

Gail Baker  
3498 E RR 1222  
Brady, TX 76825  
brakefield@live.com ✓

September 14, 2011

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
PO Box 13087  
Austin, TX 78711-3087

Regarding Permit Application #97199

Sir/Madam:

In light of recent events, I am writing this letter out of great concern due to the air quality permit application (#97199) recently submitted to TCEQ on behalf of Proppant Specialists, LLC. My concerns cover a broad spectrum and are all equally important to me, my family, my community, and my environment.

I have two small children, ages 11 and 13. One suffers from severe asthma and allergies. He takes daily medication just to prevent labored breathing and potential asthma attacks. My husband suffers from acute sinusitis and has for many years. My in-laws, whom are both in their mid-seventies, live less than 500 yards from our house and suffer from severe headaches and sinusitis. Given the contaminants this proposed frac sand mining operation would emit, including the cancer-causing product Silica, this would only enhance their daily battles with these conditions, threaten their weak immune systems, and will take even more away from their quality of living. We have livestock, wildlife, migratory birds, and pets that inhabit our pastures and plant life. We have fields and grasses planted. All of these animals and plants will be contaminated by the dust emitted from this operation if the facility is permitted to be erected.

As a resident of Katemcy, Texas, I am requesting TCEQ grant a contested hearing on the air quality permit application #97199 and that the citizens of Mason County be given time to adequately research the impact this operation will have on our human lives, livestock, migratory birds, pets, exposure to Silica, and the over-all quality of our "air." Your consideration is greatly appreciated.

Sincerely,



Gail Baker

H OPA  
SEP 19 2011  
BY BP

NSR  
78364

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2011 SEP 19 AM 10:13  
CHIEF CLERKS OFFICE





TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 18 AM 10:13

CHIEF CLERK'S OFFICE

RECEIVED

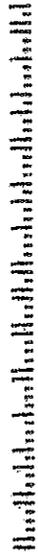
SEP 19 2011

TCEQ MAIL CENTER  
MM

450 LENE TX 75105

15 SEP 2011 PM 2 T

*Texas Commission on Environmental Quality*  
*Office of the Chief Clerk*  
*MC-105*  
*PO Box 13087*  
*Austin, TX 78711-3087*



7571143087

*Mail Bako*  
*3498 E RR 1222*  
*Brady, TX 76825*

**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/19/2011 8:34 AM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 9/16/2011 4:11 PM >>>

>>> <freejumper42@ymail.com> 9/16/2011 3:45 PM >>>

**REGULATED ENTY NAME** KATEMCY SAND PLANT  
**RN NUMBER:** RN106184195  
**PERMIT NUMBER:** 97199  
**DOCKET NUMBER:**  
**COUNTY:** MASON  
**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC  
**CN NUMBER:** CN603148750  
**FROM**  
**NAME:** Robert J. Beaulieu  
**E-MAIL:** [freejumper42@ymail.com](mailto:freejumper42@ymail.com)  
**COMPANY:** Granite Oaks Ranch  
**ADDRESS:** PO BOX 1709  
MASON TX 76856-1709  
**PHONE:** 3252584447  
**FAX:**

**COMMENTS:** My name is Robert Beaulieu, address is PO Box 1709 Mason, TX. My phone number is 325-258-4447. I am requesting a contested hearing. I live approximately 2 miles SSE of the proposed industrial sand plant. I believe the application may have errors and or accuracies in it. On the first page of my copy it says "The proposed plant will is a 150" etc. Is the word "will" an error or the name of the proposed plant? The third sentence says "The county is attainment or unclassified for all" etc. Is that a sentence or does it mean something? On form P1 item II C, 50 to 60 new employees. This is fiction. On Table 30,II, total estimated capital cost is \$16,000,000. In my copy of the application, there is no background on where this money will come from. How do we know they can pay for the capitalization? Is this a loan or does this come from a parent company? It's a loan has it been approved? From this application we don't know that once they start, they can walk away from the project at any time. On Introduction page 2, sentence 3. It says "The site is located in a sparsely populated area between Mason and Brady, near the town of Katemcy." Firstly, this is not a sparsely populated area and the town of Katemcy is on state and county maps. Secondly, the village of Katemcy is extremely close to the proposed sand plant and can be measured in yards. On page 29, paragraph 2, It says in part "it is assumed that all PM2.5 has been removed by the washing and drying process." Assumed? PM2.5 is widely known as causing serious illness including silicosis which is not curable. Assumed is not acceptable. Under Appendix A, Dryer calculations, the throughput of pm2.5 is 3,935 tons a year and the emissions 1.38 tons per year and yet previously they assumed all pm2.5 has been removed. That's contradictory. THIS IS A CORRECTED COPY CHANGING DIRECTION FROM SSW TO SSE. Thank You

NSR  
7-0364

241

**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/19/2011 8:34 AM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

NSR  
78364

H

>>> PUBCOMMENT-OCC 9/16/2011 4:11 PM >>>

>>> <[freejumper42@ymail.com](mailto:freejumper42@ymail.com)> 9/16/2011 3:42 PM >>>

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Robert J. Beaulieu

**E-MAIL:** [freejumper42@ymail.com](mailto:freejumper42@ymail.com)

**COMPANY:** Granite Oaks Ranch

**ADDRESS:** PO BOX 1709

MASON TX 76856-1709

**PHONE:** 3252584447

**FAX:**

**COMMENTS:** My name is Robert Beaulieu, address is PO Box 1709 Mason, TX. My phone number is 325-258-4447. I am requesting a contested hearing. I live approximately 2 miles SSW of the proposed industrial sand plant. I believe the application may have errors and or inaccuracies in it. On the first page of my copy it says "The proposed plant will is a 150" etc. Is the word "will" an error or the name of the proposed plant? The third sentence says "The county is attainment or unclassified for all" etc. Is that a sentence or does it mean something? On form P1 item II C, 50 to 60 new employees. This is fiction. On Table 30,II, total estimated capital cost is \$16,000,000. In my copy of the application, there is no background on where this money will come from. How do we know they can pay for the capitalization? Is this a loan or does this come from a parent company? If it's a loan has it been approved? From this application we don't know that once they start, they can walk away from the project at any time. On Introduction page 2, sentence 3. It says "The site is located in a sparsely populated area between Mason and Brady, near the town of Katemcy." Firstly, this is not a sparsely populated area and the town of Katemcy is on state and county maps. Secondly, the village of Katemcy is extremely close to the proposed sand plant and can be measured in yards. On page 29, paragraph 2, It says in part "it is assumed that all PM2.5 has been removed by the washing and drying process." Assumed? PM2.5 is widely known as causing serious illness including silicosis which is not curable. Assumed is not acceptable. Under Appendix A, Dryer calculations, the throughput of pm2.5 is 3,935 tons a year and the emissions 1.38 tons per year and yet previously they assumed all pm2.5 has been removed. That's contradictory. Thank You

MW

**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/19/2011 8:33 AM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 9/16/2011 4:10 PM >>>

>>> <[freejumper42@ymail.com](mailto:freejumper42@ymail.com)> 9/16/2011 3:39 PM >>>

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Robert J. Beaulieu

**E-MAIL:** [freejumper42@ymail.com](mailto:freejumper42@ymail.com)

**COMPANY:** Granite Oaks Ranch

**ADDRESS:** PO BOX 1709

MASON TX 76856-1709

**PHONE:** 3252584447

**FAX:**

**COMMENTS:** My name is Robert Beaulieu, address is PO Box 1709 Mason, TX. My phone number is 325-258-4447. I am requesting a contested hearing. I live approximately 2 miles SSW of the proposed industrial sand plant. I believe the application may have errors and or accuracies in it. On the first page of my copy it says "The proposed plant will is a 150" etc. Is the word "will" an error or the name of the proposed plant? The third sentence says "The county is attainment or unclassified for all" etc. Is that a sentence or does it mean something? On form P1 Item II C, 50 to 60 new employees. This is fiction. On Table 30,II, total estimated capital cost is \$16,000,000. In my copy of the application, there is no background on where this money will come from. How do we know they can pay for the capitalization? Is this a loan or does this come from a parent company? If it's a loan has it been approved? From this application we don't know that once they start, they can walk away from the project at any time. On Introduction page 2, sentence 3. It says "The site is located in a sparsely populated area between Mason and Brady, near the town of Katemcy." Firstly, this is not a sparsely populated area and the town of Katemcy is on state and county maps. Secondly, the village of Katemcy is extremely close to the proposed sand plant and can be measured in yards. On page 29, paragraph 2, It says in part "It is assumed that all PM2.5 has been removed by the washing and drying process." Assumed? PM2.5 is widely known as causing serious illness including silicosis which is not curable. Assumed is not acceptable. Under Appendix A, Dryer calculations, the throughput of pm2.5 is 3,935 tons a year and the emissions 1.38 tons per year and yet previously they assumed all pm2.5 has been removed. That's contradictory. Thank You

*NSP*  
*78364*

*MW*

**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/16/2011 3:30 PM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 9/16/2011 2:57 PM >>>

>>> <[freejumper42@gmail.com](mailto:freejumper42@gmail.com)> 9/16/2011 2:41 PM >>>

**REGULATED ENTY NAME** KATEMICY SAND PLANT  
**RN NUMBER:** RN106184195  
**PERMIT NUMBER:** 97199  
**DOCKET NUMBER:**  
**COUNTY:** MASON  
**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC  
**CN NUMBER:** CN603148750

**FROM**

**NAME:** Robert J. Beaulieu  
**E-MAIL:** [freejumper42@gmail.com](mailto:freejumper42@gmail.com)  
**COMPANY:** Granite Oaks Ranch  
**ADDRESS:** PO BOX 1709  
MASON TX 76856-1709  
**PHONE:** 3252584447

**FAX:**

**COMMENTS:** My name is Robert Beaulieu, address is PO Box 1709 Mason, TX. My phone number is 325-258-4447. My wife and I our requesting a contested hearing. We live approximately 2 miles SSW of the proposed industrial sand plant. I am very concerned about my wife's allergies and the negative effects the sand plant may have on her. Dust of any sort has a severe effect on my wife. Wind comes out of a northerly direction about 100 days a year. Also, it is our understanding that the applicant has no way of testing for pm2.5 which may have serious medical long lasting effects.

*MSR*  
*78364*

*MSR*



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Aquifer), road damage, noise pollution, effects on wildlife (a major source of income in Mason County, hunting, ranching and farming. This permit is, of course, concerning air, but the entire scope of danger needs to be considered.

Please take our way of life in Mason County into consideration when looking at this situation. It would be a crime to let that way of life be denied, when it could be avoided.

Thank you for your time and consideration

James Bode  
12441 Twin Lakes Lane  
San Angelo, TX 76904  
325-224-3181  
jrbode@zipnet.us

**Attn:**

**Melissa Chao, Team Leader  
Commissioners' Agenda Team**

**Fax# 512-239-3311**

**Note: This letter has also been sent by e-mail**

**From: James Bode  
San Angelo, TX**

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 SEP 15 PM 1:58  
CHIEF CLERKS OFFICE



If properly monitored, and, if there is detection of the matter, the damage has already been done! People and livestock will have this in their system, and, health problems will be in place.

This exceptional risk can, and should be avoided while there is time; before investments are continued in the operation. There are so many other problems that can occur with this operation: water use and contamination (in the middle of the worst drought on record in Texas, and, with the city of San Angelo about to tap into the same aquifer, Hickory Creek Aquifer), road damage, noise pollution, effects on wildlife (a major source of income in Mason County, hunting, ranching and farming. This permit is, of course, concerning air, but the entire scope of danger needs to be considered.

Please take our way of life in Mason County into consideration when looking at this situation. It would be a crime to let that way of life be denied, when it could be avoided.

Thank you for your time and consideration.

James Bode  
12441 Twin Lakes Lane  
San Angelo, TX 76904  
325-224-3181  
jrbode@zipnet.us ✓

**From:** CHIEFCLK  
**To:** Weber, Marisa  
**Date:** 9/15/2011 10:51 AM  
**Subject:** Fwd: Sand mining plant application #97199 hearing request  
**Attachments:** Sand mining plant application #97199 hearing request

Marisa-

Agency Comm forwarded the letter to me at 10:06 on 9/14.....let me know if this isn't what you needed.....

How is our customer service? Fill out our online customer satisfaction survey at [www.tceq.state.tx.us/goto/customersurvey](http://www.tceq.state.tx.us/goto/customersurvey).

>>> WWW - AC 9/14/2011 10:06 AM >>>

This came in on the Agency Communications e-mail box. No response to www - AC is requested.

Thanks,

Ken Sherry  
Agency Communications

**How is our customer service?** Fill out our online customer satisfaction survey at [www.tceq.texas.gov/goto/customersurvey](http://www.tceq.texas.gov/goto/customersurvey).

**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, April 10, 2014 3:00 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199  
**Attachments:** 04.10.14 Reiteration of Hearing Request.pdf

H

**From:** [sam@lf-lawfirm.com](mailto:sam@lf-lawfirm.com) [<mailto:sam@lf-lawfirm.com>]  
**Sent:** Thursday, April 10, 2014 2:39 PM  
**To:** [donotReply@tceq.texas.gov](mailto:donotReply@tceq.texas.gov)  
**Subject:** Public comment on Permit Number 97199

*NSR  
70364*

**REGULATED ENTY NAME** FML SAND KATEMCY

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Samuel Day-Woodruff (*David Frederick*)

**E-MAIL:** [sam@lf-lawfirm.com](mailto:sam@lf-lawfirm.com)

**COMPANY:** Frederick, Perales, Allmon & Rockwell, P.C.

**ADDRESS:** 707 RIO GRANDE ST Suite 200  
AUSTIN TX 78701-2719

**PHONE:** 5124696000

**FAX:**

**COMMENTS:** Please see attached hearing request.

*MW*

FREDERICK, PERALES, ALLMON & ROCKWELL, P.C.

ATTORNEYS AT LAW  
707 Rio Grande, Suite 200  
Austin, Texas 78701  
(512) 469-6000 • (512) 482-9346 (facsimile)  
Info@LF-LawFirm.com

Of Counsel:  
Richard Lowerre

April 10, 2014

Ms. Bridget Bohac, Chief Clerk  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
MC-105, Building F  
Austin, TX 78753

*Via e-file or facsimile transmission*

Re: Reiteration of Hearing Request on application of FML Sand, Inc., for Air  
Quality Permit No. 97199.

Dear Ms. Bohac:

On behalf of the Mason County Rural Preservation Society (the "Society"), I requested on April 12, 2013, a contested case hearing on the above-referenced permit application. The Society hereby reiterates and incorporates by reference its past hearing requests submitted on behalf of itself and the following individual Society members: Connie Stockbridge, James R. and Lisa Heath, Gerald Gamel, Steven and Merlina Gamel, Walter Guy Wiggs, Brenda Wiggs, Danny and Sharon Thomason, Wesley Strickland, Janis and Weldon Strickland, Gail Baker, Cheryl Glass, Trey and Tifnee and Lydia Nesloney, Jeanne Nixon, and James Bode.

Thank you, kindly, for your assistance in this matter.

