

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2015 APR 20 AM 9:03

CHIEF CLERKS OFFICE

TCEQ DOCKET NO. 2015-0460-AIR

IN THE MATTER OF THE
APPLICATION BY HOLCIM
TEXAS LIMITED PARTNERSHIP
FOR AMENDMENTS OF AIR QUALITY
PERMITS NOS. 8996 AND PSDTX454M4

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BEFORE THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY

REPLY OF SUE POPE TO THE REPOSSES OF EXECUTIVE DIRECTOR, OFFICE OF PUBLIC
INTEREST COUNSEL, ALTERNATIVE DISPUTE RESOLUTION, THE CHIEF CLERK AND
APPLICANT HOLCIM TO HEARING REQUEST AND REQUEST FOR RECONSIDERATION

COMES NOW Sue Pope and files this her Reply to the Responses of the Executive
Director, Office of Public Interest Counsel, and Applicant Holcim to Hearing
Request.

REQUEST FOR RECONSIDERATION OF REQUEST FOR CONTESTED CASE HEARING
in the above -referenced matter,

SUE POPE
476 HIDDEN VALLEY TRAIL
(NOT HIDDEN VALLEY LANE AS LOCATED ON MAP BY EXECUTIVE DIRECTOR)
MIDLOTHIAN, TEXAS 76065

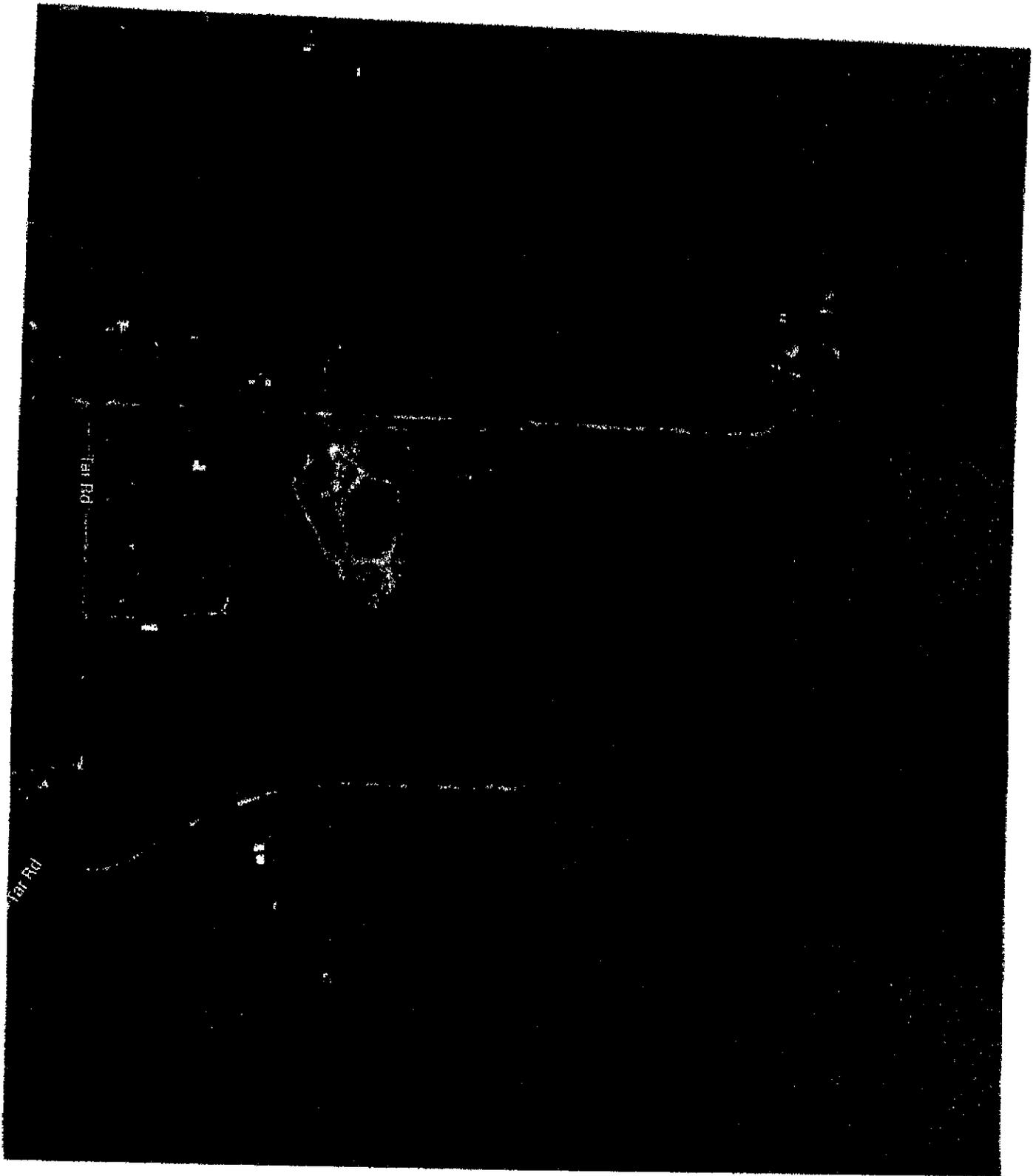
972-299-5298 PHONE & FAX
suepop00@gmail.com

