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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

December 18, 2009

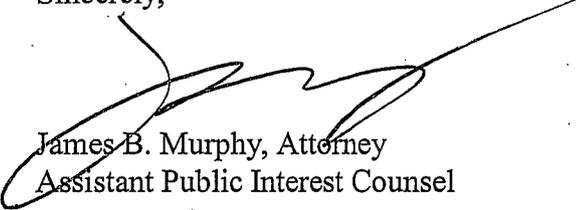
LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk (MC-105)
P.O. Box 13087
Austin, Texas 78711-3087

Re: **AGGREGATE INDUSTRIES-WCR, INC.**
TCEQ DOCKET NO. 2009-1842-AIR

Dear Ms. Castañuela:

Enclosed for filing is the Office of Public Interest Counsel's Response to Requests for Hearing and Request for Reconsideration in the above-entitled matter.

Sincerely,



James B. Murphy, Attorney
Assistant Public Interest Counsel

cc: Mailing List

Enclosure

REPLY TO: PUBLIC INTEREST COUNSEL, MC 103 P.O. Box 13087 AUSTIN, TEXAS 78711-3087 512-239-6363

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TCEQ DOCKET NO. 2009-1842-AIR

**IN THE MATTER
OF THE APPLICATION OF
AGGREGATE INDUSTRIES-WCR,
INC., FOR TPDES PERMIT
NO. 83755**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**THE OFFICE OF PUBLIC INTEREST COUNSEL'S RESPONSE
TO REQUESTS FOR HEARING AND REQUEST FOR RECONSIDERATION**

TO THE HONORABLE MEMBERS OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY:

The Office of Public Interest Counsel (OPIC) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this Response to Requests for Hearing and Request for Reconsideration in the above-referenced matter and respectfully shows the following.

I. INTRODUCTION

A. Background of Facility

Aggregate Industries-WCR, Inc., (Applicant) has applied to the TCEQ for a New Source Review (NSR) Authorization under the Texas Clean Air Act (TCAA), TEX. HEALTH & SAFETY CODE § 382.0518, to authorize construction of a new permanent rock crushing plant located at 5900 Farm-to-Market Road (FM) 482 in New Braunfels, Comal County. The facility will consist of three feed hoppers, seven crushers, 16 screens, associated conveyor belts, 30 acres of stockpiles, and two 10,000 gallon tanks of diesel fuel for onsite vehicle use. The site will operate continuously for a total of 8,760 hours per year. Plant throughput will be authorized at 2,000 tons per hour and 5,000,000 tons per year. The permit authorizes emissions of volatile organic

compounds (VOC) and particulate matter including particulate matter less than 10 microns in diameter (PM₁₀).

B. Procedural Background

TCEQ received this application on December 28, 2007. On January 28, 2008, the Executive Director (ED) declared the application administratively complete. The Notice of Receipt and Intent to Obtain an Air Quality Permit (NORI) was published on February 26, 2008 in the *New Braunfels Herald-Zeitung* and on February 25, 2008 in Spanish language in *El Norte*. The ED completed the technical review of the application on February 6, 2009, and prepared a draft permit. The ED issued the Notice of Application and Preliminary Decision for an Air Quality Permit (NAPD) on February 18, 2009, and it was published on February 25, 2009 in the *New Braunfels Herald-Zeitung* and in Spanish language in *El Norte*. A public meeting was held on March 10, 2009 in New Braunfels, with notice of the meeting published on February 25, 2009 in the *New Braunfels Herald-Zeitung* and in Spanish language in *El Norte*. The public comment period ended on March 27, 2009. On July 1, 2009, the ED filed its decision and Response to Comments, which the Chief Clerk's office mailed on July 10, 2009. The deadline to request reconsideration of the ED's decision or a contested case hearing was August 10, 2009.

TCEQ received timely comments and a request for reconsideration from Wayne Brown on July 14, 2009. OPIC recommends denying the request for reconsideration.

TCEQ received timely comments and requests for a contested case hearing on various dates in June 2008 in a form letter (Form Letter 1) submitted by persons listed in Appendix A attached to this response, and on various dates in March 2009 in a similarly worded form letter with additional comments (Form Letter 2) from persons listed in Appendix B attached to this response (both collectively referred to as Group 1). In addition, TCEQ received timely

comments and requests for a contested case hearing on various dates in March 2009 in a form email (Form Email) from persons listed in Appendix C attached to this response (Group 2). TCEQ also received timely comments and requests for a contested case hearing on March 10, 2009 in the form of signed petitions from persons listed in Appendix D attached to this response (Group 3). Finally, TCEQ received timely comments and requests for a contested case hearing on various dates in individually worded letters from persons listed in Appendix E attached to this response. OPIC recommends granting the hearing requests submitted by Curtis Fey, Jr., Tim and Sharlene Fey, Daryl and Jeri Hoffman, Kathleen Hoffman, Todd Hoffman, Magnolia Springs Associates, Craig and Teresa McKee, Dennis Parma, Maggie Parma, Dwight and Sandra Reeh, Tressie Mae Russell, Vandeline Sahn, Carol Warwick Smith, and Heather Hoffman Stewart and Jason Stewart, and denying the remaining hearing requests.

II. APPLICABLE LAW

This application was declared administratively complete on January 28, 2008. Because the application was declared administratively complete after September 1, 1999, a person may request reconsideration of the application or a contested case hearing pursuant to the requirements of House Bill 801, Act of May 30, 1999, 76th Leg., R.S., § 5 (codified at TEX. HEALTH & SAFETY CODE § 382.056(n)).

A. Request for Reconsideration

Any person may file a request for reconsideration of the ED's decision. 30 TEX. ADMIN. CODE (TAC) § 55.201(e). The request must be in writing and filed with the Chief Clerk no later than 30 days after the Chief Clerk mails the ED's decision and response to comments. *Id.* The

request must expressly state that the person is requesting reconsideration of the ED's decision and give reasons why the decision should be reconsidered. *Id.*

Wayne Brown timely filed his request for reconsideration on July 14, 2009. He cites concerns about explosions, dust, traffic, and disruption of use and enjoyment of his property. The request for reconsideration relies on the same issues cited to support the hearing requests, but an evidentiary record would be necessary for OPIC to make a recommendation to the Commission on whether the ED's decision to issue the permit should be reconsidered. Accordingly, OPIC recommends denying the request for reconsideration.

B. Requests for Contested Case Hearing

Under the applicable statutory and regulatory requirements, a hearing request must substantially comply with the following: give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request; identify the requestor's personal justiciable interest affected by the application showing why the requestor is an "affected person" who may be adversely affected by the proposed facility or activity in a manner not common to members of the general public; request a contested case hearing; list all relevant and material disputed issues of fact that were raised during the comment period that are the basis of the hearing request; and provide any other information specified in the public notice of the application. 30 TAC § 55.201(d).

An "affected person" is "one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application." 30 TAC § 55.203(a). This justiciable interest does not include an interest common to the general public. *Id.* Governmental entities with authority under state law over issues contemplated by the

application may be considered affected persons. 30 TAC § 55.203(b). Relevant factors considered in determining whether a person is affected include:

- (1) whether the interest claimed is one protected by the law under which the application will be considered;
- (2) distance restrictions or other limitations imposed by law on the affected interest;
- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and
- (6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TAC § 55.203(c).

The Commission shall grant an affected person's timely filed hearing request if: (1) the request is made pursuant to a right to hearing authorized by law; and (2) the request raises disputed issues of fact that were raised during the comment period and that are relevant and material to the Commission's decision on the application. 30 TAC § 55.211(c).

