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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2012 FEB 27 PM 2:55

CHIEF CLERKS OFFICE

Bridget C. Bohac, Chief Clerk
TCEQ, MC-105
PO BOX 13087
Austin, Texas 78711-3087

This letter is written in response to Rural Utilities Service (RUS) possible financing of the East Texas Electric Cooperative Biomass plant proposed to be built bordering our property in Woodville, Texas. Please let it be known at this time we are in disagreement with the Environmental Assessment(EA) that would allow the advancement of the ETEC. We are requesting that all agencies stop all project funding and aiding in any way to the ETEC Biomass Plant. We are completely an effective party and are requesting for the RUS to revoke any request of funding as well as requesting for the TCEQ to stop the building and permitting for this hazardous biomass plant. My name is Grady Miller and my wife is Linda Miller. We live at 1308 County Road 1020 Woodville, Texas 75979. We can be contacted at 409-283-5285. It should be recorded that we are requesting a contested case hearing and a private meeting. We reside on the PROPERTY, AS WELL AS, OWN A BUISNESS WHICH BOARDERS the health destroying, life damaging, and property value deprecating proposed site.

The ETEC has made it clear the reason for building the plant on our bordering fence was the access of the chip mill that was located adjacent to the proposed site. Since our meeting with ETEC the chip mill has sold to German Pellet Company. We have and understanding with German Pellet Plant that they will not aid in selling product to the ETEC. If the reason for their desired location was the chip mill and it is no longer available.

This property has been in our family for more than a century and has been our personal residence for over 40 years. We have a personal justifiable interest due to our legal right. We believe that our health, livestock, personal property, personal business will be destroyed for the self seeking ambitions of the East Texas Electric Cooperative.

Listed below are many reasons we DO NOT want the ETEC as our neighbor.

1. **Lets start with the adverse affects of the discharge from ETEC** Many of the chemicals to be released from the plant as well as ground water discharge can cause heath problems with children, elderly, livestock,

vegetation . The effects can be categorized from minimum to great. Many of the terms used through out the proceedings written from ETEC and TCEQ uses terms such as should not and other terms with no writing conformation that entitles property and business owners compensation from the adverse affects from this hazardous plant. Writing below you will read about the chemicals released by the ETEC and statements writing by ETEC and TCEQ and there is NO guarantee of statements.

Sulfur dioxide:

Inorganic compound, heavy, colorless, poisonous gas (SO_2). It has a pungent, irritating odor (the smell of a just-struck match). It occurs in volcanic gases and dissolved in the waters of some warm springs. Huge quantities are made industrially for use as a bleach, as a reducing agent, and as sulfites, which are food preservatives. It is a precursor of the trioxide (SO_3), used to make sulfuric acid. Sulfur dioxide is formed when sulfur-containing fuels are burned; in the atmosphere it can combine with water vapor to form sulfuric acid, a major component of acid rain.

Nitrogen oxides:

Exposure to high industrial levels of nitric oxide and nitrogen dioxide can cause death. It can cause collapse, rapid burning and swelling of tissues in the throat and upper respiratory tract, difficult breathing, throat spasms, and fluid build-up in the lungs. It can interfere with the blood's ability to carry oxygen through the body, causing headache, fatigue, dizziness, and a blue color to the skin and lips.

Industrial exposure to nitrogen dioxide may cause genetic mutations, damage a developing fetus, and decrease fertility in women. Repeated exposure to high levels of nitrogen dioxide may lead to permanent lung damage. Industrial exposure to nitric oxide can cause unconsciousness, vomiting, mental confusion, and damage to the teeth. Industrial skin or eye contact with high concentrations of nitrogen oxide gases or nitrogen dioxide liquid can cause serious burns.

Long-term exposure to nitrogen oxides in smog can trigger serious respiratory problems, including damage to lung tissue and reduction in lung function. Exposure to low levels of nitrogen oxides in smog can irritate the eyes, nose, throat, and lungs. It can cause coughing, shortness of breath, fatigue, and nausea.

Carbon monoxide:

Health Effects Associated with Carbon Monoxide ***At low concentrations***, fatigue in healthy people and chest pain in people with heart disease. ***(My wife and I who's property boarders the plant site are both HEART PATIENTS*** At higher concentrations, impaired vision and coordination; headaches; dizziness; confusion; nausea. Can cause flu-like symptoms that clear up after leaving home. Fatal at very high concentrations. Acute effects are due to the formation of carboxyhemoglobin in the blood, which inhibits oxygen intake. At moderate concentrations, angina, impaired vision, and reduced brain function may result. At higher concentrations, CO exposure can be fatal.

Particulate matter:

Health Effects

Both PM10 (big) and PM2.5 (small) particles can cause health problems; specifically respiratory health (that's the lungs and airway). Because the PM2.5 **travels deeper**

into the lungs AND because the PM2.5 is made up things that are **more toxic** (like heavy metals and cancer causing organic compounds), PM2.5 can have worse health effects than the bigger PM10.