HIDDEN VALLEY TRAIL STARTS AT THE END OF KNIGHT STREET. THE MAP USED BY
EXECUTIVE DIRECTOR IDENTIFIED WHAT IS KNOWN AS HIDDEN VALLEY LANE
WHICH COMES OFF OF JOE WILSON ROAD AND IS MUCH FURTHER AWAY. THIS
MISTAKE WAS ALSO MADE IN 2004 WHEN I WAS REQUESTING A HEARING AND WAS
DENIED BECAUSE OF DISTANCE.

HOLCIM'S PROPERTY LINE IS NINE-TENTHS (.09) OF A MILE FROM MY PROPERTY
LINE. AN IRON GATE AND MAIL BOX ARE AT THIS POINT. THE APPROXIMATE 70
ACRES ARE TOTALLY OCCUPIED BY 30 TO 40 COWS OVERLOOKED AND TENDED YEAR
ROUND.

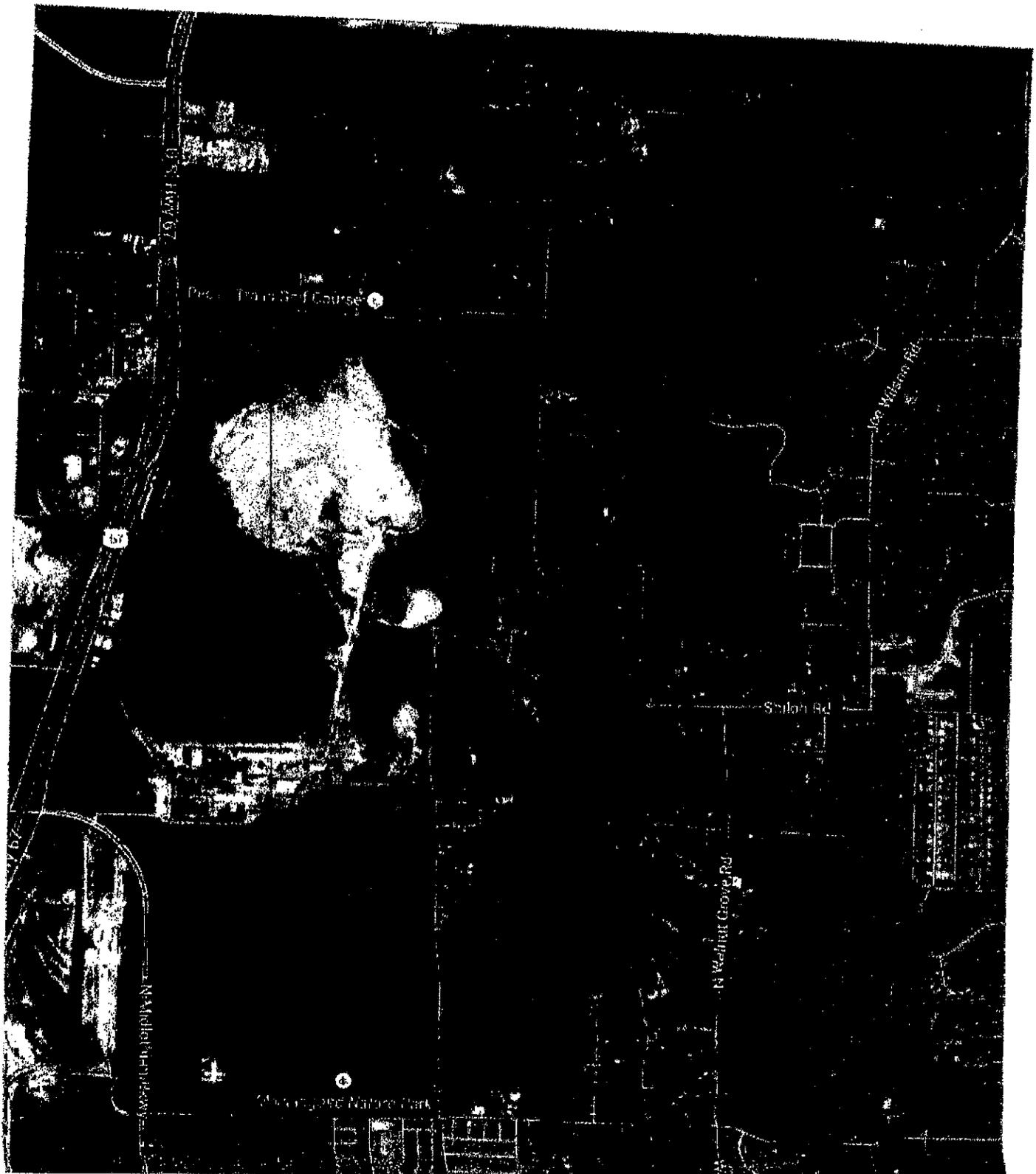
Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