Accordingly, responses to hearing requests must specifically address:

- (1) whether the requestor is an affected person;
- (2) which issues raised in the hearing request are disputed;
- (3) whether the dispute involves questions of fact or of law;
- (4) whether the issues were raised during the public comment period;
- (5) whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the Chief Clerk prior to the filing of the Executive Director's Response to Comment;
- (6) whether the issues are relevant and material to the decision on the application; and
- (7) a maximum expected duration for the contested case hearing.

30 TAC § 55.209(e).

III. DISCUSSION

A. Determination of Affected Person Status

For an NSR permit, there are no distance limitations imposed by “law,” i.e. statute or rule, on the affected interest. *See* 30 TAC § 55.203(c)(2). The Commission must determine affected person status based on the proposed emissions’ likely impact on the requester, given the requester’s stated concerns, their location relative to the proposed facility, and the amount and type of proposed emissions.

The proposed facility will be authorized at throughput of 2,000 tons per hour and 5,000,000 tons per year, and will operate at all times for a total of 8,760 hours per year. By comparison, the standard permit for rock crushers is available only to facilities with less than 200 tons per hour throughput, and is limited to operations totaling 2,640 hours per year. Air Quality Standard Permit for Permanent Rock Crushers and Concrete Crushers, Effective Date July 31, 2008, at ¶ (3)(A) and (G). Because the proposed facility will create a significant amount of emissions, this response recommends the Commission conclude that some hearing requesters with residences a short distance over one mile from the proposed facility are affected persons.

For those hearing requesters who this response concludes are not affected persons due to the distance of their residences from the proposed facility as demonstrated by the map prepared by the ED in this matter (ED Map), OPIC invites those persons to file a reply with the Office of Chief Clerk by January 4, 2010 stating that the location of their residence on the ED Map is incorrect and providing the location of their residence in relation to the proposed facility. OPIC will reconsider its position based on any timely filed replies.

1. Curtis Fey, Jr.

Curtis Fey, Jr.'s hearing request states that he resides within 1000 feet of the proposed facility. The ED Map shows his residence is approximately one mile from the facility, just outside the one-mile radius. He expresses concern about adverse effects on the environment, drinking water and wells, and the regional economy. He also questions whether the air dispersion modeling accounted for all sources of emissions and included the cumulative effects of other aggregate mining operations in the area. Based on the location of his residence in relation to the proposed facility, the quantity of emissions from the proposed facility, and the factors in 30 TAC § 55.203(c), OPIC concludes Curtis Fey, Jr. is an affected person entitled to a contested case hearing.

2. Tim and Sharlene Fey

Tim and Sharlene Fey's hearing request states that they reside adjacent to Applicant's property. The ED Map shows their residence is approximately one mile from the facility, just outside the one-mile radius. They express concern about the environment, wildlife and endangered species, air quality, human health, nuisance conditions, livestock, agricultural activities, road safety and traffic, nearby schools and parks, and drinking water and wells. They are concerned about Applicant's and its parent companies' compliance histories. They question the draft permit's variance for stockpile heights, provisions for dust control and monitoring, and allowance for continuous operating hours. They state that Applicant failed to properly post signs at the facility site and express concern about the high cost of copying the application. They question the application's description of surrounding land use. They also question whether the air dispersion modeling accounted for all sources of emissions and included the cumulative effects of other aggregate mining operations in the area. Based on the location of their residence

in relation to the proposed facility, the quantity of emissions from the proposed facility, and the factors in 30 TAC § 55.203(c), OPIC concludes Tim and Sharlene Fey are affected persons entitled to a contested case hearing.

3. Daryl and Jeri Hoffman, Kathleen Hoffman, Todd Hoffman, and Heather Hoffman Stewart and Jason Stewart

The Hoffman and Stewart family's hearing requests state that they own five residences and land across the street from and adjacent to the proposed facility. The ED Map shows their residences are within one mile of the proposed facility. They express concern about the environment, wildlife and endangered species, air quality, human health, nuisance conditions, road safety and traffic, nearby schools, and drinking water and wells. They are concerned about Applicant's and its parent companies' compliance histories. They question the draft permit's variance for stockpile heights, provisions for dust control and monitoring, and allowance for continuous operating hours. They question the application's description of surrounding land use. Based on the location of their residences in relation to the proposed facility and the factors in 30 TAC § 55.203(c), OPIC concludes the Hoffmans and Stewarts are affected persons entitled to a contested case hearing.

4. Magnolia Springs Associates

Magnolia Springs Associates' (Magnolia) hearing request states that it owns approximately 135 acres of land for a residential community of approximately 535 homes across the street from the proposed facility. The ED Map shows a significant portion of the property is located within one mile of the proposed facility. Magnolia questions the draft permit's variance for stockpile heights and provisions for dust control and monitoring. Magnolia also questions whether the air dispersion modeling accounted for all sources of emissions. Magnolia requests a continuous site operator and expanded recordkeeping over a five-year period. Based on the

location of its property in relation to the proposed facility and the factors in 30 TAC § 55.203(c), OPIC concludes Magnolia Springs Associates is an affected person entitled to a contested case hearing.

5. Craig and Teresa McKee

Craig and Teresa McKee's hearing request states that they reside approximately 1 mile from the proposed facility. The ED Map shows their residence is approximately 1.2 miles from the proposed facility. They express concern about air quality, human health, nuisance conditions, nearby schools, property value, drinking water and wells, the regional economy, and road safety and traffic. Based on the location of their residence in relation to the proposed facility, the quantity of emissions from the proposed facility, and the factors in 30 TAC § 55.203(c), OPIC concludes Craig and Teresa McKee are affected persons entitled to a contested case hearing.

6. Dennis Parma and Maggie Parma

According to their hearing request, Dennis Parma and his daughter Maggie Parma reside approximately one mile from the proposed facility. The ED Map shows their residence is less than one-mile from the proposed facility. They express concern about air quality, human health, nuisance conditions, drinking water and wells, and road safety and traffic. Based on the location of their residence in relation to the proposed facility and the factors in 30 TAC § 55.203(c), OPIC concludes Dennis Parma and Maggie Parma are affected persons entitled to a contested case hearing.

7. Dwight and Sandra Reeh

Dwight and Sandra Reeh's hearing request states that they reside less than one-half mile south of the proposed facility. The ED Map shows their residence is within one mile of the

proposed facility. They express concern about the environment, air quality, human health, agricultural activities, stockpile height, dust control and monitoring, drinking water and wells, and traffic and road safety. They question whether the cumulative effects of the proposed facility and other aggregate mining operations in the area will violate air quality standards. Based on the location of their residence in relation to the proposed facility and the factors in 30 TAC § 55.203(c), OPIC concludes Dwight and Sandra Reeh are affected persons entitled to a contested case hearing.

8. Tressie Mae Russell

Tressie Mae Russell's hearing request states that her residence is one and a half miles from the proposed facility. The ED Map shows her residence is located one mile from the proposed facility. She expresses concern about air quality, human health, nearby schools, and road safety and traffic. Based on the location of her residence in relation to the proposed facility and the factors in 30 TAC § 55.203(c), OPIC concludes Tressie Mae Russell is an affected person entitled to a contested case hearing.

