

P.O. BOX 12068  
CAPITOL BUILDING  
AUSTIN, TEXAS 78711  
512/463-0112  
FAX: 512/463-0923

DISTRICT OFFICE  
1235 S. MAIN STREET, SUITE 280  
GRAPEVINE, TEXAS 76051  
817/424-3446  
FAX: 817/488-6648

E-MAIL: jane.nelson@senate.state.tx.us



The Senate of the State of Texas

Jane Nelson  
Senate District 12

Committees:  
HEALTH AND HUMAN SERVICES, CHAIR  
TEXAS LEGISLATIVE COUNCIL  
GOVERNMENT ORGANIZATION  
NOMINATIONS  
FINANCE

PM OPA  
SEP 06 2010  
BY EL

AIRNR  
73906

September 1, 2010

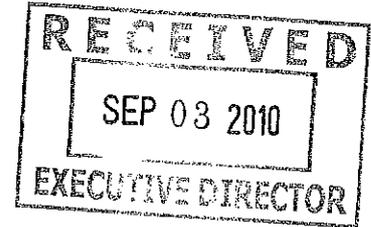
OPA  
cc - Mark  
Zak  
IGR

RECEIVED BY OPA  
TRACKING # 17144  
ASSIGNED TO: OPA

SEP 03 2010

DUE DATE: 9-10-10

Mr. Mark Vickery  
Executive Director  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087



Dear Mr. Vickery:

I understand that P&L Cast Stone, Inc. has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 93109, which would authorize construction of a Concrete Batch Plant located at 4000 Haslet Roanoke Road near Tidwell Middle School in Northwest Independent School District. Due to constituent interest, I respectfully request that the TCEQ conduct a public meeting in Roanoke to allow residents an opportunity to voice their concerns.

Please keep my office apprised of details of the meeting as well as the progress of this permit. I appreciate your time and attention on behalf of my constituents, and please do not hesitate to contact me if I can be of further service.

Very truly yours,

Senator Jane Nelson

Cc: Pamela Bach

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2010 SEP - 3 PM 2:09  
CHIEF CLERKS OFFICE

Handwritten initials: BW



The Senate of the State of Texas  
P.O. BOX 12068 AUSTIN, TEXAS 78711

Senator Jane Nelson  
District 12

Mr. Mark Vickery  
Executive Director  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

109

INTERAGENCY

CHIEF CLERKS OFFICE

2010 SEP - 3 PM 2:10

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

09/03/10

10/10/10

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 13, 2010

The Honorable Jane Nelson  
Texas Senate  
P. O. Box 12068  
Austin, Texas 78711

Dear Senator Nelson:

Thank you for your letter requesting that a public meeting be held regarding the proposed air quality standard permit registration by P&L Cast Stone, Inc., registration #93109, in Tarrant County.

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

If you have any questions, please contact me at 512-239-5105 or Ms. Bridget C. Bohac, Director of the Office of Public Assistance, at 1-800-687-4040.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark R. Vickery".

Mark R. Vickery, P.G.  
Executive Director

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2010 SEP 14 AM 10:28  
CHIEF CLERKS OFFICE

Handwritten initials in black ink, possibly "MV".

P.O. BOX 12068  
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AUSTIN, TEXAS 78711  
512/463-0112  
FAX: 512/463-0923

DISTRICT OFFICE  
1295 S. MAIN STREET, SUITE 280  
GRAPEVINE, TEXAS 76051  
817/424-3446  
FAX: 817/488-6648

E-MAIL: jane.nelson@senate.state.tx.us



The Senate of the State of Texas

Jane Nelson  
Senate District 12

Committees:

HEALTH AND HUMAN SERVICES, CHAIR  
TEXAS LEGISLATIVE COUNCIL  
GOVERNMENT ORGANIZATION  
NOMINATIONS  
FINANCE

*OPA - mask  
cc - zak  
lgr*

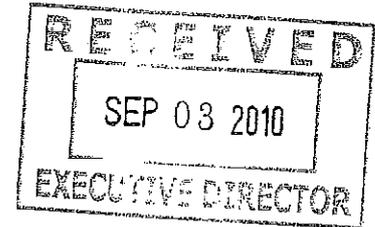
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September 1, 2010