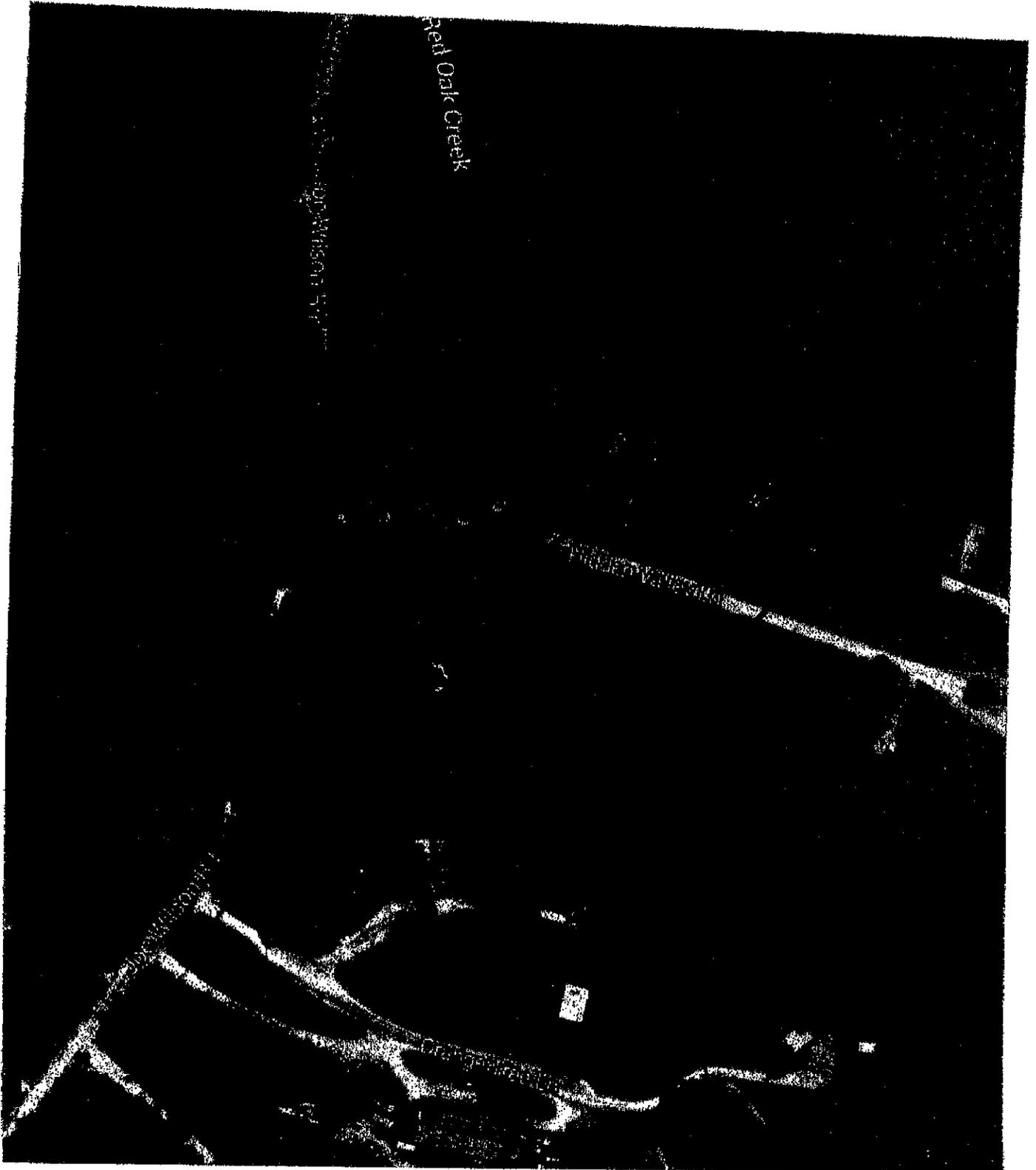
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**TCEQ DOCKET NO. 2015-0460-AIR
REQUEST FOR RECONSIDERATION**