9. Vandeline Sahm

Vandeline Sahm owns two residences and land across FM 482 from the proposed facility, according to the hearing request. The ED Map shows the main residence located at 6025 FM 482 is approximately one mile from the facility, just outside the one-mile radius. Concerns expressed in the request include effects on the environment, wildlife and endangered species, air quality, human health, livestock, agricultural activities, road safety and traffic, property value, surface waters during floods, and drinking water and wells, as well as nuisance conditions and the adequacy of dust control and monitoring. Based on the location of the residence in relation to the proposed facility, the quantity of emissions from the proposed facility, and the factors in

30 TAC § 55.203(c), OPIC concludes Vandeline Sahm is an affected person entitled to a contested case hearing.

10. Senator Jeff Wentworth

Senator Jeff Wentworth requests a hearing because of the public interest in the proposed facility. He expresses concern about adverse effects on the environment and human health. Senator Wentworth, however, has not asserted that he resides near the facility or uses the area. As a result, his interests are similar to those of the general public. Accordingly, OPIC concludes Senator Jeff Wentworth is not an affected person entitled to a contested case hearing.

11. Group 1 – Form Letters 1 and 2

Numerous residents of the Mission Valley Estates subdivision and nearby properties (Group 1) submitted one of two similarly worded hearing requests. Form Letter 2 includes the comments from Form Letter 1, and adds several additional comments. The requests state that their residences are approximately 2 miles from the proposed facility. The ED Map shows their residences as over 2 miles from the proposed facility. Based on the location of their residences in relation to the proposed facility, OPIC concludes the Group 1 hearing requesters, with one exception, are not affected persons entitled to a contested case hearing.

One Group 1 hearing requester, Carol Warwick Smith, submitted a version of Form Letter 1, which states that she resides approximately one-quarter mile from the proposed facility. The ED Map shows her residence is located within one mile of the proposed facility. She expresses concern about the environment, wildlife and endangered species, air quality, human health, nuisance conditions, nearby schools, property value, drinking water and wells, and road safety and traffic. Based on the location of her residence in relation to the proposed facility and

the factors in 30 TAC § 55.203(c), OPIC concludes Carol Warwick Smith is an affected person entitled to a contested case hearing.

12. Group 2 – Form Email

Several persons (Group 2) submitted hearing requests in the form of an email in opposition to the proposed facility. They provide addresses, but do not indicate the distance between their residences and the proposed facility. The ED Map shows their residences are more than 2 miles from the proposed facility. They express concern about air quality, human health, nuisance conditions, nearby schools, and road safety and traffic. Based on the location of their residences in relation to the proposed facility, OPIC concludes the Group 2 hearing requesters are not affected persons entitled to a contested case hearing.

13. Group 3 – Petition

Numerous residents in the area surrounding the proposed facility submitted a petition requesting a contested case hearing (Group 3). They provide addresses, but do not indicate the distance between their residences and the proposed facility. The ED Map shows their residences are more than 2 miles from the proposed facility, with the exception of Tressie Mae Russell, who also submitted an individual letter requesting a hearing, discussed above in Section III.A.8. The petition signed by Ms. Russell expresses concerns about the environment, wildlife and endangered species, air quality and human health, nuisance conditions, nearby schools, drinking water and wells, and road safety and traffic. Based on the location of their residences in relation to the proposed facility, OPIC concludes the Group 3 hearing requesters, with the exception of Tressie Mae Russell, are not affected persons entitled to a contested case hearing.

14. Additional Individual Hearing Requests

Wayne Brown, Carol and Tom Chaffe, Dennis Felix, Kay Friesenhahn, Ronald Hagelman, Jr., Jack Hales, Jr., Barbara and Henry Hand, Jerry Harlan, Barbara and Philip O'Connor, Diane Pepin, Janis Rosebush, Jim and Roxanne Salinas, Frank and Shelby Simonini, Maria and Vincent Smith, Charles and Nancy Vinsonhaler, Catherine Wade, Judy and Earl Wright, and Jose Uribe filed individual letters requesting a contested case hearing. The ED Map shows their residences are located more than 2 miles from the proposed facility. Although they raise valid concerns about the proposed facility, based on the location of their residences in relation to the proposed facility, OPIC concludes Wayne Brown, Carol and Tom Chaffe, Dennis Felix, Kay Friesenhahn, Ronald Hagelman, Jr., Jack Hales, Jr., Barbara and Henry Hand, Jerry Harlan, Barbara and Philip O'Connor, Diane Pepin, Janis Rosebush, Jim and Roxanne Salinas, Frank and Shelby Simonini, Maria and Vincent Smith, Charles and Nancy Vinsonhaler, Catherine Wade, Judy and Earl Wright, and Jose Uribe are not affected persons entitled to a contested case hearing.

B. Issues Raised in the Hearing Request

The following issues have been raised in the hearing requests:

1. Whether air dispersion modeling properly accounted for all sources of emissions, both on the facility's property and on surrounding property. (Curtis Fey, Jr.; Tim and Sharlene Fey; Magnolia Springs Associates)
2. Whether emissions from the proposed facility will violate the NAAQS when the cumulative effects of all aggregate mining operations in the area are considered. (Curtis Fey, Jr.; Tim and Sharlene Fey; Dwight and Sandra Reeh)
3. Whether the proposed facility will adversely affect the surrounding environment. (Curtis Fey, Jr.; Tim and Sharlene Fey; Hoffman/Stewart family; Dwight and Sandra Reeh; Vandeline Sahn; Senator Jeff Wentworth; Form Letter 1; Form Letter 2; Petition)

4. Whether the proposed facility will adversely affect wildlife and endangered species, including the golden-cheeked warbler. (Tim and Sharlene Fey; Hoffman/Stewart family; Vandeline Sahn; Form Letter 1; Form Letter 2; Petition)
5. Whether emissions from the proposed facility will adversely affect air quality and human health. (Tim and Sharlene Fey; Hoffman/Stewart family; Craig and Teresa McKee; Dennis Parma and Maggie Parma; Dwight and Sandra Reeh; Tressie Mae Russell; Vandeline Sahn; Senator Jeff Wentworth; Form Letter 1; Form Letter 2; Form Email; Petition)
6. Whether emissions or odor from the proposed facility will cause nuisance conditions or adversely affect use and enjoyment of nearby property. (Tim and Sharlene Fey; Hoffman/Stewart family; Craig and Teresa McKee; Dennis Parma and Maggie Parma; Vandeline Sahn; Form Letter 1; Form Letter 2; Form Email; Petition)
7. Whether emissions from the proposed facility will adversely affect livestock on nearby property. (Tim and Sharlene Fey; Vandeline Sahn)
8. Whether emissions from the proposed facility will adversely affect agricultural activities on nearby property. (Tim and Sharlene Fey; Dwight and Sandra Reeh; Vandeline Sahn)
9. Whether emissions from the proposed facility will adversely affect road safety and traffic conditions. (Tim and Sharlene Fey; Hoffman/Stewart family; Vandeline Sahn)
10. Whether Applicant's or its parent companies' compliance histories require more stringent emission standards, additional permit conditions, or denial of the application. (Tim and Sharlene Fey; Hoffman/Stewart family; Form Letter 2)
11. Whether the draft permit's provision for the height of stockpiles should be reduced to prevent adverse effects on air quality. (Tim and Sharlene Fey; Hoffman/Stewart family; Magnolia Springs Associates; Dwight and Sandra Reeh)
12. Whether the draft permit contains adequate abatement systems, controls, and monitoring for dust to prevent adverse effects on human health and the environment. (Tim and Sharlene Fey; Hoffman/Stewart family; Magnolia Springs Associates; Dwight and Sandra Reeh; Vandeline Sahn)
13. Whether the application is deficient because it improperly describes the surrounding land use in the area. (Tim and Sharlene Fey; Hoffman/Stewart family)
14. Whether Applicant provided adequate notice of the proposed facility by posting signs and making the application available to the public. (Tim and Sharlene Fey)
15. Whether the draft permit should restrict operating hours to prevent adverse effects on use and enjoyment of nearby property. (Tim and Sharlene Fey; Hoffman/Stewart family)

