

**TCEQ DOCKET NO. 2014-0525-AIR**

<b>APPLICATION BY</b>	§	<b>BEFORE THE TEXAS</b>
	§	
<b>TEX-MIX PARTNERS, LTD.</b>	§	<b>COMMISSION ON</b>
	§	
<b>BULVERDE, COMAL COUNTY</b>	§	<b>ENVIRONMENTAL QUALITY</b>

**APPLICANT’S RESPONSE TO REQUESTS FOR  
CONTESTED CASE HEARING AND FOR RECONSIDERATION**

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

Tex-Mix Partners, Ltd. (the “Applicant” or “Tex-Mix”) files this response to Requests for Contested Case Hearing and for Reconsideration (the “Response”) and respectfully requests that the Texas Commission on Environmental Quality (the “TCEQ” or the “Commission”) deny all requests for a contested case hearing and for reconsideration submitted in this matter.

**I. Background and Procedural Information**

The Applicant proposes to construct and operate a new concrete batch plant (the “Plant”) for the sale of pre-mixed, ready-to-use concrete to builders and contractors. The proposed Plant will be located on a 33.3-acre tract located on the east side of Highway 281 approximately 0.5 mile south of the intersection with Rebecca Creek Road in Bulverde, Comal County.

To obtain authorization for the Plant, the Applicant filed Registration No. 109839 (the “Registration” or the “Application”) with the TCEQ on April 30, 2013, to register the Plant under the TCEQ’s Air Quality Standard Permit for Concrete Batch Plants, as amended (the “Standard Permit”), authorized by the Texas Clean Air Act (the “TCAA”).

**A. The Standard Permit**

The TCAA authorizes the Commission to issue “standard permits” for new or existing facilities that have similar operations where a common set of requirements can be enforced.<sup>1</sup> The Commission issued such a standard permit in December 2000 for concrete batch plants that operated under specific conditions, *i.e.*, the Standard Permit.<sup>2</sup> The procedures for determining and adopting the conditions of the Standard Permit are important to the issue before the Commission here and are briefly discussed below.

The Standard Permit’s conditions include technical requirements for the construction and operation of a batch plant, as well as procedural and administrative requirements to ensure a

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<sup>1</sup> Tex. Health & Safety Code § 382.05195.

<sup>2</sup> 37 Tex. Reg. 10013 (December 21, 2012); *see also* “Air Quality Standard Permit for Concrete Batch Plants” TCEQ Guidance Document RG-056, issued December 2000 (“2000 Standard Permit Guidance”) (available at: [http://www.tceq.state.tx.us/assets/public/permitting/air/NewSourceReview/Mechanical/cbpguid\\_final.pdf](http://www.tceq.state.tx.us/assets/public/permitting/air/NewSourceReview/Mechanical/cbpguid_final.pdf)) (last accessed May 5, 2014).

batch plant operating under the Standard Permit can be monitored for compliance. The technical requirements consider the rate of production and hours of operation, and they impose minimum setbacks from property boundaries, dust suppression systems, the paving of roadway surfaces, and other operating conditions. These requirements developed from the TCEQ's air quality expertise, including air quality modeling and analysis.

In promulgating the Standard Permit, the TCEQ undertook a protectiveness review and determined the technical operating requirements that would ensure air quality at and around a batch plant would meet or exceed applicable standards, including the National Ambient Air Quality Standards (the "NAAQS") for particulate matter ("PM"), set by the U.S. Environmental Protection Agency (the "EPA"), and the TCEQ's toxicology and risk assessment health effects guidelines.<sup>3</sup> The PM NAAQS are set for particulate dust emissions and identify concentration levels that are protective of human health and the environment, including the health of sensitive individuals such as those with lung or cardiovascular conditions.<sup>4</sup> The TCEQ evaluated the operational requirements of the Standard Permit for protectiveness of human health and the environment when the Standard Permit was originally issued in 2000 and again in 2012 when the Commission incorporated the updated PM NAAQS into the analysis.<sup>5</sup>

The Standard Permit was originally issued in 2000, amended in 2003 to incorporate requirements for temporary batch plants, and amended in 2012 to incorporate updated NAAQS. For each issuance of the Standard Permit, the Commission complied with the required public notice and comment period set forth in the Texas Health & Safety Code and the Texas Administrative Code.<sup>6</sup> During each of those comment periods, members of the public were given an opportunity to comment on proposed permit requirements, including the relative protectiveness of the proposed operating restrictions. Most recently, the proposed amendments to the Standard Permit, effective December 21, 2012, were published in the *Texas Register* on August 31, 2012, and concurrently in major metropolitan newspapers in Austin, Dallas and Houston.<sup>7</sup> The public comment period ran from the date of publication until October 5, 2012, and the TCEQ held a public meeting on October 3, 2012.<sup>8</sup> The Executive Director of the Commission (the "ED") evaluated and responded to each of the public comments, and the Commission issued the amendments to the Standard Permit.<sup>9</sup>