AFFECTED PERSON - SUE POPE

**PRIMARY IMMUNODEFICIENCY 2004- SUBCUTANEOUS HY QVIA TREATMENTS 2015
SEVERE BRONCHIAL ASTHMA- 1/3 LUNG FUNCTION REMAINING 2003
BREATHING TREATMENTS AND INHALERS UTILIZED
COPD DIAGNOSED 2012
ATTENDING PULMONARY REHAB FOR 3 MONTHS - 2015
FIBROMYALGIA 2001
DAILY USE OF OXYGEN
SEVERE MULTI-VESSEL CORONARY ARTERY DISEASE 2012
1989 STAGE FOUR ENDOMETRIOSIS SURGERY - SCIENTIFICALLY KNOWN TO BE
CAUSED BY DIOXIN EXPOSURE
TRANSPORTED TO HOSPITALS IN AMBULANCE VARIOUS TIMES DUE TO DIFFICULTY
BREATHING**

A LIST OF DOCTORS ENCLOSED

**ENCLOSED HERewith ARE COPIES OF 30 SECOND CANISTER SAMPLES ANALYZED
BY THE TEXAS AIR CONTROL BOARD. SAMPLES WERE TAKEN AT NIGHT WHEN
AWAKENED WITH ADVERSE HEALTH EFFECTS. THE CANISTERS WERE GIVEN TO US
BY TACB, AND WE CALLED AFTER CAPTURE FOR THEM TO PICK THEM UP AND TAKE
THEM TO AUSTIN TO BE ANALYZED. UNFORTUNATELY, THE CEMENT INDUSTRY
CONVINCED TACB NOT TO FURNISH US WITH CANISTERS TO BE ANALYZED ANY
LONGER!**

(SEE COPIES OF CANISTER ANALYSIS RESULTS ATTACHED)

ADDITIONAL CONCERNS

**HOLCIM INTENDS TO UTILIZE TWO KILNS WHEN THE ECONOMY MERITS. MORE
EMISSIONS ARE EXPECTED AND MORE BLASTING FOR ROCK IN THEIR QUARRY.
I HAVE REPEATEDLY TALKED WITH AND SHOWN PICTURES TO HOLCIM'S PLANT
MANAGER, MR. MOSER, ABOUT THE DAMAGE BEING DONE TO MY HOME AND MY
NEIGHBORS' HOMES BY THE BLASTING TO NO AVAIL, NOT TO MENTION THE
FUGITIVE EMISSIONS.**

**I DID NOT KNOW UNTIL THIS WEEK IN TALKING WITH MSHA THAT IT IS THE TCEQ
WHICH ISSUES HOLCIM A PERMIT TO BLAST. TXI AND ASH GROVE DO NOT BLAST
BUT INSTEAD UTILIZE A MACHINE TO REMOVE THE LIMESTONE FROM THE QUARRY
WITHOUT CONTINUING TO DAMAGE OTHERS' PROPERTIES AND FRIGHTENING
INDIVIDUALS.
WHEN THE BLASTING OCCURS, THERE IS A TREMENDOUS AMOUNT OF PARTICULATE
RELEASED INTO THE ATMOSPHERE ALSO. I WOULD APPRECIATE INFORMATION AS
TO HOW THIS CAN BE STOPPED.....**

**DURING THE PUBLIC MEETING, A COMMENTER ASKED WHY HOLCIM IS STILL USING
BLASTING TO QUARRY WHEN THERE ARE QUIETER WAYS TO DO SO. YOUR RESPONSE
TO #10 WAS, "THE TCEQ DOES NOT HAVE JURISDICTION TO CONSIDER BLASTING OR**

March 20, 2013

DOCTORS LIST

DR. CHARLES TUEN, MD
 214-943-8887
 214-943-5016 FAX
 3503 W. WHEATLAND RD., #200
 DALLAS, TEXAS 75237
 BD CERTIFIED NEUROLOGY & NEUROPHYSIOLOGY
www.neuroland.com

NEUROLOGIST

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 SPITZBERG ASST. - TONI 1142
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INTERNAL MEDICINE

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 972-296-5557
 972-296-5592 FAX
 1014 E. WHEATLAND ROAD
 DUNCANVILLE, TX 75116

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DIABETES

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 214-467-0432
 214-467-0635 FAX
 WHEATLAND MEDICAL ASSOCIATES
 3920 WHEATLAND RD., SUITE 152
 DALLAS, TX 75237

PRIMARY PHYSICIAN

DR. NATASHA MAZA
 972-923-1003
 HOMETOWN CHIROPRACTIC & REHAB CTR
 607 FERRIS AVE.
 WAXAHACHIE, TX 75165
www.hometownchirotx.com

CHIROPRACTOR

STEPHEN E. MUELLER, MD, FCCP
 DALLAS LUNG CONSULTANTS, PA
 972-296-8888
 972-780-9550 FAX
 2701 PRINCE GEORGE AVE, SUITE 100
 DESOTO TX 75115

PULMONOLOGIST

Dr. Daniel Sully
 1115 Kimwest Pkwy
 Irving, Tex 75063
 972-411-0545

Immunologist

Laboratory Analysis

ACL Number: 7400

Procedure:

The canisters were sampled by the Entech 2000 System. One liter was cryogenically processed and injected into a gas chromatograph/ion trap detector. The concentrations are given in parts per billion by volume

Results:

Compound	Sample Number
carbon oxide sulfide	# 1 T
methanethiol	T
carbon disulfide	16.2
dimethyl disulfide	1.0

Practical lower limits of detection = 0.5 ppbv

T = Trace = 0.1 - 0.5 ppbv

ND = <0.1 ppbv

The above list of compounds were detected and identified with a Saturn GC/ITD instrument using a library search of the Nist 90 Mass Spectra library. Quantifications were by response factor of benzene.