16. Whether the draft permit should require a continuous onsite operator. (Magnolia Springs Associates)
17. Whether the draft permit should require expanded recordkeeping over a five-year period. (Magnolia Springs Associates)
18. Whether emissions from the proposed facility will adversely affect nearby schools and children. (Tim and Sharlene Fey; Hoffman/Stewart family; Craig and Teresa McKee; Tressie Mae Russell; Form Letter 1; Form Letter 2; Form Email)
19. Whether the proposed facility will decrease property values in the area. (Craig and Teresa McKee; Dennis Parma; Vandeline Sahn; Form Letter 1; Form Letter 2)
20. Whether the proposed facility will contaminate surface waters during flood conditions. (Vandeline Sahn)
21. Whether the proposed facility will violate New Braunfels' noise ordinance. (Form Letter 1; Form Letter 2)
22. Whether noise from the proposed facility will adversely affect livestock on nearby property. (Tim and Sharlene Fey; Vandeline Sahn)
23. Whether emissions from the proposed facility will adversely affect sources of drinking water and wells on nearby property. (Curtis Fey, Jr.; Tim and Sharlene Fey; Hoffman/Stewart family; Craig and Teresa McKee; Dennis Parma and Maggie Parma; Dwight and Sandra Reeh; Vandeline Sahn; Form Letter 1; Form Letter 2; Petition)
24. Whether the proposed facility will adversely affect the region's economy. (Curtis Fey, Jr.; Craig and Teresa McKee)
25. Whether increased traffic from the proposed facility will adversely affect road safety and traffic conditions. (Tim and Sharlene Fey; Hoffman/Stewart family; Craig and Teresa McKee; Dennis Parma and Maggie Parma; Dwight and Sandra Reeh; Tressie Mae Russell; Vandeline Sahn; Form Letter 1; Form Letter 2; Form Email)
26. Whether the proposed facility will cause nuisance conditions or adversely affect use and enjoyment of nearby property, including impacts from noise, lights, and vibrations from blasting. (Tim and Sharlene Fey; Hoffman/Stewart family; Craig and Teresa McKee; Dennis Parma and Maggie Parma; Vandeline Sahn; Form Letter 1; Form Letter 2; Form Email; Petition)

C. Issues Raised in the Comment Period

All of the issues raised in the hearing request were raised in the comment period and have not been withdrawn. 30 TAC §§ 55.201(c) and (d)(4), 55.211(c)(2)(A).

D. Disputed Issues

There is no agreement between the hearing requesters and the ED on the issues raised in the hearing requests.

E. Issues of Fact

If the Commission considers an issue to be one of fact, rather than one of law or policy, it is appropriate for referral to hearing if it meets all other applicable requirements. 30 TAC § 55.211(c)(2)(A). All of the issues presented are issues of fact appropriate for referral to SOAH.

F. Relevant and Material Issues

The hearing requests raise issues relevant and material to the Commission’s decision under the requirements of 30 TAC §§ 55.201(d)(4) and 55.211(c)(2)(A). In order to refer an issue to SOAH, the Commission must find that the issue is relevant and material to the Commission’s decision to issue or deny this permit. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248–251 (1986) (in discussing the standards applicable to reviewing motions for summary judgment the Court stated “[a]s to materiality, the substantive law will identify which facts are material it is the substantive law’s identification of which facts are critical and which facts are irrelevant that governs”). Relevant and material issues are those governed by the substantive law under which this permit is to be issued. *Id.*

In general, most of the issues are relevant and material because they are governed by the substantive law under which this permit is issued and raise specific questions about the draft permit or application that ultimately relate to air quality. TCEQ is responsible for the protection of air quality under the TCAA and accompanying administrative rules. The purpose of the TCAA is “to safeguard the state’s air resources from pollution by controlling or abating air

pollution and emission of air contaminants, consistent with the protection of public health, general welfare, and physical property, including the esthetic enjoyment of air resources by the public and the maintenance of adequate visibility.” TEX. HEALTH & SAFETY CODE § 382.002. The Commission may grant a preconstruction permit only if it finds there is “no indication that the emissions from the facility will contravene the intent of this chapter, including protection of the public’s health and physical property.” *Id.* § 382.0518(b)(2). In addition, “[n]o person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.” 30 TAC § 101.4.

Specifically, Issue Nos. 1–18 raise relevant and material issues related to air quality and effects on human health, the environment, or property, and the adequacy of the application and technical review. Issue No. 9 raises a relevant and material issue related to traffic hazards under 30 TAC § 101.5. Issue No. 14 raises a relevant and material issue related to adequacy of public notice as required by TEX. HEALTH & SAFETY CODE § 382.056 and 30 TAC §§ 116.130 to 116.137. Accordingly, Issue Nos. 1–18 are appropriate for referral to the State Office of Administrative Hearings (SOAH).

Issue No. 19 related to property values, Issue Nos. 20 and 23 related to water quality and flooding, Issue Nos. 21–22 related to noise, and Issue No. 24 related to the economy are outside the Commission’s jurisdiction to consider in an air permitting matter. Although effects on road safety caused by air emissions are relevant and material (see analysis of Issue No. 9 above), Issue No. 25 related to increased traffic is not relevant and material because it does not concern air quality. Issue No. 26 concerning nuisance conditions caused by noise, light, and vibrations are

not relevant and material because they do not concern air quality. Accordingly, Issue Nos. 19–26 are inappropriate for referral to SOAH.

G. Issues Recommended for Referral

OPIC recommends that the following disputed issues of fact be referred to SOAH for a contested case hearing:

1. Whether air dispersion modeling properly accounted for all sources of emissions, both on the facility’s property and on surrounding property.
2. Whether emissions from the proposed facility will violate the NAAQS when the cumulative effects of all aggregate mining operations in the area are considered.
3. Whether the proposed facility will adversely affect the surrounding environment.
4. Whether the proposed facility will adversely affect wildlife and endangered species, including the golden-cheeked warbler.
5. Whether emissions from the proposed facility will adversely affect air quality and human health.
6. Whether emissions or odor from the proposed facility will cause nuisance conditions or adversely affect use and enjoyment of nearby property.
7. Whether emissions from the proposed facility will adversely affect livestock on nearby property.
8. Whether emissions from the proposed facility will adversely affect agricultural activities on nearby property.
9. Whether emissions from the proposed facility will adversely affect road safety and traffic conditions.
10. Whether Applicant’s or its parent companies’ compliance histories require more stringent emission standards, additional permit conditions, or denial of the application.
11. Whether the draft permit’s provision for the height of stockpiles should be reduced to prevent adverse effects on air quality.
12. Whether the draft permit contains adequate abatement systems, controls, and monitoring for dust to prevent adverse effects on human health and the environment.

