will be installed upon issuance of the renewal permit.

In your email, you cite that a City of Frisco air monitoring study released in 2007 as documentation of a condition of air pollution. You have identified acetaldehyde, formaldehyde, o-Tolualdehyde, bis(2-Ethylhexyl)phthalate, butylbenzylphthalate, aluminum particulate, and total suspended particulate matter greater than 10 microns in aerodynamic diameter as chemicals of concern (COC) from the report. However, the City of Frisco's report concerning the above seven contaminants states "... there are no likely adverse health effects of these seven COC."

CHIEF CLERKS OFFICE

2008 MAY 30 AM 9:48

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

05/28/2008 12:40 PM 0122000101
Mr. Vijay Pasan
Page 2
May 28, 2008

Additionally, you cite from the City of Frisco report other COCs such as propanal, carbon disulfide, carbonyl sulfide, calcium and sodium as above health effects screening levels. The report includes an independent toxicologist's review of these contaminants as not likely to "cause adverse health effects, particularly at the average concentrations likely present on a day-to-day basis." The one exception is sodium particulate which was assumed by the report to be from sodium hydroxide. The independent toxicologist's conclusion was that the sodium hydroxide concentrations present a likely health risk to either the community or workers. The City of Frisco report states "...the most likely source of sodium is sodium hydroxide which is commonly associated with concrete batch plants."

The U. S. Environmental Protection Agency in their Compilation of Air Pollutant Emission Factors (AP-42) Manual as recently as 2006 does not identify sodium, and consequently, sodium hydroxide emissions from concrete batch plants. However, if one takes the City of Frisco report at face value the subject of this permit is a hot mix asphalt plant and not a concrete batch plant located nearby under separate authorization.

As you stated, the TCEQ did hold an informational meeting on May 6, 2008 in an effort to answer the concerned public's questions regarding the renewal permit action. The TCEQ provided personnel from the Office of Public Assistance, a toxicologist, a staff attorney, air quality permitting staff, and regional office personnel to assist with the public's questions.

The permit renewal application is still undergoing technical review. Written responses are being prepared to answer all timely comments received during the comment period.

Thank you for your interest in air pollution. If you have additional questions, please contact Richard A. Hyde, P.E. Director of Air Permits Division at (512) 239-1308 or Mike Gould, Team Leader of the Mechanical/Construction Team in the Air Permits Division at (512) 239-1097.

Sincerely,



Dan Eden, Deputy Director
Office Of Permitting, Remediation & Registration
Texas Commission on Environmental Quality

JOHN CORNYN
TEXAS

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 MAY 30 AM 9:48

CHIEF CLERKS OFFICE

NSR
6107A

United States Senate
WASHINGTON, DC 20510-4305

May 19, 2008

Texas Commission On Environmental Quality
MC 119
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED BY OPA
TRACKING # 16035
ASSIGNED TO: OPK/R

MAY 20 2008

DUE DATE: 5-28-08

Re: Mr. Vijay Pasam/ 1 pages to follow

My constituent has sent the enclosed communication. A response which addresses his/her concerns would be appreciated.

Please send your response to the following address:

Office of Senator John Cornyn
Occidental Tower
5005 LBJ Freeway, Suite 1150
Dallas, Texas 75244-6199

ATTN: Monica Tomutsa
(972) 239-3349
(972) 239-2110 (Fax)

E-mail: Monica_Tomutsa@cornyn.senate.gov

Enclosure

OPA
MAY 30 2008
BY BP

MW

Constituent

Pasam, Vijay
; ; Nebraska Service Center
5886 Stowell
Frisco, TX 75035
Collin County

Phone: 214-403-5306 Home; ;
Email: [REDACTED]

