

TCEQ AIR QUALITY PERMIT NUMBER 82199L002
TCEQ DOCKET NO. 2010-0660-AIR

APPLICATION BY	§	BEFORE THE
DAVIS TOMMY DBA	§	
SLICK MACHINES	§	TEXAS COMMISSION ON
ROCK CRUSHER NO 1	§	
GLEN ROSE, SOMERVELL COUNTY	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

The Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this response (Response) to the requests for a contested case hearing submitted by persons listed herein. The Texas Clean Air Act (TCAA) §382.056(n) requires the commission to consider hearing requests in accordance with the procedures provided in Tex. Water Code §5.556.¹ This statute is implemented through the rules in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F.

A map showing the location of the site for the proposed facility is included with this response and has been provided to all persons on the attached mailing list. In addition, a current compliance history report, technical review summary, modeling audit, toxicology report, and draft permit prepared by the ED's staff have been filed with the TCEQ's Office of Chief Clerk for the commission's consideration. Finally, the ED's Response to Public Comments (RTC), which was mailed by the chief clerk to all persons on the mailing list, is on file with the chief clerk for the commission's consideration.

I. Application Request and Background Information

Davis Tommy dba Slick Machines (Applicant or Slick Machines) has applied to the TCEQ for a New Source Review Authorization under Texas Clean Air Act (TCAA) §382.0518 to authorize the applicant to change the location of a previously permitted rock crushing facility to a location 200 yards east of 11209 US Highway 67 in Glen Rose, Somervell County. The facility will consist of one crusher, one screen, associated conveyors and stockpiles and will be authorized to operate 5 hours per day, 5 days per week and 30 weeks per year for a total of 750 hours per year. Contaminants authorized under this permit consist of 0.56 tons per year of particulate matter (PM) which includes 0.28 tons per year of particulate matter less than 10 microns in diameter (PM₁₀).

¹ Statutes cited in this response may be viewed online at www.capitol.state.tx.us/statutes/statutes.html. Relevant statutes are found primarily in the Texas Health and Safety Code and the Texas Water Code. The rules in the Texas Administrative Code may be viewed online at www.sos.state.tx.us/tac/index.shtml, or follow the "Rules, Policy & Legislation" link on the TCEQ website at www.tceq.state.tx.us.

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 2

The permit application was received on July 25, 2008, and declared administratively complete on August 8, 2008. The Notice of Receipt and Intent to Obtain an Air Quality Permit (public notice) for this permit application was published on August 14, 2008, in the *Glen Rose Reporter*. A public meeting was held on October 23, 2008 in Glen Rose, Texas. The notice of public meeting was mailed to the interested parties on the Chief Clerk's mailing list on October 7, 2008.

The Notice of Application and Preliminary Decision for an Air Quality Permit was published January 15, 2009 in the *Glen Rose Reporter*. Due to legislative interest, a second public meeting was held on March 31, 2009 in Glen Rose, Texas. The notice of public meeting was mailed to the interested parties on the Chief Clerk's mailing list on March 16, 2009. The continued legislative interest resulted in a third public meeting held on September 3, 2009 in Glen Rose, Texas. The notice of public meeting was mailed to the interested parties on the Chief Clerk's mailing list on August 7, 2009. The public comment period ended on September 3, 2009 at the end of the third public meeting. Since this application was administratively complete after September 1, 1999, this action is subject to the procedural requirements adopted in accordance with House Bill 801, 76th Legislature, 1999.

The ED's RTC was filed with the chief clerk on March 15, 2010 and mailed on March 23, 2010 to all interested persons, including those who asked to be placed on the mailing list for this application and those who submitted comment or requests for contested case hearing. The cover letter attached to the RTC included information about making requests for contested case hearing or for reconsideration of the ED's decision.² The letter also explained hearing requesters should specify any of the ED's responses to comments they dispute and the factual basis of the dispute, in addition to listing any disputed issues of law or policy.

The period for hearing requests ended on April 22, 2010. Hearing requests were filed by two hundred and eleven individuals and seven groups, many submitting multiple requests for total of two hundred and fifty-four hearing requests. The hearing requests of Mr. George D. Best and Robert K. Portman Jr. were withdrawn but additional hearing requests were subsequently submitted.

II. Applicable Law

The commission must assess the timeliness and form of the hearing requests, as discussed above. The form requirements are set forth in 30 TAC § 55.201(d):

(d) A hearing request must substantially comply with the following:

(1) give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and, where possible, fax number, who shall be responsible for

² See TCEQ rules at 30 TAC Chapter 55, Subchapter F. Procedural rules for public input to the permit process are found primarily in 30 TAC Chapters 39, 50, 55 and 80.

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 3

- receiving all official communications and documents for the group;
- (2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requester's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requester believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
- (3) request a contested case hearing;
- (4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requester should, to the extent possible, specify any of the executive director's responses to comments that the requester disputes and the factual basis of the dispute and list any disputed issues of law or policy; and
- (5) provide any other information specified in the public notice of application.

The next necessary determination is whether the requests were filed by "affected persons" as defined by Tex. Water Code § 5.115, and implemented in commission rule 30 TAC § 55.203. Under 30 TAC § 55.203, 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. An interest common to members of the general public does not qualify as a personal justiciable interest. Local governments with authority under state law over issues raised by the application receive affected person status under 30 TAC § 55.203(b).

In determining whether a person is affected, 30 TAC § 55.203(c) requires all factors be considered, including, but not limited to, the following:

- (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.

In addition to the requirements noted above regarding affected person status, in accordance with 30 TAC § 55.205(a), a group or association may request a contested case hearing only if the group or association meets all of the following requirements:

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 4

- (1) one or more members of the group or association would otherwise have standing to request a hearing in their own right;
- (2) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (3) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.³

If the commission determines a hearing request is timely and fulfills the requirements for proper form and the hearing requester is an affected person, the commission must apply a three-part test to the issues raised in the matter to determine if any of the issues should be referred to the State Office of Administrative Hearings (SOAH) for a contested case hearing. The three-part test in 30 TAC § 50.115(c) is as follows:

- (1) The issue must involve a disputed question of fact;
- (2) The issue must have been raised during the public comment period; and
- (3) The issue must be relevant and material to the decision on the application.

The law applicable to the proposed facility may generally be summarized as follows. A person who owns or operates a facility or facilities that will emit air contaminants is required to obtain authorization from the commission prior to the construction and operation of the facility or facilities.⁴ Thus, the location and operation of the proposed facility requires authorization under the TCAA. Permit conditions of general applicability must be in rules adopted by the commission.⁵ Those rules are found in 30 TAC Chapter 116. In addition, a person is prohibited from emitting air contaminants or performing any activity that violates the TCAA or any commission rule or order, or that causes or contributes to air pollution.⁶ The relevant rules regarding air emissions are found in 30 TAC Chapters 101 and 111-118. In addition, the commission has the authority to establish and enforce permit conditions consistent with this chapter.⁷ The materials accompanying this response list and reference permit conditions and operational requirements and limitations applicable to this proposed facility.