Best regards,



David Frederick

Xc:

Society Representative  
Named individual members/requestors

**Marisa Weber**

---

**From:** PUBCOMMENT  
**Sent:** Monday, April 15, 2013 8:19 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199  
**Attachments:** 04.12.13 Hearing Request on AQ Permit No. 97199.pdf

H

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 15, 2013 7:23 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number 97199

*MSR  
78344*

**From:** [sam@lf-lawfirm.com](mailto:sam@lf-lawfirm.com) [<mailto:sam@lf-lawfirm.com>]  
**Sent:** Friday, April 12, 2013 3:38 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTITY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Samuel C Day-Woodruff

**E-MAIL:** [sam@lf-lawfirm.com](mailto:sam@lf-lawfirm.com)

**COMPANY:** Lowerre, Frederick, Perales, Allmon & Rockwell

**ADDRESS:** 707 RIO GRANDE ST Ste. 200  
AUSTIN TX 78701-2719

**PHONE:** 5124696000

*MSR*

**FAX:**

**COMMENTS:** Please see attached comments and hearing request filed on behalf Mason County Rural Preservation Society.

LOWERRE, FREDERICK, PERALES,  
ALLMON & ROCKWELL

ATTORNEYS AT LAW  
707 Rio Grande, Suite 200  
Austin, Texas 78701  
(512) 469-6000 • (512) 482-9346 (facsimile)  
Mail@LF-LawFirm.com

Ms. Bridget Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
MC 105  
Building F, Room 4301  
12015 Park 35 Circle  
Austin, Texas 78753

April 12, 2013

P.O. Box 13087  
Austin, Texas 78711-3087

Regarding: Application of Proppant Specialists, LLC, for Air Quality Permit No.  
97199, Katemcy, Mason County, Texas; Contested Case Hearing Request

Dear Ms. Bohac:

The Mason County Rural Preservation Society (the "Society") requests a contested case hearing on the above-referenced permit application.

The Society is a membership organization comprised largely of long-term landowners in northern Mason County, Texas, near the proposed Proppant Specialists site. The Society exists to help secure to these landowners the aesthetic benefits of life in rural America and to help preserve the market values and use and enjoyment opportunities of its members' properties. A number of the Society's members have impaired respiratory conditions that are at risk of aggravation because of the particulate matter emissions, particularly, projected to come from the operation of the Proppant Specialists facility and mine. Among the members of the Society is Connie Stockbridge (P.O. Box 731, Mason, Texas) who, with her extended family, lives or owns property less than a mile north, i.e., in the predominate downwind plume, of the proposed Proppant Specialists site. Also members are Jim and Lisa Heath (529 West RR 1222, Mason, Texas), who reside less than a mile southwest of the proposed Proppant Specialists site. Danny Keith and Sharon Thomason (2165 East RR 1222, Brady, Texas), also members, reside less than 100 yards east of the proposed Proppant Specialists site. Nearly all members of the Society will be adversely affected in ways not common to the general public by the proposed Proppant Specialists facility and mine.

Communications to the Society may be directed to its undersigned counsel.

Many members of the Society have earlier identified for TCEQ areas of concern with this application. The Society adopts the concerns already expressed by Connie Stockbridge, James R. and Lisa Heath, Gerald Gamel, Steven and Merlina Gammel, Walter Guy Wiggs, Brenda Wiggs, Danny and Sharon Thomason, Wesley Strickland, Weldon Strickland, Gail Baker, Trey and Tifnee and Lydia Nesloney, Jeanne Nixon, and James Bode. In summary of these already-expressed concerns and to be explicit about concerns that arise from the text of the draft permit, itself, the Society seeks a hearing on these issues:

1. air quality impacts to human, plant and animal life, particularly, health effects of silica and increased PM concentrations;
2. the "blow off" of non-target silica by-products (waste sand) retained on-site;
3. air quality impacts of processing, transport and blasting sand and rock;
4. the chemicals used to treat sand and their transmission off site by direct air dispersion and later air dispersion from Katemey Creek waters;
5. whether best available control technology standards would be imposed on Proppant Specialists by the air quality permit;
6. local geography and its impacts on meteorological phenomena which, in turn, affect dispersion of air contaminants from the Proppant Specialists site;
7. the cumulative effects of so many sand plants operating in the vicinity of the proposed Proppant Specialists facility;
8. whether the application contains all information necessary for administrative and technical completeness;
9. whether that all sources of emissions associated with the facility are identified in the application;
10. whether proper emission factors were used to determine emission rates for each identified source of emissions at the facility;
11. whether all species of air contaminants that will be emitted by the operation, including the specific forms of particulate matter, for which emission limits should be specified have been identified, quantified, and modeled;
12. whether "sources" of emissions that do not meet the statutory definition of "facilities" have been properly considered;

13. whether the proposed controls and control equipment, as a factual matter, are capable of meeting the performance characteristics and efficiencies set forth in the application;
14. whether the air dispersion modeling supporting the permit application was properly executed;
15. whether the health effects reviews were conducted based on proper characterization of nearby receptors, effects screening levels, exceedance frequencies, and toxicological consequences;
16. whether appropriate background and ambient air quality conditions were determined and factored into the air modeling and health effects review;
17. whether the Proppant Specialists operation will cause or contribute to a condition of air pollution or nuisance conditions;
18. whether the complete draft permit was properly posted for public review; and
19. whether the draft permit, if approved by the Commission, would be protective of the public's health and physical property, would be enforceable as a practical matter, and would have been derived consistently with the requirements of the adversarial contested case process guaranteed to citizens by the State Legislature, in that:
  - a. The once-a-quarter check (Special Condition No. 5) for visible emissions at the downwind property line is inadequately frequent to assure compliance as a practical matter, and the method by which the threshold determination of the fact of visible emissions is so vague as to be unenforceable. The standard for operations at the time of the observations should not be "normal operation" but, rather should be the level of operations existing during the time in the previous quarter when the sum of hourly PM emissions from emission points S-1, SH-1 and Dryer-1 was the greatest.
  - b. The once/quarter determination (S.C. #6) that no baghouse passes visible emissions is, as with the determination under Special Condition No. 5, inadequately frequent and, in any event, should be specified as a determination made under conditions of operation as they existed during the hour of maximum emissions from that baghouse in the previous quarter.
  - c. Special Condition No. 7 should be clarified. Presently, it appears to read that periods of reportable-quantity emissions need not meet the 7% or 12% standard; this appears to be a non sequitur: if the applicant has what would otherwise be a reportable-quantity emission event, that emission event is not actually one to which the

7% or 12% standard applies, anyway, and, so, is not a reportable-quantity event. Special Condition No. 7 also appears to provide that emissions during scheduled startup, shutdown and maintenance need not meet the standard. Whatever are the intents, they should be more plainly stated. The draft permit is not clear as to exactly what the hourly emission rate may be during SSM periods. See, too, note (6) to the MAERT regarding maintenance and its seeming conflict with S.C. #7.

- d. The means of ensuring compliance with Special Condition No. 8 is not specified and should be specified. By what standard is the hourly throughput to be measured? What is measured and how? Similarly, how is the annual throughput to be measured?
- e. Special Condition No. 14 should specify a permissible standard for chemical dust suppressants; i.e., which chemicals may be used and in what concentrations by weight?
- f. The sampling standards set out in the draft permit delegate to the TCEQ Regional Office decision-making that legally must occur as a result of the contested hearing. Special Condition No. 18 allows the already-vague requirement for configuration of ports and platforms to be altered by the TCEQ Regional Office, rather than being set at hearing, and it vests in the Regional Office unfettered discretion to approve alterations. Special Condition No. 22 suffers from this same category of deficiency. Special Condition No. 23 is even less defensible; it would allow waiver of testing for compliance with emission limitations determined after a contested hearing at the unfettered discretion of the Office of Air in Austin.
- g. Special Condition No. 27 indicates that local air control programs with jurisdiction to "demonstrate compliance" may review records; this should read "determine compliance." The condition should be clarified to reflect that a county has the authority to request and receive these records. The hourly and annual throughput of the facility, as the term is intended in S.C. #8, should be added to those records to be recorded and retained per this special condition.

Sincerely,

  
David Frederick



that I have come to expect from the place that I call home.



- The specific effects of the targeted silica sand upon health and human safety have already been identified as a causative agent in ailments such as silicosis, and as an irritating factor in conditions such as emphysema, bronchitis, asthma and a wide range of other pulmonary conditions. I suffer from sinusitis and know that the increased particulate in the air will exacerbate my condition and degrade my quality of life.
- The non-target silica by-products (waste sand) is retained on-site in mounds that become artificial mountains of sand. Though containment is part of the procedures of sand mining, actual ability to properly manage the huge volumes of sand and the resulting “blow off” from those mountains become just as much, if not more, of a problem. This matter is generated at the facility during processing, it is generated by the constant traffic in and out of the facility, it is generated by the blasting that is a necessary component of the mining, and it is generated by the general activity in and around the mine and processing facility itself.
- In addition to the silica particulate matter, I believe that the impact upon the environment of the increased truck and heavy equipment used in this operation would need to be identified prior to approval of the permit. Though the Katemcy region has been, for generations, an area of heavy farming and ranching use, and vehicular traffic and heavy equipment use was an integral part of that activity, it in no way approaches the levels that will occur with the bulldozers, trucks, earthmovers, rakes, sifters and other associated equipment. One can observe any of the existing plants currently in operation and easily ascertain the increase in diesel exhaust from all of the equipment, and those levels, as well as their detrimental effects upon environment and air quality, have not been adequately identified or targeted for observation.

- The aforementioned trucks present another hazard in relation to the permit that is most likely not included as part of the permit request, and that pertains to the particulate matter generated by silica transports using the dirt roads of the county as they navigate the loading/unloading routes. We do not have a facility in Katemcy yet; but, the trucks have already been using the dirt county roads as a means to avoid DPS observation and detection. The roads are sand/caliche/gravel composites which, under the heavy weights of the trucks, erode quickly and generate talc-like dust which must be included as part of the monitoring requirements for the applicant, as enforcement of the use of the county roads is almost impossible for our limited law enforcement personnel.
- Identification of the associated chemicals and materials used in the treatment of the silica prior to final transport has not been clearly delineated. The dispersal of these agents into an atmosphere that is already laden with other particulates and gases create a mixture that has not been defined, and, as such, the effects of which have not been included as part of the permit application.
- There are already a number of existing facilities in the Voca, Texas, area, concentrated in a small geographical area. The addition of additional mines along the silica veins west of Voca into Katemcy (and east to Pontotoc and Field Creek) begins to widen the impact area of the particulate matter in a fashion that has not been adequately studied. Such a concentrated area of invasive mining, affecting the traditional "blow sands" of the area and undoing generations of erosion and degradation control, and adding to the increase of matter in the air and in the runoff from these sites. The authority charged with monitoring these emissions (TCEQ) has admitted that they have neither the equipment, personnel or resources to provide monitoring at the level specified in the permit request.
- I would request that TCEQ (or its predecessor agencies) first identify how well they have set up reliable emission standards for the particulates included in the permit application, clarifying how they plan to map base levels for testing, and the operative plan for how they will provide inspections and testing in the future.
- Due to the abbreviated period of discovery for those of us responding to permit application 97199, and the amount of new data we have found during that time, I would respectfully offer that there are numerous other air quality issues which will also be identified and ask that those other issues remain open as legitimate issues and concerns that may be offered as evidence as they are found and catalogued by the various respondents.
- I would generously allow that the frac sand mining industry has had a phenomenal growth in the last decade. That very growth has outpaced the ability of TCEQ to adequately identify, monitor and enforce matters regarding that same industry. It would be prudent to institute a period of review and investigation

regarding the long-term effects of frac sand mining upon air and water quality before rushing headlong into decisions that will impact future generations.

I would respectfully request that TCEQ grant a contested case hearing on this application based upon the enumerated concerns. I would ask that the Agency consider the group of opponents of this application request as an informally organized group to be referred to as the Katemcy-Camp Air Residents' Association, and that the group be allowed to participate in the hearing process both individually and collectively.

As I mentioned, since the August 17, 2011, publication date of the permit application, the citizens responding to the application have made numerous discoveries relating to air and water quality issues. We have also, in the discovery process, identified multiple concerns with enforcement, monitoring and oversight issues. The amount of information would indicate that there is a great deal more data to be collected in order for those of us responding to make an adequate case; but, we feel that the limited 30-day response period is unfair and artificially abbreviated. It is our respectful request that an additional 30 days be granted in which to submit comments on this pending application.

Sincerely,



Gerald L. (Gerry) Gamel

Cc:

Mason County Commissioner's Court, Commissioner Stanley Toepfich, (325) 347-6868  
Senator Troy Fraser, (830) 693-9603  
Representative Harvey Hilderbran, (830) 792-4289  
Hickory Underground Water Conservation District No. 1, (325) 597-0133  
Texas Department of Agriculture, (888) 223-8861  
Environmental Protection Agency, Region 6, (214) 665-2118

Gerald L. (Gerry) Gamel  
1831 Katemcy Rd.  
Brady, TX 76825  
[gamtex@hctc.net](mailto:gamtex@hctc.net)  
(325) 347-7066 Cell

September 15, 2011

Hickory Underground Water Conservation District No. 1  
PO Box 1214  
Brady, TX 76825

Regarding Permits for Proppant Specialists, LLC, Katemcy location, Mason County

Mr. David Huie:

The application of Proppant Specialists, LLC to construct a frac sand mining operation in Katemcy is of great concern to me. In addition to the points which I will detail, my concern is also based upon research of Hickory UWCD's oversight and enforcement of such operations which would indicate very little actual concern with environmental quality. If prior oversight is any indication of future monitoring and compliance and enforcement actions, I feel it would be detrimental to the residents in the area to count on that same agency to protect our interests with this or any future such permitted operations.

My specific points of concern regarding the requests for the multiple water permits:

- My home is less than one mile north of the proposed mine and sand processing facility. The predominant southerly winds in the area will carry the particulate matter directly over our fields, our pastures and my home. This increase in year-round "dusting" far exceeds anything ever generated by the agricultural use of the land in this area and will adversely affect plant life, domesticated livestock production, wildlife mating and migration patterns, and the general quality of life

that I have come to expect from the place that I call home.



- The specific effects of the targeted silica sand upon health and human safety have already been identified as a causative agent in ailments such as silicosis, and as an irritating factor in conditions such as emphysema, bronchitis, asthma and a wide range of other pulmonary conditions. I suffer from sinusitis and know that the increased particulate in the air will exacerbate my condition and degrade my quality of life.
- The non-target silica by-products (waste sand) is retained on-site in mounds that become artificial mountains of sand. Though containment is part of the procedures of sand mining, actual ability to properly manage the huge volumes of sand and the resulting “blow off” from those mountains become just as much, if not more, of a problem. This matter is generated at the facility during processing, it is generated by the constant traffic in and out of the facility, it is generated by the blasting that is a necessary component of the mining, and it is generated by the general activity in and around the mine and processing facility itself.
- In addition to the silica particulate matter, I believe that the impact upon the environment of the increased truck and heavy equipment used in this operation would need to be identified prior to approval of the permit. Though the Katemcy region has been, for generations, an area of heavy farming and ranching use, and vehicular traffic and heavy equipment use was an integral part of that activity, it in no way approaches the levels that will occur with the bulldozers, trucks, earthmovers, rakes, sifters and other associated equipment. One can observe any

of the existing plants currently in operation and easily ascertain the increase in diesel exhaust from all of the equipment, and those levels, as well as their detrimental effects upon environment, water and air quality, have not been adequately identified or targeted for observation.