## **B. Tex-Mix's Application for the Standard Permit**

Tex-Mix's Application for registration to construct and operate the Plant under the Standard Permit was declared administratively complete on May 3, 2013. The Notice of Receipt

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<sup>3</sup> 2000 Standard Permit Guidance, at p. 11.

<sup>4</sup> See "Executive Director's Response to Public Comment" ("RTC"), at Response 2.

<sup>5</sup> See 2000 Standard Permit Guidance; "Standard Permit Issuance Package" for Amendments to Standard Permit for Concrete Batch Plant, effective December 21, 2012 ("2012 Standard Permit Guidance"), at pp. 10-11 (available at: <http://www.tceq.state.tx.us/assets/public/permitting/air/NewSourceReview/Mechanical/cbpsp-finalpreamble.pdf>) (last accessed May 5, 2014).

<sup>6</sup> Tex. Health & Safety Code § 382.05195; 30 Tex. Admin. Code §§ 116.603, 116.605.

<sup>7</sup> 37 Tex. Reg. 6960 (August 31, 2012); 2012 Standard Permit Guidance, at p. 11.

<sup>8</sup> 37 Tex. Reg. 10013 (December 21, 2012).

<sup>9</sup> *Id.*

and Intent to Obtain an Air Quality Permit (the “NORI”) for the Application was published in English on May 24, 2013, in the *San Antonio Express-News*. The alternative-language NORI was published in Spanish on May 25, 2013, in *El Norte*. Following a technical review of the Application, the ED determined that the Application “meets all of the requirements of a Standard Permit authorized under 30 Texas Administrative Code Section 116.611 which would establish the conditions under which the facility must operate.”<sup>10</sup> The Notice of Application and Preliminary Decision for Air Quality Permit (the “NAPD”) was published on July 25, 2013, in English in the *San Antonio Express-News* and in Spanish in *El Norte*.<sup>11</sup> The Applicant mailed notice to interested persons on June 14, 2013, and held a public meeting on June 27, 2013, in Spring Branch.<sup>12</sup> The public comment period ended on August 26, 2013. The Applicant appropriately satisfied all applicable notice requirements related to the Registration.

After the close of the public comment period, the ED filed a Response to Public Comment (the “RTC”) on February 26, 2014. The RTC was mailed to all interested persons, including those who asked to be placed on the mailing list for the Application and those who submitted comments or requests for contested case hearing. The cover letter attached to the RTC and mailed on March 6, 2014, included information about making requests for a contested case hearing or for reconsideration of the ED’s decision. The TCEQ received hearing requests and/or requests for reconsideration from the persons identified in Table 1, attached hereto (collectively, the “Requesters”).

## II. Applicable Law

At issue before the Commission is whether Tex-Mix’s Application meets the requirements set forth by the Standard Permit. The ED issued a preliminary determination that the Application meets those requirements and the Plant should be authorized by the Standard Permit.<sup>13</sup> Relevant statutes allow persons who may be affected an opportunity to request a hearing.<sup>14</sup> When a hearing is requested, the Commission’s first inquiry is whether the requesting party is an “affected person.”<sup>15</sup> If the requesting party is an affected person, the Commission must then address whether the affected person’s request raises any relevant and material issues of fact related to whether the Application meets the requirements of the Standard Permit.<sup>16</sup>

The Commission may not grant a request for a contested case hearing unless the Commission determines that the request was filed by an affected person.<sup>17</sup> An “affected person”

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<sup>10</sup> “Notice of Application and Preliminary Decision for an Air Quality Standard Permit for Concrete Batch Plant Registration; Proposed Registration Number 109839” (“NAPD”), issued July 3, 2013.

<sup>11</sup> RTC, at p. 2.

<sup>12</sup> *Id.*

<sup>13</sup> NAPD.

<sup>14</sup> See Tex. Health & Safety Code § 382.056(n); Tex. Water Code § 5.556.

<sup>15</sup> See Tex. Water Code § 5.556(c) (only allowing TCEQ to grant hearing requests filed by an affected person).

<sup>16</sup> See *id.* at § 5.556(d).