Exposure to particulate matter leads to increased use of medication and more visits to the doctor or emergency room. Health effects include the following:

- Coughing, wheezing, shortness of breath
- Aggravated asthma
- Lung damage (including decreased lung function and lifelong respiratory disease)
- Premature death in individuals with existing heart or lung diseases

Volatile organic compounds (VOC)

(VOCs) refers to organic chemical compounds which have significant vapor pressures and which can affect the environment and human health. VOCs are numerous, varied, and ubiquitous. Although VOCs include both man-made and naturally occurring chemical compounds, it is the anthropogenic VOCs that are regulated, especially for indoors where concentrations can be highest. VOCs are typically not acutely toxic but have chronic effects. Because the concentrations are usually low and **the symptoms slow to develop, analysis of VOCs and their effects is a demanding area.**

Lead:

Lead is a toxic metal that was used for many years in products found in and around our homes. Lead also can be **emitted into the air** from motor vehicles and **industrial sources**, and lead can **enter drinking water** from plumbing materials. Lead may cause a range of **health effects**, from behavioral problems and learning disabilities, to seizures and death. **Children** six years old and under are most at risk. ***This does not seem like something we want to raise our grand kids around.***

Ammonia:

Ammonia is a strong, colorless gas. If the gas is dissolved in water, it is called liquid ammonia. ***Poisoning may occur if you breathe in ammonia***.(**by the way the East Texas Electric Cooperative, Inc.** states they will ***emit*** this in the air. Poisoning may also occur if you swallow or touch products that contain very large amounts of ammonia. (***By the way what goes up most come down and our property is next to the hazardous plant, sounds like we will have many toxics for ourselves and children to play in***).

Hydrochloric acid:

Chronic Health Effects of Repeated Exposure to Hydrochloric Acid

Erosion of the teeth, chronic bronchial irritation with cough and/or chronic shortness of breath may occur with repeated or long-term exposure to hydrochloric acid. Skin rashes may also occur with repeated exposures of dilute concentrations of hydrochloric acid. ***(The exposure will be constant due to the location of the plant***).

******The background description of facility then list after the above stated poisonous death causing hazards "and other trace products of biomass combustion and emission"******

While reading through the Texas Commission on Environmental Quality report many

things stated are very alarming.
Statements such as:
NAAQS " adequate margin of safety"
Who determines what is adequate who is at risk and who is liable if their speculation is wrong?
"Known or anticipated adverse effects associated with the presence of an air contaminant"
Again I ask you the question Who determines what is adverse effects, who is at risk and who is liable if their speculation is wrong?
"none of the modeled constituents in this application was predicted to exceed its respective short or long term ESL"
If the model is wrong and the plant exceeds the ESL or if the ESL is wrong and the levels the constitute to be harmless are indeed harmful who is going to be liable?
"When predicted concentrations of a criteria pollutant"
Again I go back to the uncertainty of this letter writing by the Texas Commission on Environmental Quality "when predicted " I only get opinions and ***NO FACTS***.

If you need more opinions with no facts see bellow:

"the emissions from this facility ***should not*** cause and exceedance"
"it is not expected that existing health conditions"
"TCEQ does not set emission limits"....." HOW COME *** Obviously they don not know.

If the uncertainty of the letter writing by the Texas Commission on Environmental Quality does not stop the hazardous death plant that is going to be built on the property line if my families land we as American citizens have lost the right of having a clean environment to live raise our CHILDREN!!!

It is obvious that land owners and the families their of, are going to be affected by such a hazards plant. No one who cares about having a quality life would be in favor of risking their health for the selfish ambition of a ruthless, self seeking, life damaging Texas Electric Cooperative, Inc . Let it be known that Grady and Linda Miller who has had the privilege of being raised and raising our kids in a great community and on a ranch that has been passed down for many generations will certainly be destroyed by the unethical proposal of a destructive group known as "East Texas Electric Cooperative, Inc."

The statements above have not even begin to describe the loss of property value if the plant is built. We have a family business that we be hindered as well the livestock danger that could incur due to the toxins released. The noise level will defiantly be a problem although they said company said they would leave a role of trees to be a noise barrier. It does not take some very long to realize that a role of trees will not do much good to quieting the sound of the annoying and hazardous plant.

2. **Adverse affects on our way of life.**

It is noted that these plants cause excessive noise and smell. It is proven that excessive noise can cause sleep deprivation people who live in communities with excessive noise. Please be aware of the statement written in a health and wellness article in Tree.com.

Sleep and Health in the Elderly

("Sleep deprivation and other sleep disorders can have a serious effect on health. Inadequate rest impairs a person's ability to think, handle stress, maintain a healthy immune system and control emotions. Sleep disorder effects include mental and physical impairment.