- The aforementioned trucks present another hazard in relation to the permit that is most likely not included as part of the permit request, and that pertains to the particulate matter generated by silica transports using the dirt roads of the county as they navigate the loading/unloading routes. We do not have a facility in Katemcy yet; but, the trucks have already been using the dirt county roads as a means to avoid DPS observation and detection. The roads are sand/caliche/gravel composites which, under the heavy weights of the trucks, erode quickly and generate talc-like dust which must be included as part of the monitoring requirements for the applicant, as enforcement of the use of the county roads is almost impossible for our limited law enforcement personnel.
- Identification of the associated chemicals and materials used in the treatment of the silica prior to final transport has not been clearly delineated. The dispersal of these agents into an atmosphere that is already laden with other particulates and gases create a mixture that has not been defined, and, as such, the effects of which have not been included as part of the permit application.
- There are already a number of existing facilities in the Voca, Texas, area, concentrated in a small geographical area. The addition of additional mines along the silica veins west of Voca into Katemcy (and east to Pontotoc and Field Creek, as well as west all the way to Erna) begins to widen the impact area of the particulate matter in a fashion that has not been adequately studied. Such a concentrated area of invasive mining, affecting the traditional "blow sands" of the area and undoing generations of erosion and degradation control, and adding to the increase of matter in the air and in the runoff from these sites. The authority charged with monitoring these emissions (TCEQ) has admitted that they have neither the equipment, personnel or resources to provide monitoring at the level specified in the permit request. The agency charged with monitoring the water quality and with protecting it (*The District was created by an order of the Texas Water Commission on June 9, 1982, and organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution and Chapters 35 and 36 of the Texas Water Code. We were formed to "formulate, promulgate, and enforce rules and regulations for the purpose of conserving, preserving, prevention of waste, protecting, and recharging" the waters of all aquifers within the District boundaries. In short, our mission is to protect your groundwater.*) has told us in public meetings that they do not have any authority to actual discharge the duties they were legally charged by the state to perform; but, a reading of that language would indicate otherwise.

- I would request that Hickory UWCD first identify how well they have set up reliable standards for the determination of adverse effects upon water level, water quality and aquifer recharge, and the operative plan for how they will provide inspections and testing in the future.
- Due to the abbreviated period of discovery for those of us responding to the permits requested by Proppant, and the amount of new data we have found during that time, I would respectfully offer that there are numerous other water quality issues which will also be identified and ask that those other issues remain open as legitimate issues and concerns that may be offered as evidence as they are found and catalogued by the various respondents.
- I would generously allow that the frac sand mining industry has had a phenomenal growth in the last decade. That very growth has outpaced the ability of Hickory UWCD to adequately identify, monitor and enforce matters regarding that same industry. It would be prudent to institute a period of review and investigation regarding the long-term effects of frac sand mining upon air and water quality before rushing headlong into decisions that will impact future generations.

I would respectfully request that Hickory UWCD delay approval of the requested permits for Proppant. I would ask that the Agency consider the group of opponents of this application request as an informally organized group to be referred to as the Katemcy-Camp Air Residents' Association, and that the group be allowed to actively participate in the determination of the monitoring issues and enforcement of water issues for all such frac sand mines.

Since the August 17, 2011, publication date of the TCEQ air permit application, the citizens responding to the application have made numerous discoveries relating to air and water quality issues. We have also, in the discovery process, identified multiple concerns with enforcement, monitoring and oversight issues. The amount of information would indicate that there is a great deal more data to be collected in order for those of us responding to make an adequate case; but, we feel that the limited 30-day response period is unfair and artificially abbreviated. It is our respectful request that an additional period of time be granted in which to submit comments on this pending application.

Sincerely,



Gerald L. (Gerry) Gamel

Cc:

Mason County Commissioner's Court, Commissioner Stanley Toeppich, (325) 347-6868

Hickory UWCD  
September 15, 2011  
Page 5

Senator Troy Fraser, (830) 693-9603  
Representative Harvey Hilderbran, (830) 792-4289  
Texas Department of Agriculture, (888) 223-8861  
Environmental Protection Agency, Region 6, (214) 665-2118  
Texas Commission on Environmental Quality, via mail to: PO Box 13087, Austin, TX  
78711-3087

Gerald Gamel  
1831 Kotemey Rd.  
Beaury, TX 776825

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

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 16 PM 2:30

CHIEF CLERKS OFFICE





irritating factor in conditions such as emphysema, bronchitis, asthma and a wide range of other pulmonary conditions.

The non-target silica by-products (waste sand) is retained on-site in mounds that become artificial mountains of sand. Though containment is part of the procedures of sand mining, actual ability to properly manage the huge volumes of sand and the resulting "blow off" from those mountains become just as much, if not more, of a problem. This matter is generated at the facility during processing, it is generated by the constant traffic in and out of the facility, it is generated by the blasting that is a necessary component of the mining, and it is generated by the general activity in and around the mine and processing facility itself.

In addition to the silica particulate matter, we believe that the impact upon the environment of the increased truck and heavy equipment used in this operation would need to be identified prior to approval of the permit. Though the Katemcy region has been, for generations, an area of heavy farming and ranching use, and vehicular traffic and heavy equipment use was an integral part of that activity, it in no way approaches the levels that will occur with the bulldozers, trucks, earthmovers, rakes, sifters and other associated equipment. One can observe any of the existing plants currently in operation and easily ascertain the increase in diesel exhaust from all of the equipment, and those levels, as well as their detrimental effects upon environment and air quality, have not been adequately identified or targeted for observation.

The aforementioned trucks present another hazard in relation to the permit that is most likely not included as part of the permit request, and that pertains to the particulate matter generated by silica transports using the dirt roads of the county as they navigate the loading/unloading routes. We do not have a facility in Katemcy yet; but, the trucks have already been using the dirt county roads as a means to avoid DPS observation and detection. The roads are sand/caliche/gravel composites which, under the heavy weights of the trucks, erode quickly and generate talc-like dust which must be included as part of the monitoring requirements for the applicant, as enforcement of the use of the county roads is almost impossible for our limited law enforcement personnel.

Identification of the associated chemicals and materials used in the treatment of the silica prior to final transport has not been clearly delineated. The dispersal of these agents into an atmosphere that is already laden with other particulates and gases create a mixture that has not been defined, and, as such, the effects of which have not been included as part of the permit application.

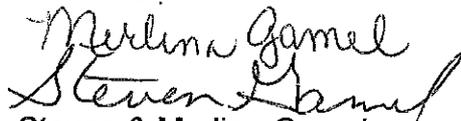
There are already a number of existing facilities in the Voca, Texas, area, concentrated in a small geographical area. The addition of additional mines along the silica veins west of Voca into Katemcy (and east to Pontotoc and Field Creek) begins to widen the impact area of the particulate matter in a fashion that has not been adequately studied. Such a concentrated area of invasive mining, affecting the traditional "blow sands" of the area and undoing generations of erosion and degradation control, and adding to the increase of matter in the air and in the runoff from these sites. The authority charged

with monitoring these emissions (TCEQ) has admitted that they have neither the equipment, personnel or resources to provide monitoring in the level specified in the permit request.

We would request that TCEQ (or its predecessor agencies) first identify how well they have set up reliable emission standards for the particulates included in the permit application, clarifying how they plan to map base levels for testing, and the operative plan for how they will provide inspections and testing in the future.

We would respectfully request that TCEQ grant a contested case hearing on this application based upon the enumerated concerns. We would ask that the Agency consider the group of opponents of this application request as an informally organized group to be referred to as the Katemcy-Camp Air Residents' Association, and that the group be allowed to participate in the hearing process both individually and collectively.

Sincerely

  
Steven & Merlina Gamel

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 15 PM 3:12

CHIEF CLERKS OFFICE

Sam Gamel  
2401 Katonny Road  
Bnady, TX 76825

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



Ms. LaDonna Castanuela, Chief Clerk  
MC-105, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

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H  
SEP 14 2011  
2011 SEP 14 AM 10:19  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
CHIEF CLERKS OFFICE  
BY HP

September 11, 2011

RE: STATE AIR QUALITY PERMIT 97199, submitted by Proppant Specialists, LLC, seeking authorization to construct an industrial sand plant in Mason County, Texas.

Dear Ms. Castanuela,

I request a contested case hearing in Mason County on the above referenced application to construct an industrial sand plant. Please add me to the mailing list for materials related to this permit number and send me information about the hearing process. I live, sleep, eat and breathe 10 miles southwest of the site of the proposed plant as the wind blows.

The proposed industrial sand plant would produce large volumes of air pollution that would put my already somewhat fragile health (I was diagnosed with a neurological disease about 20 years ago) at even greater risk. In addition the necessary transport pollution would occur closer than 10 miles from my residence and in the immediate proximity of where I shop and do business, putting safety and welfare at-risk 24 hours a day, 7 days a week, 365 days a year. The pollution would have cumulative impacts on the entire community from which it might never recover physically or economically. I would be adversely affected by this plant and its air emissions because:

- Crystalline silica being mined and transported may be blown more than 20 miles from the mine site AND from trucks transporting the sand. Constant inhalation of even low levels of this dust can lead to silicosis (which can be fatal and can take 5 years to manifest), aggravation of existing lung problems, and may be cumulative in damage with already elevated levels of radon gas present in my water supply. Other health effects which concern me are the increased risk of heart attack, and death.
- Wildlife may be damaged in unknown ways, including reduced population, weight, birthrate, etc. Because a portion of my family income is generated by hunting, any decrease in the quality or quantity of wildlife will be economically detrimental.
- Increased amounts of particulate matter will increase wear and tear on my equipment and buildings, increasing my maintenance costs.

Urgently and sincerely,  
Cheryl A. Glass

Name: Cheryl Glass  
Address: P.O. Box 1714  
City, State, Zip Code: Mason, Tx, 76856  
Daytime Telephone/Cell Phone: 325-347-9590/325-347-7123  
Email: Texann @ Verizon.net ✓

MW

P.O. Box 1714  
Mason, Tx 76856

ABELINE TX 79402

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Chief Clerk

TEXAS  
COMMISSION  
ENVIRONMENTAL  
QUALITY

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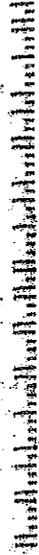
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SEP 14 2011

TCEQ MAIL CENTER  
JR

Ms. Ja Donna Chalarula,  
MC 105, TCEQ  
P.O. Box 13087  
Austin, Tx. 78711-3087

78711-3087



H  
OPA  
SEP 16 2011  
BY JA

September 12, 2011

Ms. Melissa Chao, Acting Chief Clerk

Office of the Chief Clerk (MC-105)

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

NSR  
78364

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2011 SEP 15 PM 3:07  
CHIEF CLERKS OFFICE

**Re: Request for a Contested Case Hearing**

Proppant Specialists, LLC

Industrial Sand Plant, Katemcy – Mason County

Application for TCEQ Air Quality Permit No. 97199

Dear Ms. Chao:

**I. Request for a Contested Case Hearing**

The following individuals respectfully request a contested case hearing regarding the above referenced application.

The following information is provided for each protesting party as requested in the TCEQ's notice of Receipt of Application and Intent to Obtain Air Permit issued by your office on August 1, 2011.

**James R. and Lisa K. Heath, 529 W. Ranch Road 1222, Mason, Texas 76856.** We reside on a 569 acre ranch less than one mile southwest of the proposed site and assist with the ranching, hunting, and other daily operations of the property. Additionally, we recreate and entertain friends, family, and other guests on a regular basis. Among other things, our personal health (including that of our 9 year old daughter who has Reactive Airway Disease), safety and welfare, as well as our property, animals, and livestock, will be adversely affected by air emissions generated and released from the applicant's operation and the trucks hauling the product away from the facility.

Furthermore, we are concerned for the members of our community. There are multiple families with small children living in close proximity to the proposed site as well as large number of aged individuals. Both of these specific populations have been cited

MCW

as being at the highest risk of developing medical complications resulting from long term exposure to air-born pollutants.

The location for the proposed site is in an open valley area surrounded by a ring of hills in all directions. As the heating of the day ends, radiational cooling takes place which causes the surface winds to decouple. This causes an inversion effect that can last for 12-16 hours. During this time, particulate matter becomes trapped in our area, and the fallout is in the immediate area within the ring of hills. There are currently five other sand mining facilities in the area that are less than ten miles from this proposed facility. We have serious concerns about the cumulative effects this concentration of sand plants operating in such a small vicinity could have on our health. Due to our residence being in such close proximity to the proposed site and unique meteorological effects resulting from the particular geography of the area, we believe the air emissions generated by this operation will adversely affect us and our community differently than they would the general public.

## **II. Referral and Relevant and Material Disputed Issues**

Based on our concerns and review of the pending application for an air permit, we believe the relevant and material disputed issues should be referred by the Commissioner to SOAH for a contested case hearing. The following list is not intended as a limitation on the issues that we may otherwise raise during the ongoing public comment period or any contested case hearing on the pending application.

- A. Whether the application contains all information necessary for administrative and technical completeness under the agency's rules. *We do not believe the application contains all information necessary for administrative and technical completeness under the agency's rules.*
- B. Whether the process description and equipment configuration set forth in the application are sufficiently definite to properly quantify, model, and regulate emissions from all sources at the facility including, without limitation, the stockpiles, crushers, screens, conveyors, drop points, dryers, vents, scrubbers, and other materials handling and processing activities. *We do not believe the process description and equipment configuration presented in the application are sufficiently definite to properly quantify, model, and regulate emissions from all sources at the facility.*
- C. Whether all sources of emissions associated with the facility are identified in the application. *We do not believe that all sources of emissions associated with the facility are identified in the application.*
- D. Whether proper emission factors were used to determine emission rates for each identified source of emissions at the facility. *We do not believe that proper emission*

*factors were used to determine emission rates for each identified source of emissions at the facility.*

- E. Whether all species of air contaminants that will be emitted by the operation have been fully identified, quantified, and modeled (including, without limitation, the specific forms of particulate matter). *We do not believe all species of air contaminants that will be emitted by the operation, including the specific forms of particulate matter, have been identified, quantified, and modeled.*
- F. Whether all sources of fugitive emissions from the facility have been fully identified, speciated, quantified, and modeled. *We do not believe all sources of fugitive emissions from the facility have been fully identified, speciated, quantified, and modeled.*
- G. Whether emissions of particulate matter and other pollutants from roads at and around the facility have been properly identified, speciated, quantified, and modeled. *We do not believe emissions of particulate matter and other pollutants from roads at and around the facility have been properly identified, speciated, quantified, and modeled.*
- H. Whether emissions of particulate matter and other pollutants from vehicles, including but not limited to transport vehicles, at the facility and that leave the facility have been properly identified, speciated, quantified, and modeled. *We do not believe emissions of particulate matter and other pollutants from transport vehicles at the facility or that leave the facility have been properly identified, speciated, quantified, and modeled.*
- I. Whether the application contains a sufficient demonstration that the facility's controls and control equipment meet the "best available control technology" requirement or actually constitute the "best available control technology". *We do not believe the application contains a sufficient demonstration that the facility's controls and control equipment meet the "best available control technology" requirement or that the facility's controls and control equipment actually constitute the "best available control technology".*
- J. Whether the applicant's proposed controls and control equipment are capable of meeting the performance characteristics and efficiencies set forth in the application. *We do not believe the applicant's proposed controls and control equipment are capable of meeting the performance characteristics and efficiencies set forth in the application.*
- K. Whether proper control factors were applied to the controls and control equipment at the facility. *We do not believe proper control factors were applied to the controls and control equipment at the facility.*
- L. Whether the applicant's proposed controls and control equipment are capable of sufficiently controlling small and fine particulate matter (e.g. respirable silica of all types listed in the TCEQ's effects screening levels guidance). *We do not believe that the applicant's proposed controls and control equipment is capable of sufficiently controlling*

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*small and fine particulate matter (e.g. respirable silica of all types listed in the TCEQ's effects screening levels guidance).*