<sup>17</sup> *Id.* at § 5.556(c).

is “one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application.”<sup>18</sup>

In an application for a concrete batch plant Standard Permit, “only those persons actually residing in a permanent residence within 440 yards of the proposed plant may request a hearing . . . as a person who may be affected.”<sup>19</sup> Thus, if a person requesting a hearing does not actually reside within 440 yards of the proposed batch plant, the requesting party fails to meet the distance requirement established by the Texas Legislature and is, therefore, statutorily barred from requesting a hearing.

If the Commission determines that a hearing request is timely, in proper form, and the requesting person is not statutorily barred by the 440-yard residence requirement, the Commission then must determine if any of the issues raised may be referred to the State Office of Administrative Hearings (“SOAH”) for a contested case hearing. Issues that may be referred to SOAH must meet the following three criteria:

- (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.*<sup>20</sup>

As mentioned above, the Commission’s decision on the Application concerns whether or not the Plant will be constructed and operated within the requirements of the Standard Permit and applicable law. Importantly, the Commission is not addressing the suitability or protectiveness of the Standard Permit requirements. As provided in the TCEQ’s guidance related to issuance of the Standard Permit: “*Any contested case hearing will be limited to whether or not a plant meets the conditions of the standard permit.*”<sup>21</sup> The protectiveness of the EPA’s NAAQS, the TCEQ’s analysis and modeling supporting the Standard Permit requirements, traffic issues, noise or light concerns, and property values are all issues outside of the scope of the Commission’s decision and are, therefore, improper issues for SOAH referral in this Application.

### **III. Analysis of Hearing Requests**

The Application for construction and operation of the Plant meets the conditions set forth in the Standard Permit, therefore, the Commission should issue the Registration to allow Tex-Mix to operate under the Standard Permit.<sup>22</sup> In issuing the NAPD, the ED agreed that the Application meets all requirements of the Standard Permit and that the Applicant will operate within the parameters of the Standard Permit as amended.

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<sup>18</sup> *Id.* § 5.115(a); 30 Tex. Admin. Code § 55.203(a).

<sup>19</sup> Tex. Health & Safety Code § 382.058(c).

<sup>20</sup> 30 Tex. Admin. Code § 50.115(c) (emphasis added).

<sup>21</sup> 2000 Standard Permit Guidance, at 5 (emphasis added).

<sup>22</sup> *See* RTC, at Response 2 (“The TCEQ cannot deny authorization of a facility if a permit application demonstrates that all applicable statutes, rules, and regulations will be met.”).

All Requesters, other than Annette and Emery Gass residing at 12471 U.S. Highway 281 (the “Gasses”), reside beyond the 440-yard distance requirement and, therefore, may not request a contested case hearing related to this Application. The Gasses fail to raise any relevant or material issues of fact about which a contested case hearing may be held. Instead, the Gasses simply assert that the Standard Permit is not protective enough. Accordingly, because no “affected person” has raised an issue that the TCEQ may refer to SOAH, all requests for a contested case hearing or reconsideration should be denied.

**A. Requesters – Other Than the Gasses – Are Not Affected Persons.**

Twenty-four of the twenty-six hearing requests are from persons residing more than 440 yards from the proposed Plant. As discussed above, only persons residing within 440 yards of the proposed Plant are entitled to make a request for hearing.<sup>23</sup> Table 1 identifies the names and addresses of the Requesters. Figures 1A and 1B show the residential locations of the Requesters and their respective distances from the Plant. Several Requesters reside at locations too far – *i.e.*, at least three miles – from the Plant to appear on Figures 1A or 1B.<sup>24</sup>

As a matter of law, none of the Requesters outside of the 440-yard distance limitation qualifies as an affected person. Consequently, those Requesters do not have standing in this matter to request a hearing, and each of those hearing requests should be denied by the Commission.

**B. The Gasses – the Only Affected Persons – Do Not Raise Issues That Can Be Referred to SOAH.**

The Gasses’ requests are not statutorily barred by the 440-yard requirement and may be considered by the Commission in its review of the Application. The issues raised by the Gasses, however, do not address the Applicant’s compliance with the requirements of the Standard Permit; rather, the issues represent a challenge to the conditions of the Standard Permit itself. The Standard Permit was promulgated by the Commission to be protective of human health and the environment.<sup>25</sup> The Commission undertook a public comment and review process, whereby the public had an opportunity to review and challenge the protectiveness determination of the Commission, as well as the air quality analysis that the Commission undertook to make its determination.<sup>26</sup> Because this review process has already occurred, “[a]ny contested case hearing [under the Standard Permit] will be limited to whether or not a plant meets the conditions of the [S]tandard [P]ermit.”<sup>27</sup> Accordingly, what is at issue before the Commission is whether the Applicant meets the requirements of the Standard Permit, not whether the Standard Permit is protective of human health and the environment, a determination that has already been made through the TCEQ’s established regulatory rulemaking process. Nonetheless, the Applicant responds to each of the Gasses’ comments by subject below.

