

Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 24, 2013

Bridget Bohac, Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC 105  
Austin, Texas 78711-3087

Re: Backup Material for Executive Director's Response to Hearing Request Brief for Michael Bradley Smith, Concrete Batch Plant Standard Permit Registration No. 51836  
TCEQ Docket No. 2013-0854-AIR

Dear Ms. Bohac:

Enclosed please find a copy of the following documents for inclusion in the background material for this permit application:

- The summary of the technical review of the permit application
- The compliance summary of the applicant

If you have any questions, please do not hesitate to call me at extension 0891.

Sincerely,

A handwritten signature in cursive script that reads "Amy L. Browning". The signature is written in black ink and is positioned to the right of the typed name.

Amy L. Browning  
Staff Attorney  
Environmental Law Division

Enclosure

# Concrete Batch Plant Standard Permit Review Technical Review

Company	Smith Michael Bradley	Permit Number	51836
City	Huntsville	Project Number	183840
County	Walker	Account Number	96-0018-W
Project Type	Renewal	Regulated Entity Number	RN102802956
Project Reviewer	Mr. Donald D. Nelon	Customer Reference Number	CN604241513
Site Address	834 Farm-to-Market Road 2296		

## Project Overview

The initial registration for this facility was issued to Service Ready Mix Concrete, Inc. and later ownership was transferred to Texas Best Concrete LLC and later returned to Service Ready Mix, Inc. The renewal application initially identified Service Ready Mix, Inc. as the permittee. However, this name was no longer considered a legal name. The Applicant chose to put the registration under his name.

The public notice comment period was extended to February 26, 2013 due to failure to properly post signs.

### Facility Description:

This is the proposed renewal of a permanent concrete batch plant with a production rate of 200 cubic yards per hour.

### Process Description:

Washed sand and gravel are to be delivered by trucks and stockpiled at the facility. The stored material will be sprinkled with water as needed for dust-control. When needed for production, the aggregate will be moved via a front-end loader to the conveyor that leads to the aggregate bin from where the material will drop into the weigh batcher. After weighing each batch will drop into the rotating drums of mixer trucks.

Cement will be pneumatically conveyed from delivery tankers into the cement silo(s). Remaining in total enclosure, the cement will then be gravity dropped from the silo into the cement weigh batcher. The weighed cement batch will then be gravity dropped into the rotating drums of mixer trucks. Particulate matter control of cement dust from the silo will be a vent style bag house. Aggregate and cement emissions at the truck drop point will be vented to a central dust collector through a suction shroud.

Maintenance activities will be authorized either under permit by rule or claimed under 30 Texas Administrative Code § 116.119, De Minimis Facilities or Sources. Emissions from planned startup and shutdown activities will be authorized by this permit.

Emissions will also be generated during startup and shutdown of the facility. Startup and shutdown emissions are virtually indistinguishable from production emissions. Although there may be minor emissions associated with startup and shutdown, particulate emission factors used to quantify production emissions are considered to have enough conservatism to include any incidental increases that may be attributed to startup and shutdown.

### Deficiencies

Has all required information been received by the TCEQ?	<b>Yes</b>
Comments:	<b>No comments</b>
Date registration claim complete:	<b>January 10, 2013</b>

### Power Source Information

Does this facility utilize an engine or generator?	<b>No</b>
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# Concrete Batch Plant Standard Permit Source Analysis & Technical Review

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Regulated Entity No. RN102802956

### Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	<b>January 30, 2013</b>
Compliance period:	<b>October 9, 2012 – October 10, 2007</b>
Site rating & classification:	<b>Unclassified</b>
Company rating & classification:	<b>Unclassified</b>
If the rating is 50<RATING<55, what was the outcome, if any, based on the findings in the formal report:	<b>NA</b>
Has the permit changed on the basis of the compliance history or rating?	<b>No</b>

### Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement	
39.403	Is Public Notice Required?	<b>Yes</b>
	Comments:	<b>No comments</b>
	Date Application Received:	<b>October 9, 2012</b>
	Date Administratively Complete:	<b>December 28, 2012</b>
	Small Business Source?	<b>Yes</b>
	Date Leg Letters mailed:	<b>December 28, 2012</b>
	39.603	Date Published:
Publication Name:		<b>Huntsville Item</b>
Pollutants:		<b>PM, PM<sub>10</sub>, PM<sub>2.5</sub>, Road Dust, Aggregate, Cement</b>
Date Affidavits/Copies Received:		<b>February 4, 2013</b>
Is bilingual notice required?		<b>No, Applicant verified the school district does not have a bilingual program</b>
39.604	Date Certification of Sign Posting / Application Availability Received:	<b>March 13, 2013</b>
	Public Comments Received?	<b>Yes (5)</b>
	Hearing Requested?	<b>Yes (14)</b>
	Meeting Request?	<b>No</b>
	Date Response to Comments sent to OCC:	
	Request(s) withdrawn?	
	Date Withdrawn:	
	Consideration of Comments:	
Is 2nd Public Notice required?	<b>No, second notice not required for renewal projects</b>	
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	
	Request for Reconsideration Received?	
	Final Action:	
	Are letters Enclosed?	