- M. Whether the opacity limits are proper and sufficiently stringent. *We believe that the opacity limits in the permit will not be proper and sufficiently stringent.*
- N. Whether proper inputs, assumptions, and adjustments will be made in the modeling of emissions from sources on the property including, without limitation, the stockpiles, crushers, screens, conveyors, drop points, dryers, vents, scrubbers, and other materials handling and processing activities. *We believe that proper inputs, assumptions, and adjustments will not be made in the modeling of emissions from sources on the property, insofar as no air dispersion modeling has yet been presented in support of the application.*
- O. Whether health effects reviews are based on proper characterization of nearby receptors, effects screening levels, exceedence frequencies, and toxicological considerations. *We believe that health effects reviews conducted will not be based on proper characterization of nearby receptors, effects screening levels, exceedence frequencies, and toxicological considerations, insofar as no air dispersion modeling has yet been presented in support of the application.*
- P. Whether appropriate background and ambient air quality conditions have been determined and factored into the air modeling and health effects review. *We believe that inappropriate background and ambient air quality conditions will be determined and factored into the air modeling and health effects review, insofar as no air dispersion modeling has yet been presented in support of the application.*
- Q. Whether the cumulative effects of existing operations and sources in the local and immediate area have been properly determined and factored into the air modeling and health effects review. *We do not believe the cumulative effects of existing operations and sources in the local and immediate area will be properly determined and factored into the air modeling and health effects review, insofar as no air dispersion modeling has yet been presented in support of the application.*
- R. Whether the facility will cause or contribute to a violation of state and federal air quality standards (e.g. NAAQS). *We believe the facility will contribute to a violation of state and federal air quality standards.*
- S. Whether the facility will cause or contribute to a condition of air pollution. *We believe the facility will cause or contribute to a condition of air pollution.*
- T. Whether the emissions from the facility will cause or contribute to nuisance conditions (e.g. Texas Administrative Code, Title 30, Part 1, Chapter 101, Subchapter A, Rule 101.4) *We believe the facility will cause or contribute to a nuisance conditions*

- U. Whether emissions from the facility will be injurious to human health, animals, livestock, and plants. *We believe the emissions from the facility will be injurious to human health, animals, livestock, and plants.*
- V. Whether the draft permit is sufficiently definite in its terms and conditions to ensure that the applicant is held to representations that it made in the application and application process. *We believe that the draft permit will not be sufficiently definite in its terms and conditions to ensure that the applicant is held to representations it made during the application process, insofar as a draft permit has not yet been released for public comment.*
- W. Whether the draft permit is sufficiently definite in its terms and conditions to ensure compliance with applicable air quality regulations and standards including, without limitation to, the inclusion of stack and equipment sampling, fence line monitoring, recordkeeping, and reporting requirements. *We believe that the draft permit will not be sufficiently definite in its terms and conditions to ensure compliance with applicable air quality regulations and standards including, without limitation to, the stack and equipment sampling, fence line monitoring, recordkeeping, and reporting requirements, insofar as a draft permit has not yet been released for public comment.*
- X. Whether approval of the application and issuance of a permit will contravene the intent of the Clean Air Act and the Texas Clean Air Act. *We believe that approval of the application and issuance of a permit will contravene the intent of the Clean Air Act and the Texas Clean Air Act.*

**III. We respectfully request a 90 day extension to the deadline for public comments, requests for public meetings, or requests for a contested case hearing. In order for the public to respond in an educated manner, more time than the allotted 30 day period is necessary.**

#### **IV. Request for Relief**

It appears to us that the pending application by Proppant Specialists, LLC for an air permit is deficient in a number of respects. Additionally, the application does not include any air dispersion modeling of potential offsite impacts. As such, the applicant has not met its burden of demonstrating compliance with all applicable requirements intended to protect public health, safety, and the environment. If such an application is approved by the TCEQ, our health, safety, and welfare as well as our family, friends, invitees, property, animals, and livestock, will be adversely affected by air emissions

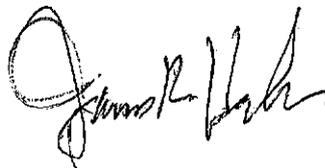
generated and released from the applicant's operation in a manner not common to the general public.

Based on the aforementioned considerations, the pending application for a permit should be set on the TCEQ's contested agenda, and the Commissioners should (i) determine that we are affected persons, (ii) refer the preceding list of relevant and material disputed issues to SOAH for a contested case hearing, (iii) direct SOAH to complete the contested case hearing within a period of one year, and (iv) direct the Executive Director not to participate in the evidentiary hearing. We will continue to monitor the review and status of the pending application, as well as the applicant's responses to any notices of deficiency, and may submit more detailed public comments during the upcoming technical review phase.

Your considerate attention to these matters is sincerely appreciated. Should you have any questions or desire further information please do not hesitate to contact us.

Regards,

James R. & Lisa K. Heath  
529 W. Ranch Road 1222  
Mason, Texas 76856  
Tel: 325-258-4472

A handwritten signature in black ink, appearing to read "James R. Heath", written in a cursive style.

Cc:

Representative Harvey Hilderbran  
Stephanie Kordzi, Air Permits Section, EPA, Region 6  
Mason County Judge, Jerry Bearden  
Mason County Precinct 3 Commissioner, Stanley Toeppich

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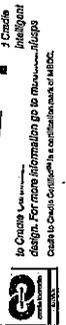
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P.O. BOX 13087  
AUSTIN, TX 78711-3087

CHIEF CLERKS OFFICE

2011 SEP 15 PM 3:08

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 SEP 15 PM 3:08  
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**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, April 10, 2014 11:34 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

H

**From:** [gnesloney@hctc.net](mailto:gnesloney@hctc.net) [<mailto:gnesloney@hctc.net>]  
**Sent:** Thursday, April 10, 2014 11:15 AM  
**To:** [doNotReply@tceq.texas.gov](mailto:doNotReply@tceq.texas.gov)  
**Subject:** Public comment on Permit Number 97199

*NSR  
78364*

**REGULATED ENTY NAME** FML SAND KATEMCY

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Lydia Gay Nesloney

**E-MAIL:** [gnesloney@hctc.net](mailto:gnesloney@hctc.net)

**COMPANY:**

**ADDRESS:** 11112 FLAT ROCK RD  
MASON TX 76856-6209

**PHONE:** 3253474976

**FAX:**

**COMMENTS:** Since no changes have been made in response to public comments, my family and I request a contested case hearing. We would hope the executive director require more study and better modeling be used before making this decision. My husband, daughter, and I live within a quarter mile of the proposed location. Our health and safety will be impacted by this frac sand plant. The TCEQ did not model at any of the current plants located near the new location. An air monitor in Austin, Texas cannot properly or logically evaluate

*MW*

conditions in Camp Air. You must know continuing to allow sand companies to monitor and regulate themselves has failed. The sized of dust emitted (PM 2.5) should be monitored at all times. At the very least this company should be required to install dust catchers and proper monitors. Once you issue this air permit the affected people have little recourse since TCEQ has failed to enforce its own standards much less the standards set forth in the Clean Air Act. I am requesting a contested case hearing.

**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/15/2011 8:47 AM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 9/15/2011 7:42 AM >>>

>>> <gnesloney@hctc.net> 9/14/2011 5:24 PM >>>

**REGULATED ENTY NAME** KATEMICY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MRS Lydia G Nesloney

**E-MAIL:** [gnesloney@hctc.net](mailto:gnesloney@hctc.net)

**COMPANY:**

**ADDRESS:** 11112 FLAT ROCK RD

MASON TX 76856-6209

**PHONE:** 3253474967

**FAX:**

**COMMENTS:** Texas Commission on Environmental Quality Office of the Chief Clerk MC-105 P O Box 13087 Austin, TX 78711-3087 Regarding Permit Application #97199 Dear Sir/Madam: Application # 97199 of Proppant Specailists, LLC. to construct a frac sand mining operation in Katemcy/Camp Air represents a significant health risk to me, my family, our pets, and our livestock. The addition of this large and seemingly unregulated and unmonitored mining operation to our community would destroy a very fragile environmental system through air pollution. After much research of this industry, I have become aware of the grave dangers another sand mine in this area would present. I feel certain based on research and Interviewers that already existing sand plant operations are a health and environmental danger to me and my community. It has also become clear that TCEQ has failed in its mission to properly model, permit, monitor and regulate these sand mines in close proximity to my family's home and property. I must therefore request a contested case hearing for the permit application #97199. Points of concern regarding air quality permit include: 1. Exposure to "crystalline silica"-Air quality modeling and monitoring should be required to measure small particles from the sand mining, processing, storing, and trucking. Only larger particles are modeled and monitored and even this does not meet scientific standards. Does TCEQ have the technology to model and monitor for "crystalline silica"? Is this equipment on location at the current operations? 2. Research on "crystalline silica" and silicosis must be current. The TCEQ web studies and white papers used data from the 1990's. With the rush to permit new sand mines, recent more up-to-date research is required. Some twenty doctors in Wisconsin asked their permitting boards to delay and or place a moratorium on any new frac sand mines ([chippewa.com](http://chippewa.com)). Doctors explained many health worries are related to exposure including: cancer, COPD, exacerbated asthma, and cardiovascular disease. These health problems are directly related to the sand plant emissions of fine particulate matter and chemicals. 3. The existing mines have failed to reclaim any land. Stripping of the top soil and storing large quantities of sand and sand by-products at the mine facilities results in added air pollution and dangerous exposure for all neighbors. Failing to reclaim land during mining, processing, and storing results in air pollution from the entire mine. There is silica dust in the dunes. Sand, dust, crystalline silica, can be carried by the winds for up to twenty miles. 4. Heavy equipment and diesel trucks also contribute to air pollution. The exposure to dramatically increase exhaust fumes and other chemicals causes people, animals, and plants irreversible destruction. Already, truck traffic is heavy from the existing mines. I have often observed these hulking machines as they stop at road side parks. After departing sand deposit can be seen. All along the transportation route air pollution is spread. Trucks do not leave the sand mines clean nor do they return clean. 5. The number of sand mines near the Katemcy/Camp Air community poses a great and cumulative risk to local residents. The terrain of the Katemcy/Camp Air area should be considered before permitting additional sand mines. Three sides of the base area are enclosed by hills. As dust is emitted through mining, blasting, and transporting it can be trapped and linger causing a greater exposure for a longer period of time. Drew Bradley, Unimin's (sand mining company) vice president of operations admits, "If you had five mines in a little community, maybe that's a concentration that had to be looked at cumulatively"([wisconsinwatch.org](http://wisconsinwatch.org)). TCEQ must consider our community already has air pollution from the Voca/Brady mines. We will suffer from cumulative effects. As a result of my many concerns for my family, neighbors, pets, wildlife, and livestock, I must respectfully request that TCEQ grant a contested case hearing for permit #97199. I am an individual land owner who lives within a mile of the proposed mine location and also a member of the organization referred to as Katemcy-Camp Air Residents' Association. Sincerely, Lydia G. Nesloney



**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/19/2011 8:34 AM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

NSP  
7 8364

H

>>> PUBCOMMENT-OCC 9/16/2011 4:11 PM >>>

>>> <[tiffee18@gmail.com](mailto:tiffee18@gmail.com)> 9/16/2011 3:41 PM >>>

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Tifnee G Nesloney

**E-MAIL:** [tiffee18@gmail.com](mailto:tiffee18@gmail.com)

**COMPANY:**

**ADDRESS:** 8100 N MO PAC EXPY Apt 118

AUSTIN TX 78759-8846

**PHONE:** 3253203488

**FAX:**

**COMMENTS:** Tifnee G. Nesloney 8100 N Mo Pac Expy, Apt. 118 Austin, TX 78759 [tiffee18@gmail.com](mailto:tiffee18@gmail.com) (325)320-3488 Cell Texas Commission on Environmental Quality Office of the Chief Clerk MC-105 P O Box 13087 Austin, TX 78711-3087 Regarding Permit Application #97199 Dear Sir/Madam: Application #97199 of Proppant Specialists LLC. to construct a frac sand mining operation In Katemcy/ Camp Air signifies a threat to my health as well as that of my family, friends, and livestock living in the Katemcy/ Camp Air community. Recent research suggests that the "dust" these plants produce in an effort to mine the sand pose serlous health risks. As an individual who suffers from several cases of bronchitis per year, this Information causes great concern. Additionally my research into the topic has led me to believe that the addition of another plant within my community would have an adverse effect on local agriculture. My family's main source of income derives from agricultural pursuits. It is my understanding that the silica issued into the air would prove a detriment to both plant and animal growth. Therefore, as a landowner with an undivided interest in the Katemcy/ Camp Air community I request that TCEQ grant a contested case hearing for permit #97199. Sincerely, Tifnee G. Nesloney

MS

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, April 10, 2014 4:45 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199  
**Attachments:** Contested Case Request.pdf

H

**From:** [tnesloney@baw.com](mailto:tnesloney@baw.com) [mailto:[tnesloney@baw.com](mailto:tnesloney@baw.com)]  
**Sent:** Thursday, April 10, 2014 4:28 PM  
**To:** [donotReply@tceq.texas.gov](mailto:donotReply@tceq.texas.gov)  
**Subject:** Public comment on Permit Number 97199

*NSR  
78364*

**REGULATED ENTY NAME** FML SAND KATEMCY

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MR Trey Nesloney

**E-MAIL:** [tnesloney@baw.com](mailto:tnesloney@baw.com)

**COMPANY:**

**ADDRESS:** 7513 COVERED BRIDGE DR  
AUSTIN TX 78736-3347

**PHONE:** 5122035071

**FAX:** 5124732609

**COMMENTS:** I am requesting a contested case on the application for permit no. 97199. My comments are attached.

*MSW*

April 10, 2014

Bridget C. Bohac  
Chief Clerk

Via <http://www.tceq.texas.gov/about/commments.html>

Texas Commission on Environmental Quality, MC-105  
P.O. Box 13087  
Austin, TX 78711-3087

**RE: Request for Contested Case Hearing on FML Sand, LLC's  
Application for Permit No. 97199**

Dear Ms. Bohac:

Please let this letter serve as my formal request for a contested case hearing on FML Sand, LLC's Application for Permit No. 97199 (the "Application") that was filed with the Texas Commission on Environmental Quality ("TCEQ"). I have provided my contact information required for this request in the signature block below. I will be responsible for receiving all communications and documents for me as an individual protesting the Application.

**Affected Person Status**

I am an "affected person" according to the TCEQ rules with respect to this application, because I have a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Specifically, I own property within a quarter mile of the proposed facility.

**Issues to be Referred**

I am concerned by the fact that my property will be in close proximity with the proposed facility, and that my family or I will be negatively affected by the emissions of air contaminants from the facility. In the future I would like to have a residence on my property near the proposed facility and I am concerned that the proposed operations at the facility will make having a residence on my property impossible. My father also currently runs a farm and ranch on my property, and I am concerned that this proposed facility would negatively affect these operations by him now, or possibly by me in the future. As an extension of these general concerns, the following issues that were mentioned in the Executive Director's Response to Public Comment should be referred to the State Office of Administrative Hearings ("SOAH") for a contested case hearing:

**1. Issue 1: Air Quality/Health Effects (Humans, Animals, Plants)/Silica**

In his Response to Public Comment, the Executive Director states that "[c]ontaminants authorized under this permit include organic compounds (VOCs),

Ms. Bridget Bohac

April 10, 2014

Page 2

nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), and particulate matter (PM), including PM with diameters of 10 micrometers or less (PM<sub>10</sub>) and 2.5 micrometers or less (PM<sub>2.5</sub>).” It has been widely recognized that exposure to some of these contaminants can cause silicosis, lung cancer, pulmonary tuberculosis, airway diseases, and other diseases. It is also my understanding that air monitors only measure total particulates in the air, not specifically crystalline silica, which could be released into the air by the proposed facility and negatively affect the humans, animals, and environment near or on my property. The applicant’s own air dispersion modeling “showed that the short-term effects (one-hour averaging time) resulted in a maximum ground level concentration (GLC<sub>max</sub>) of 47.5 ug/m<sup>3</sup>. *This is higher than the short-term ESL of 14 ug/m<sup>3</sup>.*” See Executive Director’s Response to Public Comment at 6 (emphasis added). This over 300% exceedance of the maximum ground level concentration warrants further investigation, including evidence presented regarding the assumptions and findings made by the Toxicology Division to determine whether adverse health effects are expected. Also, the Executive Director recognized that “[a]lthough there is no air monitor located in Mason County, conservative background concentrations were obtained by the Applicant for PM<sub>10</sub> and NO<sub>2</sub> from a monitor located in Travis County.” *Id.* at 9. The TCEQ, Applicant and Executive Director did not fully examine the differences between background concentrations that could occur due to differences between these two regions of the state.