Laboratory Analysis

ACL Number: 6973

Procedure:

The carbon molecular sieve tubes were thermally desorbed and analyzed by using a gas chromatograph/ion trap detector. The concentrations are given in parts per billion by volume (ppbv).

Results:

Compound	Sample Number
	1
1,1,1-trichloroethane	0.8
toluene	0.8
xylene	T

Practical lower limits of detection = 0.5 ppbv

T = Trace = 0.1 - 0.5 ppbv

ND = <0.1 ppbv

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MINING IN DETERMINING WHETHER TO APPROVE OR DENY A PERMIT APPLICATION, BLASTING OPERATIONS ARE ASSOCIATED WITH QUARRY OPERATIONS, AND THE TEXAS CLEAN AIR ACT, 382.003(6) PROVIDES THAT QUARRIES ARE NOT FACILITIES FOR PURPOSES OF AIR QUALITY PERMITTING. THEREFORE QUARRY BLASTING OPERATIONS ARE NOT INCLUDED IN THE REVIEW OF AN AIR QUALITY PERMIT APPLICATION. THE COMMISSION ALSO HAS NO AUTHORITY TO ADDRESS PROPERTY DAMAGE CLAIMS ALLEGED TO RESULT FROM BLASTING, NOR JURISDICTION REGARDING NOISE POLLUTION OR VIBRATIONS. CONCERNS REGARDING NOISE AND VIBRATIONS SHOULD BE DIRECTED TO LOCAL OFFICIALS

ENCLOSED IS AN ARTICLE PUBLISHED IN THE MIDLOTHIAN MIRROR REGARDING HOLCIM AND ASH GROVE. IT SEEMS ASH GROVE IS GETTING READY TO USE AN ADDITIONAL UPDATED KILN. THE ADDITIONAL EMISSIONS OF HOLCIM AND ASH GROVE ARE CONCERNING, BUT NO ONE FROM TCEQ HAS ADVISED US OF ASH GROVE'S PLANS.

ASH GROVE IS IN VERY CLOSE PROXIMITY TO HOLCIM ACROSS HIGHWAY 67. TCEQ HAS MADE NO MENTION OF THE FOUR SCHOOLS SOUTH OF BOTH FACILITIES AND I FOUND NO MODELING WITH RESPECT TO THE SCHOOLS IN HOLCIM'S COMMENTS.

<u>SCHOOLS</u>	<u>ENROLLMENT</u>	<u>DISTANCE FROM HOLCIM</u>
WALNUT GROVE MIDDLE SCHOOL	966	2.2 MILES
J. A. VITOSKY	639	1.2 MILES
T. E. BAXTER	625	1.3 MILES
MIDLOTHIAN HERITAGE HIGH SCHOOL (NEW HIGH SCHOOL 9 TH GRADE ONLY)	625	2.5 MILES