Sleep and Health: The Effects of Sleep Deprivation

Without adequate rest, the brain's ability to function can quickly deteriorate. The brain works harder to counteract sleep deprivation effects, but operates less effectively, and a person's ability to focus and complete tasks is impaired. Insufficient rest can even cause hallucinations and contribute to anxiety disorders and other psychiatric problems.
Other possible effects of sleep deprivation include:

Depression
Heart disease
Hypertension
Irritability
Slower reaction times. ")

I MUST ASK ETEC, TCEQ AND RUS WHO IS GOING TO BE LEAGLY RESPONSIBLE FOR THE ADVERSE AFFECTS OF THIS DESTRUCTIVE BIOMASS PLANT?

3. **Adverse affects on our family business:**

We own a recreational vehicle park as well as a mobile home park located on our property which boarders this bio-hazardous plant. This park has been apart of our financial lively hood for over forty years. With the noise, smell, and excessive use of large vehicles it is with out a doubt that our peaceful family Mobile Home Estates will be financially affected, by the selfish ambitions of the ETEC. It will also affect the beauty of our landscaping, surrounding woods, and wild life. It will put off constant lighting, noise, odor, and increased traffic to ours and our neighbors way of life. We can only imagine the negative changes it will also bring to the neighboring Camp Urland Boys Scout Camp. We have a grandson who is an Eagle Scout. He has enjoyed this Boys Scout Camp for most of his life. This plant will cause these children like him to no longer experience the current wild life they currently enjoy. Many of these children come here to enjoy wilderness, quietness, and a peaceful experience. This will no longer be the case. They will have less wildlife if any at all and the noise will be right next door. Not a place future Scouts will want to spend their summers and vacation time. We regret that future young men may not be able to experience the benefits of Camp Urland as our grandson did.

4. When we researched the amount of acre-foot of water used by the ETEC no one has guaranteed us that our natural spring will not be affected. We have a native spring that has been used to water livestock as well as wild game for as long as we have owned the property. In the event that the ground water retracted could possibly cause springs to go dry as well as land shifts. It is also a concern that the run of water from the plant will contaminate live stock/game drinking area. It is a major concern and who will be responsible for the negative out comes from this plant. Let it be known that if the health and/or well being of any of our family members, livestock, vegetation, ect. are effected in any negative or harmful manor due to this environmental hazardous plant we will execute all legal measures and/or rights necessary to prosecute and seek legal compensation to the fullest extent of the law. We do not take lightly the threat this plant brings to our family, health, property, business, and ect. Not only for our currently living generation, but for generations to come.

5. ETEC uses the statement "generally associated with the waste streams proposed for discharge from this facility" this is not a guarantee and if the streams are damaged who will take the responsibility? And by what means of compensation will ETEC be willing to compensate a neighbor who is affected by their plant. And in what ways will ETEC guarantee that they will compensate for damages done to our family, property, livestock, vegetation, business and ect. It is our request to have in writing how these damages will be decided and the monetary amount determined by all parties involved. How will the fairness of this process be guaranteed? If at any time we do not feel we are being treated fairly we will seek legal counsel to resolve the matter. Be it known that wording in the most recent letter we have received, dated December 22,2011 was vague at best. Example on page 11 " NOT EXPECTED" to adversely impact livestock. This letter we received has not insured there will be no harm from ETEC nor has it proven itself to environmentally safe. It has in NO WAY lessened our concerns. However, after receiving this vague letter it has only heightened our concerns and fears of the negative effects ETEC will bring. ETEC has not yet proven beyond a doubt THERE WILL BE NO NEGAVIVE EFFECTS from the ETEC Plant.

6. Although odor may not be a factor in determining industrial wastewater

permit. This does not entitle ETEC the right to destroy the air quality and odor of the air we and our livestock breathe each day. The Environmental Protection Agency has determined that some of the pollutants listed in the discharge are can be harmful to human health. Please see the statement below directly from their website regarding odors and air quality. " The Environmental Protection Agency (EPA) has set National Ambient Air Quality Standards (NAAQS) for six "criteria pollutants" considered harmful to public health, including ground-level ozone (smog), particulate matter, lead, nitrogen dioxide, sulfur dioxide, and carbon monoxide. Therefore our concerns are valid due to the contaminates to be produced by the ETEC Plant.

In Summary if this executive directors judgment is not overturn in a timely manor we will be forced to exercise all legal rights but not restricted to and including filling suit against all persons, companies, agencies involved with East Texas Electric Cooperative, Inc. and TCEQ.

With Regards,

Grady and Linda Miller
1308 County Road 1020
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Adjacent land owner of the proposed plant site.

With the concerns stated above heirs to said property, livestock owners and family business partners/investors.

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