## **2. Issue 2: Air Dispersion Modeling**

Additionally, I am concerned with the air dispersion modeling that was done to address this issue. The TCEQ’s Air Dispersion Modeling Team (“ADMT”) did not take into account the specific characteristics present in the Katemcy/Camp Air region where my property is located, or that other nearby facilities could compound the effects of the proposed facility. Data that was incorporated into the air dispersion modeling program (release height of the emissions, the type of release, the location of the sources, the surrounding land type, meteorological data for the area, background concentrations of the specific contaminants already existing in the area) may not have been accurate due to these specific characteristics and the location of other facilities in the area (the existing plants near Voca, Texas). *See also* response to Issue 1.

## **3. Issue 3: Cumulative Emission**

*See* responses to Issues 1 and 2. The cumulative effects of the existing plants near Voca, Texas, and the differences in characteristics of between the Katemcy/Camp Air area and the areas used by the Applicant were not taken into account.

## **4. Issue 6: Air Monitoring**

As previously stated, air monitors only measure total particulates in the air, not specifically crystalline silica, which could be released into the air by the proposed facility and negatively affect the humans, animals, and environment near or on my property. Additionally, the draft permit requires no site-specific air monitors. Some type of

Ms. Bridget Bohac

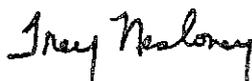
April 10, 2014

Page 3

monitoring should be initiated to control the silica emissions that could result from facility's operations.

Thank you for your time and consideration of this request. Please do not hesitate to contact me should you have any questions.

Very truly yours,



Trey Nesloney  
Pro Se

Work Address:

BOOTH, AHRENS & WERKENTHIN, P.C.

515 Congress Avenue, Suite 1515

Austin, Texas 78701-3503

(512) 472-3263 TELEPHONE

(512) 473-2609 FACSIMILE

Home Address:

7513 Covered Bridge Drive

Austin, Texas 78736

(512) 203-5071 CELL

**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/19/2011 8:36 AM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2  
**Attachments:** Sand plant2.doc

H

>>> PUBCOMMENT-OCC 9/16/2011 4:11 PM >>>

>>> <nesloney@hotmail.com> 9/16/2011 3:50 PM >>>

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MR Trey Nesloney

**E-MAIL:** [nesloney@hotmail.com](mailto:nesloney@hotmail.com)

**COMPANY:**

**ADDRESS:** 11603 LADERA VISTA DR Unit #16

AUSTIN TX 78759-3955

**PHONE:** 5122035071

**FAX:**

**COMMENTS:** Trey Nesloney 11603 Ladera Vista Dr. Unit #16 Austin, TX 78759 [nesloney@hotmail.com](mailto:nesloney@hotmail.com) (512)203-5071 Cell Texas Commission on Environmental Quality Office of the Chief Clerk MC-105 P O Box 13087 Austin, TX 78711-3087 Re: Permit Application #97199 Dear Sir/Madam: Application #97199 of Proppant Specialists LLC. to construct a frac sand mining operation in Katemcy/ Camp Air signifies a threat to my health as well as that of my family, friends, and livestock living in the Katemcy/ Camp Air community. Recent research suggests that the "dust" these plants produce in an effort to mine the sand poses serious health risks. As an individual who suffers from allergies, this information causes me great concern. Additionally, there are several other sand mining operations in the area and my research into the topic has led me to believe that the addition of another plant within my community would have an adverse effect on local agriculture and the public welfare. My family's main source of income derives from agricultural pursuits. It is my understanding that the silica issued into the air would prove a detriment to both plant and animal growth. Therefore, as a landowner with an undivided interest in the Katemcy/ Camp Air community I request that TCEQ grant a contested case hearing for permit #97199. Sincerely, Trey Nesloney

NSR  
78364

MW

Trey Nesloney

11603 Ladera Vista Dr. Unit #16  
Austin, TX 78759  
nesloney@hotmail.com  
(512)203-5071 Cell

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

Re: Permit Application #97199

Dear Sir/Madam:

Application #97199 of Proppant Specialists LLC. to construct a frac sand mining operation in Katemcy/ Camp Air signifies a threat to my health as well as that of my family, friends, and livestock living in the Katemcy/ Camp Air community. Recent research suggests that the "dust" these plants produce in an effort to mine the sand poses serious health risks. As an individual who suffers from allergies, this information causes me great concern. Additionally, there are several other sand mining operations in the area and my research into the topic has led me to believe that the addition of another plant within my community would have an adverse effect on local agriculture and the public welfare. My family's main source of income derives from agricultural pursuits. It is my understanding that the silica issued into the air would prove a detriment to both plant and animal growth. Therefore, as a landowner with an undivided interest in the Katemcy/ Camp Air community I request that TCEQ grant a contested case hearing for permit #97199.

Sincerely,

Trey Nesloney

September 12, 2011

H OPA  
SEP 19 2011  
BY BP

Jeanne M. Nixon  
PO Box 823  
Mason, TX 76856  
jmnixon@gmail.com ✓

NSR  
78364

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
P.O. Box 13087  
Austin, TX 78711-3087  
Regarding Permit Application #97199

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2011 SEP 19 AM 10:13  
CHIEF CLERK'S OFFICE

To Whom It May Concern:

As a concerned citizen of Mason County, I find that I must express my deep concern over the proposed frac sand mining operation to be constructed in Katemcy, TX, by Proppant Specialists, LLC. Like many citizens who live in beautiful Mason county, we have chosen to live, work and retire here. As a land owner, we also raise livestock. We have worked very hard to maintain our ranch and our home so that we can enjoy our life in this wonderful community.

The more I learn about frac sand mining, the more concerned, and downright alarmed, I have become. Rather than attempting to educate folks who will be impacted by the presence of this plant, a lot of information, as well as miss-information, are running wild. We have no one to answer our questions or calm our fears. We just need time to research and educate ourselves, as well as our community, to help us weigh the facts so that we have a better understanding of the whole picture.

I'm asking that you delay the permitting process for this proposed frac sand mining plant to allow us sufficient time to look at this serious situation, and evaluate the direct impact this mining operation, will have on our community. As we have a mostly elderly population, who already suffer from many health issues, that's not too much to ask.

1  
M

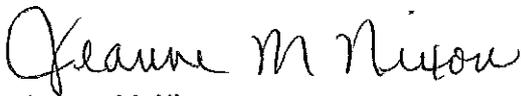
We need to make sure that everyone involved, on both sides, understands the overall impact of bringing a plant of this kind, to our small community. Yes, there will be jobs to be had, and some tax dollars will be added to our community. Keeping that in mind, I can't imagine how much it's going to cost us, the tax payers (of local, state and federal taxes) to maintain the roads that the incoming truck traffic will be traveling on, or the impact on our crops, livestock, plants, and most importantly, our health. There simply isn't enough data or stats, to help us evaluate where we stand, and where this mining operation will take us down the road. They have an obligation to maintain the highest standard of operations ensuring our way of life here, is impacted as little as is humanly possible.

Why haven't these people offered to come here and share their vision and plans with us? Why didn't they take the initiative to inform the folks in the immediate vicinity of this mining location, of what they might expect? Why aren't they here to help us understand what they will be doing, and what impact their mining operation will have on us all? Because, they don't care. Nor do they want to answer our questions, address our concerns or help us work through the facts vs. rumors. We're on our own here, folks. We deserve ample time to look in to this situation, and only ask for sufficient time to access what information is out there so that we can make an informed decision. Since no one is interested enough in what we think or ask, we must research it on our own.

Please give us the consideration that Proppant refuses to, and allow us sufficient time to do our homework and gather the facts. It's our future, and that of future generations that will have to live with the outcome of yet another sand plant, in our community. Several years down the road, I don't believe there is any doubt that some will look back and wish they had taken a stand, and became informed about this ever increasing industry, in our own backyard. Someone has to do it, and we are ready, willing and doing everything we can to get some answers. Please help us by delaying the permitting of this latest frac sand mining plant.

Thank you so much for your understanding and your acknowledgement that we must have the time to properly research and understand the direct impact this operation will have on our present, and future, way of life here. I respectfully request that the TCEQ grant a contested case hearing on this application #97199 based upon my concerns. I also request that I be allowed to participate in the hearing process.

Sincerely,



Jeanne M. Nixon

Mason County, TX

USA FIRST CLASS PERMIT



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COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 19 AM 10:13

CHIEF CLERKS OFFICE

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SEP 19 2011

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Texas Commission on Environmental Quality  
Office of the Chief Clerk

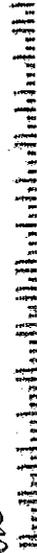
MC-105

PO Box 13087

Austine, TX 78711-3087

Ref: Application #97199

787113087



Nixon  
Kramer  
PO Box 823  
Mason, TX 76856

Connie Stockbridge  
P.O. Box 731  
Mason, Texas 76856  
rcstockb@hctc.net ✓  
325-347-2504 (cell)

October 5, 2011

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

Regarding Permit Application #97199

Sir/Madam:

I wrote a letter to your office dated September 14, 2011 regarding the Permit Application #97199. (copy of letter enclosed) I inadvertently put the letter on my letterhead from Mason National Bank. I would like to clarify that letter was not the opinion or request of the Mason National Bank, but was my personal opinion and request for a contested hearing. I would request that this letter be attached to the original and made a part of the record.

I apologize for any inconvenience it might have caused.

Sincerely,

  
Connie Stockbridge

H  
OPA  
OCT 10 2011  
BY AK  
NSR  
78364

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 OCT -7 PM 3:14  
CHIEF CLERKS OFFICE

CM



MASON NATIONAL BANK

Post Office Box 1789  
Mason, Texas 76856  
325-347-5911  
FAX 325-347-6103

Connie Stockbridge,  
Executive Vice President

Connie Stockbridge  
P.O. Box 731  
Mason, TX 76856  
[restockb@hctc.net](mailto:restockb@hctc.net)  
325-347-2504 Cell

September 14, 2011

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
PO Box 13087  
Austin, TX 78711-3087

Regarding Permit Application #97199

Sir/Madam:

The application of Proppant Specialists, LLC to construct a frac sand mining operation in Katemcy is of great concern to me. I am concerned about the lack of oversight and enforcement of such operations which would indicate very little actual concern with environmental quality. In almost 50 years of operation of such plants near the planned site for Application 97199, TCEQ and its predecessor agencies appear to only have ever issued a total of two citations. I find it unlikely, if not impossible, for such mining operations to have achieved such outstanding records of compliance. If prior oversight is any indication of future monitoring and compliance and enforcement actions, I feel it would be detrimental to the residents in the area to count on that same agency to protect our interests with this or any future such permitted operations.

Some of my specific points of concern regarding the request for Air Quality Permit 97199:

2011 OCT - 7 PM 3: 14  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

- My Dad, brothers and their families live less than one mile north of the proposed mine and sand processing facility. I also own property with a home located less than one mile north of the proposed site. The predominant southerly winds in the area will carry the particulate matter directly over our fields, our pastures and our homes. This increase in year-round "dusting" far exceeds anything ever generated by the agricultural use of the land in this area and will adversely affect plant life, domesticated livestock production, wildlife mating and migration patterns, and the general quality of life that I have come to expect from the place that my family and I call home.
- The specific effects of the targeted silica sand upon health and human safety have already been identified as a causative agent in ailments such as silicosis, and as an irritating factor in conditions such as emphysema, bronchitis, asthma and a wide range of other pulmonary conditions. I am concerned for the health of all the individuals living in such close proximity to this proposed operation. I know that the increased particulate in the air will exacerbate many health problems and degrade the quality of life for many.
- The non-target silica by-products (waste sand) is retained on-site in mounds that become artificial mountains of sand. Though containment is part of the procedures of sand mining, actual ability to properly manage the huge volumes of sand and the resulting "blow off" from those mountains become just as much, if not more, of a problem. This matter is generated at the facility during processing, it is generated by the constant traffic in and out of the facility, it is generated by the **blasting** that is a necessary component of the mining, and it is generated by the general activity in and around the mine and processing facility itself.
- In addition to the silica particulate matter, I believe that the impact upon the environment of the increased truck and heavy equipment used in this operation would need to be identified prior to approval of the permit. Though the Katemcy region has been, for generations, an area of heavy farming and ranching use, and vehicular traffic and heavy equipment use was an integral part of that activity, it in no way approaches the levels that will occur with the bulldozers, trucks, earthmovers, rakes, sifters and other associated equipment. One can observe any of the existing plants currently in operation and easily ascertain the increase in diesel exhaust from all of the equipment, and those levels, as well as their detrimental effects upon environment and air quality, have not been adequately identified or targeted for observation.
- The aforementioned trucks present another hazard in relation to the permit that is most likely not included as part of the permit request, and that pertains to the particulate matter generated by silica transports using the dirt roads of the county as they navigate the loading/unloading routes. We do not have a facility in Katemcy yet; but, the trucks have already been using the dirt county roads as a means to avoid DPS observation and detection. The roads are sand/caliche/gravel

composites which, under the heavy weights of the trucks, erode quickly and generate talc-like dust which must be included as part of the monitoring requirements for the applicant, as enforcement of the use of the county roads is almost impossible for our limited law enforcement personnel. This increase in truck traffic is also a great concern for safety on the roads in this community.

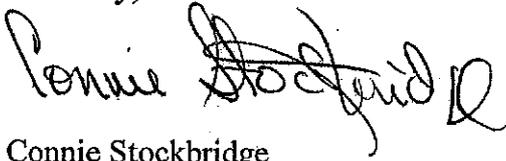
- Identification of the associated chemicals and materials used in the treatment of the silica prior to final transport has not been clearly delineated. The dispersal of these agents into an atmosphere that is already laden with other particulates and gases create a mixture that has not been defined, and, as such, the effects of which have not been included as part of the permit application. I know this application is not concerned with the run-off from these chemicals and materials, but I worry about the impact upon the Katemcy Creek. This creek is the west side of my property.
- There are already a number of existing facilities in the Voca, Texas, area, concentrated in a small geographical area. The addition of additional mines along the silica veins west of Voca into Katemcy (and east to Pontotoc and Field Creek) begins to widen the impact area of the particulate matter in a fashion that has not been adequately studied. Such a concentrated area of invasive mining, affecting the traditional "blow sands" of the area and undoing generations of erosion and degradation control, and adding to the increase of matter in the air and in the runoff from these sites. The authority charged with monitoring these emissions (TCEQ) has admitted that they have neither the equipment, personnel or resources to provide monitoring in the level specified in the permit request.
- I would request that TCEQ (or its predecessor agencies) first identify how well they have set up reliable emission standards for the particulates included in the permit application, clarifying how they plan to map base levels for testing, and the operative plan for how they will provide inspections and testing in the future for compliance.
- Due to the abbreviated period of discovery for those of us responding to permit application 97199, and the amount of new data we have found during that time, I would respectfully offer that there are numerous other air quality issues which will also be identified and ask that those other issues remain open as legitimate issues and concerns that may be offered as evidence as they are found and catalogued by the various respondents.

I would respectfully request that TCEQ grant a **contested** case hearing on this application based upon the enumerated concerns. I would ask that the Agency consider the group of opponents of this application request as an informally organized group to be referred to as the Katemcy-Camp Air Residents' Association, and that the group be allowed to participate in the hearing process both individually and collectively.

TCEQ - 97199  
September 14, 2011  
Page 4

As I mentioned, since the August 17, 2011, publication date of the permit application, the citizens responding to the application have made numerous discoveries relating to air and water quality issues. We have also, in the discovery process, identified multiple concerns with enforcement, monitoring and oversight issues. The amount of information would indicate that there is a great deal more data to be collected in order for those of us responding to make an adequate case; but, we feel that the limited 30-day response period is unfair and artificially abbreviated. It is our respectful request that an additional 30 days be granted in which to submit comments on this pending application.