III. Analysis of Hearing Requests

A. Were the requests for a contested case hearing in this matter timely and in proper form?

The following groups or companies submitted timely hearing requests: Steve Allen on behalf of L&S Enterprises/Texas Freight; Chalk Mountain Foundation including Charles Brown and Darrel Best;

³ 30 TAC § 55.205(a)

⁴ TEXAS HEALTH & SAFETY CODE § 382.0518

⁵ TEXAS HEALTH & SAFETY CODE § 382.0513

⁶ TEXAS HEALTH & SAFETY CODE § 382.085 (a) and (b).

⁷ TEXAS HEALTH & SAFETY CODE § 382.0513

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 5

Rhett Johnson on behalf of Chalk Mountain Wildlife Association; Patrick Condy for the Fossil Rim Wildlife Center; James Jones and Gail Morris for the Fort Worth Audubon Society; Mary Lee Lilly for the Somervell County Historical Museum and Friends of the Brazos River; and Jimmie and Allen Summers for Save Chalk Mountain, and Bonnie Bowman for Tarrant Coalition for Environmental Awareness (TCEA).⁸

The following persons submitted a timely hearing request and provided an address that is at or within one mile from the proposed facility: Mark Beauregard, Patricia Beauregard, Linda Gustafson, Barry Payne, Claire Payne, Allen Summers, Jimmie Summers, and David Whitsitt. In addition, the following persons provided information in the form of a map or other property description showing that they live or own property within one mile of the facility: Charles Brown, Cyd Brown, Florence Brown, Robert Portman (Herein after referred to as Group A.)

The following persons submitted a timely hearing request and provided an address that is beyond one mile from the facility: George D. Best,⁹ Diredre Boccafogli, Paus Boccafogli, Don Bodenhamer, Sandra Bodenhamer, Beverly Clauser, Lee Clauser, Concerned Citizen at 1595 County Road 1006, Patricia Edwards, William Edwards, Robert Haynes, Tanner Hill, Carol Lee, Betty McKethan, Wayne McKethan, Russ Miller, Karen Stepp, Ron Stepp, David Fisher, Hunter Fisher, Michelle Fisher, Tiffany Fisher, David Greer, Lynda Greer, Ernest Reinke, and Shirely Reinke. (Herein after referred to as Group B.)

The following persons submitted a timely hearing request and provided an address however, TCEQ mapping staff could not locate the address and thus it is unknown whether or not they would appear on the attached map: Patrick Condy, Concerned Citizen 2473 County Road 199, Iredell, TX 76649-3523, Concerned Citizen 1267 PR 1263 Iredell, TX 76649-3515, Lyn Edwards 26351 WCR 44 Kersey CO 80644, Ivory Mize 406 CR 105 Walnut Springs TX 76690-3057, Francine Singleterry, Ron Singleterry, Margaret Adams, Dan Broyles, Iris Broyles, Joyce Doss, Janelle M. Lacey, Kent S. Lacey, Shelby M. Lacey, Danath Roden, Elaine Talbert, Bob Taylor, Joan Taylor, Angela Thompson, Susan Thompson, Susan Thrower, Ann Trenton, Gusteen Jenkins Trimble, John Trimble, Steve Vardeman, Mark Wagner, Leslie Wasilchak, Rudy L. Watson, Charlotte Ann Willis, and L.G. Willis. (Herein after referred to as Group C.)

The following individuals submitted a timely hearing request and provided addresses that fall beyond the boundary of the attached map: Brenda S. Alvarez, Charlie Amos, Lynn E. Barber, Frank Barrow, Pat Barrow, Caren Beck, Heather Bienko, Rebecca Bloch, Grady Brittain, Lera Brittain, Gloria Brosseau, Scarlett Brown, Yvonna Brown, Lavone Carlson, Jane Choun, Alexandra Cockerham, Brannan Cockerham, Michael Cockerham, Concerned Citizen 2912 Riverplace Dr., Concerned Citizen 1135 County Road 326, Concerned Citizen 2402 Arbuckle Ct., Concerned Citizen 101 E. Elm St., Greg Cook, Nick Cooney, Carol Culin, Judith D'Amico, Thomas D'Amico, Walt Debill,

⁸ Both L&S Enterprises and TCEA submitted only a post office box address and thus could not be mapped.

⁹ Mr. Best provided information indicating that he resides 1 1/2 miles from the proposed facility.

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 6

Lewis Duff, Jo Ann Duman, John Eastman, Kelly Eldridge, Nathan Eldridge, Jo Evans, Amber Fager, Patrick Fager, Susan Fidler, Modenia Fite, Gloria Fossler, Ken Fossler, Michael Francis, Kelly Freeman, Susan Gechter, Patricia Gerard, Barbara Goff, Marvin Goff, Molly Golson, Sherman Griffith, Karla Grimwood, Holly Haefele, Melissa Hawrocki, Douglas Hickok, Laura Huber, Mary Johnson, Rhett Johnson, Glenda Keilstrup, Dorothy Lane, Jean Lane, Alton Langford, Gary Lawrence, Donna Lawson, Walter Lawson, Donna Lemons, Larry Lemons, David Lenifer, Edith Long, Darwin Mann, Martin Mattingly, Olla Mayfield, Tommie McGlothlen, Cynthia McVean, Mike McVean, Marion Midgley, Carrie Miller, Gail Morris, Kay Myers, Stan Myers, Michael Oliver, Glenn Olsen, Lynn O'Neil, Mike O'Neil, Viola Osborn, Kathryn Piepho, Dale Roberts, Jared Roberts, Lawrence Sallee, Guy Sawyer, Polly Schulle, Robert Scott, B.J. Shoemaker, Keith Smith, Margaret Smith, Lee Snaples, Lee Snaples, Jr., Eddy Spurgin, Lynn Spurgin, Gerald Stein, Mrs. Gerald Stein, Clark Stewart, Jr., Grace Stewart, Sandra Stringer, Leroy Sundby, Sharon Sundby, Mary O. Taylor, Robert J. Taylor, Frederick Turner, Eugene Vaughn, Lonnie D. Vaughn, Patti Webb, Tina Weinert, Betty Wenzel, John Wenzel, Ruth Wiederkehr, Sarah Williams, Charlsie Wright, Dana Zauf, Nelda Frazee, Grace Holley-Stewart, Jean Lane, Brandon Mills, Sam Teaff, and Teri Teaff. (Herein after referred to as Group D.)