13. Whether the application is deficient because it improperly describes the surrounding land use in the area.
14. Whether Applicant provided adequate notice of the proposed facility by posting signs and making the application available to the public.
15. Whether the draft permit should restrict operating hours to prevent adverse effects on use and enjoyment of nearby property.
16. Whether the draft permit should require a continuous onsite operator.
17. Whether the draft permit should require expanded recordkeeping over a five-year period.
18. Whether emissions from the proposed facility will adversely affect nearby schools and children.

H. Maximum Expected Duration of Hearing

Commission Rule 30 TAC § 55.115(d) requires that any Commission order referring a case to SOAH specify the maximum expected duration of the hearing by stating a date by which the judge is expected to issue a proposal for decision. The rule further provides that no hearing shall be longer than one year from the first day of the preliminary hearing to the date the proposal for decision is issued. To assist the Commission in stating a date by which the judge is expected to issue a proposal for decision, and as required by 30 TAC § 55.209(d)(7), OPIC estimates that the maximum expected duration of a hearing on this application would be nine months from the first date of the preliminary hearing until the proposal for decision is issued.

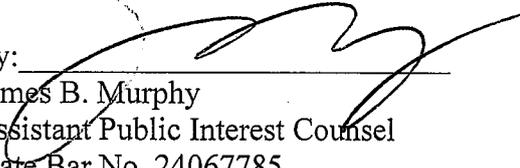
IV. CONCLUSION

OPIC recommends granting the hearing requests from Curtis Fey, Jr., Tim and Sharlene Fey, Daryl and Jeri Hoffman, Kathleen Hoffman, Todd Hoffman, Magnolia Springs Associates, Craig and Teresa McKee, Dennis Parma, Maggie Parma, Dwight and Sandra Reeh, Tressie Mae Russell, Vandeline Sahn, Carol Warwick Smith, and Heather Hoffman Stewart and Jason

Stewart on the issues referenced in Section III.G above, and denying the remaining hearing requests. OPIC recommends denying the requests for reconsideration from Wayne Brown. OPIC further recommends a hearing duration of nine months.

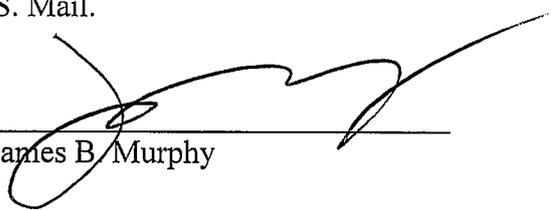
Respectfully submitted,

Blas J. Coy, Jr.
Public Interest Counsel

By: 
James B. Murphy
Assistant Public Interest Counsel
State Bar No. 24067785
P.O. Box 13087, MC 103
Austin, Texas 78711-3087
(512) 239-4014 Phone
(512) 239-6377 Fax

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2009 the original and seven true and correct copies of the Office of Public Interest Counsel's Response to Requests for Hearing and Request for Reconsideration was filed with the Chief Clerk of the TCEQ and a copy was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, Inter-Agency Mail, electronic mail, or by deposit in the U.S. Mail.


James B. Murphy

**Appendix A
Form Letter 1**

Charlie Baker
Patricia Baker
Robert Baker
Chester Bueche
Rose Scheel Bueche
Chris, Joellen, Sofia and Thaddeus Coryell
Mary Alicia Day
Greg Drake
Pam Drake
Diane Eder
Robert Eder
Charles and Rita Foust
Marc and Merri Fretwell
Gretchen Gold
Jesse Gonzalez, Jr.
Sarah Gonzalez
Barbara Gressler
Carol Guedry
Elsie Haggerty
Loyd Haggerty
Wally Dee Henderson
Kelly Holmes
Pam Holmes
Lee Hunnicutt
Suzunn C. Jackson
William Jackson
Beverly Johnson
Dennis Johnson
Mary and Richard Kensing
Jeanette Loomis
Troy Loomis
Loyce McKinney
Deborah Odom
Jerry Odom
Colleen Ramsey
Larry Ramsey
Carlos Rochin
Elizabeth Rochin
H.A. Schlameus
Sandy Schlameus
John and Judith Schwab

J.T. Shaw
Melba Shaw
Carol Warwick Smith
Leora and Sigfrid Swenson
Cary and Lori Tetrick
Dewayne and Karrie Thompson
Beverly Tucker
James Tucker
Janice Vader
Chris Wallisch
Judy Wallisch

Appendix B
Form Letter 2

Patricia Baker
Cheryl and Haynes Baumgardner
James Burns
Carlene Comer
Suzunn Rosenberg Jackson
Theresa Kelly
Stephen and Karen Langelier
Ann Morisey
Charles Morisey
Cindy Taylor
Alia and Jason Unrein
Tom Zibelin

**Appendix C
Form Email**

Deborah Ball
Robert Ball
Jim and Karen Bishop
Dan and Carlene Comer
Greg and Susie Demarco
Ann Morisey
Charles Morisey
Bill Platts
Therese Platts
Cindy Taylor
Alia and Jason Unrein
Tom and Jill Zibelin

Appendix D Petition

August and Jane Abendschein	G. Gudino
James and Teri Aguilera	Bruce Guthrie
Julia Allison	Leon and Linda Haisten
Caroline and Gerald Anz	Brenda Hallford
David Bird	Col. Maynard Hamilton
Carli Black	Gilbert Hartmann
Roberto Boone	Joseph Hayden
Allen Bosch	Peggy Rayfield and Todd Hedgepeth
Chris and Jim Brunette	Cliff Hogue
Cheri Bryan	Jerry Horton
Georgia Buehler	Elke and Gene Hubbard
Clarence and Connie Cain	April Hughes
Matteo Caruso	Richard Hughes
Elizabeth and Lawrence Cleary	R.M. Inglis
Paul Stanley Cobb, Jr.	Clint Jacobs
Cary Corbin	Irene Klein
Tom Corbin	Kathy Leber
Harold Crisp	Rick Leber
Tommy Dann	Georgia LeBlanc
Sharon and Tim Daugherty	Harvey Lee
Lynne and Robert Dean	James Lee
Bette and W.N. Deason, Jr.	Jan Lee
Elma and Stephen Demory	Robert Lee
Frank Dietz	Jim Lowe
Bill and Frances Doyle	John Lustila
Lt.Col. and Mrs. K.E. Druckenbrodt	Fred and Joanna Lybrand
Jerry Dumais	Susan Macy
Vic Durbon	William Manges
Curtis Eiserer	Eliberto and Veronica Martinez
Jan Estes	Ray Martinez
Arthur and Johnida Evans	Robert Martinez
James Evans	Christina Mason
Dennis Felix	Milton Mead
Billy Ferrell	Russell Mericle
Larry and Linda Fisher	Allison and Joseph Minus
Eileen Fitz	Floyd Moore
Edwin and Regina Ford	Ralph Morales
M. Friedman	Cathy Nathan
Bill Fuller	Richard Nathan
Martin Godfrey	Margaret Pierce
Patricia Godfrey	George Pyland
Nancy and Phil Goodart	Julie Reding
David and Sheree Gordon	Delight Renken

Bob Rinn
Rosemary Rinn
Linda Rompel
Tressie Mae Russell
Eric Sailors
Edmund Sching
Tom Shelton
Lee Shick
Ethel Singleton
Mark Southerland
Mark Spier

Mariann Stratton
Ronald Suggs
Joanne and Robert Teweles
Karl and Nora Treutler
Arnold Wallis
Delores and Gary Warm
Glenn Whitfield, Jr.
Charles Williams
Randall Willis
Woodrow Wuest
Anita and Vicente Zamora