Sincerely,



Connie Stockbridge

Cc:

Mason County Commissioner's Court, Commissioner Stanley Toepfich, (325) 347-6868  
Senator Troy Fraser, (830) 693-9603  
Representative Harvey Hilderbran, (830) 792-4289  
Hickory Underground Water Conservation District No. 1, (325) 597-0133  
Texas Department of Agriculture, (888) 223-8861  
Environmental Protection Agency, Region 6, (214) 665-2118

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
CHIEF CLERKS OFFICE  
OCT 07 2011 PM 3:14

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
PO BOX 13087  
Austin, TX

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OCT 07 2011

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CS  
Box 731  
Wason, TX  
76854



MASON NATIONAL BANK

Post Office Box 1789  
Mason, Texas 76856  
325-347-5911  
FAX 325-347-6103

Connie Stockbridge,  
Executive Vice President

Connie Stockbridge  
P.O. Box 731  
Mason, TX 76856  
[rcstockb@hctc.net](mailto:rcstockb@hctc.net)  
325-347-2504 Cell

*NSR*  
*78364*

*H*

OPA

SEP 20 2011

BY *SP*

September 14, 2011

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
PO Box 13087  
Austin, TX 78711-3087

Regarding Permit Application #97199

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 SEP 19 PM 3:27  
CHIEF CLERKS OFFICE

Sir/Madam:

The application of Proppant Specialists, LLC to construct a frac sand mining operation in Katemcy is of great concern to me. I am concerned about the lack of oversight and enforcement of such operations which would indicate very little actual concern with environmental quality. In almost 50 years of operation of such plants near the planned site for Application 97199, TCEQ and its predecessor agencies appear to only have ever issued a total of two citations. I find it unlikely, if not impossible, for such mining operations to have achieved such outstanding records of compliance. If prior oversight is any indication of future monitoring and compliance and enforcement actions, I feel it would be detrimental to the residents in the area to count on that same agency to protect our interests with this or any future such permitted operations.

Some of my specific points of concern regarding the request for Air Quality Permit 97199:

*MSW*

- My Dad, brothers and their families live less than one mile north of the proposed mine and sand processing facility. I also own property with a home located less than one mile north of the proposed site. The predominant southerly winds in the area will carry the particulate matter directly over our fields, our pastures and our homes. This increase in year-round "dusting" far exceeds anything ever generated by the agricultural use of the land in this area and will adversely affect plant life, domesticated livestock production, wildlife mating and migration patterns, and the general quality of life that I have come to expect from the place that my family and I call home.
- The specific effects of the targeted silica sand upon health and human safety have already been identified as a causative agent in ailments such as silicosis, and as an irritating factor in conditions such as emphysema, bronchitis, asthma and a wide range of other pulmonary conditions. I am concerned for the health of all the individuals living in such close proximity to this proposed operation. I know that the increased particulate in the air will exacerbate many health problems and degrade the quality of life for many.
- The non-target silica by-products (waste sand) is retained on-site in mounds that become artificial mountains of sand. Though containment is part of the procedures of sand mining, actual ability to properly manage the huge volumes of sand and the resulting "blow off" from those mountains become just as much, if not more, of a problem. This matter is generated at the facility during processing, it is generated by the constant traffic in and out of the facility, it is generated by the **blasting** that is a necessary component of the mining, and it is generated by the general activity in and around the mine and processing facility itself.
- In addition to the silica particulate matter, I believe that the impact upon the environment of the increased truck and heavy equipment used in this operation would need to be identified prior to approval of the permit. Though the Katemcy region has been, for generations, an area of heavy farming and ranching use, and vehicular traffic and heavy equipment use was an integral part of that activity, it in no way approaches the levels that will occur with the bulldozers, trucks, earthmovers, rakes, sifters and other associated equipment. One can observe any of the existing plants currently in operation and easily ascertain the increase in diesel exhaust from all of the equipment, and those levels, as well as their detrimental effects upon environment and air quality, have not been adequately identified or targeted for observation.
- The aforementioned trucks present another hazard in relation to the permit that is most likely not included as part of the permit request, and that pertains to the particulate matter generated by silica transports using the dirt roads of the county as they navigate the loading/unloading routes. We do not have a facility in Katemcy yet; but, the trucks have already been using the dirt county roads as a means to avoid DPS observation and detection. The roads are sand/caliche/gravel

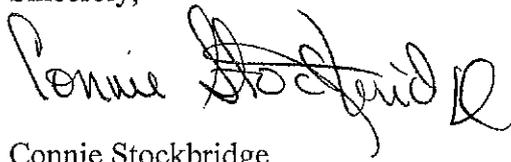
composites which, under the heavy weights of the trucks, erode quickly and generate talc-like dust which must be included as part of the monitoring requirements for the applicant, as enforcement of the use of the county roads is almost impossible for our limited law enforcement personnel. This increase in truck traffic is also a great concern for safety on the roads in this community.

- Identification of the associated chemicals and materials used in the treatment of the silica prior to final transport has not been clearly delineated. The dispersal of these agents into an atmosphere that is already laden with other particulates and gases create a mixture that has not been defined, and, as such, the effects of which have not been included as part of the permit application. I know this application is not concerned with the run-off from these chemicals and materials, but I worry about the impact upon the Katemcy Creek. This creek is the west side of my property.
- There are already a number of existing facilities in the Voca, Texas, area, concentrated in a small geographical area. The addition of additional mines along the silica veins west of Voca into Katemcy (and east to Pontotoc and Field Creek) begins to widen the impact area of the particulate matter in a fashion that has not been adequately studied. Such a concentrated area of invasive mining, affecting the traditional "blow sands" of the area and undoing generations of erosion and degradation control, and adding to the increase of matter in the air and in the runoff from these sites. The authority charged with monitoring these emissions (TCEQ) has admitted that they have neither the equipment, personnel or resources to provide monitoring in the level specified in the permit request.
- I would request that TCEQ (or its predecessor agencies) first identify how well they have set up reliable emission standards for the particulates included in the permit application, clarifying how they plan to map base levels for testing, and the operative plan for how they will provide inspections and testing in the future for compliance.
- Due to the abbreviated period of discovery for those of us responding to permit application 97199, and the amount of new data we have found during that time, I would respectfully offer that there are numerous other air quality issues which will also be identified and ask that those other issues remain open as legitimate issues and concerns that may be offered as evidence as they are found and catalogued by the various repondents.

I would respectfully request that TCEQ grant a **contested** case hearing on this application based upon the enumerated concerns. I would ask that the Agency consider the group of opponents of this application request as an informally organized group to be referred to as the Katemcy-Camp Air Residents' Association, and that the group be allowed to participate in the hearing process both individually and collectively.

As I mentioned, since the August 17, 2011, publication date of the permit application, the citizens responding to the application have made numerous discoveries relating to air and water quality issues. We have also, in the discovery process, identified multiple concerns with enforcement, monitoring and oversight issues. The amount of information would indicate that there is a great deal more data to be collected in order for those of us responding to make an adequate case; but, we feel that the limited 30-day response period is unfair and artificially abbreviated. It is our respectful request that an additional 30 days be granted in which to submit comments on this pending application.

Sincerely,



Connie Stockbridge

Cc:

Mason County Commissioner's Court, Commissioner Stanley Toeppich, (325) 347-6868  
Senator Troy Fraser, (830) 693-9603  
Representative Harvey Hilderbran, (830) 792-4289  
Hickory Underground Water Conservation District No. 1, (325) 597-0133  
Texas Department of Agriculture, (888) 223-8861  
Environmental Protection Agency, Region 6, (214) 665-2118



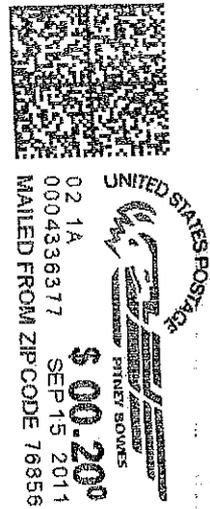
MASON  
NATIONAL  
BANK

P.O. Box 1789, Mason, Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105  
P O BOX 13087  
AUSTIN, TX 78711-3087

7871133087 8312

|||||



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2011 SEP 19 PM 19  
CHIEF CLERK  
SEP 19 2011  
TCEO MAIL CENTER  
MINUTE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

WELDON B. and JANIS KAY STRICKLAND  
MAIL: PO BOX 1183 / PHYSICAL: 1114 ISCHAR ST.  
MASON, TX 76856-1183  
PH 409-200-1225 OR 409-283-1213

4-6-14

BRIDGET C. BOHAC, CHIEF CLERK  
TCEQ, MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

REVIEWED #

APR 10 2014

By     

NSR  
78301  
TCEQ

CHIEF CLERKS OFFICE

2014 APR -9 PM 2:51

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

RE: FML SAND, LLC.  
REQUESTING AIR QUALITY PERMIT NUMBER #971 99

DEAR CHIEF CLERK,

We are writing this letter as homeowner's who live at 1114 Ischar St. Mason, TX 76856-1183 which is approximately 11.5 miles from the proposed Industrial Sand Plant site in the aforementioned permit application. I have a son-in-law, daughter, and two grandsons who live in the Katemcy, TX area, (less than 2 miles from the proposed plant site) and we visit there on a regular basis. Also we have friends that live in that area.

I object to this plant because it will produce air pollution that will create a nuisance and threaten the safety of all nearby wildlife, agricultural animals, persons, and especially those persons with pre-existing lung problems. I personally have suffered with Adult Respiratory Distress Syndrome, and feel sure that any particulate matter in the air would aggravate my condition. I have some serious doubts of the depth and accuracy of any impact studies that may have been offered along with the permit application. Eventhough, the TCEQ may not be responsible for increased truck traffic in the area, it will significantly increase.

We hereby request a contested case hearing regarding this permit.

Sincerely,

*Weldon B. Strickland and Janis Kay Strickland*  
Weldon B. Strickland and Janis Kay Strickland

*MS*

WELDON BRUCE STRICKLAND  
1114 ISCHAR ST./ PO BOX 1183  
MASON, TEXAS 76856-1183

**CERTIFIED MAIL™**



7012 3050 0000 5302 3155



U.S. POSTAGE  
PAID TX  
MASON, TX  
76856  
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AMOUNT  
**\$6.49**  
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78711

2014 APR -7 PM 2:51

CHIEF CLERKS OFFICE

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COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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APR 09 2014

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BRIDGET C. BOHAC, CHIEF CLERK  
TCEQ, MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087



7871133087 8012

WELDON B. and JANIS KAY STRICKLAND  
PO BOX 1183 / 1114 ISCHAR ST.  
MASON, TX 76856-1183  
PH 409-200-1225 OR 409-283-1213

*NSR*  
*78364*

2-27-13

TEXAS COMMISSION on ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

**REVIEWED**

MAR 04 2013

By *[Signature]*

*H*

CHIEF CLERK'S OFFICE

2013 MAR -4 AM 10:16

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

RE: PROPPANT SPECIALISTS, LLC. REQUESTING AIR QUALITY  
PERMIT NUMBER #971 99

DEAR CHIEF CLERK,

We are writing this letter as homeowner's who live at 1114 Ischar St. Mason, TX 76856-1183 which is approximately 11.5 miles from the proposed Industrial Sand Plant site in the aforementioned permit application. I have a son-in-law, daughter, and two grandsons who live in the Katemcy, TX area, (less than 2 miles from the proposed plant site) and we visit there on a regular basis. Also we have friends that live in that area.

I object to this plant because it will produce air pollution that will create a nuisance and threaten the safety of all nearby persons and property, and especially those persons with lung problems. I personally have suffered with Adult Respiratory Distress Syndrome. Also, I am concerned about what the plant might do to the Hickory Water Aquifer which everyone in this area relies on. I have some serious doubts of the depth and accuracy of any impact studies that may have been offered along with the permit application. Also the truck traffic in the area will significantly increase.

We hereby request a contested case hearing regarding this permit.

Sincerely,

*Weldon B. Strickland / Janis K. Strickland*  
Weldon B. Strickland and Janis Kay Strickland

*[Handwritten initials]*

**CERTIFIED MAIL™**

WELDON BRUCE STRICKLAND  
1114 ISCHAR ST./PO BOX 1183  
MASON, TEXAS 76856-1183



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MAR 04 2013  
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76856  
FEB 27 2013  
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2013 MAR -4 AM 10:16

CHIEF CLERK'S OFFICE

TEXAS COMMISSION on  
ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105

PO BOX 13087

AUSTIN, TX 78711-3087



787113087 8012

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

WELDON B. and JANIS KAY STRICKLAND  
PO BOX 1183 / 1114 ISCHAR ST.  
MASON, TX 76856-1183  
PH 409-200-1225 OR 409-283-1213

*NSR*  
*78364*

9-6-11

TEXAS COMMISSION on ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

OPA

H 09 2011  
BY *BP*

2011 SEP - 8 PM 2:34  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

RE: PROPPANT SPECIALISTS, LLC. REQUESTING AIR QUALITY PERMIT NUMBER #971 99

DEAR CHIEF CLERK,

We are writing this letter as homeowner's who live at 1114 Ischar St. Mason, TX 76856-1183 which is approximately 11.5 miles from the proposed Industrial Sand Plant site in the aforementioned permit application. I have a son-in-law, daughter, grandson, and another grandson on the way that live in the Katemcy, TX area, (less than 2 miles from the proposed plant site) and we visit there often. Also we have numerous friends that live in that area.

I object to this plant because it will produce air pollution that will create a nuisance and threaten the safety of all nearby persons and property, and especially those persons with lung problems. I personally have suffered with Adult Respiratory Distress Syndrome. Also, I am concerned about what the plant might do to the Hickory Water Aquifer which everyone in this area relies on. I have some serious doubts of the depth and accuracy of any impact studies that may have been offered along with the permit application. Also the truck traffic in the area will significantly increase.

We hereby request a contested case hearing regarding this permit.

Sincerely,

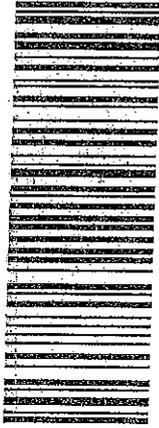
*Weldon B. Strickland*      *Janis Kay Strickland*

Weldon B. Strickland and Janis Kay Strickland

*CM*

Weldon B. and Janis K. Strickland  
PO Box 1183  
Mason, TX 76856-1183

**CERTIFIED MAIL™**



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78711

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MASON, TX  
76856  
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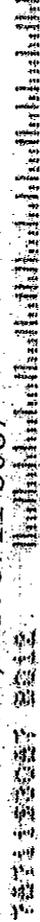
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TEXAS COMMISSION on  
ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105

PO BOX 13087

AUSTIN, TX 78711-3087



ON ENVIRONMENTAL  
QUALITY

2011 SEP -8 PM 2: 33

CHIEF CLERKS OFFICE

WESLEY B. STRICKLAND  
PO BOX 1183 / 1035 WESTMORELAND  
MASON, TX 76856-1183  
PH 409-200-1225 OR 409-283-1213

4-6-14

BRIDGET C. BOHAC, CHIEF  
TCEQ, MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

*NSR  
78364*

CHIEF CLERKS OFFICE

2014 APR 10 AM 10:15

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

RE: FML SAND, LLC.  
REQUESTING AIR QUALITY PERMIT NUMBER # 97199

DEAR CHIEF CLERK,

I am writing this letter as homeowner who lives at 1035 Westmoreland Mason, TX 76856-1183 which is approximately 11.5 miles from the proposed Industrial Sand Plant site in the aforementioned permit application. I have a brother-in-law, sister, and two nephews who live in the Katemcy, TX area (less than 2 miles from the proposed plant site) and I visit there often with my parents. Also I have other friends that live in that area.