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Very truly yours,

Senator Jane Nelson

Cc: Pamela Bach

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2010 SEP 14 AM 10:28  
CHIEF CLERKS OFFICE

HOUSE OF REPRESENTATIVES



OPA  
cc: Mark  
Zak

CAPITOL OFFICE:  
P.O. BOX 2910  
AUSTIN, TX 78768-2910  
(512) 463-0690  
FAX: (512) 477-5770  
CAPITAL BUILDING, GW.18

DISTRICT OFFICE:  
1256 MAIN STREET, SUITE 248  
SOUTHLAKE, TX 76092-7624  
(817) 488-4098  
FAX: (817) 488-4099  
SOUTHLAKE TOWN SQUARE

AKNSR  
73906

VICKI TRUITT  
DISTRICT 98

OPA

DEC 03 2010

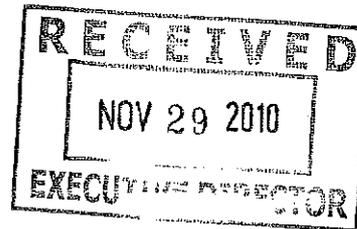
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ASSIGNED TO: CR

BY KY

November 23, 2010

NOV 29 2010

DUE DATE: 12-7-10



Mr. Mark Vickery  
Executive Director  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
Austin, Texas 78711

Dear Mr. Vickery:

P&L Cast Stone has applied to be permitted to build a concrete batch plant (Permit No. 93109) in unincorporated Tarrant County. A public hearing was held on this permit application on November 16, 2010, in which numerous citizens voiced their concerns about this plant. Among the concerns articulated there and in correspondence were:

- the plant is to be built within 440 yards of a middle school;
- the plant is estimated to have as many as 20 heavy trucks per hour entering and exiting it using the same already congested road that is used by the children and parents going to and from the middle school, endangering children and damaging the roads; -there are 1,000 homes in close proximity to this plant, many of which, along with the middle school, are directly in the path of the prevailing winds which will carry the pollutants and dust from the plant and its trucks directly into the air breathed by the plant's neighbors; and
- the plant is to be built in a flood zone and will recycle waste water that will be stored in a pond, also in a flood zone.

I spoke to members of the TCEQ staff who told me that, based on their review to date, there appears to be no cause to deny this permit based on TCEQ's current statutory framework and rules. Yet, it is clear to the citizens in this area of Tarrant County and to me that the items listed above are clearly environmental impacts, and should be taken into consideration when evaluating whether or not to permit the construction of a concrete batch plant.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
OPERATIONS OFFICE  
NOV 20 PM 2:19

*[Handwritten signature]*

Mr. Mark Vickery  
November 23, 2010

Page 2

This is not the first time my constituents have been negatively impacted by a company building a facility in unincorporated territory in order to avoid the expense of dealing with zoning and code restrictions it might face if it built its facility in incorporated areas. TCEQ's and Tarrant County's influence whether or not facilities such as this plant can be built close to their homes and schools. In the upcoming session I will do what I can to ensure that future scenarios like this one can be avoided.

Sincerely,



Vicki Truitt  
State Representative

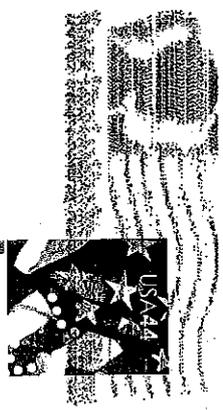
cc: Chairman Bryan Shaw  
Commissioner Buddy Garcia  
Commissioner Carlos Rubinstein  
Gary Fickes, County Commissioner  
Sal Espino, Fort Worth City Councilman  
Ranches Neighborhood Association