Web Mail Message

Web Mail Subject: CF_MAIL

Dear Senator: I would like to bring to your attention an issue that is faced by more than thousand families in the city of Frisco, texas. The issue is with the Asphalt plant right next to our community The facility is located at 14900 State Highway 121, Frisco, Texas. Our community is filled with very bad odor when the plant is in operation. Our kids cannot play outside. There is lot of dust and pollution coming from the plant. I live within one mile of the asphalt plant. I am concerned that the emissions, particularly particulate matter, from the asphalt plant place my health and my family health at risk. The current environmental controls at the plant are inadequate. Reasonably available controls could be installed to reduce emissions and improve air quality for the children at the public elementary school located just 2000 feet away from the plant and for us local residents. A condition of air pollution exists at this plant. This is documented by a City of Frisco study released in 2007. That study tested air near the APAC facility and found the following chemicals of concern in concentrations above the long term health effects screening levels (HESL): acetaldehyde, formaldehyde, o-Tolualdehyde, bis(2-Esthyhexyl)phthalate, butylbenzylphthalate, aluminum (particulate). The study also found the following chemicals of concern above short-term HESL: propanal, carbon disulfide, carbonyl sulfide, calcium and sodium. The Ashphalt plant is up for renewal this year. I request you to look into the matter and help my family and rest of the thousands of families who live in my community. There is a public hearing scheduled at centennial High school, Frisco on May 6 7:00PM. There will be lots of people shpwing up who are directly affected by the plant operation. I request you to look into this matter closely and help us. Thanks
Vijay

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 MAY 30 AM 9:48
CHIEF CLERKS OFFICE

STATE OF TEXAS
HOUSE OF REPRESENTATIVES



KEN PAXTON
DISTRICT 70

P.O. BOX 2910
AUSTIN, TX 78768-2910
(512) 463-0356
Fax: (512) 463-0701

201 W. VIRGINIA
MCKINNEY, TX 75069
(972) 562-4543
Fax: (972) 548-8469

NSR
6/10/79

December 14, 2007

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

PM
HR
OPA
JAN 09 2008
BY bb

RECEIVED
JAN 07 2008
Texas Commission on Environmental Quality
Commissioners' Offices

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

2008 JAN -8 PM 2:35
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Dear Mr. Shankle:

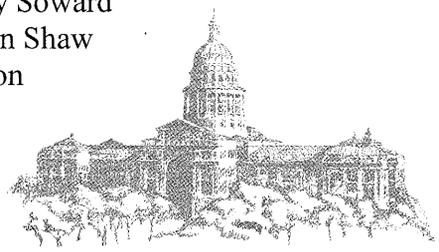
I am writing regarding the APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County. I have been approached by constituents who have concerns with this application, and I respectfully request that the TCEQ hold a public meeting in the City of Frisco to address the public health and safety issues related to this application. If all citizen concerns are not resolved as a result of this public meeting, I also request that the TCEQ require a public hearing in Collin County before final action is taken on this application.

Thank you for your attention to this matter. If you have any questions feel free to contact me.

Best regards,

Ken Paxton

Cc: Chairman Buddy Garcia
Commissioner Larry Soward
Commissioner Bryan Shaw
Mayor Mike Simpson



ken.paxton@house.state.tx.us

MW

NSR
W1079

STATE OF TEXAS
HOUSE OF REPRESENTATIVES



KEN PAXTON
DISTRICT 70

OPA

MAY 13 2008

BY WB

201 W. VIRGINIA
McKINNEY, TX 75069
(972) 562-4543
Fax: (972) 548-8469

P.O. BOX 2910
AUSTIN, TX 78768-2910
(512) 463-0356
Fax: (512) 463-0701

RECEIVED BY OPA
TRACKING # 16014
ASSIGNED TO: _____

MAY 12 2008



May 8, 2008
DUE DATE: _____

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

Dear Mr. Shankle:

I am writing regarding the APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County. Last December, I requested a public meeting in the City of Frisco to address the public health and safety issues related to this application. I appreciate your accommodation of this request. However, I believe there are still a number of concerns that were not resolved as a result of this public meeting. Therefore, I would request that the TCEQ require a public hearing in Collin County before final action is taken on this application. I believe the concerns of my constituents are warranted and should be taken into consideration by the Commission in reviewing APAC-Texas, Inc's application for renewal.

Thank you for your attention to this matter. If you have any questions feel free to contact me.

Best regards,
Ken Paxton

Ken Paxton

- Cc: Chairman Buddy Garcia
- Commissioner Larry Soward
- Commissioner Bryan Shaw
- Mayor Mike Simpson
- City Manager George Purefoy

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 MAY 12 PM 2:01
CHIEF CLERKS OFFICE



mm

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 20, 2008

The Honorable Ken Paxton
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910

CHIEF CLERKS OFFICE

2008 MAY 20 PM 2:29

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Representative Paxton:

I'm writing in response to your letter regarding APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597, which is a no increase renewal.

The agency held an informational meeting on May 6, 2008, to answer questions and discuss the application and draft permit. The meeting was well attended. We estimate that approximately 125 individuals attended.