I object to this plant because it will produce air pollution that will create a nuisance and threaten the safety of all nearby wildlife, agricultural animals, persons, and especially those persons with pre-existing lung problems. My father, has suffered with Adult Respiratory Distress Syndrome, and feel sure that any particulate matter in the air would aggravate his condition. I have some serious doubts of the depth and accuracy of any impact studies that may have been offered along with the permit application. Eventhough, the TCEQ may not be responsible for increased truck traffic in the area, it will significantly increase.

I hereby request a contested case hearing regarding this permit.

Sincerely,

*Wesley B. Strickland*  
Wesley B. Strickland

REVIEWED

APR 10 2014

By *[Signature]*

H

WESLEY BRUCE STRICKLAND  
1035 WESTMORELAND  
PO BOX 1183  
MASON, TEXAS 76856-1183



7012 3050 0000 5302 3148

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76856  
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BRIDGET C. BOHAC, CHIEF CLERK  
TCEQ, MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

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APR 07 2014

TCEQ MAIL CENTER

COMMISSION  
ON ENVIRONMENTAL  
QUALITY



787113087 8012



**CERTIFIED MAIL**

WELSLEY BRUCE STRICKLAND  
1035 WESTMORELAND  
PO BOX 1183  
MASON, TEXAS 76856-1183

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
FIRST CLASS  
2013 MAR -4 PM 3  
CHIEF CLERKS OFFICE



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TEXAS COMMISSION on  
ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

MAR 04 2013

TCEQ MAIL CENTER  
AR

**RETURN RECEIPT  
REQUIRED**

7871133087 8012

WESLEY B. STRICKLAND  
PO BOX 1183 / 1035 WESTMORELAND  
MASON, TX 76856-1183  
PH 409-200-1225 OR 409-283-1213

*NSR*  
*78364*  
2011 SEP -8 PM 2:32  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

9-6-11

TEXAS COMMISSION on ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

*H*  
OPA  
SEP 09 2011  
BY *BR*

RE: PROPPANT SPECIALISTS, LLC. REQUESTING AIR QUALITY  
PERMIT NUMBER # 97199

DEAR CHIEF CLERK,

I am writing this letter as homeowner who lives at 1035 Westmoreland Mason, TX 76856-1183 which is approximately 11.5 miles from the proposed Industrial Sand Plant site in the aforementioned permit application. I have a brother-in-law, sister, nephew, and another nephew on the way that live in the Katemcy, TX area (less than 2 miles from the proposed plant site) and I visit there often with my parents. Also we have numerous friends that live in that area.

I object to this plant because it will produce air pollution that will create a nuisance and threaten the safety of all nearby persons and property, and especially those persons with lung problems. My father, who lives on the next block from me, has suffered with Adult Respiratory Distress Syndrome. Also, I am concerned about what the plant might do to the Hickory Water Aquifer which everyone in this area relies on. I have serious doubts of the depth and accuracy of any impact studies that may have been offered along with the permit application. Also, there will be a significant increase in truck traffic in the area.

I hereby request a contested case hearing regarding this permit.

Sincerely,

*Wesley B. Strickland*  
Wesley B. Strickland

*MW*

**CERTIFIED MAIL™**



7011 0470 0000 4304 6157

Wesley B. Strickland  
PO Box 1183 / 1035 Westmoreland  
Mason, TX 76856-1183

TEXAS  
COMMISSION ON ENVIRONMENTAL  
QUALITY  
SEP - 8 PM 2: 32  
CHIEF CLERKS OFFICE



1000



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PAID  
MASON, TX  
76856  
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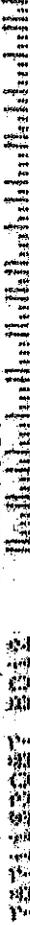
**\$5.59**  
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AR

TEXAS COMMISSION on  
ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MC-105  
PO BOX 13087

AUSTIN, TX 78711-3087



Danny Keith Thomason  
2165 East Ranch Road 1222  
Brady, Texas 76825

Momnkatemcy7@yahoo.com ✓

(325) 258-4467

September 10, 2011

Texas Commission on Environmental Quality

Office of the Chief Clerk

MC-105

P.O. Box 13087

Austin, TX 78711-3087

Regarding Permit Application # 97199

Sir/Madam:

We have just recently been informed that Proppant Specialists, LLC have placed an application to construct a frac sand mining operation in Katemcy TX, and I am very concerned. The many concerns I have are based on research of TCEQ and its oversight and enforcement of the same type of operations near the proposed site of the new mine that to me indicates little or no concern for the environmental quality of our home and immediate area. It would seem that TCEQ and its predecessor agencies have in approximately fifty years of operations by these frac mining operations issued only two citations to the plants that they oversee in our area. This gives me great concern and raises the question if we can rely on the same agency to protect our interests with this and future permitted operations? We are not convinced the TCEQ can provide adequate equipment, personnel and resources to monitor everything specified in the permit request.

Our home is located less than one mile from the proposed office and within 100 yards of the East boundary of the proposed processing plant and sand mine. The amount of dust alone that I will experience from this operation of three hundred sixty five days ,twenty four hour production facility will be not just unhealthy but possibly deadly to humans from breathing the product Silica. Not only humans, but wildlife, livestock, and even plants can be adversely affected by this mining operation and others. The very air we breathe and water we drink will suffer. Our air will be clogged with the known cancer causing agent Silica, our Aquifer will suffer not just a reduction in quantity during the worst drought ever recorded, but likely pollution to the point of not being able to use.

I moved to this part of the country from East Texas to escape the air pollution from too many vehicles, not being able to see the stars from the haze and to continue the life style I have always preferred. The air we breathe is non replaceable as cleaned if we remove the very vegetation that helps to clean it. I was not given a choice or even information on the plant until they began the permit phase of production. What about all the children that ride the school buses in this rural area? The statistics on the environmental protection site state that the readings of silica increase when the plants are located near

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SEP 16 2011  
BY af

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 14 PM 2:32

CHIEF CLERKS OFFICE

NSR  
78364

Mu

roadways. This proposed site sits on 2 of the most regularly used roads in our county. Highway 87 runs north and south through our county and is the main supplier of traffic to the only Wal-mart store within over 70 miles. Highway 1222 is the Southside border and already has the issue of Sand Trucks running to and from already existing mines in Voca and could be the route of travel for several of the trucks and equipment moving between the mines themselves. EPA states that the silica readings increase rapidly if you are in a vehicle. Again our school children will be exposed to this threat coming and going home from school. Mason residents making a simple trip to Brady to the Wal-mart have an increased threat from something they can't see, smell or taste. A threat we surely didn't ask for. Our County has a very aged population and the health problems that this plant and its production will take a drastic toll among those folks. We have no hospital facility for Mason County and as you can see from our county statistics we are not either rich or highly employed by companies that supply insurance coverage for those expenses adding to an already devastated economy. And why will we face these added threats other than for one company to make a huge profit from something they didn't have any interest in until they found the Frac Sand. A company that threatens to leave this area polluted and ruined. How can I allow the people I love, my friends and family to visit us in an area that holds a potential threat for Lung Cancer causing agents in the air? What young family would want to relocate here to raise their children with this agent in the air? A agent that has very little if no documentation on its damage to anyone other than the workers at the sites? The hills themselves will hold these contaminants longer in a smaller area because of the very landscape we have. This will continue to endanger us for longer periods of time. Who if not our government agencies can we call on to help us?

I don't want to forget to mention the use of explosives they will be using to expose the Frac sand they are so eager to tear from our landscape. Besides wondering who will repair the damages to our homes and land caused by the explosives? How will we filter the air brought into our homes by the ac/heating units. Air that will be polluted all year long not just seasonally? What about the particles put into the air from these explosions? This in its self will add to our poor air quality. Have these particles been considered in the TCEQ projections? The added problems brought on by the drought and extreme heat will increase the readings that will only be taken periodically? What studies have been done to protect the areas and its occupants Human, animal and plant. How will the plants covered in dust be able to help clean the air we breathe? I appreciate your consideration and action to protect what you have been charged with by your very existence that being our air and by extension our very lives.

I respectfully request that the TCEQ grant a contested case hearing on this application # 97199 based upon my concerns. I also request that I be allowed to participate in the hearing process.

Thank you

Sincerely,



Danny Keith Thomason

2165 East Ranch Road 1222

Brady, Texas 76825

CC: EPA

2165 East Band Road # 1322

Brady, TX 76825

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
CHIEF CLERKS OFFICE

2011 SEP 14 PM 2:32

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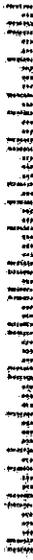
Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
P O Box 13087  
Austin, TX 78711-3087

**RECEIVED**

SEP 14 2011

TCEQ MAIL CENTER  
AR

787113087



**Marisa Weber**

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**From:** PUBCOMMENT  
**Sent:** Monday, April 15, 2013 8:20 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 15, 2013 7:23 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number 97199

*NSR  
70364*

**From:** [momnkatemcy7@yahoo.com](mailto:momnkatemcy7@yahoo.com) [mailto:[momnkatemcy7@yahoo.com](mailto:momnkatemcy7@yahoo.com)]  
**Sent:** Saturday, April 13, 2013 7:15 PM  
**To:** [doNotReply@tceq.state.tx.us](mailto:doNotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MR Danny Keith Thomason

**E-MAIL:** [momnkatemcy7@yahoo.com](mailto:momnkatemcy7@yahoo.com)

**COMPANY:**

**ADDRESS:** 2165 E RANCH ROAD 1222  
BRADY TX 76825-8816

**PHONE:** 3252584467

**FAX:**

*MW*

**COMMENTS:** I would like to submit my continued concerns involving the proposed sand plant in Katy, Texas. Living within 100 Yrds of the proposed plant gives me great concern for myself and my families welfare. There is far too little evidence to support the so called safe operation of the mining of silica sand and the particles that are released into the air. The potential loss of our water and the pending damage to our surrounding land scape gives no support to the need for this sand. The for profit purpose stands to benefit no one but the company (FORMERLY KNOWN AS PROPPANT SPECIALITIES LLC). The dangers and damage already experienced by home owners and citizens from the increased sand plant trucks and their reckless disregard for our property and personal safety can be supported by the number of tickets issued by local and state law enforcement officers prior to issuance of permits to run on weight restricted two lane country roads. The large state wide cutbacks will only add to the damage and illrepair of our county and state highways from these overloaded trucks. This get rich quick industry appears to be concerned in how quickly they can extract this sand and give little regard to what they leave in their path. Go to Voca and look at how enviromentally friendly these stewards of the enviroment are vs what they say. Their back door tactics of buying out land owners while leaving others in the dark only stand to support that they are not trust worthy and cannot be trusted to keep their word. They are driven by one end and that is their own profit. It is said I complain only because it is in my own back yard, well how many current and proposed sand plants are there in surrounding counties and Mason County in the past 3 years? Who will replace our water and air, pay our health costs and repair our property damages? Not Proppant as they have stated when asked directly of their represenatives. Our county and state leaders should focus on the damage they are doing and stand to do as they progress across our area. Take notice of what other states were too slow to act upon and the leasons they were too late to learn to save their own residents. There is far too little information on this new type of exploration and enviromental impact. There is no current study on their impact on our water supply. Without water there is NO LIFE! This industry supports no decrease in our gas prices, but stands to enhance damage to our very way of life. I ask for study, information, and action before giving the rubber stamp to these mines. So many in a relatively small area can have even a larger impact on the enviroment and its inhabitants plant, animal and human. Slow down and take a look at something other than the ability to profit for these giants that already control too much of our life. Stand by your neighbors as you would hope they would stand by you. Think, study and act.

**Marisa Weber**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 14, 2014 11:42 AM  
**To:** PUBCOMMENT-OCC2  
**Cc:** Jim Fernandez  
**Subject:** FW: Public comment on Permit Number 97199

*NSP*  
*78364*

I don't think the CID has this labeled as H. Because we are past RTC, I am not going to include PM on the coding.

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 14, 2014 8:11 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

H

**From:** MOMNKATEMCY7@YAHOO.COM [mailto:MOMNKATEMCY7@YAHOO.COM]  
**Sent:** Sunday, April 13, 2014 1:00 PM  
**To:** [donotReply@tceq.texas.gov](mailto:donotReply@tceq.texas.gov)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTY NAME** FML SAND KATEMCY

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:** 2014-0526-AIR

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MRS SHARON LYNN THOMASON

**E-MAIL:** [MOMNKATEMCY7@YAHOO.COM](mailto:MOMNKATEMCY7@YAHOO.COM)

**COMPANY:**

**ADDRESS:** 2165 E RANCH ROAD 1222  
BRADY TX 76825-8816

**PHONE:** 3252584467

*MW*

**FAX:**

**COMMENTS:** I would like to take this opportunity to state once again my request for a contested case hearing involving what is now called FML LLC SAND and their permit #97199 for an air quality permit to build and operate a silica sand plant in Mason County. Our property is approx .25 miles from the proposed plant location in Katemcy. I believe that construction and operation of this plant will forever alter our way of life and have nothing but negative results to same. Health issues caused by this type of silica sand is well documented on workers and has been given the level of a carcinogen known for causing lung cancer. There are no walls shields or safety devices that can prevent the movement of these micro size sand particles thru the air for up to several miles from the mining location. Not to mention the constant movement via trucks and equipment. I also request a community meeting be set to allow the voices of this community to be heard. The changes in ownership of this company in December 2013 was not made public and there has not in my opinion been adequate opportunity to study their previous actions in protecting the safety to our enviromentm,water, human and animal health. Thank you for consideration of this request. Sharon Thomason

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 14, 2014 8:11 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

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**From:** [MOMNKATEMCY7@YAHOO.COM](mailto:MOMNKATEMCY7@YAHOO.COM) [mailto:[MOMNKATEMCY7@YAHOO.COM](mailto:MOMNKATEMCY7@YAHOO.COM)]  
**Sent:** Sunday, April 13, 2014 1:00 PM  
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**Subject:** Public comment on Permit Number 97199

**REGULATED ENTY NAME** FML SAND KATEMCY

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:** 2014-0526-AIR

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**CN NUMBER:** CN603148750

**FROM**

**NAME:** MRS SHARON LYNN THOMASON

**E-MAIL:** [MOMNKATEMCY7@YAHOO.COM](mailto:MOMNKATEMCY7@YAHOO.COM)

**COMPANY:**

**ADDRESS:** 2165 E RANCH ROAD 1222  
BRADY TX 76825-8816

**PHONE:** 3252584467

**FAX:**

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**From:** PUBCOMMENT-OPA  
**To:** PUBCOMMENT-OCC2  
**Date:** 9/15/2011 2:18 PM  
**Subject:** Fwd: Public comment on Permit Number 97199  
**Place:** PUBCOMMENT-OCC2

H  
PM

>>> PUBCOMMENT-OCC 9/15/2011 12:52 PM >>>

>>> <momnkatemcy7@yahoo.com> 9/15/2011 12:51 PM >>>

**REGULATED ENTY NAME** KATEMICY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MRS Sharon Lynn Thomason

**E-MAIL:** momnkatemcy7@yahoo.com

**COMPANY:**

**ADDRESS:** 2165 E RANCH ROAD 1222

BRADY TX 76825-8816

**PHONE:** 3252584467

**FAX:**

**COMMENTS:** I would like to request a contested hearing on the application placed by Proppant Specialities LLC permit # 97199. Our property is located less than 100 yds from the eastern boundry of the proposed sand plant in Katemcy Texas. My Husband and myself are both getting on in years and the added threat of Silica in our enviroment will definetly add to health Issues that we are facing and will face in the future. The Dust alone will endanger my horses as they will consume it in the very grass they consume. Currently I have to invest in additives for their feed to prevent sand colic and the additional dirt put into the air will only increase this life threatening condition. With the depressed economy our use of a large garden to sustain us and the beef we will raise for our own consumption will also be impacted and put further stress on our lives. The very fact that there are no substaniated studies or results of studies on the ill effects to both humans and animals from Silica exposure gives great concern on additional releases besides the other 3 mines already in operation In a 20 mile radius of our home and property. How can I expect visitors or why would I want to invite family to come for visits with a know cancer causing agent enhisting in the air that we can neither see, smell or taste. With no way to protect them. Allergies are bad enough but adding this into the mix is incomprehensable. Thank you for the consideration of our concerns and please donot allow the Air Quality permit to Proppant Specialities LLC. The opportunity to have a community meeting would also be welcomed. Thank you again Sharon Thomason

MW

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Sharon Thomason

2165 East Ranch Road 1222

Brady, Texas 76825

Momnkatemcy7@yahoo.com ✓

(325) 258-4467

September 10, 2011

Texas Commission on Environmental Quality

Office of the Chief Clerk

MC-105

P.O. Box 13087

Austin, TX 78711-3087

Regarding Permit Application # 97199

Sir/Madam:

We have just recently been informed that Proppant Specialists, LLC have placed an application to construct a frac sand mining operation in Katemcy TX, and I am very concerned. The many concerns I have are based on research of TCEQ and its oversight and enforcement of the same type of operations near the proposed site of the new mine that to me indicates little or no concern for the environmental quality of our home and immediate area. It would seem that TCEQ and its predecessor agencies have in approximately fifty years of operations by these frac mining operations issued only two citations to the plants that they oversee in our area. This gives me great concern and raises the question if we can rely on the same agency to protect our interests with this and future permitted operations? We are not convinced the TCEQ can provide adequate equipment, personnel and resources to monitor everything specified in the permit request.