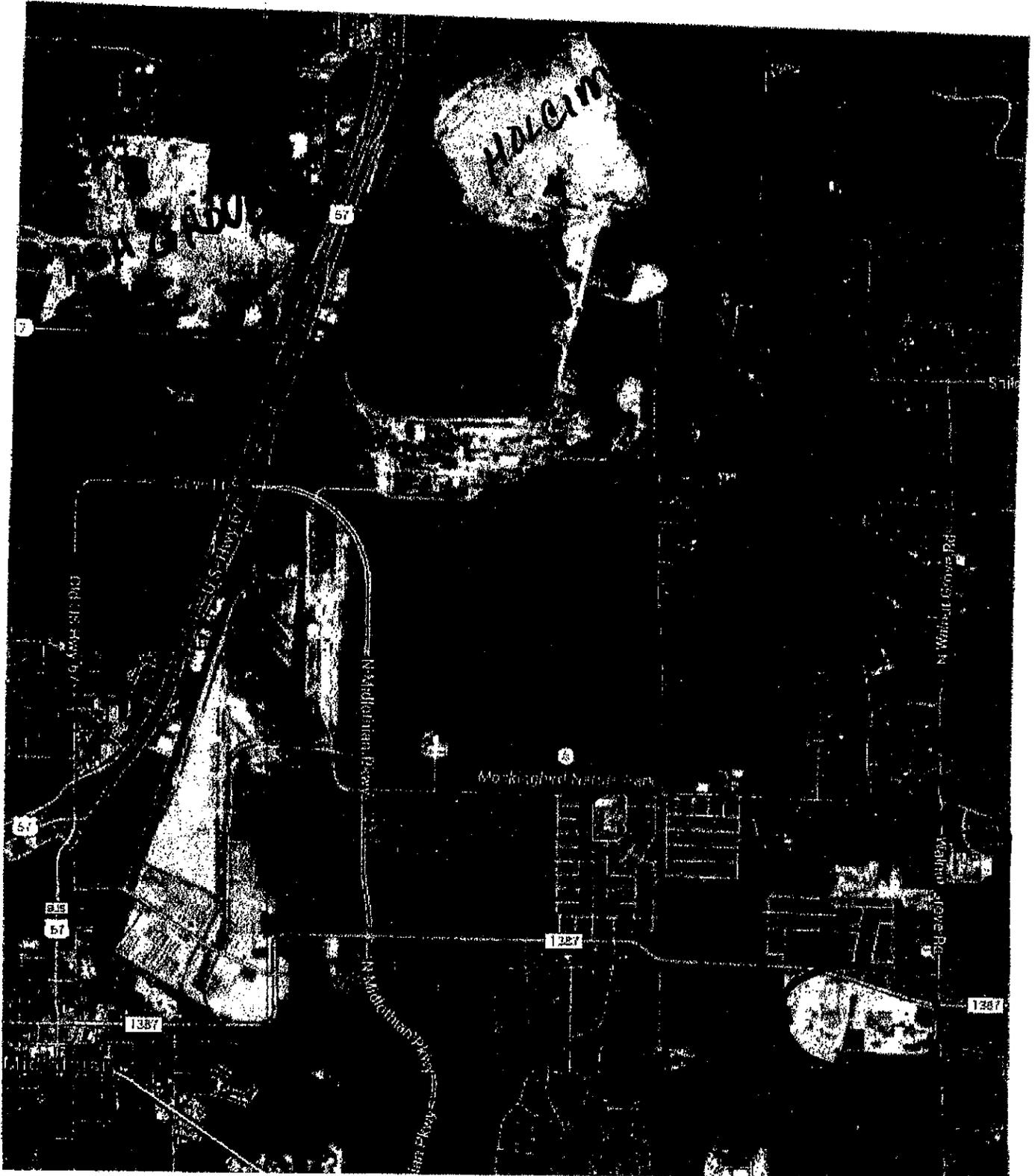
(MAP SHOWS ASH GROVE FACILITY ON WEST SIDE OF HWY 67 AND HOLCIM ON EAST SIDE OF HWY 67)

SOME OF THE STUDENTS LIVE IN ADJACENT HOUSING DEVELOPMENT, "PARK PLACE," WHICH SUBJECTS THEM TO 24 HOUR EXPOSURE OF EMISSIONS. THE WIND DOES NOT ALWAYS BLOW THE SAME DIRECTION AND THIS DIRECTION SHOULD HAVE BEEN CONSIDERED IN THE MODELING.

PAGE 3 OF YOUR RESPONSE STATES "A COMMENT GIVEN AT THE PUBLIC MEETING, "TCEQ SHOULD REQUIRE HOLCIM TO CONTACT NEARBY SCHOOLS WHEN AN EXCESS EMISSION PROBLEM OCCURS."

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



O school

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YOU ADDRESSED THIS CONCERN ON PAGE 6 - "REQUIRED TO NOTIFY THE T.C.E.Q. REGIONAL OFFICE WITHIN 24 HOURS, ETC." THIS DOES NOT HELP THE CHILDREN ON THE PLAYGROUND AT THAT TIME. DUE TO THE ODORS OUTSIDE AT MY HOUSE, IT WAS NECESSARY TO CONTACT THE SCHOOL AND ASK THAT THE CHILDREN BE TAKEN INSIDE. BETTER ARRANGEMENTS SHOULD BE MADE FOR THEIR SAFETY. YOU SUGGESTED THAT A COMPLAINT BE REGISTERED WITH FORT WORTH REGIONAL OFFICE. THE LAST TIME I DID THIS, IT WAS THREE WEEKS BEFORE SOMEONE ARRIVED --- IT JUST WASN'T THE SAME SITUATION, AIR QUALITY WISE, THE DAY HE CAME.

Published monthly on The Midlothian Mirror beginning August 2014 and ending May 2015.

**PRESCHOOL PROGRAM
OFFERED TO DISABLED
STUDENTS**

The Preschool Program for Children with Disabilities is provided by Midlothian ISD to all eligible children.

Classes are held at T.E. Baxter Elementary, Mt. Peak Elementary, LaRue Miller Elementary, and J.A. Vitovsky Elementary Schools.