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<sup>23</sup> See Tex. Health & Safety Code § 382.058(c).

<sup>24</sup> The following Requesters reside more than three miles from the Plant: Donna and Ron Deage, Diane Kime, Rhonda Gass Luman, James Wollmann and Marilyn Pozero, Jay Thomas, and Trudy A. Thomas.

<sup>25</sup> See 2012 Standard Permit Guidance.

<sup>26</sup> *Id.*

<sup>27</sup> 2000 Standard Permit Guidance, at p. 5.

**1. The Gasses' Concern About Alleged Impacts to Residents' Health from Plant Emissions Relates to the Adequacy and Protectiveness of the Standard Permit Conditions, not Tex-Mix's Application or Compliance.**

The Gasses claim that their health will be impacted, but fail to demonstrate how that will occur. In their hearing request, the Gasses state:

The approval of the application will adversely affect the health of Mr. Gass who suffers from COPD and other breathing issues. The plant's emissions of particle dust particles, plus the emissions of increased truck traffic together are an issue we feel has not been addressed by TCEQ.<sup>28</sup>

This claim is based on a mistaken understanding. The TCEQ undertook significant analysis, including additional conservative modeling in 2012 during development of the Standard Permit amendment, as part of its rulemaking process to determine that the Standard Permit requirements are protective of human health.<sup>29</sup> The TCEQ's determination to issue the Standard Permit was based upon the NAAQS, set and updated by the EPA, which take into account potential impacts to sensitive individuals such as Mr. Gass.<sup>30</sup> The Application demonstrates that the Applicant will construct and operate the Plant in compliance with the Standard Permit requirements. Accordingly, the Standard Permit already takes into account the impact of Plant operations on health and the environment and provides emissions limitations and restrictions to ensure that Plant operations will not adversely affect health and the environment.

Importantly, the Gasses do not allege noncompliance with the Standard Permit as a basis for their claim that the Plant will affect an individual's health. Such an issue could be relevant to the Commission's inquiry and might pose a dispute of fact to be addressed in a contested case hearing. However, the Gasses' stated concern about potential health impacts raises no relevant or material fact issue relating to Tex-Mix's compliance with requirements to register under the Standard Permit and, therefore, does not present an issue that the Commission could refer for a contested case hearing.

**2. The Gasses' Concern About Alleged Impacts to Residents' Livestock or Crops from Plant Emissions Also Relates to the Adequacy and Protectiveness of the Standard Permit Conditions, not Tex-Mix's Application or Compliance.**

As stated in Section B.1. above, the Commission has already determined that the Standard Permit requirements are protective of the health and property of the public. The Gasses' comment about livestock and crops does not raise a relevant fact issue that is material to the question of whether the Applicant has met the requirements for registering under the Standard Permit. Accordingly, the comment does not raise an issue that the Commission could refer for a contested case hearing.

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<sup>28</sup> See Hearing Request submitted by Annette and Emery Gass, April 2, 2014.

<sup>29</sup> 37 Tex. Reg. 10013 (December 21, 2012); RTC, at Response 2.

<sup>30</sup> *Id.*

**3. The Gasses' Concerns About Alleged Impacts from Contaminated Water Runoff from the Plant Are Not Relevant to the Commission's Inquiry Into Whether Tex-Mix's Application Meets the Requirements of the Standard Permit.**

The Gasses complain that water discharges from the Plant will impact adjacent waterways. This is not an issue within the scope of the Commission's inquiry. The proposed Registration under the Standard Permit would not authorize discharges to adjacent waters. By registering under the Standard Permit, the Applicant commits to comply with all rules, regulations and orders of the Commission.<sup>31</sup> The Applicant will comply with any applicable water quality requirements. Because this comment is not relevant or material to the Commission's decision on this Application, it does not raise an issue that the Commission could refer to a contested case hearing.