Our home is located less than one mile from the proposed office and within 100 yards of the East boundary of the proposed processing plant and sand mine. The amount of dust alone that I will experience from this operation of three hundred sixty five days ,twenty four hour production facility will be not just unhealthy but possibly deadly to humans from breathing the product Silica. Not only humans, but wildlife, livestock, and even plants can be adversely affected by this mining operation and others. The very air we breathe and water we drink will suffer. Our air will be clogged with the known cancer causing agent Silica, our Aquifer will suffer not just a reduction in quantity during the worst drought ever recorded, but likely pollution to the point of not being able to use.

I moved to this part of the country from East Texas to escape the air pollution from too many vehicles; not being able to see the stars from the haze and to continue the life style I have always preferred. The air we breathe is non replaceable as cleaned if we remove the very vegetation that helps to clean it. I was not given a choice or even information on the plant until they began the permit phase of production. What about all the children that ride the school buses in this rural area? The statistics on the environmental protection site state that the readings of silica increase when the plants are located near

2011 SEP 14 PM 2:34

CHIEF CLERKS OFFICE

OPA

SEP 16 2011

By

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78364

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I don't want to forget to mention the use of explosives they will be using to expose the Frac sand they are so eager to tear from our landscape. Besides wondering who will repair the damages to our homes and land caused by the explosives? How will we filter the air brought into our homes by the ac/heating units. Air that will be polluted all year long not just seasonally? What about the particles put into the air from these explosions? This in its self will add to our poor air quality. Have these particles been considered in the TCEQ projections? The added problems brought on by the drought and extreme heat will increase the readings that will only be taken periodically? What studies have been done to protect the areas and its occupants Human, animal and plant. How will the plants covered in dust be able to help clean the air we breathe? I appreciate your consideration and action to protect what you have been charged with by your very existence that being our air and by extension our very lives.

I respectfully request that the TCEQ grant a contested case hearing on this application # 97199 based upon my concerns. I also request that I be allowed to participate in the hearing process.

Thank you

Sincerely,



Sharon Thomason

2165 East Ranch Road 1222

Brady, Texas 76825

CC: EPA

2165 East Ranch Rd #1222  
Brady, TX 76825

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 SEP 14 PM 2:34  
CHIEF CLERKS OFFICE

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

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SEP 14 2011  
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AR

787113087



**Marisa Weber**

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**From:** PUBCOMMENT  
**Sent:** Monday, April 15, 2013 8:19 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 15, 2013 7:23 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number 97199

*MSR  
70364*

**From:** momnkatemcy7@yahoo.com [mailto:momnkatemcy7@yahoo.com]  
**Sent:** Saturday, April 13, 2013 6:02 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTITY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** MRS Sharon Lynn Thomason

**E-MAIL:** [momnkatemcy7@yahoo.com](mailto:momnkatemcy7@yahoo.com)

**COMPANY:**

**ADDRESS:** 2165 E RANCH ROAD 1222  
BRADY TX 76825-8816

**PHONE:** 3252584467

**FAX:**

*MW*

**COMMENTS:** I would like to take this opportunity to voice my strong opposition to the proposed sand plant in Katy Texas. This proposed plant will not only endanger our health but basic way of life for no other reason than profit for the company formerly known as Proppant Specialists LLC. The possibility of physical harm has not had the necessary testing reviews and the steps taken by this company in the past does in no way exhibit a concern for the individuals or their property located in a close proximity of the site. The State of Texas should open studies for the environmental and physical dangers that can well be a result of this rush to profit processing of silica sand. Our representatives and their agencies should well stand up for the individuals that have put them in their places of authority. Perhaps the little man no longer carries power but I would surely expect the individuals we elect to protect us would take their responsibilities pertaining to that protection seriously and not bend to the powers of profit. Our very reasons for purchasing our life's dream are endangered by this type of production. Our water sources, air quality and environments stand to suffer irreparable damage. I stand solidly against this industry and its crushing of the American way of life. To challenge big industry and its taking of our life's dream. And ask that the STATE OF TEXAS and TCEQ take notice of the other States that have banned this production and stop this attack in its tracks. Learn from other mistakes. A new look at the regulations placed on these sand mines as the ones in place now are lax to say the least. Open Pit mining has little if any regulations to protect those that deal directly with their operations. The unknown greatly outweighs the understanding of long term damage to both human life and environmental damage. Please do not allow this to become another asbestos nightmare for the future. Slow down this industry and its potential damage. Encourage study of water source damage and sand plant regulations before giving a blanket approval to this industry. Once the land is destroyed there is no going back. Thank you Sherry Thomason

**Marisa Weber**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 14, 2014 4:42 PM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

PM  
H

*NSR  
78364*

**From:** [wiggswam@gmail.com](mailto:wiggswam@gmail.com) [mailto:[wiggswam@gmail.com](mailto:wiggswam@gmail.com)]  
**Sent:** Monday, April 14, 2014 4:32 PM  
**To:** [donotReply@tceq.texas.gov](mailto:donotReply@tceq.texas.gov)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTY NAME** FML SAND KATEMCY

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:** 2014-0526-AIR

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Brenda L Wiggs

**E-MAIL:** [wiggswam@gmail.com](mailto:wiggswam@gmail.com)

**COMPANY:**

**ADDRESS:** 2174 East Ranch Road #1222  
Brady TX 76825

**PHONE:** 3252584500

**FAX:**

**COMMENTS:** I am an affected person in this permit application and I would like to request a community hearing and a contested case hearing. FML Sand LLC (not the original applicant which was Proppant Specialists LLC). Permit #97199. I live less than 1/4 mile from the proposed sand mine to be constructed in

*CMW*

Katemy , TX and 10 miles from an existing sand mine in Voca, TX. The health concerns for human, animal and plant life as well as a tremendous change in our everyday life are of MAJOR concern.

---

H

OPA

SEP 16 2011

BY GA

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 14 PM 2:36

CHIEF CLERKS OFFICE

Brenda Wiggs

2165 East Ranch Road #1222

Brady, TX 76825

wiggswam@gmail.com ✓

(325)258-4467

NSR  
78364

September 11, 2011

Texas Commission on Environmental Quality

Office of the Chief Clerk

MC-105

P. O. Box 13087

Austin, TX 78711-3087

Regarding Permit Application #97199

Sir/Madam:

Proppant Specialists, LLC has placed an application to construct a frac sand mining operation in Katemcy, TX, and I am very concerned! Part of this concern is based on research of TCEQ's oversight and enforcement of the same type operations near the proposed site of the new mine that to me indicates little concern for environmental quality. It appears that TCEQ and its predecessor agencies have in approximately fifty years of operations by these frac mines issued only two citations to the plants in our area. This makes me question if these plants did indeed achieve such outstanding records of compliance. I also question if I can rely on the same agency to protect my interests with this and future permitted operations. I am also concerned if the TCEQ can provide the proper equipment, personnel and resources to monitor everything specified in the permit request.

My home will be less than one mile west of the proposed processing plant and sand mine. The amount of dust that we will experience from this three hundred sixty five day, twenty four hour per day operation will be very unhealthy to humans, animals and plant life not to mention destructive to our life sustaining air and water. My research has shown that silica sand affects the lungs as silicosis which can cause asthma, emphysema, bronchitis, and lung cancer just to name a few pulmonary conditions. I now require assistance to breathe at night while sleeping. My grandsons will not be able to visit my home because one of them has pediatric asthma and the other Aspergers Autism and can't tolerate the loud

MW

noises such as dynamite explosions. I strongly considered, before moving to Mason County, the fresh air, beauty of the land, quite area and clear starlight nights. If this sand plant is opened I lose it all.

I respectfully request that the TCEQ grant a contested case hearing on application #97199 based upon my many concerns. I also request that I be allowed to participate in the hearing process.

Sincerely,

*Brenda L Wiggs*

Brenda Wiggs

cc: EPA

2165 East Grand Road #1222  
Brady, TX 76825

UNITED STATES MAIL



7010 3090 0002 4335 2164



1000

78711

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PAID  
BRADY, TX  
76825  
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AMOUNT  
**\$5.59**  
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CHIEF CLERKS OFFICE

2011 SEP 14 PM 2:36

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

*Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
3000 Bush 13087  
Cousins, TX 78711-3087*

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SEP 14 2011

TCEQ MAIL CENTER  
AR



787113087

**Marisa Weber**

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**From:** PUBCOMMENT  
**Sent:** Monday, April 15, 2013 8:20 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 15, 2013 7:23 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number 97199

*MSW*  
*70364*

**From:** [wiggswam@gmail.com](mailto:wiggswam@gmail.com) [<mailto:wiggswam@gmail.com>]  
**Sent:** Saturday, April 13, 2013 6:18 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Brenda L Wiggs

**E-MAIL:** [wiggswam@gmail.com](mailto:wiggswam@gmail.com)

**COMPANY:**

**ADDRESS:** 2174 East Ranch Road #1222  
Brady TX 76825

**PHONE:** 3252584500

**FAX:**

*mw*

**COMMENTS:** In this second period of protesting I want to reinforce my very strong opposition and deepest concerns over the proposed sand plant in Katemcy, Texas. Our home is located about 100 yards from the proposed plant site. I am asking that before the commission approves the air permit for this plant that they take the time to become really educated on what this will do to our air quality, personal health and the very future of our land. Other states have already banned mining and fracking. Even the USGS and U S Army have both linked forced injections of liquids (fracking) into the earth with earthquakes. Please allow more time for proper studies on possible results (example - silicosis) instead of giving permits for the destruction of our air and other natural resources and taking away our way of life in exchange for quick profits for some locals and foreign investors. This mine will be here for another sixty years per Proppants own information givers. Come see what is happening just a few short miles from us in Voca where sand mines already exist and the air problems they cause. We need testing and regulations BEFORE the damage is done. Just give us a chance to get the facts first. Thank you for your time and consideration ..Brenda Wiggs

**Marisa Weber**

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**From:** PUBCOMMENT  
**Sent:** Monday, April 15, 2013 8:20 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number 97199

H

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, April 15, 2013 7:23 AM  
**To:** PUBCOMMENT  
**Subject:** FW: Public comment on Permit Number 97199

*NSR  
70364*

**From:** [wiggswam@gmail.com](mailto:wiggswam@gmail.com) [<mailto:wiggswam@gmail.com>]  
**Sent:** Saturday, April 13, 2013 7:06 PM  
**To:** [donotReply@tceq.state.tx.us](mailto:donotReply@tceq.state.tx.us)  
**Subject:** Public comment on Permit Number 97199

**REGULATED ENTY NAME** KATEMCY SAND PLANT

**RN NUMBER:** RN106184195

**PERMIT NUMBER:** 97199

**DOCKET NUMBER:**

**COUNTY:** MASON

**PRINCIPAL NAME:** PROPPANT SPECIALISTS LLC

**CN NUMBER:** CN603148750

**FROM**

**NAME:** Walter Guy Wiggs

**E-MAIL:** [wiggswam@gmail.com](mailto:wiggswam@gmail.com)

**COMPANY:**

**ADDRESS:** 2174 East Ranch Road #1222  
Brady TX 76825

**PHONE:** 3252584500

**FAX:**

*Mu*

**COMMENTS:** This is my contested case hearing request on the application by Proppant Specialists LLC for air quality permit number 97199. I firmly believe it is wrong for our health to breathe the tiny particles of silica that will be released into the air for all of us to breathe. My home is about one hundred yards east of the proposed sand mine. The winds are gusty here and mostly out of the west. I know how bad the sand blows with no mine in our area. When they start digging it will be devastating. We have found in our research that there are few regulations for this new industry. We need studies to ensure public safety before problems occur not lawsuits afterwards. As our air quality representatives we look to you as our only line of defense.

Walter Guy Wiggs

2165 East Ranch Road #1222

Brady, TX 76825

wiggswam@gmail.com ✓

(325)258-4467

September 11, 2011

Texas Commission on Environmental Quality

Office of the Chief Clerk

MC-105

P. O. Box 13087

Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 SEP 14 PM 2:32

CHIEF CLERKS OFFICE

*NSR  
78364*

H OPA  
SEP 16 2011  
By GA

Regarding Permit Application #97199

Sir/Madam:

Proppant Specialists, LLC has placed an application to construct a frac sand mining operation in Katemcy, TX, and I am very concerned! Part of this concern is based on research of TCEQ's oversight and enforcement of the same type operations near the proposed site of the new mine that to me indicates little concern for environmental quality. It appears that TCEQ and its predecessor agencies have in approximately fifty years of operations by these frac mines issued only two citations to the plants in our area. This makes me question if these plants did indeed achieve such outstanding records of compliance. I also question if I can rely on the same agency to protect my interests with this and future permitted operations. I am also concerned if the TCEQ can provide the proper equipment, personnel and resources to monitor everything specified in the permit request.

My home will be less than one mile west of the proposed processing plant and sand mine. The amount of dust that we will experience from this three hundred sixty five day, twenty four hour per day operation will be very unhealthy to humans, animals and plant life not to mention destructive to our life sustaining air and water. My research has shown that silica sand affects the lungs as silicosis which can cause asthma, emphysema, bronchitis, and lung cancer just to name a few pulmonary conditions. I now require assistance to breathe at night while sleeping. My grandsons will not be able to visit my home because one of them has pediatric asthma and the other Aspergers Autism and can't tolerate the loud

*mw*

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I respectfully request that the TCEQ grant a contested case hearing on application #97199 based upon my many concerns. I also request that I be allowed to participate in the hearing process.

Sincerely,

A handwritten signature in black ink that reads "Walter Guy Wiggs". The signature is written in a cursive style with a large, prominent initial 'W'.

Walter Guy Wiggs

cc: EPA

2165 East Rand Rd #1222  
Brady TX 76825

OF THE RETURN TO THE SENDER  
**CERTIFIED MAIL**



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**\$5.59**  
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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 SEP 14 PM 2:32  
CHIEF CLERKS OFFICE

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MC-105  
PO Box 13087  
Austin, TX 78711-3087

**RECEIVED**

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