With regard to your request for a hearing, the period to submit requests for a contested case hearing ended on January 4, 2008. However, since the agency has received hearing requests on this permit renewal application, this matter will be presented to the commissioners for consideration of the timely-filed requests.

I hope this information is helpful. If we can be of further assistance on this matter, please contact me at (512) 239-3900 or Douglas Brown in our Environmental Law Division at (512) 239-2253.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Shankle".

Glenn Shankle
Executive Director

cc: Douglas Brown, Environmental Law Division, Office of Legal Services, MC173

Mc

STATE OF TEXAS
House of REPRESENTATIVES

P.O. BOX 2910
AUSTIN, TX 78768-2910
(512) 463-0356
Fax: (512) 463-0701

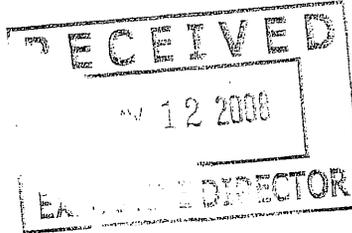
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TRACKING # 16014
ASSIGNED TO: IGR



201 W. VIRGINIA
McKINNEY, TX 75069
(972) 562-4543
Fax: (972) 548-8469

MAY 12 2008

KEN PAXTON
DISTRICT 70



May 8, 2008
DUE DATE: 5-19-08

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

Dear Mr. Shankle:

I am writing regarding the APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County. Last December, I requested a public meeting in the City of Frisco to address the public health and safety issues related to this application. I appreciate your accommodation of this request. However, I believe there are still a number of concerns that were not resolved as a result of this public meeting. Therefore, I would request that the TCEQ require a public hearing in Collin County before final action is taken on this application. I believe the concerns of my constituents are warranted and should be taken into consideration by the Commission in reviewing APAC-Texas, Inc's application for renewal.

Thank you for your attention to this matter. If you have any questions feel free to contact me.

Best regards,

A handwritten signature in black ink that reads "Ken Paxton".

Ken Paxton

Cc: Chairman Buddy Garcia
Commissioner Larry Soward
Commissioner Bryan Shaw
Mayor Mike Simpson
City Manager George Purefoy



STATE OF TEXAS
HOUSE OF REPRESENTATIVES



KEN PAXTON
DISTRICT 70

P.O. BOX 2910
AUSTIN, TX 78768-2910
(512) 463-0356
Fax: (512) 463-0701

*NSR
61079*

201 W. VIRGINIA
MCKINNEY, TX 75069
(972) 562-4543
Fax: (972) 548-8469

RECEIVED BY OPA
TRACKING # 15768
ASSIGNED TO: OPA

December 14, 2007

DEC 16 2007

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

DUE DATE: 12-28-07

Re: *Application of APAC-Texas, Inc. for renewal of ~~OPA~~ Quality Permit No. 8597 in Collin County, Texas*

PM DEC 21 2007
BY *AK*

Dear Mr. Shankle:

I am writing regarding the APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County. I have been approached by constituents who have concerns with this application, and I respectfully request that the TCEQ hold a public meeting in the City of Frisco to address the public health and safety issues related to this application. If all citizen concerns are not resolved as a result of this public meeting, I also request that the TCEQ require a public hearing in Collin County before final action is taken on this application.

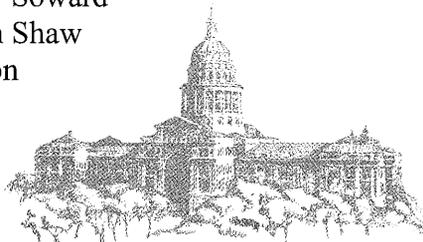
Thank you for your attention to this matter. If you have any questions feel free to contact me.

Best regards,

Ken Paxton

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 DEC 21 AM 10:27
CHIEF CLERKS OFFICE

Cc: Chairman Buddy Garcia
Commissioner Larry Soward
Commissioner Brian Shaw
Mayor Mike Simpson



ken.paxton@house.state.tx.us

RECEIVED
DEC 17 2007
EXECUTIVE DIRECTOR

MW

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 20, 2007

NSR
61079

CID
D13
61079

OPA

DEC 21 2007

BY *ra*

The Honorable Ken Paxton
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768

Dear Representative Paxton:

I received your letter requesting that a public meeting be held to discuss APAC-Texas Air Quality Permit Application No. 8597 for proposed continued operation of their hot mix asphalt plant located in Frisco.