The following persons submitted a timely hearing request and provided a post office box address and thus are not represented on the attached map: Concerned Citizen (Rough Creek Lodge), Zach Cummings Somervell Commissioner Precinct 1, Donna Edwards (Rough Creek Lodge), Shay Green, Laura Groome, Linde Hiedeman, Brent Hoodenpyle, Kelly Hoodenpyle, James Jones, Dawn M. Klipfel, Jean Lambert, Mary Lee Lilly, Julie Matthews, Kathy Moss, Otela Paul, Gerard Thompson, Jennifer Thompson, Pat Windham, and Leta Yochan. (Herein after referred to as Group E.)

The hearing requests were submitted during the public comment period or during the period for requesting a contested case hearing after the filing of the ED's RTC. Furthermore, the ED has determined the hearing requests of Chalk Mountain Foundation including Charles Brown and Darrel Best; Rhett Johnson on behalf of Chalk Mountain Wildlife Association; Patrick Condy for the Fossil Rim Wildlife Center; James Jones and Gail Morris for the Fort Worth Audubon Society; Mary Lee Lilly for the Somervell County Historical Museum and Friends of the Brazos River; and Jimmie and Allen Summers for Save Chalk Mountain, and Groups A, B and D substantially comply with all of the requirements for form in 30 TAC § 55.201(d).

The ED has determined the hearing requests identified as group E did not provide a residential address or a complete residential address. Therefore, with available information, it is impossible for the ED to determine the proximity of the requesters relative to the proposed facility and it is difficult to determine whether air emissions from the proposed facility will impact the requester in way not common to the general public.

The ED addressed all public comments in this matter by providing responses in the RTC. The cover letter from the Office of the Chief Clerk attached to the RTC states that requesters should, to the extent possible, specify any of the ED's responses in the RTC that the requesters dispute and the

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 7

factual basis of the dispute, and list any disputed issues of law or policy.¹⁰ Darrell Best, Florence Brown, Charles Brown, Linda Gustafson, and David Frederick, counsel for the Chalk Mountain Foundation each filed a response to the ED's RTC which reiterated issues raised during the comment period. In the absence of a response from any of the other hearing requesters or their representatives within the thirty-day period after the RTC was mailed, the ED cannot determine or speculate whether the hearing requesters continue to dispute issues of fact, or whether there are any outstanding issues of law or policy. The ED nevertheless has included all of the issues raised by hearing requesters and commenters regarding this application as listed below.

B. Are those who requested a contested case hearing in this matter affected persons?

Many of the requesters have demonstrated that they are "affected persons" as defined in 30 TAC § 55.203. The threshold test of affected person status is whether the requestor has a personal justiciable interest affected by the application, and this interest is different from that of the general public.¹¹ All of the hearing requesters who submitted requests on this application listed at least one personal justiciable interest affected by the application. However, many did not indicate how their interest is different from the general public. Because only particulate matter emissions are expected from this facility, which disperses in the air as the distance from the emission point increases, distance from the proposed facility is key to the issue whether or not there is a likely impact of the regulated activity on a person's interests such as the health of the person, and on the use of property of the person. The ED has identified requesters within an approximate radius of six miles. However, the ED asserts that due to the operating requirements specified in the draft permit, including the limited throughput and operating hours, only those persons who reside at or within 1 mile of the proposed facility may be affected in a manner different from the general public (Group A). See attached map and legend for individual requesters. The ED has identified hearing requesters who provided addresses beyond one mile from the facility. As they reside more than 1 mile from the proposed facility, they are not likely to be impacted differently than any other member of the general public. In addition, due to their distance from the proposed facility, the requesters identified as group D are not shown on the attached map and thus are also not likely to be impacted differently than any other member of the general public.

Additionally, the hearing requesters identified in group E who did not provide a residential address, do not appear on the attached map and thus the ED is unable to determine whether it is likely that these requesters will be impacted differently than any other member of the general public or if there is a likely impact of the regulated activity on a person's interests such as on the health and safety of the person, or on the use of property of the person.

Finally, the requesters identified as group C provided addresses; however TCEQ mapping staff could not pinpoint their specific location using mapping software available to the ED's staff. The addresses

¹⁰ See 30 TAC § 55.201(d)(4).

¹¹ *United Copper Industries and TNRCC v. Joe Grissom*, 17 S.W.3d 797 (Tex. App.-Austin, 2000)

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 8

do not appear on the map and thus the ED is unable to determine whether it is likely that these requesters will be impacted differently than any other member of the general public.

C. Do those groups who requested a hearing meet the group or associational standing requirements?

Steve Allen on behalf of L&S Enterprises/Texas Freight;

Chalk Mountain Foundation (Foundation): The Foundation's hearing requests identify several members who live or own property within one mile of the proposed facility, and would otherwise have standing to request a hearing in their own right. The request identifies the Foundations purpose to be preservation of the natural beauty and habitat of Chalk Mountain and its environs which comports with the second factor in determining group or associational standing. Finally, neither the claim asserted nor the relief requested requires the participation of the individual members in the case. In this instance, the Foundation enumerates seventeen issues that it believes are disputed issues of fact that are relevant and material to the Commission's decision on the application.

Chalk Mountain Wildlife Association (CMWA): The CMWA's request was submitted by its President, Rhett Johnson. The request indicates that it is composed of fifty-five separate land owners whose land lies in close proximity to the proposed facility. The request identifies the CMWA's purpose to be enhancement and development of the habitat for the two local endangered species which comports with the second factor in determining group or associational standing. The CMWA raises claims regarding the habitat of the birds, health of local residents and impacts on the scenic beauty and view-shed of Chalk Mountain. Based on the issues raised, neither the claim asserted nor the relief requested requires the participation of the individual members in the case.

Fossil Rim Wildlife Center (FRWC): The FRWC's request was submitted by its Executive Director, Dr. Patrick Condy, and indicates that the center is located approximately 4.5 miles from the facility. The FRWC claims that it is affected based on concerned about the negative effect on tourism and mass public perception of Somervell County, and the proximity to the Fossil Rim. It also works with the U S Fish and Wildlife Service regarding endangered species recovery programs. To this extent, although the group's concerns regarding tourism are beyond the TCEQ's jurisdiction, the related effect on wildlife is relevant and material to the Commission's decision on the application.

Fort Worth Audubon Society FWAS: The FWAS's request was submitted by, among others, James Jones and Gail Morris. The request identifies the effects on birdwatching in the area and on the enjoyment of the state roadside park near the proposed site at bases for affected group status. The birdwatching activity on the neighboring property comports with the second factor in determining group or associational standing and based on the issues raised, neither the claim asserted nor the relief requested requires the participation of the individual members in the case.

Somervell County Historical Museum and Friends of the Brazos River: The request for these two groups was submitted by Mary Lee Lilly. Although Ms. Lilly's request identifies issues that are

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 9

relevant and material to the Commission's decision on the application, such as air quality and effects on wildlife, the request does not identify the interests the group or association seeks to protect or how they are germane to the organization's purpose therefore, the request does not meet the requirements of 30 TAC § 55.205(a).