Appendix E
Individual Hearing Requests

Wayne Brown
Carol and Tom Chaffe
Patrick Christensen on behalf of Magnolia Springs Associates
Dennis Felix
Curtis Fey, Jr.
Sharlene and Tim Fey
Kay Friesenhahn
Ronald Hagelman, Jr.
Jack Hales, Jr.
Barbara and Henry Hand
Jerry Harlan
Daryl and Jeri Hoffmann
Kathleen Hoffmann
Todd Hoffmann
Craig and Teresa McKee
Barbara and Philip O'Connor
Dennis Parma
Maggie Parma
Diane Pepin
Dwight and Sandra Reeh
Janis Rosebush
Tressie Mae Russell
Vandeline Sahn
Jim and Roxanne Salinas
Frank and Shelby Simonini
Maria and Vincent Smith
Heather Hoffman Stewart and Jason Stewart
Charles and Nancy Vinsonhaler
Catherine Wade
The Honorable Jeff Wentworth
Judy and Earl Wright
Jose Uribe

MAILING LIST
AGGREGATE INDUSTRIES-WCR, INC.
TCEQ DOCKET NO. 2009-1842-AIR

FOR THE APPLICANT:

Gary Nicholls
Westward Environmental, Inc.
P.O. Box 2205
Boerne, Texas 78006-3602

REQUESTERS:

See attached list.

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Texas Commission on Environmental Quality
Office of Public Assistance, MC-108
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Tel: (512) 239-4000
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FOR ALTERNATIVE DISPUTE

RESOLUTION:

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Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
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Texas Commission on Environmental Quality
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THE HONORABLE JEFF WENTWORTH
TEXAS SENATE
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AUSTIN TX 78711-2068

DAVID BIRD
9042 BLAZING STAR TRL
GARDEN RIDGE TX 78266-2304

ROSE SCHEEL BUECHE
744 FM 1863
NEW BRAUNFELS TX 78132-4645

AUGUST & JANE ABENDSCHEIN
9320 BLUEBELL DR
GARDEN RIDGE TX 78266-2316

JIM & KAREN BISHOP
26206 LEWIS RANCH RD
NEW BRAUNFELS TX 78132

GEORGIA BUEHLER
21419 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2781

JAMES & TERI AGUILERA
9519 GLOXINIA DR
GARDEN RIDGE TX 78266-2536

LINDA ROMPEL
5001 FM 1102
NEW BRAUNFELS TX 78132-2521

JAMES E BURNS
26142 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2520

JULIA ALLISON
140 PANTERMUEHL RD
NEW BRAUNFELS TX 78132-4234

CARLI BLACK
9227 GLOXINIA DR
GARDEN RIDGE TX 78266-2530

CLARENCE & CONNIE CAIN
9967 TROPHY OAKS DR
GARDEN RIDGE TX 78266-2813

CAROLINE & GERALD ANZ
27267 FM 3009
GARDEN RIDGE TX 78266-2893

ROBERTO BOONE
1610 FM 484
CANYON LAKE TX 78133-1908

MATTEO CARUSO
21917 BAT CAVE RD
GARDEN RIDGE TX 78266-2750

CHARLIE C BAKER
220 MITTMANN CIR
NEW BRAUNFELS TX 78132-3720

ALLEN BOSCH
10023 TROPHY OAKS DR
GARDEN RIDGE TX 78266-2815

CAROL & TOM CHAFFE
11950 SHADOW LN
NEW BRAUNFELS TX 78132-3627

PATRICIA BAKER
220 MITTMANN CIR
NEW BRAUNFELS TX 78132-3720

WAYNE BROWN
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PATRICK CHRISTENSEN
COUNSEL, BROWN & ORTIZ PC
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ROBERT C BAKER
220 MITTMANN CIR
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CHRIS & JIM BRUNETTE
21249 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2787

ELIZABETH & LAWRENCE CLEARY
9585 MILLER LN
GARDEN RIDGE TX 78266-2608

DEBORAH BALL
9240 BLUE PT
NEW BRAUNFELS TX 78132-4310

CHERI BRYAN
1427 EDWARDS BLVD
NEW BRAUNFELS TX 78132-4056

PAUL STANLEY COBB, JR
22117 SENNA HLS
GARDEN RIDGE TX 78266-2156

ROBERT BALL
9240 BLUE PT
NEW BRAUNFELS TX 78132-4310

CHESTER K BUECHE
744 FM 1863
NEW BRAUNFELS TX 78132-4645

CARLENE & DAN COMER
26532 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2525

CARY CORBIN
350 WINDSOR LN
NEW BRAUNFELS TX 78132-3840

GREG & SUSIE DEMARCO
26571 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2525

ROBERT L EDER
131 MITTMANN CIR
NEW BRAUNFELS TX 78132-3721

TOM CORBIN
350 WINDSOR LN
NEW BRAUNFELS TX 78132-3840

ELMA & STEPHEN DEMORY
9497 CINCHONA TRL
GARDEN RIDGE TX 78266-2326

CURTIS EISERER
9343 BLAZING STAR TRL
GARDEN RIDGE TX 78266-2311

CHRIS & JOELLEN E CORYELL
2188 KRUEGER CYN
NEW BRAUNFELS TX 78132-4554

FRANK DIETZ
1677 HOFFMANN LN
NEW BRAUNFELS TX 78132-4254

JAN ESTES
1834 CRYSTAL SPRINGS RD
NEW BRAUNFELS TX 78130-3002

SOFIA & THADDEUS CORYELL
2188 KRUEGER CYN
NEW BRAUNFELS TX 78132-4554

BILL & FRANCES DOYLE
9235 CINCHONA TRL
GARDEN RIDGE TX 78266-2322

ARTHUR & JOHNIDA EVANS
9405 AZALEA GATE
GARDEN RIDGE TX 78266-2503

HAROLD CRISP
20820 TIMBER ROSE
GARDEN RIDGE TX 78266-2359

GREG DRAKE
2218 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3715

JAMES EVANS
118 SKY COUNTRY DR
NEW BRAUNFELS TX 78132-4140

TOMMY DANN
313 WOOD RD
NEW BRAUNFELS TX 78130-5420

PAM DRAKE
2218 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3715

DENNIS FELIX
11918 SHADOW LN
NEW BRAUNFELS TX 78132-3627

SHARON & TIM DAUGHERTY
22004 DEER CANYON DR
GARDEN RIDGE TX 78266-2141

LTC & MRS K E DRUCKENBRODT
9520 MILLER LN
SAN ANTONIO TX 78266-2607

BILLY FERRELL
21728 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2774

MARY ALICIA DAY
204 MITTMANN CIR
NEW BRAUNFELS TX 78132-3720

JERRY DUMAIS
20220 REGENCY RUN
GARDEN RIDGE TX 78266-2356

CURTIS A FEY, JR
6025 FM 482
NEW BRAUNFELS TX 78132-4544

LYNNE & ROBERT DEAN
21630 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2771

VIC DURBON
20387 GRASS CREEK RD
GARDEN RIDGE TX 78266-2340

SHARLENE & TIM FEY
6028 FM 482
NEW BRAUNFELS TX 78132-4542

BETTE A & W N DEASON, JR
23145 FM 3009
SAN ANTONIO TX 78266-2626

DIANE EDER
131 MITTMANN CIR
NEW BRAUNFELS TX 78132-3721

LARRY & LINDA FISHER
21455 FAIRVIEW CIR
GARDEN RIDGE TX 78266-2059

EILEEN FITZI
125 OHIO ST
NEW BRAUNFELS TX 78130-8107

JESSE GONZALEZ, JR
118 MITTMANN CIR
NEW BRAUNFELS TX 78132-3720

ELSIE HAGGERTY
2209 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3718

EDWIN & REGINA FORD
21360 GUNTHER GRV
GARDEN RIDGE TX 78266-2527

SARAH GONZALEZ
118 MITTMANN CIR
NEW BRAUNFELS TX 78132-3720

LOYD N HAGGERTY
2209 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3718

CHARLES & RITA FOUST
2315 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3719