Our Office of Public Assistance will contact you when the meeting has been scheduled. The meeting will be scheduled at a time and location convenient for you and your constituents.

If you have questions, please contact me at 512-239-3900 or Bridget C. Bohac in our Office of Public Assistance at 1-800-687-4040.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Shankle".

Glenn Shankle
Executive Director

cc: Office of Public Assistance

CHIEF CLERKS OFFICE
2007 DEC 21 AM 10:27
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MW

STATE OF TEXAS
House of Representatives



KEN PAXTON
DISTRICT 70

P.O. BOX 2910
AUSTIN, TX 78768-2910
(512) 463-0356
Fax: (512) 463-0701

201 W. VIRGINIA
McKINNEY, TX 75069
(972) 562-4543
Fax: (972) 548-8469

NSR
61079

RECEIVED BY OPA
TRACKING # 15768
ASSIGNED TO: OPA

December 14, 2007

DEC 16 2007

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

DUE DATE: 12-28-07

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

PM
DEC 21 2007
BY DL

Dear Mr. Shankle:

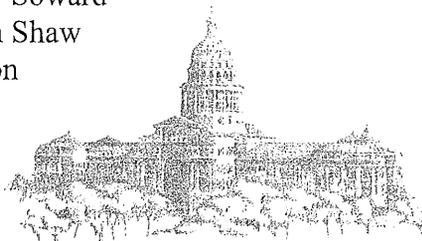
I am writing regarding the APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County. I have been approached by constituents who have concerns with this application, and I respectfully request that the TCEQ hold a public meeting in the City of Frisco to address the public health and safety issues related to this application. If all citizen concerns are not resolved as a result of this public meeting, I also request that the TCEQ require a public hearing in Collin County before final action is taken on this application.

Thank you for your attention to this matter. If you have any questions feel free to contact me.

Best regards,

Ken Paxton

Cc: Chairman Buddy Garcia
Commissioner Larry Soward
Commissioner Brian Shaw
Mayor Mike Simpson



ken.paxton@house.state.tx.us

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007-DEC 21 AM 11:29
CHIEF CLERKS OFFICE

RECEIVED
DEC 17 2007
EXECUTIVE DIRECTOR

MW

CAPITOL:
P.O. Box 12068, Room 1E.3
Austin, Texas 78711
(512) 463-0108
(512) 463-7579 (Fax)
Dial 711 for Relay Calls

DISTRICT:
5000 Legacy Drive
Suite 494
Plano, Texas 75024
(972) 403-3404
(972) 403-3405 (Fax)

NSR
61079



RECEIVED BY OPA
TRACKING # 1132
ASSIGNED TO: JCR

MAY 27 2008

DUE DATE: 6-3-08

FLORENCE SHAPIRO
Texas State Senator
District 8

COMMITTEES:
Education, Chair
Finance
Administration
Transportation and
Homeland Security

President Pro Tempore
2005

RECEIVED

MAY 27 2008

Texas Commission on Environmental Quality
Commissioners' Offices

May 23, 2008

OPA

MAY 29 2008

H

BY [Signature]

Mr. Buddy Garcia, Chairman
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

Dear Chairman Garcia:

I previously requested that the Commission hold a public meeting to allow Frisco citizens in the vicinity of the APAC facility an opportunity to ask questions and voice concerns regarding the above referenced permit renewal application. I appreciate the Commission holding this meeting, however, after being briefed on the May 6, 2008 public meeting I remain very concerned that the health and safety of many Frisco citizens may be at risk if this air quality permit renewal is granted in its present form.

I understand that Texas Health & Safety Code Section 382.05195 would normally prevent you from granting an evidentiary hearing for this type of permit renewal. I also understand that, given issues that have been raised regarding the history of this facility's permit and its burning of waste oil so close to a public school, you can require an evidentiary hearing on this specific permit renewal. Out of an abundance of caution regarding public health and safety, I am requesting that you require an evidentiary hearing before taking final action on APAC's permit renewal application.

I appreciate your consideration of this request and know that you share the concern of all the elected officials in this area regarding the health and safety of Frisco's citizens. We in the Texas Legislature appreciate the work you and your fellow Commissioners are doing to protect the health and safety of our citizens. Please feel free to contact me if you have any questions.