Jimmie and Allen Summers for Save Chalk Mountain, The request does not identify anything specific regarding the formation of the group other than residents of Chalk Mountain. Although the Summers' request identifies issues that are relevant and material to the Commission's decision on the application, such as use and enjoyment of property, the request does not identify the interests the group or association seeks to protect or how they are germane to the organization's purpose therefore, the request does not meet the requirements of 30 TAC § 55.205(a).

Bonnie Bowman for Tarrant Coalition for Environmental Awareness (TCEA): TCEA's request was submitted by its President, Bonnie Bowman. Although the request identifies issues that are relevant and material to the Commission's decision on the application, such as air quality and effects on wildlife, the request does not identify the interests the group or association seeks to protect or how they are germane to the organization's purpose therefore, the request does not meet the requirements of 30 TAC § 55.205(a).

D. Which issues in this matter should be referred to SOAH for hearing?

If the commission determines any of the hearing requests in this matter are timely and in proper form, and some or all of the hearing requesters are affected persons, the commission must apply the three-part test discussed in Section II to the issues raised in this matter to determine if any of the issues should be referred to SOAH for a contested case hearing. The three-part test asks whether the issues involve disputed questions of fact, whether the issues were raised during the public comment period, and whether the issues are relevant and material to the decision on the permit application, in order to refer them to SOAH.

The ED addressed all public comments in this matter by providing responses in the RTC. The cover letter from the Office of the Chief Clerk transmitting the RTC cites 30 TAC § 55.201(d)(4), which states that requesters should, to the extent possible, specify any of the ED's responses in the RTC the requesters dispute and the factual basis of the dispute, and list any disputed issues of law or policy.

The ED received additional filings from Darrell Best, Florence Brown, Charles Brown, Linda Gustafson, and David Frederick, counsel for the Chalk Mountain Foundation reiterating prior concerns after the RTC was mailed and these concerns are included in the list of issues below. However, the ED acknowledges the hearing requesters have one more opportunity to identify disputed issues of fact in their replies to the positions of the ED, Office of Public Interest Counsel, and the Applicant regarding the hearing request. Therefore, to facilitate the commission's consideration of this matter, the ED has analyzed the remaining two parts of the test, assuming that the issues raised in the comments in this matter remain disputed.

1. Issues involving questions of fact.

Protestants raised the following issues in comments and hearing requests filed on this application:

1. Adverse effects on air quality claiming the project will cause or contribute to air pollution;
2. Potential health impacts on the elderly, children, and the public;
3. Impact on the wildlife, including effects on endangered species, specifically the golden-cheeked warbler and black-capped vireo;
4. Adverse effects on recreation and use and enjoyment of the area;
5. Whether the draft permit achieves BACT for particulate matter;
6. Whether the rock crusher will cause or contribute to the following nuisance conditions: dust, noise, odor, and light pollution;
7. Deficiencies in the air dispersion modeling;
8. Monitoring: who will monitor and why no particulate monitoring has been proposed or will occur;
9. Deficiencies in the application such as accurate representation of emission sources, emission rates, stockpile levels;
10. Response time by Regional Office Staff;
11. Location and proximity to homes, roads, churches, and vacation areas;
12. Concerns regarding starting construction prior to receiving authorization;
13. Sufficiency of the recordkeeping requirements;
14. Enforceability of the permit conditions;
15. Compliance with all state rules and regulations;
16. Effects from water runoff and on ground water, and water quality;
17. Water usage;
18. Effects on roads and traffic including the safety of residents and tourists ;
19. Pollution caused by trucks used in the process;
20. Effects on property values and property rights and economic impacts;
21. Compliance and material handling requirements;
22. How will equipment be maintained;
23. Other necessary water related approvals; and
24. An archaeological study should be required and the effects on nearby archaeological and historical sites, including the economic impact on the Dinosaur State Park and Fossil Rim Wildlife Center.

2. Were the issues raised during the public comment period?

The public comment period is defined in 30 TAC § 55.152. The public comment period begins with the publication of the Notice of Receipt and Intent to Obtain an Air Quality Permit. The end date of the public comment period depends on the type of permit. In this case, the public comment period began on August 14, 2008, and ended on September 3, 2009. All of the issues listed above upon which the hearing requests in this matter are based were raised in comments received during the

public comment period.

3. Whether the issues are relevant and material to the decision on the application.

In this case, the permit would be issued under the commission's authority in Tex. Water Code § 5.013(11) (assigning the responsibilities in Chapter 382 of the Tex. Health and Safety Code) and the TCAA. The relevant sections of the TCAA are found in Subchapter C (Permits). Subchapter C requires the commission to grant a permit to construct or modify a facility if the commission finds the proposed facility will use at least the best available control technology (BACT) and the emissions from the facility will not contravene the intent of the TCAA, including the protection of the public's health and physical property. In making this permitting decision, the commission may consider the Applicant's compliance history. The commission by rule has also specified certain requirements for permitting. Therefore, in making the determination of relevance in this case, the commission should review each issue to see if it is relevant to these statutory and regulatory requirements that must be satisfied by this permit application.

The ED received additional filings from Darrell Best, Florence Brown, Charles Brown, Linda Gustafson, and David Frederick, counsel for the Chalk Mountain Foundation reiterating prior concerns after the RTC was mailed these concerns are included in the list of issues below. The remaining hearing requesters did not file any additional responses. In the absence of identification by the other hearing requesters of disputed issues in the RTC, the ED cannot determine which issues remain disputed. However, if the assumption is made that the issues raised in the public comments continue to be disputed, the following is the ED's position on those issues.

The ED finds the following issues relevant and material to the decision on the application:

1. Whether the facility will cause adverse effects on air quality
2. Whether the facility will cause adverse health impacts on the elderly, children, and the public;
3. Whether the facility will cause adverse impacts on wildlife, including the golden-cheeked warbler and black-capped vireo;
4. Whether the facility will cause adverse impacts on recreation and use and enjoyment of the area;
5. Whether the draft permit achieves BACT for particulate matter;
6. Whether the rock crusher will create nuisance conditions due to dust;
7. Whether there are deficiencies in the air dispersion modeling;
8. Whether there are deficiencies in the application and draft permit including whether or not all applicable emission limitations have been considered and are included;
9. Whether the recordkeeping requirements are sufficient to ensure compliance ;
10. Whether the permit conditions are enforceable;
11. Whether the draft permit complies with all state rules and regulations;
12. How the applicant will comply with material handling requirements;
13. Whether the application and draft permit require equipment maintenance sufficient to ensure

compliance with applicable rules and regulations.

