OPA

JAN 29 2007

BY DM

850 W. Front Street
Dekalb, Texas 75559
Phone: (903)667-5116
Fax: (903)667-4164

NSR 50389

# Bowie County Precinct #3

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 JAN 29 AM 10: 18
CHIEF CLERKS OFFICE

January 25, 2007

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

Re: Permit Application/Permit No. 76962; Midway Industrial Park, L.L.C.
Railcar Cleaning Facility, Nash, Bowie County, Texas.

Dear Chief Clerk:

I have been provided with information and a briefing regarding the proposed plans for the construction of the railcar cleaning facility by Midway Industrial Park, L.L.C. near Nash, Bowie County, Texas.

It appears to me that this project has been designed to minimize any emissions which might arise out of the railcar cleaning process and appears to be within the parameters required for the issuance of the permit.

I have reviewed this project and it is a good economic development opportunity for Bowie County. The project will provide additional good paying jobs in Bowie County, Texas and will promote economic development in and around Nash, Texas, a fairly rural area which needs such development and jobs.

I request that the Commission move forward with issuing this permit as soon as possible.

The Honorable Kelly Blackburn
Commissioner, Precinct #3
Kelly Blackburn

MW

**KELLY BLACKBURN**
Commissioner Precinct 3
Bowie County
P.O. Box 248, New Boston, TX 75570

TEXARKANA, AR-TX 75
PM
26 JAN
2007

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

RECEIVED
JAN 29 2007
TCEQ MAIL CENTER
RB

7871133087 B012

Lisa Thomas, Chief Deputy
903-628-6718
903-798-3040
903-628-6719 Fax

N3R
50389

Bowie County Courthouse
P.O. Box 248
710 James Bowie Drive
New Boston, TX 75570

2007 FEB 23 AM 10: 07
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

JAMES M. CARLOW
COUNTY JUDGE
BOWIE COUNTY

February 20th, 2007

Office of the Chief Clerk
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
MC-105
P.O. Box 13087
Austin, Texas 78711-3087

OPA
FEB 23 2007
BY

*Re: Permit Application/Permit No. 76962*
*Midway Industrial Park, L.L.C.*
*Railcar Cleaning Facility, Nash, Bowie County, Texas*

Dear Chief Clerk:

I have been provided with information and a briefing regarding the proposed plans for the construction of the railcar cleaning facility by Midway Industrial Park, L.L.C. near Nash, Bowie County, Texas.

It appears to me that this project has been designed to minimize any emissions which might arise out of the railcar cleaning process and appears to be within the parameters required for the issuance of the permit.

I have reviewed this project, and it is a good economic development opportunity for Bowie County. The project will provide additional good paying jobs in Bowie County, Texas and will promote economic development in and around Nash, Texas, a fairly rural area which needs such development and jobs.

I request that the Commission move forward with issuing this permit as soon as possible.

Yours very truly,

James M. Carlow

James M. Carlow, County Judge
Bowie County, Texas

**JAMES M. CARLOW**
COUNTY JUDGE
BOWIE COUNTY COURTHOUSE
POST OFFICE BOX 248
NEW BOSTON, TX 75570-0248

RECEIVED
FEB 23 2007
TCEQ MAIL CENTER
MM

UNITED STATES POSTAGE
PITNEY BOWES
02 1A
0004337544
$ 00.39⁰
FEB 21 2007
MAILED FROM ZIP CODE 75570

Office of the Chief Clerk
TCEQ
MC-105
PO Box 13087
Austin, Texas 78711-3087

78711\3087 B012

CCO

RALPH M. HALL
4TH DISTRICT, TEXAS

2405 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4304
(202) 225-6673
(202) 225-3332 FAX
e-mail: rmhall@mail.house.gov

# Congress of the United States
## House of Representatives
## Washington, DC 20515-4304

SCIENCE AND TECHNOLOGY
RANKING MEMBER

ENERGY AND COMMERCE
ENERGY AND AIR QUALITY
HEALTH
COMMERCE, TRADE, AND CONSUMER PROTECTION

NSR 76962

March 27, 2007

OPA
APR 02 2007
BY KY

RECEIVED BY OPA
TRACKING # 15421
ASSIGNED TO: OPRR
MAR 30 2007

NSR 50349

Mr. Leroy Biggers
Regional Director
Texas Commission on Environmental Quality
2916 Teague Drive
Tyler, TX 75701

DUE DATE: 4-9-07

Dear Mr. Biggers:

We are attaching a letter that we received from Jerry W. Williamson, CPA, 537 Beaver Lake Drive, Texarkana, TX, today. As you will notice attached to this letter is a list of the residents in this area.