If you have or know a young child who displays a significant cognitive, motor, or language delay, or who has a severe medical problem, call the Special Education office at 972/775-4317.

Midlothian schools provide a full continuum of services for students with disabilities.

Published monthly in The Midlothian Mirror beginning August 2014 and ending May 2015.

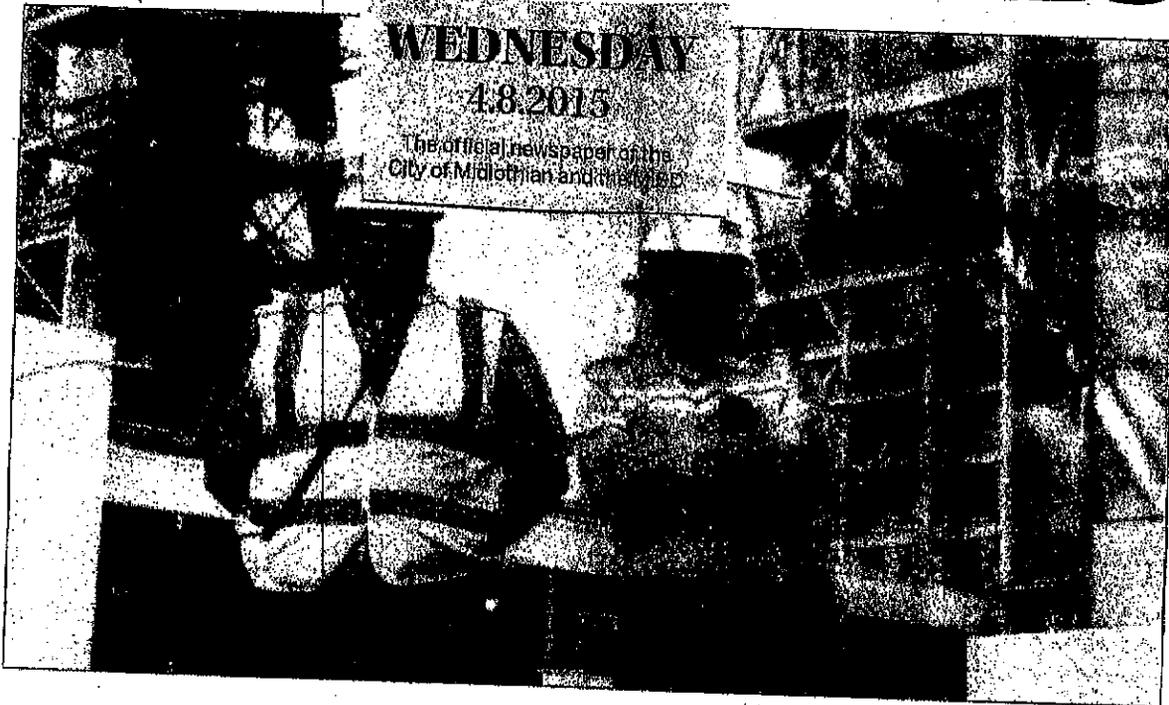
**SPECIAL EDUCATION
OFFERED TO STUDENTS
WITH DISABILITIES**

The Midlothian ISD provides special education for disabled children from 3-21 years of age (birth through 21 is visually or auditorily impaired), as required by state and federal law.

The school district strives to provide appropriate programs for all students. The programs are established on the following principle: Each student is entitled to educational opportunities appropriate to his/her abilities and needs.

A variety of instructional arrangements are available such as self-contained classrooms, partially self-contained classrooms, content mastery/resource, and homebound. Diagnostic testing is provided to students upon determination of educational need. For information, call the Special Education office at 972/775-4317.

CEMENT REBOUNDS



Holcim plant manager Michel Moser (right) and environmental manager Dan Carnes stand in front of the two production lines at the Midlothian plant. They are currently working to bring one line back into production after it was shut down in 2009.