The ED finds the following issues are beyond the jurisdiction of TCEQ and thus not material to the decision on the application:

1. Whether the rock crusher will cause or contribute to noise, and light pollution;
2. Whether there will be adverse effects on roads and traffic;
3. The effects on property values and property rights and economic impacts;
4. Whether the facility will cause adverse effects on nearby archaeological and historical sites, including Dinosaur State Park and Fossil Rim Wildlife Center.

The ED finds the following issues, although within the TCEQ's jurisdiction, not within the scope of this air permit review and thus not material to the decision on the application:

1. Response time by Regional Office Staff;
2. Effects from water runoff and on ground water, water quality;
3. Water usage; and
4. Other necessary water related approvals;

The ED finds that the following issue is related to the Applicant's compliance history, which is a component of the air permit application process and thus would be covered under the compliance history issue indicated above as an issue appropriate for referral to SOAH.

1. Concerns regarding starting construction prior to receiving authorization

IV. Maximum Expected Duration of the Contested Case Hearing

The ED recommends the contested case hearing, if held, should last no longer than six months from the preliminary hearing to the proposal for decision.

V. Executive Director's Recommendation

The Executive Director respectfully recommends the commission:

- A. Find all hearing requests in this matter were timely filed.
- B. Find that the requests of the following groups or persons satisfy the requirements for form under 30 TAC§ 55.201(d) and are affected under 30 TAC § 55.203:
 1. Chalk Mountain Foundation including Charles Brown and Darrel Best;
 2. Rhett Johnson on behalf of Chalk Mountain Wildlife Association;
 3. Patrick Condy for the Fossil Rim Wildlife Center;
 4. James Jones and Gail Morris for the Fort Worth Audubon Society;
 5. Mary Lee Lilly for the Somervell County Historical Museum and Friends of the Brazos River; and

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

Page 13

6. Jimmie and Allen Summers for Save Chalk Mountain
7. Group A, as identified above;

C. Find that the following groups or persons do not meet the requirements for form under 30 TAC§ 55.201(d).

1. Steve Allen on behalf of L&S Enterprises/Texas Freight;
2. Tarrant Coalition for Environmental Awareness (TCEA); and
3. Group E as identified above.

D. Find all other hearing requesters are not affected persons in this matter;

E. If the commission determines any requester is an affected person, refer the following issues to SOAH:

1. Whether the facility will cause adverse effects on air quality
2. Whether the facility will cause adverse health impacts on the elderly, children, and the public;
3. Whether the facility will cause adverse impacts on wildlife, including the golden- cheeked warbler and black-capped vireo;
4. Whether the facility will cause adverse impacts on recreation and use and enjoyment of the area;
5. Whether the draft permit achieves BACT for particulate matter;
6. Whether the rock crusher will cause or contribute to the following nuisance conditions: dust, noise, odor, and light pollution;
7. Whether there are deficiencies in the air dispersion modeling;
8. Whether there are deficiencies in the application and draft permit including whether or not all applicable emission limitations have been considered and are included;
9. Whether the recordkeeping requirements are sufficient to ensure compliance ;
10. Whether the permit conditions are enforceable;
11. Whether the draft permit complies with all state rules and regulations;
12. How the applicant will comply with material handling requirements;
13. Whether the facility will cause adverse effects on nearby archaeological and historical sites, including Dinosaur State Park and Fossil Rim Wildlife Center.

H. Find the maximum expected duration of the contested case hearing, if held, would be six months.

Respectfully submitted,

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Stephanie Bergeron Perdue, Deputy Director
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Robert Martinez, Director
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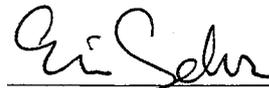


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Representing the Executive Director of the
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CERTIFICATE OF SERVICE

On the 7th day of June, 2010, a true and correct copy of the foregoing instrument was served on all persons on the attached mailing list by the undersigned via deposit into the U.S. Mail, inter-agency mail, facsimile, or hand delivery.



Erin Selvera

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321 WREN DR
GRANBURY TX 76049-1254