Please give us a reply to this inquiry that we can share with our constituents and residents of this area to the address checked below.

With kindest personal regards, I am

Sincerely,

Ralph M. Hall

Ralph M. Hall
Member of Congress

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 PM 4:29
CHIEF CLERKS OFFICE

☐ 104 NORTH SAN JACINTO STREET
ROCKWALL, TX 75087-2508
(972) 771-8118
(972) 722-0907 FAX

☐ COLLIN COUNTY COURT FACILITY
1800 NORTH GRAVES STREET, SUITE 101
MCKINNEY, TX 75069-3322
(214) 726-9949
(214) 726-9363 FAX

☐ 101 EAST PECAN STREET
SHERMAN, TX 75090-6989
(903) 892-1112
(903) 868-0264 FAX

☐ U.S. POST OFFICE
320 CHURCH STREET, SUITE 132
SULPHUR SPRINGS, TX 75482-2606
(903) 885-8138
(903) 439-0874 FAX

☒ 4303 TEXAS BOULEVARD, SUITE 2
TEXARKANA, TX 75503-3094
(903) 794-4445
(903) 794-6577 FAX

MW

2007 MAR 30 PM 4:29
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERKS OFFICE
RECEIVED MAR 27 2007 BY

NC OPA
BY

March 22, 2007

The Honorable Ralph Hall
4303 Texas Blvd., Ste 2
Texarkana, Tx. 75503-3094

**RE: Filed with TCEQ for Flexible Permit No. 76962 (AIR NEW SOURCE PERMITS) by Midway Industrial Park, LLC (CN Number CN602913634)**

Dear Representative Hall:

We are residents of the Beaver Lake Estates residential development area and neighboring residential areas along US Highway 82. The company, Midway Industrial Park, LLC, has made application for a Flexible Permit No. 76962. The company is actually developing the rail car cleaning facility on property which borders Tri-State Road. In a meeting with the company representatives on January 25, 2007, it was outlined that the rail car cleaning facility buildings will actually be located approximately 1500 feet east of Tri-State Road and approximately 1400 feet South of US Highway 82. Tri-State Road intersects with US Highway 82 and runs south off US Highway 82. The Beaver Lake Estates residential development area begins on Tri-State Road and extends west for some distance. The company's application indicates the location of the business as 2.5 miles west of Nash Texas on US Highway 82 at the intersection FM 2148 across railroad tracks. It would appear that the actual rail car cleaning facility buildings are located closer to Tri-State Road than FM 2148. We believe the application is somewhat misleading as to the location. Please be advised of this information.

At the meeting on January 25, 2007, we were told there could be as many as 40 to 50 contaminated tank cars containing residual chemicals on rail car siding that may be located near the residential areas days and possibly weeks before the cleaning process begins. We were told there are no plans to fence or secure the plant site in any manner. This would leave the chemicals available to curious/adventurous children, illegal drug manufacturers, and even terrorists. Also, there is the possibility of leakage. There were no plans developed for emergency notification, evacuation, or containment in the event of a spill of any of the chemicals or plans for checking cars as they come to the facility to determine how much of the chemicals are left in the tank cars or if there was any leakage or otherwise exposed chemicals. There is also a concern regarding the large amount of chemical being dumped into the sewer system and the affect it would have on the ground water and air content in the event of a sewer leak. As an example of what could occur was on February 16, 2007 in Tenaha, Texas, over 200 people were evacuated when a tank car that had been carrying chlorine developed a leak.

Since this rail car cleaning facility will be located very near our residential area, we believe this is a reason for concern to all the area residents. Most of these homes in the Beaver Lake Estate residential development area are required to be a minimum of 2,000 square feet, with other restrictive covenants, causing these homes to be valued for property tax purposes in the range of $ 250,000.00 and up to around $ 600,000.00 or more. Most of the vacant lots are appraised for property tax purposes at $ 40,000 and up. We have totaled the Bowie County Tax appraisal values listing for Beaver Lake Estates residential development area which amounts to approximately $ 12,000,000. In addition, there are presently other residential homes being built and property being developed which will add to the appraisal values for the Beaver Lake Estates residential development area. This residential development area is still in progress. Should the company "Midway Industrial Park LLC" be granted the Flexible Permit # 76962 it will greatly affect

**RE: Filed with TCEQ for Flexible Permit No. 76962 (AIR NEW SOURCE PERMITS) by Midway Industrial Park, LLC (CN Number CN602913634)**

not only the present appraisal values of this residential area but also prevent the completion of the Beaver Lake Estates residential development area resulting in vacant lots and further devaluation of property values. The Beaver Lake Estates residential development area began some years ago and many residents have been living in the Beaver Lake Estates for five (5) years or more. No industrial area was evident to any of us at that time. Since this is a "one-of-a-kind" (proto type) facility planned to be placed next to residential areas, we cannot be, nor can anyone else be sure, that there are no dangers from the process.