Very truly yours,

[Signature of Florence Shapiro]

Florence Shapiro

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 MAY 28 AM 10:11
CHIEF CLERKS OFFICE

FS/sb

Cc: Commissioner Brian Shaw
Commissioner Larry Soward
Representative Ken Paxton
Executive Director Glenn Shankle
Mayor Maher Maso
City Manager George Purefoy

mw ✓

CAPITOL: :
P.O. Box 12068, Room 1E.3
Austin, Texas 78711
(512) 463-0108
(512) 463-7579 (Fax)
Dial 711 for Relay Calls

NSR
6107A



OPA
MAY 29 2008

COMMITTEES:
Education, Chair
Finance
Administration
Transportation and
Homeland Security

BY AL

DISTRICT:
5000 Legacy Drive
Suite 494
Plano, Texas 75024
(972) 403-3404
(972) 403-3405 (Fax)

FLORENCE SHAPIRO

Texas State Senator

District 8

President Pro Tempore
2005

RECEIVED BY OPA
TRACKING# 16052
ASSIGNED TO: JGC

May 23, 2008

MAY 27 2008

Mr. Buddy Garcia, Chairman
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711

DUE DATE: 6-3-08

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

Dear Chairman Garcia:

I previously requested that the Commission hold a public meeting to allow Frisco citizens in the vicinity of the APAC facility an opportunity to ask questions and voice concerns regarding the above referenced permit renewal application. I appreciate the Commission holding this meeting, however, after being briefed on the May 6, 2008 public meeting I remain very concerned that the health and safety of many Frisco citizens may be at risk if this air quality permit renewal is granted in its present form.

I understand that Texas Health & Safety Code Section 382.05195 would normally prevent you from granting an evidentiary hearing for this type of permit renewal. I also understand that, given issues that have been raised regarding the history of this facility's permit and its burning of waste oil so close to a public school, you can require an evidentiary hearing on this specific permit renewal. Out of an abundance of caution regarding public health and safety, I am requesting that you require an evidentiary hearing before taking final action on APAC's permit renewal application.

I appreciate your consideration of this request and know that you share the concern of all the elected officials in this area regarding the health and safety of Frisco's citizens. We in the Texas Legislature appreciate the work you and your fellow Commissioners are doing to protect the health and safety of our citizens. Please feel free to contact me if you have any questions.

Very truly yours,

Florence Shapiro

Florence Shapiro

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 MAY 28 AM 10:11
CHIEF CLERKS OFFICE

FS/sb

- Cc: Commissioner Brian Shaw
Commissioner Larry Soward
Representative Ken Paxton
Executive Director Glenn Shankle
Mayor Maher Maso
City Manager George Purefoy

RECEIVED
MAY 27 2008
EXECUTIVE DIRECTOR

MS

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 29, 2008

The Honorable Florence Shapiro
Texas Senate
P.O. Box 12068
Austin, Texas 78711-2068

CHIEF CLERKS OFFICE

2008 MAY 30 AM 9:47

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Senator Shapiro:

I'm writing in response to your letter regarding APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597, which is a no increase renewal. Since this is a contested matter, I am responding on behalf of Chairman Garcia.

As you are aware, the agency held an informational meeting on May 6, 2008, to answer questions and discuss the application and draft permit. The meeting was well attended.

With regard to your request for a hearing, the period to submit requests for a contested case hearing ended on January 4, 2008. Since the agency has received hearing requests on this permit renewal application, this matter will be presented to the commissioners for consideration of the timely-filed requests. Your letter will be included with the comments received on this permit application. Additionally, I have asked the Office of the Chief Clerk to ensure that you are on the mailing list for this permit application. Accordingly, your office will receive a courtesy letter advising you of the date of the Commissioners' meeting.

I hope this information is helpful. If we can be of further assistance on this matter, please contact me at (512) 239-3900 or Douglas Brown in our Environmental Law Division at (512) 239-2253.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glenn Shankle".

Glenn Shankle
Executive Director

cc: Douglas Brown, Environmental Law Division, Office of Legal Services, MC 173
Office of the Chief Clerk, MC 105

Handwritten initials in the bottom right corner, possibly "MB".

CAPITOL:
P.O. Box 12068, Room 1E.3
Austin, Texas 78711
(512) 463-0108
(512) 463-7579 (Fax)
Dial 711 for Relay Calls

DISTRICT:
5000 Legacy Drive
Suite 494
Piano, Texas 75024
(972) 403-3404
(972) 403-3405 (Fax)



COMMITTEES:
Education, Chair
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Administration
Transportation and
Homeland Security

FLORENCE SHAPIRO

Texas State Senator
District 8

President Pro Tempore
2005

RECEIVED BY OPA
TRACKING # 16092
ASSIGNED TO: J.C.K.