LESLIE RODEN FOREMAN
3765 W BAY CIR
DALLAS TX 75214-2924

CURT DECKER
2155 COUNTY ROAD 2008
GLEN ROSE TX 76043-6117

TAMARA FRENCH
2155 COUNTY ROAD 2008
GLEN ROSE TX 76043-6117

BECKY DIXON
SENATOR KIP AVERITT
1100 E HWY 377 STE 103
GRANBURY TX 76048-1485

LISE WESTELL GATTIS
PO BOX 1889
GLEN ROSE TX 76043-1889

MARGARET DRAKE
PO BOX 1338
GLEN ROSE TX 76043-1338

DHARMA GAYNES
PO BOX 2307
GLEN ROSE TX 76043-2307

SCOTT DRAPER
2155 COUNTY ROAD 2008
GLEN ROSE TX 76043-6117

CHRISTAL GERHART
PO BOX 2368
GLEN ROSE TX 76043-2368

BILL EDWARDS
2018 COUNTY ROAD 1012
BLUFF DALE TX 76433-6510

G C GIBBS, JR
PO BOX 1919
GLEN ROSE TX 76043-1919

KAREN & WILLIAM EDWARDS
2018 COUNTY ROAD 1012
BLUFF DALE TX 76433-6510

JOHN GRAVES
PO BOX 667
GLEN ROSE TX 76043-0667

ROBERT GRESKY
11008 166TH PL NE
REDMOND WA 98052-2746

BARBARA JASONOCHA & JULIA LEWIS
PO BOX 2293
GLEN ROSE TX 76043-2293

DIANNE & PETE GRUBER
105 SUMMIT VW
GLEN ROSE TX 76043-5336

GUSTEEN JENKINS
PO BOX 120
GLEN ROSE TX 76043-0120

LYNN GUTHRIE
2155 COUNTY ROAD 2008
GLEN ROSE TX 76043-6117

CRAIG P JOHNSON
1034 CLAYTON LN APT 109
AUSTIN TX 78723-1090

ANN HALLIGAN
3301 ELKHART CT
ARLINGTON TX 76016-1864

KATHRYN JONES
5597 HWY 144
WALNUT SPRINGS TX 76690-3049

RANDY HANEY
4128 COUNTY ROAD 2009
WALNUT SPRINGS TX 76690-3027

CHRISTINE JURZYKOWSKI
PO BOX 1796
GLEN ROSE TX 76043-1796

EVA HANKE
605 NE BARNARD ST
GLEN ROSE TX 76043-4810

CARRIE KNIGHT-MOPES
1731 COUNTY ROAD 1001
GLEN ROSE TX 76043-5818

JEANETTE HAWKINS
1096 SUNSET TRL
GLEN ROSE TX 76043-4020

DAVID LAGRONE
PO BOX 2339
GLEN ROSE TX 76043-2339

SYLVIA & TOMMIE HUCKABEE
PO BOX 611
STEPHENVILLE TX 76401-0007

JEAN LAMBERT
1112 COUNTY ROAD 411A UNIT A
GLEN ROSE TX 76043-6363

BECKY ICE
PO BOX 504
GLEN ROSE TX 76043-0504

BARBARA & BOB LANCASTER
2808 COUNTY ROAD 2021
GLEN ROSE TX 76043-6183

DWAYNE JACKSON
2043 COUNTY ROAD 2014
WALNUT SPRINGS TX 76690-3006

LINDA LANDER
302 SUMMIT RIDGE DR
GLEN ROSE TX 76043-5331

JARED JACKSON
2043 COUNTY ROAD 2014
WALNUT SPRINGS TX 76690-3006

TROY LANE
5604 OAK TOP DR
COLLEYVILLE TX 76034-3239

JANICE LEWIS
2920 COUNTY ROAD 413
GLEN ROSE TX 76043-6054

ANN MCKINNEY
131 N 2ND ST
WALNUT SPRINGS TX 76690-4711

DENNIS L LUTES
5956 SHERRY LN STE 635
DALLAS TX 75225-6519

CHANDLER MCLAY
PO BOX 1796
GLEN ROSE TX 76043-1796

SARAH LUTTRELL
1488 COUNTY ROAD 410
NEMO TX 76070-2034

JENNIFER GEARHART MILLER
305 HILL TOP RD
GLEN ROSE TX 76043-4102

JAMES A MABRY
8732 ARBOR PARK CT
DALLAS TX 75243-8023

MARCIA MILLER
4168 FM 51
BLUFF DALE TX 76433-6506

ARNOLD MAKARA
7369 COUNTY ROAD 196
BLUFF DALE TX 76433-4930

WARD MILLER
3926 COUNTY ROAD 2008
GLEN ROSE TX 76043-5977

GREG MARSH
PO BOX 3008
GLEN ROSE TX 76043-3008

WR CONNALLY MILLER
305 HILL TOP RD
GLEN ROSE TX 76043-4102

PAT MATTHEWS
1106 ADAMS PT
GLEN ROSE TX 76043-8218

FRED MOORE
PO BOX 3236
GLEN ROSE TX 76043-3236

RAY D MATTHEWS
1106 ADAMS PT
GLEN ROSE TX 76043-8218

JOYCE MOORE
110 VALLEY VW
GLEN ROSE TX 76043-4320

WALTER MAYNARD
COUNTY JUDGE, SOMERVELL COUNTY
PO BOX 851
GLEN ROSE TX 76043-0851

DOROTHY JO OSBORN
PO BOX 925
GLEN ROSE TX 76043-0925

CONRAD MCCARTY
1709 WOODLAWN PKWY
MESQUITE TX 75149-1832

TESSA OWNBEY
1615 MCANEAR ST
CLEBURNE TX 76033-7672

WAYNE MCKETHAN
9703 NOTTAWAY CT
GRANBURY TX 76049-4604

CAL & HOBBY PORCHER
4844 OVERTON AVE
FORT WORTH TX 76133-1326

PEGGY PORTMAN
2209 SHADYWOOD CT
ARLINGTON TX 76012-2940

JOYCE SELBY
1122 COUNTY ROAD 311
GLEN ROSE TX 76043-5731

KEN PRIKRYL
902 NE BARNARD ST
GLEN ROSE TX 76043-4902

TRENA SHENK
302 MISSION ST
GLEN ROSE TX 76043-4618

SANDRA B RAMSAY
PO BOX 1536
GLEN ROSE TX 76043-1536

SHARLIN SIFFORD
PO BOX 1226
GLEN ROSE TX 76043-1226

LINDSEY RENFRO
REGULATORY PERMITTING MANAGER, HILL COUNTRY
ENVIRONMENTAL INC
1613 S CAPITAL OF TEXAS HWY STE 201
AUSTIN TX 78746-6563