The proposed industrial park being located this near a residential area causes concern for the environmental quality of the area. There are beautiful lakes in this residential area that support various forms of wildlife. The Beaver Lake Estates neighborhood is home to Canadian geese, blue heron crane, several species of ducks and songbirds, fish, etc.

Based on the location of this rail car cleaning facility adjacent to the Beaver Lake Estates resident area and neighboring residential areas along US Highway 82 which has several homes within less than 2,000 feet of the proposed plant location this raises major concerns for the safety and welfare of both wildlife and human life living in the area where the plant is to be located and we feel will be very harmful.

Please notify us of any public hearing with respect to this application.

**Based on the above, we respectfully request that the Flexible Permit No. 76962 be denied to Midway Industrial Park, LLC.**

Sincerely the Beaver Lake Estates residential area and neighboring residential areas along US Highway 82,

| | | | |
|---|---|---|---|
| Roy S. & Mary C. Heflin | 496 Tri-State Rd | Texarkana | TX |
| Erick A. & Leira A. Del Toro | 544 Tri-State Rd | Texarkana | TX |
| Phillip J. & Susan M. Binkley | 1270 Beaver Lake Dr | Texarkana | TX |
| Jeremy Hopkins | 1246 Beaver Lake Dr | Texarkana | TX |
| Eugene E. & Janie M. Walls | 1222 Beaver Lake Dr | Texarkana | TX |
| Robert Gates | 1176 Beaver Lake Dr | Texarkana | TX |
| Lague S. & Betty Robert | 1152 Beaver Lake Dr | Texarkana | TX |
| James & Linda Golden | 4770 Texas Blvd | Texarkana | TX |
| John P & Cali B. Turner | 1080 Beaver Lake Dr | Texarkana | TX |
| Victor McLaughlin | 1027 Beaver Lake Dr | Texarkana | TX |
| Larry G. & Brenda J. Youngblood | 994 Beaver Lake Dr | Texarkana | TX |
| Michael & Sandra Sinyard | 960 Beaver Lake Dr | Texarkana | TX |
| James S. & Elizabeth A. Scogin | 924 Beaver Lake Dr | Texarkana | TX |
| Michael & Dee Pizzalato | 900 Beaver Lake Dr | Texarkana | TX |
| Roy & Donna Sturdivant | 876 Beaver Lake Dr | Texarkana | TX |
| Dennis & Susana Shirk | 860 Beaver Lake Dr | Texarkana | TX |

**RE: Filed with TCEQ for Flexible Permit No. 76962 (AIR NEW SOURCE PERMITS) by Midway Industrial Park, LLC (CN Number CN602913634)**