### Recommendations

All conditions of Standard Permit satisfied?	<b>Yes</b>
Final Action:	<b>Renew</b>
Comments:	<b>Last day for public comments February 26, 2013</b>

**Concrete Batch Plant Standard Permit  
Source Analysis & Technical Review**

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Regulated Entity No. RN102802956

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Project Reviewer

Date

Team Leader/Section Manager/Backup

Date

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To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 949-4357.



# Compliance History Report

**PUBLISHED** Compliance History Report for CN604241513, RN102802956, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

**Customer, Respondent, or Owner/Operator:** CN604241513, SMITH MICHAEL BRADLEY **Classification:** NOT APPLICABLE **Rating:** N/A

**Regulated Entity:** RN102802956, SMITH CBP NO 1 **Classification:** NOT APPLICABLE **Rating:** N/A

**Complexity Points:** N/A **Repeat Violator:** N/A

**CH Group:** 10 - Cement and Concrete Product Manufacturing

**Location:** 834 FM 2296 RD HUNTSVILLE, TX 77340-2433, WALKER COUNTY

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**  
**AIR NEW SOURCE PERMITS REGISTRATION** 51836 **AIR NEW SOURCE PERMITS ACCOUNT NUMBER** 960018W  
**AIR NEW SOURCE PERMITS AFS NUM** 4877701621 **AIR EMISSIONS INVENTORY ACCOUNT NUMBER** 960018W

**Compliance History Period:** September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

**Date Compliance History Report Prepared:** January 10, 2013

**Agency Decision Requiring Compliance History:** Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

**Component Period Selected:** October 10, 2007 to October 09, 2012

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Nelon **Phone:** (512) 239-0894

**Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A  
Service Ready Mix Concrete, Inc., OWNER OPERATOR, 1/1/1800 to 2/17/2012
- 5) If YES, when did the change(s) in owner or operator occur? N/A

**Components (Multimedia) for the Site Are Listed in Sections A - J**

**A. Final Orders, court judgments, and consent decrees:**  
N/A

**B. Criminal convictions:**  
N/A

**C. Chronic excessive emissions events:**  
N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**  
N/A

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**  
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.  
N/A

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

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# Compliance History Report

**PUBLISHED** Compliance History Report for CN601423544, RN102802956, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

**Customer, Respondent, or Owner/Operator:** CN601423544, Service Ready Mix Concrete, Inc. **Classification:** UNCLASSIFIED **Rating:** -----

**Regulated Entity:** RN102802956, SMITH CBP NO 1 **Classification:** UNCLASSIFIED **Rating:** -----

**Complexity Points:** 4 **Repeat Violator:** NO

**CH Group:** 10 - Cement and Concrete Product Manufacturing

**Location:** 834 FM 2296 RD HUNTSVILLE, TX 77340-2433, WALKER COUNTY

**TCEQ Region:** REGION 12 - HOUSTON

**ID Number(s):**  
**AIR NEW SOURCE PERMITS REGISTRATION** 51836 **AIR NEW SOURCE PERMITS ACCOUNT NUMBER** 960018W  
**AIR NEW SOURCE PERMITS AFS NUM** 4877701621 **AIR EMISSIONS INVENTORY ACCOUNT NUMBER** 960018W

**Compliance History Period:** September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

**Date Compliance History Report Prepared:** January 30, 2013

**Agency Decision Requiring Compliance History:** Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

**Component Period Selected:** October 10, 2007 to October 09, 2012

## TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

**Name:** Nelon **Phone:** (512) 239-0894

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A  
Service Ready Mix Concrete, Inc., OWNER OPERATOR, 1/1/1800 to 2/17/2012
- 5) If YES, when did the change(s) in owner or operator occur? N/A

## Components (Multimedia) for the Site Are Listed in Sections A - J

**A. Final Orders, court judgments, and consent decrees:**  
N/A

**B. Criminal convictions:**  
N/A

**C. Chronic excessive emissions events:**  
N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**  
N/A

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A