SHIRLEY D SMITH
2743 GREEN MEADOWS DR.
GLEN ROSE TX 76043-6252

DAVID L RICE
110 HERITAGE PL
GLEN ROSE TX 76043-5326

CAROLYN SOUTHWARD
1215 COUNTY ROAD 426
NEMO TX 76070-2041

KAREN RICHARDSON
PO BOX 239
GLEN ROSE TX 76043-0239

JUDY STEADHAM
902 NE BARNARD ST
GLEN ROSE TX 76043-4902

MEREDITH RIGGS
606 LOVING CT
SOUTHLAKE TX 76092-6000

D STEAKLEY
2155 COUNTY ROAD 2008
GLEN ROSE TX 76043-6117

GARY ROBINSON
400 W MCLAIN
IREDELL TX 76649-4725

MARY JO STEARNS
3915 COUNTY ROAD 2008
GLEN ROSE TX 76043-6186

NELL ROEBUCK
PO BOX 486
GLEN ROSE TX 76043-0486

LINDA STEINBERGER
5583 COUNTY ROAD 2015
WALNUT SPRINGS TX 76690-3108

JOHN D RUDD
2008 COUNTY ROAD 1006
WALNUT SPRINGS TX 76690-3085

STANLEY J STEPHENS
819 COUNTY ROAD 198
WALNUT SPRINGS TX 76690-3070

DAVIS LADD SCHARFF
6398 FM 203
WALNUT SPRINGS TX 76690-3072

RONALD J STEPP
PO BOX 3055
GLEN ROSE TX 76043-3055

EVERETT STOKES
PO BOX 2677
CLEBURNE TX 76033-2677

GREG WALTON
1056 QUAIL RIDGE CT
GLEN ROSE TX 76043-6295

CAROLE A STRICKLIN
PO BOX 808
GLEN ROSE TX 76043-0808

MR CHUCK & MRS CHUCK WEKER
197 E NORWAY ST
WALNUT SPRINGS TX 76690-4586

ALLEN SUMMERS
PO BOX 1795
GLEN ROSE TX 76043-1795

NANCY RAY WHITE
6947 MEADOWCREEK DR
DALLAS TX 75254-2758

VICTORIA SYKES
US REP CHET EDWARDS
115 S MAIN ST STE 202
CLEBURNE TX 76033-5501

WHITNEY WHITE-ASHLEY
1060 N NEBLETT ST
STEPHENVILLE TX 76401-2943

BOB & JOAN TAYLOR
111 SUMMIT VW
GLEN ROSE TX 76043-5336

CINDY WINGATE
PO BOX 7341
GLEN ROSE TX 76043-7341

MELINDA TAYLOR
NT ENVIR LAW CLINIC
727 E DEAN KEETON ST
AUSTIN TX 78705-3224

GEORGE ZAUF, III
2761 COUNTY ROAD 2021
GLEN ROSE TX 76043-6195

CHARLEY THOMAS
PO BOX 58
RAINBOW TX 76077-0058

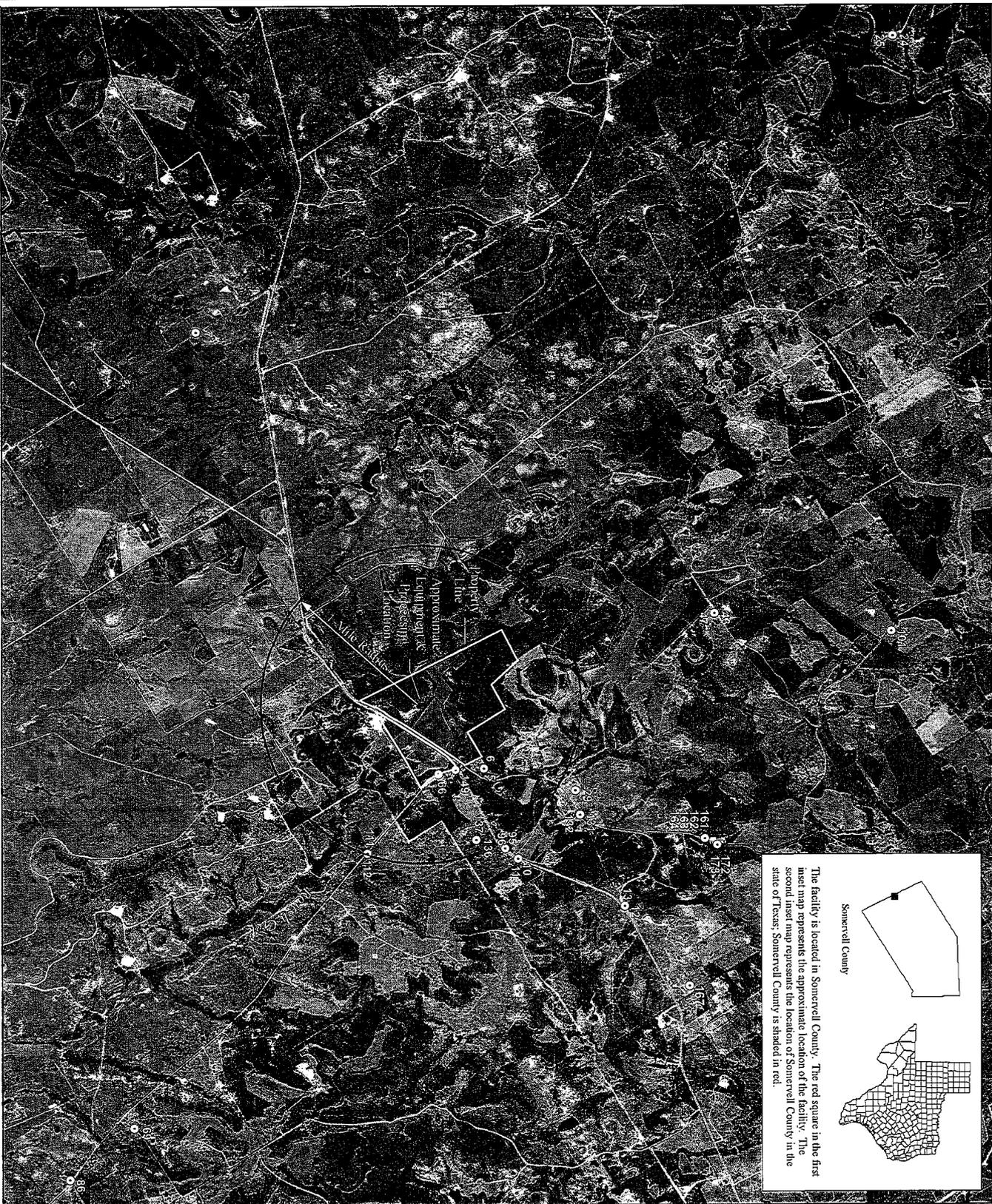
FRAN THOMAS
PO BOX 58
RAINBOW TX 76077-0058

LEE C THOMPSON
10122 CROMWELL DR
DALLAS TX 75229-5920

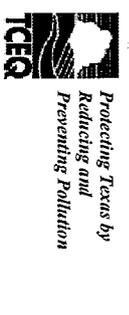
MICHELLE & S THOMPSON
605 CROCKETT ST
GLEN ROSE TX 76043-5219

JOHN TRIMBLE
PO BOX 120
GLEN ROSE TX 76043-0120

Hearing Requester Map
Application by Tommy Davis, dba Slick Machines for Air Quality Permit No. 82199L002
Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda June 16, 2010



The facility is located in Somervell County. The red square in the first inset map represents the approximate location of the facility. The second inset map represents the location of Somervell County in the state of Texas; Somervell County is shaded in red.



Texas Commission on Environmental Quality
 GIS Team (Mail Code 197)
 P.O. Box 13087
 Austin, Texas 78711-3087

June 7, 2010



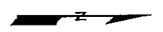
Projection: Texas Statewide Mapping System (TSMMS)
 Scale 1:56,348

Legend

- Requestor's Property
- Equipment Location

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor. The vector data are U.S. Census Bureau 1992 TIGER/Line Data (1:100,000). The background of this map is a one-half meter photograph from the 2008 Texas Orthomagey Project.

- This map depicts the following:
- (1) The approximate location of the facility property. This is labeled "Property Line".
 - (2) Dots representing requestors. These are labeled with numbers corresponding to the names on the list.
 - (3) A point representing the approximate location of the equipment and processing. This is labeled "Approximate Equipment & Processing Location".



This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This map was not generated by a licensed surveyor, and is intended for illustrative purposes only. No claims are made to the accuracy or completeness of the data or to its suitability for a particular use. For more information concerning this map, contact the Information Resource Division at (512) 235-0800.