**4. The Gasses' Concern Over the Actual Operation of the Plant Compared to the Application Design Is Not a Relevant Dispute of Fact and Is Addressed by the Requirements of the Standard Permit Already.**

The Gasses state that the ED's Responses to Comments 2 and 3 in the RTC address only the *proposed* design and operation of the Plant and do not address the *actual* operation of the Plant. The Applicant's authorization to operate the Plant, however, is contingent upon its continued compliance with the Standard Permit requirements. Furthermore, the general conditions of a Standard Permit require that the Applicant notify the TCEQ regional office of the construction completion and the start-up of facilities to ensure that the TCEQ can enforce compliance with the Standard Permit conditions once the Plant begins operating.<sup>32</sup> Accordingly, this comment does not raise an issue of disputed material fact that the Commission could refer to a contested case hearing.

**5. The Gasses' Concern Regarding Compliance with the Requirements for an "Air Quality Standard Permit for Concrete Batch Plants with Enhanced Controls" Relates to a Different Standard Permit and Is Not Relevant to the Commission's Determination of Whether the Application Meets the Requirements of the Standard Permit.**

The Gasses identify the requirements of the Standard Permit for Concrete Batch Plants with Enhanced Controls (the "Enhanced Controls Permit") and state that the Application will not meet those requirements.<sup>33</sup> The Enhanced Controls Permit is a separate standard permit from the Standard Permit under which the Applicant seeks to register. The Enhanced Controls Permit has different requirements that are not relevant to the Applicant's Application for coverage under the Standard Permit. The requirements for the Enhanced Controls Permit are irrelevant to the Commission's decision on this Application and are thus not a proper basis for referral to a contested case hearing.

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<sup>31</sup> See 30 Tex. Admin. Code § 116.615(10).

<sup>32</sup> *Id.* at § 116.615(4), (5).

<sup>33</sup> Hearing Request submitted by Annette and Emery Gass, April 2, 2014, citing Tex. Health & Safety Code § 382.05198.

### C. The Neighbors of Spring Branch Are Not an Affected Person.

The relevant standard for hearing requests related to the Standard Permit is that established by statute: “only those *persons actually residing in a permanent residence* within 440 yards of the proposed plant may request a hearing.”<sup>34</sup> The Commission has previously acknowledged the Texas Legislature’s direction to limit justiciable interests in concrete batch plants.<sup>35</sup> Therefore, if a requesting party is not a *person* and does not *actually reside* within 440 yards of the proposed batch plant, the requesting party fails to meet the statutory burden for legal standing to even request a hearing in a concrete batch plant standard air quality permit.<sup>36</sup>

The Neighbors of Spring Branch (the “NSB”) is not a person within the meaning of Section 382.058(c) of the Texas Health & Safety Code. The NSB has no “permanent residence,” nor can it show that it “resides” within 440 yards of the Plant. Thus, as a matter of law, the NSB is unable to demonstrate that it could satisfy the statutory requirement. Denial of the NSB’s hearing request is consistent with the plain language of the TCAA.

In addition to the limited definition of who may be an affected person relative to a proposed concrete batch plant, the NSB’s hearing request is also invalid pursuant to the TCEQ’s rules. Hearing requests must identify the person’s personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor’s location and distance relative to the proposed facility or activity that is the subject of the application; and how and why the requestor 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.<sup>37</sup> Dr. Sid W. Atkinson submitted the NSB’s request dated August 12, 2013.<sup>38</sup> The letter does not explain Dr. Atkinson’s relationship to the NSB other than listing a title of “President,” does not state where he lives, and does not identify the NSB’s organizational purpose.<sup>39</sup> The Gasses are identified as NSB members, but no additional facts or evidence are provided concerning the NSB’s membership, its membership requirements, or its interests. For a group or association to request a hearing, the claim asserted and the relief requested must not require the participation of individual members of the group.<sup>40</sup> The specific statutory 440-yard residence requirement applicable in this Application *does* necessarily require participation of individual members of NSB. Therefore, even though the Gasses reside within the 440 yards and may request a hearing, NSB does not have a basis upon which to request a hearing under TCEQ’s associational hearing

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<sup>34</sup> Tex. Health & Safety Code § 382.058(c) (emphasis added).

<sup>35</sup> See Act of June 18, 1999, 76<sup>th</sup> Leg., R.S., ch. 406, § 7 (Senate Bill 766); Interim Order, Block Creek Concrete Products Standard Permit Registration No. 83958, SOAH Docket No. 582-08-4460, TCEQ Docket No. 2008-1009-AIR at 2 (March 27, 2009).

<sup>36</sup> See Interim Order, East Texas Precast Co., Ltd., Registration No. 86593, TCEQ Docket No. 2009-1691-AIR; Interim Order, Lonestar Prestress Mfg., Inc., Registration No. 76688L001, TCEQ Docket No. 2006-1746-AIR (April 19, 2007) (excluding persons residing more than 440 yards from concrete batch plants in registrations under the Standard Permit).