NANCY & PHIL GOODART
9357 GOLDENROD LN
GARDEN RIDGE TX 78266-2029

LEON & LINDA HAISTEN
9118 PIERCE MASSIE
GARDEN RIDGE TX 78266-2640

MARC & MERRI FRETWELL
463 FM 1863
NEW BRAUNFELS TX 78132-3708

DAVID & SHEREE GORDON
21340 GUNTHER GRV
GARDEN RIDGE TX 78266-2527

JACK HALES, JR
2642 WILDERNESS WAY
NEW BRAUNFELS TX 78132-3643

M FRIEDMAN
9908 KATHARINE GLN
GARDEN RIDGE TX 78266-2301

BARBARA GRESSLER
529 OAK GRV
NEW BRAUNFELS TX 78132-3713

BRENDA HALLFORD
20024 HICKORY BND
GARDEN RIDGE TX 78266-2538

KAY FRIESENHAHN
630 COYOTE RUN
NEW BRAUNFELS TX 78132-4529

G GUDINO
20503 GRASS CREEK RD
GARDEN RIDGE TX 78266-2344

COL MAYNARD G HAMILTON
9418 BLAZING STAR TRL
GARDEN RIDGE TX 78266-2312

BILL FULLER
9415 GLOXINIA DR
GARDEN RIDGE TX 78266-2534

CAROL GUEDRY
147 MITTMANN CIR
NEW BRAUNFELS TX 78132-3721

BARBARA & HENRY HAND
28820 COUNTRYSIDE DR
NEW BRAUNFELS TX 78132-3613

MARTIN GODFREY
2558 PONDEROSA DR
NEW BRAUNFELS TX 78132-2073

BRUCE GUTHRIE
22010 LAS CIMAS DR
GARDEN RIDGE TX 78266-2204

JERRY D HARLAN
614 FOREST RDG
NEW BRAUNFELS TX 78130-6606

PATRICIA GODFREY
2558 PONDEROSA DR
NEW BRAUNFELS TX 78132-2073

RONALD R HAGELMAN, JR
156 N SOLMS RD
NEW BRAUNFELS TX 78132-5042

GILBERT HARTMANN
9311 BLAZING STAR TRL
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JOSEPH HAYDEN
9824 TROPHY OAKS DR
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PEGGY RAYFIELD & TODD HEDGEPEETH
22205 VIA POSADA DR
GARDEN RIDGE TX 78266-2196

APRIL HUGHES
752 PINNACLE PKWY
NEW BRAUNFELS TX 78132-4286

THERESA KELLY
26541 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2525

WALLY DEE HENDERSON
797 FM 1863
NEW BRAUNFELS TX 78132-4646

RICHARD HUGHES
752 PINNACLE PKWY
NEW BRAUNFELS TX 78132-4286

MARY L & RICHARD A KENSING
506 OAK GRV
NEW BRAUNFELS TX 78132-3712

DARYL & JERI HOFFMANN
5755 FM 482
NEW BRAUNFELS TX 78132-4543

LEE HUNNICUTT
37 OVERLOOK CIR
NEW BRAUNFELS TX 78132-4728

IRENE KLEIN
20721 FM 3009
GARDEN RIDGE TX 78266-2320

KATHLEEN HOFFMANN
5751 FM 482
NEW BRAUNFELS TX 78132-4543

RM INGLIS
20720 TIMBER ROSE
GARDEN RIDGE TX 78266-2357

STEPHEN & KAREN LANGELIER
28405 OAK CREEK DR
NEW BRAUNFELS TX 78132-3653

TODD HOFFMANN
5751 FM 482
NEW BRAUNFELS TX 78132-4543

SUZUNN C JACKSON
2331 ROCK GRV
NEW BRAUNFELS TX 78132-3722

KATHY LEBER
185 PANTERMUEHL RD
NEW BRAUNFELS TX 78132-4234

CLIFF HOGUE
9436 SUMAC LN
GARDEN RIDGE TX 78266-2049

SUZUNN ROSENBERG JACKSON
2331 ROCK GRV
NEW BRAUNFELS TX 78132-3722

RICK LEBER
185 PANTERMUEHL RD
NEW BRAUNFELS TX 78132-4234

KELLY HOLMES
510 OAK GRV
NEW BRAUNFELS TX 78132-3712

WILLIAM B JACKSON
2331 ROCK GRV
NEW BRAUNFELS TX 78132-3722

GEORGIA LEBLANC
20011 HICKORY BND
GARDEN RIDGE TX 78266-2539

PAM HOLMES
510 OAK GRV
NEW BRAUNFELS TX 78132-3712

CLINT JACOBS
122 SKY COUNTRY DR
NEW BRAUNFELS TX 78132-4140

HARVEY LEE
810 MT LAUREL DR.
NEW BRAUNFELS TX 78132

JERRY HORTON
165 FALLING HLS
NEW BRAUNFELS TX 78132-2202

BEVERLY JOHNSON
513 OAK GRV
NEW BRAUNFELS TX 78132-3713

JAMES W LEE
21903 LAS CIMAS DR
GARDEN RIDGE TX 78266-2114

ELKE & GENE HUBBARD
21689 FAIRVIEW CIR
GARDEN RIDGE TX 78266-2055

DENNIS JOHNSON
513 OAK GRV
NEW BRAUNFELS TX 78132-3713

JAN LEE
810 MT LAUREL DR
NEW BRAUNFELS TX 78132

ROBERT LEE
9406 GOLDENROD LN
GARDEN RIDGE TX 78266-2030

ROBERT MARTINEZ
21924 SENNA HLS
GARDEN RIDGE TX 78266-2155

CHARLES MORISEY
26454 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2524

JEANETTE LOOMIS
505 OAK GRV
NEW BRAUNFELS TX 78132-3713

CHRISTINA MASON
21016 HICKORY BND
GARDEN RIDGE TX 78266-2540

CATHY NATHAN
122 BEEBALM LN
SPRING BRANCH TX 78070-5082

TROY J LOOMIS
505 OAK GRV
NEW BRAUNFELS TX 78132-3713

CRAIG & TERESA MCKEE
1515 BUNKER ST
NEW BRAUNFELS TX 78132-4874

RICHARD NATHAN
122 BEEBALM LN
SPRING BRANCH TX 78070-5082

JIM LOWE
9495 MILLER LN
GARDEN RIDGE TX 78266-2609

LOYCE MCKINNEY
2209 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3718

BARBARA & PHILIP O'CONNOR
656 FOREST RDG
NEW BRAUNFELS TX 78130-6606

JOHN LUSTILA
9408 BLUEBELL DR
GARDEN RIDGE TX 78266-2318

MILTON MEAD
9138 BLAZING STAR TRL
SAN ANTONIO TX 78266-2306

DEBORAH ODOM
2336 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3716

FRED & JOANNA LYBRAND
25624 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2511