May 23, 2008

MAY 27 2008

Mr. Buddy Garcia, Chairman
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711

DUE DATE: 6-3-08

Re: *Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas*

Dear Chairman Garcia:

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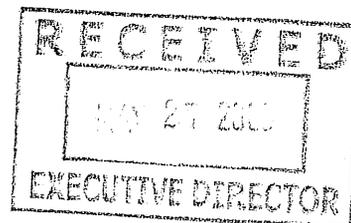
I appreciate your consideration of this request and know that you share the concern of all the elected officials in this area regarding the health and safety of Frisco's citizens. We in the Texas Legislature appreciate the work you and your fellow Commissioners are doing to protect the health and safety of our citizens. Please feel free to contact me if you have any questions.

Very truly yours,

Florence Shapiro

FS/sb

Cc: Commissioner Brian Shaw
Commissioner Larry Soward
Representative Ken Paxton
Executive Director Glenn Shankle
Mayor Maher Maso
City Manager George Purefoy



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Suite 494
Plano, Texas 75024
(972) 403-3404
(972) 403-3405 (Fax)



*NSR
61079*

FLORENCE SHAPIRO
Texas State Senator
District 8

COMMITTEES:
Education, Chair
Finance
Administration
Transportation and
Homeland Security

President Pro Tempore
2005

December 10, 2007

PM
OPA
DEC 20 2007

BY *MS*

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

Re: Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas

Dear Mr. Shankle:

I am writing regarding the APAC-Texas, Inc.'s application for renewal of Air Quality Permit No. 8597 in Collin County.

Due to citizen complaints and concern over health issues related to the emissions from the plant, the city of Frisco conducted an extensive study last year. The result of the study indicated that operational changes needed to be made in order to lessen the emissions impact on the neighborhoods to the north of the plant. It is my understanding that APAC-Texas, Inc agreed to these improvements in order to ensure better air quality, yet has applied for permit renewal without fulfilling this agreement.

I respectfully request that the TCEQ hold a public meeting in the City of Frisco to address the public health and safety issues related to this application. Thank you for your attention to this very important matter.

Very truly yours,

Florence Shapiro

Florence Shapiro

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 DEC 19 AM 10:25
CHIEF CLERKS OFFICE

FS/sb

Cc: Chairman Buddy Garcia
Commissioner Larry Soward
Commissioner Brian Shaw
Mayor Mike Simpson

RECEIVED
DEC 11 2007
EXECUTIVE DIRECTOR

MS

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 18, 2007

RECEIVED
DEC 19 1 25 PM '07
CHIEF CLERKS OFFICE

The Honorable Florence Shapiro
Texas Senate
P.O. Box 12068
Austin, Texas 78711

Dear Senator Shapiro:

We received your letter requesting that a public meeting be held to discuss APAC-Texas Air Quality Permit Application No. 8597 for proposed continued operation of their hot mix asphalt plant located in Frisco.

Our Office of Public Assistance will contact you when the meeting has been scheduled. The meeting will be scheduled at a time and location convenient for you and your constituents.

If you have questions, please contact me at 512/239-3900 or Bridget C. Bohac in our Office of Public Assistance, at 1-800-687-4040.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Shankle".

Glenn Shankle
Executive Director

cc: Office of Public Assistance

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 DEC 19 AM 10:25
CHIEF CLERKS OFFICE

MW

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5000 Legacy Drive
Suite 494
Plano, Texas 75024
(972) 403-3404
(972) 403-3405 (Fax)



FLORENCE SHAPIRO
Texas State Senator
District 8

RECEIVED BY OPA
TRACKING # 15766
ASSIGNED TO: JPA COMMITTEES:
Education, Chair
Finance
Administration
Transportation and
Homeland Security
DUE DATE: 12-19-07

President Pro Tempore
2005

RECEIVED

DEC 11 2007

COMMISSION ON ENVIRONMENTAL
COMMISSIONERS

December 10, 2007

Mr. Glen Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P.O. Box 13087
Austin, Texas 78711

Re: Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas

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Very truly yours,

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Florence Shapiro

FS/sb

Cc: Chairman Buddy Garcia ✓
Commissioner Larry Soward
Commissioner Brian Shaw
Mayor Mike Simpson