<sup>37</sup> 30 Tex. Admin. Code § 55.201(d).

<sup>38</sup> Hearing Requests submitted by Sid W. Atkinson and Becky P. Atkinson, August 20, 2013.

<sup>39</sup> *Id.*

<sup>40</sup> 30 Tex. Admin. Code § 55.205(a)(3).

request rule. Thus, the TCEQ's rules prevent the NSB from requesting a hearing in this Application, and the Commission should deny the NSB's hearing request.

#### IV. Prayer

The Applicant respectfully prays that the Commission:

- A. Find that the Requesters located further than 440 yards from the Plant are not affected persons in this matter;
- B. Find that the Gasses' requests do not raise a disputed issue of fact relevant to the Commission's decision on this Application; and
- C. Deny all requests for a contested case hearing in this matter.

Respectfully submitted,

JACKSON GILMOUR & DOBBS, PC

By: 

William C. Petit  
State Bar No. 24042289  
3900 Essex Lane, Suite 700  
Houston, Texas 77027  
(713) 355-5000  
(713) 355-5001 (Fax)

Christopher B. Pepper  
State Bar No. 24034622  
Lisa Uselton Dyar  
State Bar No. 00788570  
WINSTEAD, PC  
401 Congress Avenue, Suite 2100  
Austin, Texas 78701  
(512) 370-2800  
(512) 370-2800 (Fax)

ATTORNEYS FOR TEX-MIX PARTNERS, LTD.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Applicant's Response to Requests for Contested Case Hearing and for Reconsideration has been forwarded via electronic mail, hand delivery or U. S. Mail to the following on May 9, 2014.

**FOR THE EXECUTIVE DIRECTOR:**

Brian Christian, Director  
TCEQ  
Small Business and Environmental Assistance  
Public Education Program MC-108  
P.O. Box 13087  
Austin, Texas 78711-3087

***Via Hand Delivery***

Amy Lynn Browning, Staff Attorney  
TCEQ  
Environmental Law Division, MC-173  
P.O. Box 13087  
Austin, Texas 78711-3087

***Via Hand Delivery***

Mike Gould, Technical Staff  
TCEQ  
Air Permits Division, MC-163  
P.O. Box 13087  
Austin, Texas 78711-3087

***Via Hand Delivery***

**FOR PUBLIC INTEREST COUNSEL:**

Blas J. Coy, Jr., Attorney  
TCEQ  
Public Interest Counsel, MC-103  
P.O. Box 13087  
Austin, Texas 78711-3087

***Via Hand Delivery***

**FOR THE CHIEF CLERK:**

Bridget Bohac, Chief Clerk  
TCEQ  
Office of the Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

***Via Electronic Filing***

**FOR ALTERNATIVE DISPUTE RESOLUTION:**

Mr. Kyle Lucas  
TCEQ  
Alternative Dispute Resolution, MC-222  
P.O. Box 13087  
Austin, Texas 78711-3087

***Via Hand Delivery***

FOR ANNETTE & EMERY GASS/  
NEIGHBORS OF SPRING BRANCH:

Celina Romero  
Don Lewis  
Duggins Wren Mann & Romero, LLP  
600 Congress, 19th Floor  
P.O. Box 1149  
Austin, Texas 78767-1149

*Via Hand Delivery*

REQUESTERS:

Rita Acker  
12133 US Highway 281 N  
Spring Branch, TX 78080-6307

Becky P. Atkinson  
Rebecca Creek Bed and Breakfast  
13084 Rebecca Creek Rd.  
Spring Branch, TX 78070-6320