| | | | |
|---|---|---|---|
| Douglas D. & Jackie Crisp | 110 Kay St | Nash | TX |
| Matthew G & Patricia E. Allred | 418 Loma Linda | Wake Village | TX |
| Raymond Candelaria | 792 Beaver Lake Dr | Texarkana | TX |
| Robert B & Kimberly A. Strand | 770 Beaver Lake Dr | Texarkana | TX |
| Greggory B. & Sharon R. Knowles | 742 Beaver Lake Dr | Texarkana | TX |
| Dale C. & Jeanette Y. Pickard | 9 Briar Ridge | Texarkana | AR |
| Bradley C. & Kimble L. Martin | 618 Beaver Lake Dr | Texarkana | TX |
| Gary & Sylvia Jacobs | 570 Beaver Lake Dr | Texarkana | TX |
| Delbert Youngblood | 512 Beaver Lake Dr | Texarkana | TX |
| Allen D. & Loretta D. Freeman | 470 Beaver Lake Dr | Texarkana | TX |
| Christopher W. Estes | 444 Beaver Lake Dr | Texarkana | TX |
| Greg & Erica Williams | 418 Beaver Lake Dr | Texarkana | TX |
| David & Rose Neshyba | 368 Beaver Lake Dr | Texarkana | TX |
| Mary Doolin | P.O. Box 6027 | Texarkana | TX |
| Bobbie Kendrick | 1267 Beaver Lake Dr | Texarkana | TX |
| Ronny J. & Pamela R. Riddle | 1243 Beaver Lake Dr | Texarkana | TX |
| Brandon & Toni Brooks | 1219 Beave Lake Dr | Texarkana | TX |
| Danny & Carolyn Miller | 1197 Beaver Lake Dr | Texarkana | TX |
| Kelly K. Freeman | 1173 Beaver Lake Dr | Texarkana | TX |
| Louis & Cora Patton | 1149 Beaver Lake Dr | Texarkana | TX |
| Kenneth & Treva West | 1125 Beaver Lake Dr | Texarkana | TX |
| Norman D. & Judy G. Earnest | 1067 Beaver Lake Dr | Texarkana | TX |
| Shawn & Dana Morgan | 12 Beaver Creek Run | Texarkana | TX |
| James E. & Toni R. Sexton, II | 432 Carroll | Wake Village | TX |
| John P. & Nancy R. Brooks | 96 Beaver Creek Run | Texarkana | TX |
| Butch Yeldell | 152 Beaver Creek Run | Texarkana | TX |
| David Christian | 188 Beaver Creek Run | Texarkana | TX |
| Larry Terrell | 4000 Pleasant Grove Rd | Texarkana | TX |
| William Paul Fatherree, Jr | 360 Tri-State Rd | Texarkana | TX |
| Steve & Lorna Brine | 334 Tri-State Rd | Texarkana | TX |
| RV Country | P.O. Box 5668 | Texarkana | TX |
| Scott R. & Amy D. Lawing | 280 Tri-State Rd | Texarkana | TX |
| Thomas & Gina L. Wakefield | RR 19 Box 6376 | Texarkana | AR |
| Burl W. & Sharon Fant | 4 Gregory Lane | Texarkana | TX |
| Jay Doolin | 385 Beaver Lake Cr | Texarkana | TX |
| Terry A. & Candace L. Knighton | 11 Beaver Creek Run | Texarkana | TX |
| Jerry & Melanie Cain | P. O. Box 454 | Redwater | TX |
| Christopher & Shalynn W Wilbur | 821 Beaver Lake Dr | Texarkana | TX |
| Christopher L. & Terre L. Carroll | 781 Beaver Lake Dr | Texarkana | TX |
| Andy & Debbie Stroupe | 749 Beaver Lake Dr | Texarkana | TX |
| William D. Cromer | P.O. Box 5746 | Texarkana | TX |
| Mark & Sherry Missildine | 675 Beaver Lake Dr | Texarkana | TX |
| Jimmy Campbell | 655 Beaver Lake Dr | Texarkana | TX |

**RE: Filed with TCEQ for Flexible Permit No. 76962 (AIR NEW SOURCE PERMITS) by Midway Industrial Park, LLC (CN Number CN602913634)**

| | | | |
|---|---|---|---|
| Dan & Shirley Daniels | 633 Beaver Lake Dr | Texarkana | TX |
| Calvert Simpson | 603 Beaver Lake Dr | Texarkana | TX |
| Lee & Norma Shanks, Jr. | 569 Beaver Lake Dr | Texarkana | TX |
| Jerry W. & Sarah L. Williamson | 537 Beaver Lake Dr | Texarkana | TX |
| Leslie W & Flora L. Otto | P.O. Box 815 | Hooks | TX |
| Gregory D & Mary Waits | 437 Beaver Lake Dr | Texarkana | TX |
| Velma L Smith | 3494 Loggerhead Way | Sacramento | CA |
| Jim & Jana Lindsey | 353 Beaver Lake Dr | Texarkana | TX |
| Scott & Tracy Van Zile | 329 Beaver Lake Dr | Texarkana | TX |
| Robert & Kathy Watts | 307 Beaver Lake Dr | Texarkana | TX |
| Rodney & Linda McDaniel | 7411 Jamie Cr | Texarkana | AR |
| Randy Kimble | 241 Beaver Lake Dr | Texarkana | TX |
| Brian & Tracy Underwood | 278 Beaver Lake Dr | Texarkana | TX |
| Christopher & Ann Krause | 256 Beaver Lake Dr | Texarkana | TX |
| Brandyn & Susan McLeod | 1582 Randell Rd | Texarkana | TX |
| Roger D. & Brenda J. Davis | 5914 Buchanan Loop Rd | Texarkana | TX |
| Mark C. & Patricia W. Bradford | 130 Beaver Lake Dr | Texarkana | TX |
| James & Suzanne Carroll | 82 Beaver Lake Dr | Texarkana | TX |
| Joe Hackleman | P. O. Box 866 | Nash | Tx |
| Joe & Sandra Walden | 36 Beaver Lake Dr | Texarkana | TX |
| Albert B. & Marjorie L. Cook | 185 Beaver Lake Dr | Texarkana | TX |
| Joseph W. & Patricia A. Hoyt | 111 Beaver Lake Dr | Texarkana | TX |
| Don Barton | P.O. Box 5668 | Texarkana | TX |
| Terry R. & Mary P. Holder | 245 Beaver Lake Cr | Texarkana | TX |
| Glen M. & Sharon Taylor | 485 Beaver Lake Cr | Texarkana | TX |