RUSSELL MERICLE
21520 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2770

JERRY N ODOM
2336 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3716

SUSAN MACY
21350 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2789

ALLISON & JOSEPH MINUS
22187 VIA POSADA DR
GARDEN RIDGE TX 78266-2194

DENNIS PARMA
824 KRUEGER CYN
NEW BRAUNFELS TX 78132-4533

WILLIAM MANGES
9415 SUMAC LN
GARDEN RIDGE TX 78266-2090

FLOYD MOORE
20805 WOODLAND CV
GARDEN RIDGE TX 78266-2775

MAGGIE PARMA
824 KRUEGER CYN
NEW BRAUNFELS TX 78132-4533

ELIBERTO & VERONICA MARTINEZ
9680 TROPHY OAKS DR
SAN ANTONIO TX 78266-2542

RALPH MORALES
21670 FOREST WATERS CIR
SAN ANTONIO TX 78266-2773

DIANE PEPIN
452 ROBIN LN
NEW BRAUNFELS TX 78132-4633

RAY MARTINEZ
8927 TUSCAN HILLS DR
GARDEN RIDGE TX 78266-2202

ANN MORISEY
26454 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2524

MARGARET PIERCE
26007 NATURAL BRIDGE CAVERNS RD
GARDEN RIDGE TX 78266-2828

BILL G PLATTS
9115 BLUE PT
NEW BRAUNFELS TX 78132-4309

CARLOS A ROCHIN
2343 ROCK GRV
NEW BRAUNFELS TX 78132-3722

JOHN C & JUDITH H SCHWAB
126 MITTMANN CIR
NEW BRAUNFELS TX 78132-3720

THERESE L PLATTS
9115 BLUE PT
NEW BRAUNFELS TX 78132-4309

ELIZABETH S ROCHIN
2343 ROCK GRV
NEW BRAUNFELS TX 78132-3722

J T SHAW
139 MITTMANN CIR
NEW BRAUNFELS TX 78132-3721

GEORGE PYLAND
21009 HICKORY BND
GARDEN RIDGE TX 78266-2541

JANIS ROSEBUSH
7 RIDGE DR
NEW BRAUNFELS TX 78130-6623

MELBA SHAW
139 MITTMANN CIR
NEW BRAUNFELS TX 78132-3721

COLLEEN RAMSEY
2312 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3716

TRESSIE MAE RUSSELL
5065 FM 482
NEW BRAUNFELS TX 78132-4999

TOM SHELTON
21114 TREE TOP CV
GARDEN RIDGE TX 78266-2772

LARRY RAMSEY
2312 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3716

VANDELIN SAHM
6025 FM 482
NEW BRAUNFELS TX 78132-4544

LEE SHICK
21816 SENNA HLS
GARDEN RIDGE TX 78266-2147

JULIE REDING
22181 VIA POSADA DR
GARDEN RIDGE TX 78266-2194

ERIC SAILORS
20802 PETERS RD
CROSBY TX 77532-4336

FRANK & SHELBY SIMONINI
20 OVERLOOK CIR
NEW BRAUNFELS TX 78132-4728

DWIGHT & SANDRA REEH
5887 FM 482
NEW BRAUNFELS TX 78132-4573

JIM & ROXANNE SALINAS
955 MISSION HILLS DR
NEW BRAUNFELS TX 78130-6676

ETHEL SINGLETON
9408 MAGIC FLS
GARDEN RIDGE TX 78266-2545

DELIGHT RENKEN
600 OLD BEAR CREEK RD
NEW BRAUNFELS TX 78132-2867

EDMUND SCHING
21439 FOREST WATERS CIR
GARDEN RIDGE TX 78266-2781

CAROL WARWICK SMITH
818 FM 1863
NEW BRAUNFELS TX 78132-4672

BOB RINN
1263 FOX GLEN RD
NEW BRAUNFELS TX 78130-3021

H A SCHLAMEUS
626 FM 1863
NEW BRAUNFELS TX 78132-4603

MARIA & VINCENT SMITH
315 HUNTERS TRCE
NEW BRAUNFELS TX 78132-4732

ROSEMARY RINN
1263 FOX GLEN RD
NEW BRAUNFELS TX 78130-3021

SANDY SCHLAMEUS
626 FM 1863
NEW BRAUNFELS TX 78132-4603

MARK SOUTHERLAND
10008 AUDREY RDG
GARDEN RIDGE TX 78266-2327

MARK SPIER
21917 DEER CANYON DR
GARDEN RIDGE TX 78266-2140

BEVERLY TUCKER
2329 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3719

GLENN T WHITFIELD, JR
9416 GOLDENROD LN
GARDEN RIDGE TX 78266-2030

HEATHER HOFFMANN & JASON STEWART
5759 FM 482
NEW BRAUNFELS TX 78132-4543

JAMES G TUCKER
2329 CEDAR GROVE ST
NEW BRAUNFELS TX 78132-3719

CHARLES WILLIAMS
9314 GARDENIA BEND DR
GARDEN RIDGE TX 78266-2525

MARIANN STRATTON
9364 BLAZING STAR TRL
GARDEN RIDGE TX 78266-2310

ALIA & JASON UNREIN
9505 RANCH CRK
NEW BRAUNFELS TX 78132-2509

RANDALL WILLIS
20332 REGENCY RUN
GARDEN RIDGE TX 78266-2358

RONALD SUGGS
9411 GOLDENROD LN
GARDEN RIDGE TX 78266-2036

JANICE VADER
502 OAK GRV
NEW BRAUNFELS TX 78132-3712

JUDY & L EARL WRIGHT
380 ROBIN LN
NEW BRAUNFELS TX 78132-4633

LEORA & SIGFRID A SWENSON
2355 ROCK GRV
NEW BRAUNFELS TX 78132-3722

CHARLES & NANCY VINSONHALER
11860 SHADOW LN
NEW BRAUNFELS TX 78132-3627

WOODROW WUEST
24649 NATURAL BRIDGE CAVERNS RD
SAN ANTONIO TX 78266-2676

CINDY TAYLOR
25595 LEWIS RANCH RD
NEW BRAUNFELS TX 78132-2506

CATHARINE WADE
11918 SHADOW LN
NEW BRAUNFELS TX 78132-3627

ANITA & VICENTE ZAMORA
9915 TROPHY OAKS DR
GARDEN RIDGE TX 78266-2813

CARY & LORI TETRICK
2315 ROCK GRV
NEW BRAUNFELS TX 78132-3722

ARNOLD WALLIS
9345 BLUEBELL DR
GARDEN RIDGE TX 78266-2317

TOM & JILL ZIBELIN
9176 ROCK RUN
NEW BRAUNFELS TX 78132-2517

JOANNE & ROBERT TEWELES
8908 BENT BROOK DR
GARDEN RIDGE TX 78266-2002

CHRIS WALLISCH
537 OAK GRV
NEW BRAUNFELS TX 78132-3713

CHERYL & HAYNES BAUMGARDNER
9040 ROCK RUN
NEW BRAUNFELS TX 78132-2515

DEWAYNE E & KARRIE S THOMPSON
2339 ROCK GRV
NEW BRAUNFELS TX 78132-3722

JUDY WALLISCH
537 OAK GRV
NEW BRAUNFELS TX 78132-3713

JOSE URIBE
631 FOREST RIDGE
NEW BRAUNFELS TX 78130-6606

KARL & NORA TREUTLER
21465 FAIRVIEW CIR
GARDEN RIDGE TX 78266-2059

DELORES & GARY WARM
9315 SUMAC LN
GARDEN RIDGE TX 78266-2040