Becky & Sid Atkinson  
13084 Rebecca Creek Rd.  
Spring Branch, TX 78070-6320

Sid W. Atkinson  
13084 Rebecca Creek Rd.  
Spring Branch, TX 78070-6320

Angela & Robert Butler  
381 Bent Oak Dr.  
Spring Branch, TX 78070-6313

Robert C. Butler  
381 Bent Oak Dr.  
Spring Branch, TX 78070-6313

Erica Colston  
672 Craig Ln.  
Spring Branch, TX 78070-6331

Janie & William Colston, Sr.  
616 Craig Ln.  
Spring Branch, TX 78070-6331

Liliya & William Colston  
672 Craig Ln.  
Spring Branch, TX 78070-6331

Donna & Ron Deage  
951 Brent Springs Rd.  
Spring Branch, TX 78070-4976

Annette Gass  
12471 US Highway 281 N  
Spring Branch, TX 78080-6318

Annette & Emery Gass  
12471 US Highway 281 N  
Spring Branch, TX 78080-6318

Diana D. Hager  
740 Craig Ln.  
Spring Branch, TX 78080-6316

Johnny & June Henke  
12251 Rebecca Creek Rd.  
Spring Branch, TX 78080-6309

Johnny Henke  
12251 Rebecca Creek Rd.  
Spring Branch, TX 78080-6309

Diane Kime  
180 Lipizzan Ln.  
Spring Branch, TX 78080-3770

Rhonda Gass Luman  
205 Aviation Ave.  
Schertz, TX 78154-1701

James Wollmann & Marilyn Pozero  
180 Lipizzan Ln.  
Spring Branch, TX 78080-3770