From the Desk of
**Carl Teel**
Commissioner Precinct 4
Bowie County, Texas

801 South Highway 8
New Boston, Texas 75570
903/628-2278
Fax: 903/628-4435

N3R
50389

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR 23 PM 2:38
CHIEF CLERKS OFFICE

March 30, 2007

OPA
APR 24 2007
BY

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

Re: Permit Application/Permit No. 76962; Midway Industrial Park, L.L.C.
Railcar Cleaning Facility, Nash, Bowie County, Texas

Dear Chief Clerk:

I have been provided with information and a briefing regarding the proposed plans for the construction of the railcar cleaning facility by Midway Industrial Park, L.L.C. near Nash, Bowie County, Texas.

In a straight line measurement this facility lies in close proximity to my personal home. I am satisfied with the safety plans and the environmental precautions that will be put in place when fully operational. It appears to me that this project has been designed to minimize any emissions which might arise out of the railcar cleaning process and appears to be within the parameters required for the issuance of the permit.

I have reviewed this project and it is a good economic development opportunity for Bowie County. The project will provide additional good paying jobs in Bowie County, Texas and will promote economic development in and around Nash, Texas, a fairly rural area which needs such development and jobs.

I request that the Commission move forward with issuing this permit as soon as possible.

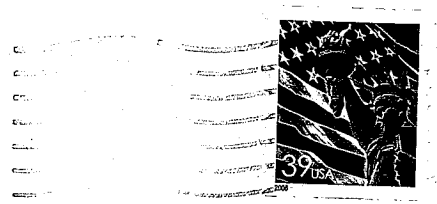
Carl Teel

The Honorable Carl Teel
Commissioner, Precinct 4

mw

**Carl Teel**
Commissioner Precinct 4
Bowie County, Texas

801 South Highway 8
New Boston, Texas 75570




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

RECEIVED
APR 23 2007
TCEQ MAIL CENTER
RB

7871133087 B012

From the Desk of
**Carl Teel**
Commissioner Precinct 4
Bowie County, Texas

801 South Highway 8
New Boston, Texas 75570

903/628-2278
Fax: 903/628-4435

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AM 10: 00
CHIEF CLERKS OFFICE

N32
30389

March 30, 2007

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

Re: Permit Application/Permit No. 76962; Midway Industrial Park, L.L.C.
Railcar Cleaning Facility, Nash, Bowie County, Texas

Dear Chief Clerk:

I have been provided with information and a briefing regarding the proposed plans for the construction of the railcar cleaning facility by Midway Industrial Park, L.L.C. near Nash, Bowie County, Texas.

In a straight line measurement this facility lies in close proximity to my personal home. I am satisfied with the safety plans and the environmental precautions that will be put in place when fully operational. It appears to me that this project has been designed to minimize any emissions which might arise out of the railcar cleaning process and appears to be within the parameters required for the issuance of the permit.

I have reviewed this project and it is a good economic development opportunity for Bowie County. The project will provide additional good paying jobs in Bowie County, Texas and will promote economic development in and around Nash, Texas, a fairly rural area which needs such development and jobs.

I request that the Commission move forward with issuing this permit as soon as possible.

Carl Teel
The Honorable Carl Teel
Commissioner, Precinct 4

OPA
APR 26 2007
BY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR 26 AM 10: 00
CHIEF CLERKS OFFICE

Carl Teel
Commissioner Precinct 4
801 South Highway 8
New Boston, Texas 75570

TEXARKANA, AR-TX
PM
24 APR
2007

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $000.39⁰
0004554821 APR 24 2007
MAILED FROM ZIP CODE 75503

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

RECEIVED
APR 26 2007
TCEQ MAIL CENTER
FBI

7871133047 B012