REQUESTORS AS MARKED ON MAP

ID	NAME
0	Brenda Alvarez (Not Shown)
1	Charley Amos (Not Shown)
2	Lynn Barber (Not Shown)
3	Frank Barrow (Not Shown)
4	Pat Barrow (Not Shown)
5	Mark Beauregard
6	Patricia Beauregard
7	Caren Beck (Not Shown)
8	Heather Bienko (Not Shown)
9	Rebecca Bloch (Not Shown)
10	Deirdre Boccafogli
11	Paul Boccafogli
12	Don Bodenhamer
13	Sandra Bodenhamer
14	Grady Brittain (Not Shown)
15	Lera Brittain (Not Shown)
16	Gloria Brosseau (Not Shown)
17	Charles Brown
18	Cyd Brown
19	Florence Brown
20	Scarlett Brown (Not Shown)
21	Yvonna Brown (Not Shown)
22	Lavone Carlson (Not Shown)
23	Jane Choun (Not Shown)
24	Beverly Clauser
25	Lee Clauser
26	Alexandra Cockerham (Not Shown)
27	Brannan Cockerham (Not Shown)
28	Michael Cockerham (Not Shown)
29	Concerned Citizen
30	Concerned Citizen (Not Shown)
31	Concerned Citizen (Not Shown)
32	Concerned Citizen (Not Shown)
33	Concerned Citizen (<u>Not Found</u>)
34	Concerned Citizen (Not Shown)
35	Concerned Citizen (<u>Not Found</u>)
36	Greg Cook (Not Shown)
37	Nick Cooney (Not Shown)
38	Carol Culin (Not Shown)
39	Judith D'Amico (Not Shown)
40	Thomas D'Amico (Not Shown)
41	Walt Debill (Not Shown)
42	Lewis Duff (Not Shown)
43	Jo Ann Duman (Not Shown)
44	John Eastman (Not Shown)
45	Lyn Edwards (<u>Not Found</u>)
46	Patricia Edwards
47	William Edwards
48	Kelly Eldridge (Not Shown)
49	Nathan Eldridge (Not Shown)
50	Jo Evans (Not Shown)
51	Amber Fager (Not Shown)
52	Patrick Fager (Not Shown)
53	Susan Fidler (Not Shown)
54	Modenia Fite (Not Shown)
55	Gloria Fossler (Not Shown)
56	Ken Fossler (Not Shown)
57	Michael Francis (Not Shown)
58	Kelly Freeman (Not Shown)
59	Susan Gechter (Not Shown)
60	Patricia Gerard (Not Shown)
61	Barbara Goff (Not Shown)
62	Marvin Goff (Not Shown)
63	Molly Golson (Not Shown)
64	Sherman Griffith (Not Shown)
65	Karla Grimwood (Not Shown)
66	Linda Gustafson
67	Holly Haefele (Not Shown)
68	Melissa Hawrocki (Not Shown)
69	Robert Haynes
70	Douglas Hickok (Not Shown)
71	Tanner Hill
72	Ann Hoover (Not Shown)
73	John Hoover (Not Shown)
74	Ann Hoover (Not Shown)
75	Dorothy Hoover (Not Shown)
76	Laura Huber (Not Shown)
77	Mary Johnson (Not Shown)
78	Rhett Johnson (Not Shown)
79	Glenda Keilstrup (Not Shown)
80	Dorothy Lane (Not Shown)
81	Jean Lane (Not Shown)
82	Alton Langford (Not Shown)
83	Gary Lawrence (Not Shown)
84	Donna Lawson (Not Shown)
85	Walter Lawson (Not Shown)
86	Carol Lee

- 87 Donna Lemons (Not Shown)
88 Larry Lemons (Not Shown)
89 David Lenifer (Not Shown)
90 Edith Long (Not Shown)
91 Darwin Mann (Not Shown)
92 Martin Mattingly (Not Shown)
93 Olla Mayfield (Not Shown)
94 Tommie McGlothlen (Not Shown)
95 Betty McKethan
96 Wayne McKethan
97 Cynthia McVean (Not Shown)
98 Mike McVean (Not Shown)
99 Marion Midgley (Not Shown)
100 Carrie Miller (Not Shown)
101 Russ Miller
102 Ivory Mize (Not Found)
103 Gail Morris (Not Shown)
104 Kay Myers (Not Shown)
105 Stan Myers (Not Shown)
106 Michael Oliver (Not Shown)
107 Glenn Olsen (Not Shown)
108 Lynn O'Neil (Not Shown)
109 Mike O'Neil (Not Shown)
110 Viola Osborn (Not Shown)
111 Barry Payne
112 Claire Payne
113 Kathryn Piepho (Not Shown)
114 Dale Roberts (Not Shown)
115 Jared Roberts (Not Shown)
116 Lawrence Sallee (Not Shown)
117 Guy Sawyer (Not Shown)
118 Polly Schulle (Not Shown)
119 Robert Scott (Not Shown)
120 B.J. Shoemaker (Not Shown)
121 Francine Singleterry (Not Found)
122 Ron Singleterry (Not Found)
123 Keith Smith (Not Shown)
124 Margaret Smith (Not Shown)
125 Lee Snaples (Not Shown)
126 Lee Snaples, Jr. (Not Shown)
127 Eddy Spurgin (Not Shown)
128 Lynn Spurgin (Not Shown)
129 Gerald Stein (Not Shown)
130 Mrs. Gerald Stein (Not Shown)
131 Karen Stepp
132 Ron Stepp
133 Clark Stewart, Jr. (Not Shown)
134 Grace Stewart (Not Shown)
135 Sandra Stringer (Not Shown)
136 Allen Sumners
137 Jimmie Sumners
138 Leroy Sundby (Not Shown)
139 Sharon Sundy (Not Shown)
140 Mary Taylor (Not Shown)
141 Robert Taylor (Not Shown)
142 Frederick Turner (Not Shown)
143 Eugenie Vaughn (Not Shown)
144 Lonnie Vaughn (Not Shown)
145 Patti Webb (Not Shown)
146 Tina Weinert (Not Shown)
147 Betty Wenzel (Not Shown)
148 John Wenzel (Not Shown)
149 David Whitsitt
150 Ruth Wiederkehr (Not Shown)
151 Sarah Williams (Not Shown)
152 Charlsie Wright (Not Shown)
153 Dana Zauf (Not Shown)
154 Robert Portman, Jr. (Not Shown)
155 Margaret Adams (Not Found)
156 George Best (Not Found)
157 Dan Broyles (Not Found)
158 Iris Broyles (Not Found)
159 Patrick Condy (Not Found)
160 Joyce Doss (Not Found)
161 David Fisher
162 Hunter Fisher
163 Michelle Fisher
164 Tiffany Fisher
165 Nelda Frazee (Not Shown)
166 Stephen Gattis (Not Found)
167 Lynda Greer
168 Janelle Lacey (Not Found)
169 Kent Lacey (Not Found)
170 Shelby Lacey (Not Found)
171 Brandon Mills (Not Shown)
172 Ernest Reinke
173 Shirley Reinke
174 Danath Roden (Not Found)
175 Elaine Talbert (Not Shown)
176 Bob Taylor (Not Found)
177 Joan Taylor (Not Found)
178 Sam Teaff (Not Shown)

- 179 Teri Teaff (Not Shown)
- 180 Angela Thompson (Not Found)
- 181 Susan Thompson (Not Found)
- 182 Susan Thrower (Not Found)
- 183 Ann Trenton (Not Shown)
- 184 Gusteen Trimble (Not Found)
- 185 John Trimble (Not Found)
- 186 Steve Vardeman (Not Found)
- 187 Mark Wagner (Not Found)
- 188 Leslie Wasilchak (Not Found)
- 189 Rudy Watson (Not Found)
- 190 Charlotte Willis (Not Shown)
- 191 L.G. Willis (Not Shown)