Juanita M. & Steve Proffitt  
740 Craig Ln.  
Spring Branch, TX 78070-6316

Juanita Marga Proffitt  
740 Craig Ln.  
Spring Branch, TX 78070-6316

Mrs. Sharon Smith  
261 Bent Oak Dr.  
Spring Branch, TX 78070-6311

Jay Thomas  
125 Grey Fox Cir.  
Spring Branch, TX 78070-4608

Trudy A. Thomas  
125 Grey Fox Cir.  
Spring Branch, TX 78070-4608

Barbara Welch  
12830 Rebecca Creek Rd.  
Spring Branch, TX 78070-6361

Kristen & William Wessale  
360 Bent Oak Dr.  
Spring Branch, TX 78070-6312

William Wessale  
360 Bent Oak Dr.  
Spring Branch, TX 78070-6312

By:   
\_\_\_\_\_  
William C. Petit

**TABLE 1: Requesters**

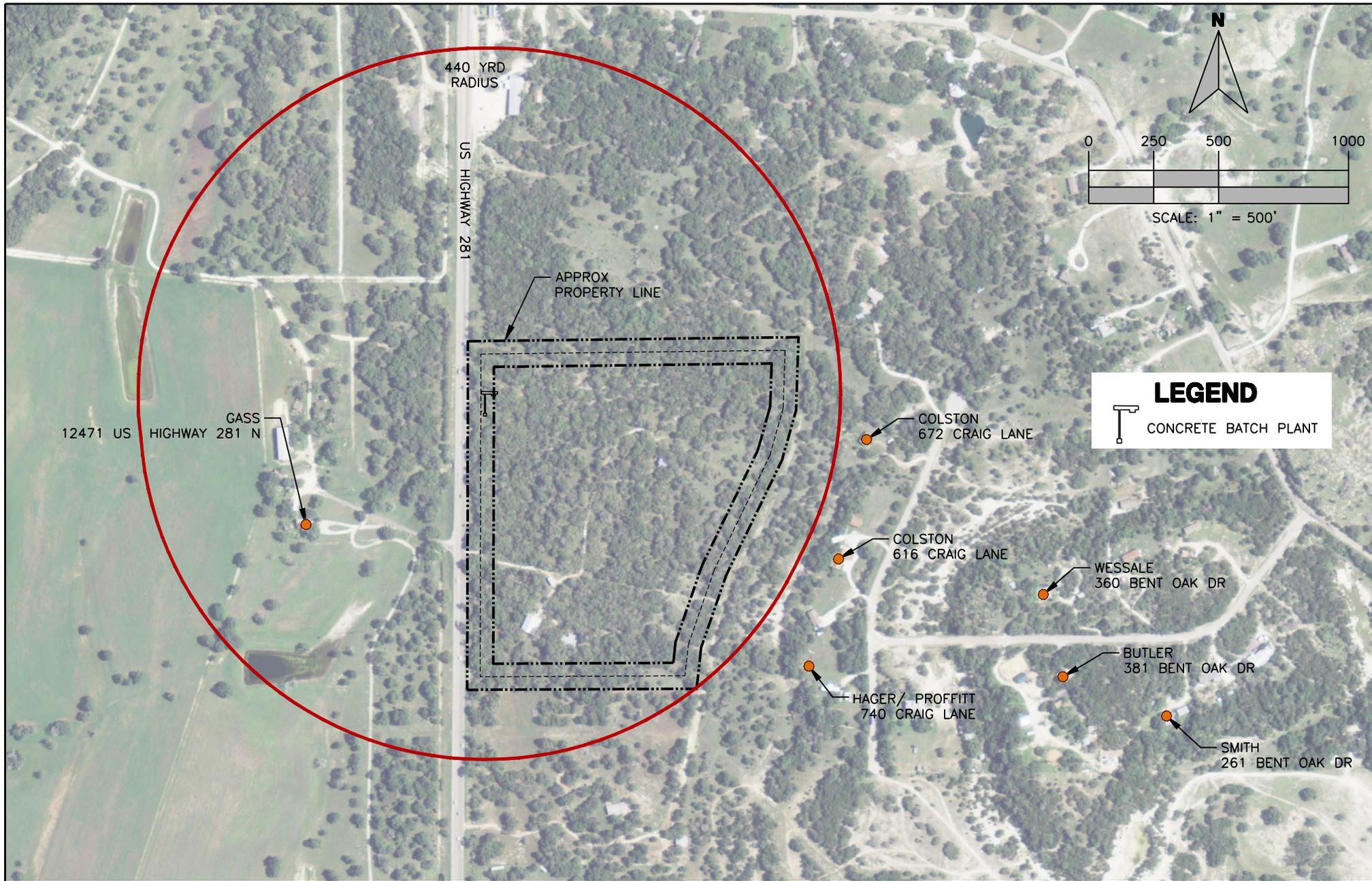
<b>Name</b>	<b>Address</b>
Rita Acker	12133 US Highway 281 N Spring Branch, TX 78080-6307
Becky P. Atkinson Rebecca Creek Bed and Breakfast	13084 Rebecca Creek Rd. Spring Branch, TX 78070-6320
Becky & Sid Atkinson	13084 Rebecca Creek Rd. Spring Branch, TX 78070-6320
Sid W. Atkinson	13084 Rebecca Creek Rd. Spring Branch, TX 78070-6320
Angela & Robert Butler	381 Bent Oak Dr. Spring Branch, TX 78070-6313
Robert C. Butler	381 Bent Oak Dr. Spring Branch, TX 78070-6313
Erica Colston	672 Craig Ln. Spring Branch, TX 78070-6331
Janie & William Colston, Sr.	616 Craig Ln. Spring Branch, TX 78070-6331
Liliya & William Colston	672 Craig Ln. Spring Branch, TX 78070-6331
Donna & Ron Deage	951 Brent Springs Rd. Spring Branch, TX 78070-4976
Annette Gass	12471 US Highway 281 N Spring Branch, TX 78080-6318
Annette & Emery Gass	12471 US Highway 281 N Spring Branch, TX 78080-6318
Diana D. Hager	740 Craig Ln. Spring Branch, TX 78080-6316
Johnny & June Henke	12251 Rebecca Creek Rd. Spring Branch, TX 78080-6309
Johnny Henke	12251 Rebecca Creek Rd. Spring Branch, TX 78080-6309
Diane Kime	180 Lipizzan Ln. Spring Branch, TX 78080-3770
Rhonda Gass Luman	205 Aviation Ave. Schertz, TX 78154-1701
James Wollmann & Marilyn Pozero	180 Lipizzan Ln. Spring Branch, TX 78080-3770
Juanita M. & Steve Proffitt	740 Craig Ln. Spring Branch, TX 78070-6316
Juanita Marga Proffitt	740 Craig Ln. Spring Branch, TX 78070-6316

Mrs. Sharon Smith	261 Bent Oak Dr. Spring Branch, TX 78070-6311
Jay Thomas	125 Grey Fox Cir. Spring Branch, TX 78070-4608
Trudy A. Thomas	125 Grey Fox Cir. Spring Branch, TX 78070-4608
Barbara Welch	12830 Rebecca Creek Rd. Spring Branch, TX 78070-6361
Kristen & William Wessale	360 Bent Oak Dr. Spring Branch, TX 78070-6312
William Wessale	360 Bent Oak Dr. Spring Branch, TX 78070-6312

Figure 1A



Figure 1B



SHEET #:  
**1B**  
OF 2

IMAGE: 2012	
ISSUE DATE:	XX/XX/XXXX
DRAWN BY:	BEM
CHECKED BY:	XXX
SCALE: 1" =	500'
JOB #:	10482-15

<b>SITE MAP</b>			
PERMANENT SPCBP			
TEX-MIX PARTNERS, LTD			
BULVERDE, COMAL COUNTY, TX			
REV.	DESCRIPTION	BY	DATE



  
**WESTWARD**

Environmental. Engineering. Natural Resources.  
P.O. Box 2205 Boerne, Texas 78006  
(830) 249-8284 Fax: (830) 249-0221  
TBPE REG. NO.: F-4524  
TBPG REG. NO.: 50112