VT/ds



VICKI TRUITT  
STATE REPRESENTATIVE  
P.O. BOX 2910 • AUSTIN, TX 78768-2910

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NOV 29 2010

TCEO MAIL CENTER  
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Mr. Mark R. Vickery, P.G.  
Executive Director  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
Austin, Texas 78711-3087

10<sup>a</sup>

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Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 16, 2010

The Honorable Vicki Truitt  
Texas House of Representatives  
P.O. Box 2910  
Austin, Texas 78768-2910

NSR  
9/31/09

2010 DEC 22 AM 9:47  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Dear Representative Truitt:

Thank you for your November 23, 2010 letter expressing concerns about the P&L Cast Stone air quality standard permit application for a concrete batch plant. The Texas Commission on Environmental Quality (TCEQ) is reviewing this application to ensure that it meets the letter of the law and is protective of the public health and environment.

Although the facility will be located near a middle school and residential area, the Texas Clean Air Act specifically requires us to consider possible adverse short-term or long-term side effects on schools which are located within 3,000 feet of a facility. The standard permit for concrete batch plants is designed to prevent adverse health effects beyond the property line and includes a protectiveness review for all contaminants that will be emitted.

The standard permit is protective of public health under both the worst-case emissions from a facility and the worst-case meteorological conditions. The emissions modeling used in creating the standard permit assumes a maximum production rate at the batch plant of 300 cubic yards of concrete per hour while operating 24 hours a day with all sources emitting simultaneously in continuous operation. Even at this level, the emissions offsite are limited. The proposed P&L Cast Stone plant is represented as having a maximum production rate of 150 cubic yards per hour, half the assumed standard permit modeling rate and will not be operating 24 hours a day.

To prevent adverse health effects beyond the property line, the standard permit requires a minimum distance of 100 feet from the facility to the applicant's property line. In this specific case, P&L Cast Stone proposes to locate the plant over 450 feet from the north property line closest to the school and over 900 feet from the school itself. TCEQ staff have visited the site to confirm these distances.

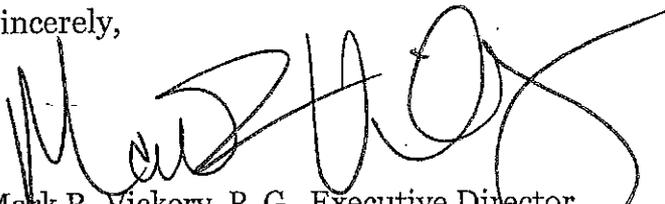
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The Honorable Vicki Truitt  
Page 2  
December 16, 2010

Although I appreciate the road safety concerns of your constituents, the TCEQ is excluded from enforcing issues of traffic or road safety by the Texas Clean Air Act, Health & Safety Code §382.003, which excludes roads from the definition of "facility." Also, this air quality standard permit does not address the location of a facility in a flood plain. If there are other local, state, or federal entities with jurisdiction regarding construction in flood plans, the air quality standard permit for concrete batch plants does not override these authorities.

Thank you for the opportunity to respond to your concerns. If you need additional information, please feel free to contact me at (512) 239-5105 or Mr. Steve Hagle, Director of the Air Permits Division, at (512) 239-1295.

Sincerely,



Mark R. Vickery, P. G., Executive Director  
Texas Commission on Environmental Quality

HOUSE OF REPRESENTATIVES



OPA  
cc. Mark  
Zak

DISTRICT OFFICE:  
1256 MAIN STREET, SUITE 248  
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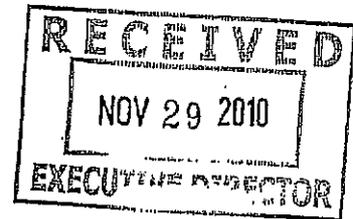
VICKI TRUITT  
DISTRICT 98

RECEIVED BY OPA  
TRACKING # 17262  
ASSIGNED TO: 16R

November 23, 2010

NOV 29 2010

DUE DATE: 12-7-10



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Mr. Mark Vickery  
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