BY BETHANY PETERSON/MIRROR MANAGING EDITOR

Increased demand spurs changes in 2 Midlothian plants

BY BETHANY PETERSON
MIRROR MANAGING EDITOR

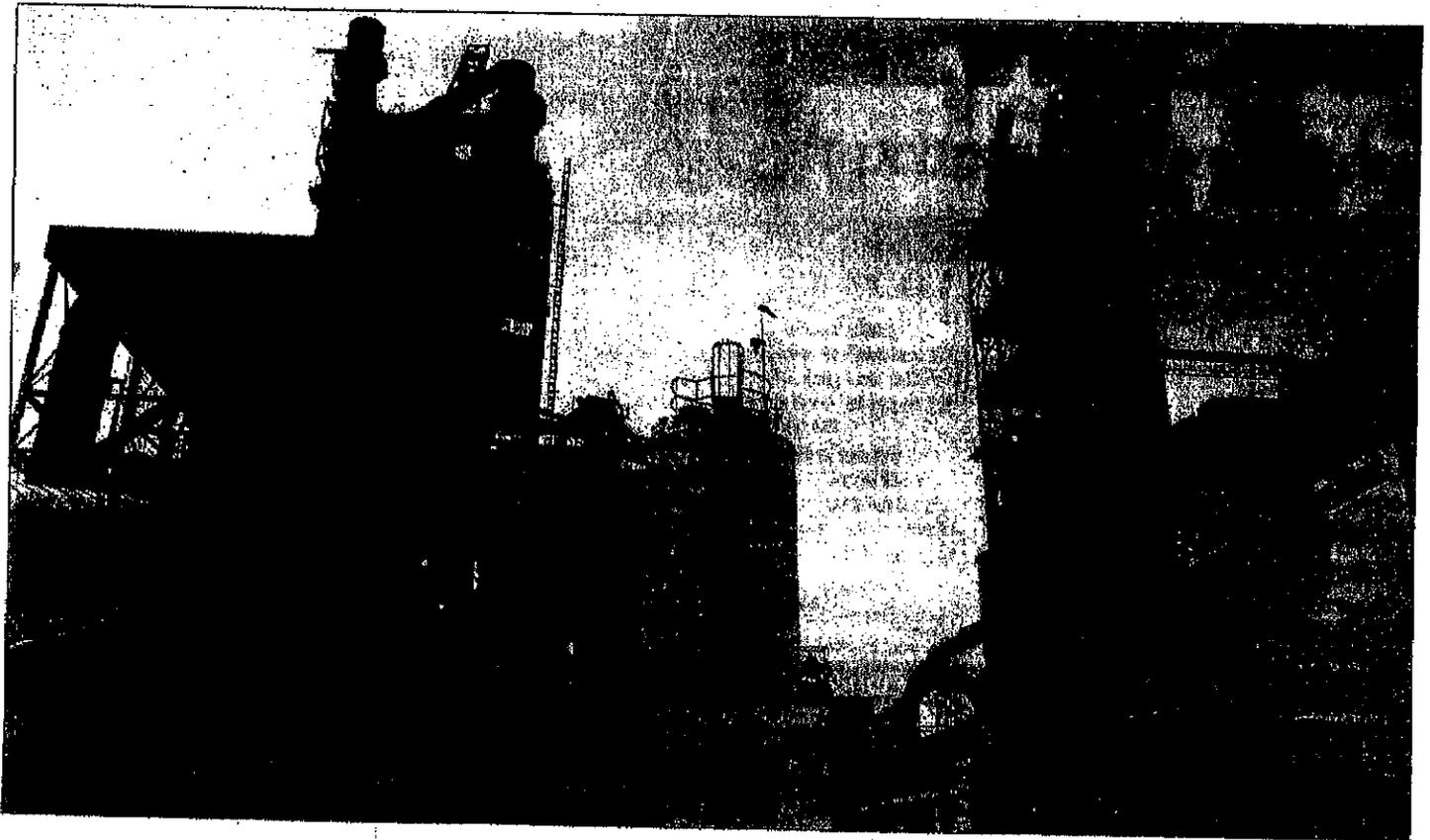
The Holcim and Ash Grove cement plant officials in Midlothian are making changes to their

operations to meet growing market demands.

Holcim plant workers and contractors are working to bring the plant's original line back into production, said Holcim plant manager

Michel Moser. The line was shut down in 2009 when the plant saw a large decrease in demand because of the economic down turn, he said.

SEE **CEMENT, A8**



PHOTOS BY BETHANY PETERSON/MIRROR MANAGING EDITOR
Steam rises from the Holcim plant line two while line one is not currently running. Plant manager Michel Moser to have line one

Apr 19 15 05:40p

CEMENT

Continued from A1

Officials are hoping to get the line fired up and running by late April.

Meanwhile, Ash Grove used the last few years of reduced, but increasing demand, to install a new kiln system to make the plant more competitive, said Ash Grove plant manager Kevin Blankenship. One of the plant's three lines was taken down in 2012 and replaced with a dry kiln that is more energy efficient and meets the new environmental requirements set in the National Emission Standards for Hazardous Air Pollutants for Portland Cement Manufacturing, he said.

The other two cement plants in Midlothian already had the more energy efficient kilns, which cut their production costs, he said. "The dry kiln is designed to produce approximately the same amount of product as the three old lines" Blankenship said. In 2006, the U.S. cement industry saw the highest demand on record at about 120,450 thousand metric tons, according to Portland Cement Manufacturers data. The demand dropped below 80,450 thousand metric tons three years later.

"In 2009, we had an over 50 percent reduction in demand," Moser said.

The drop off was particularly bad for plants like Holcim in Midlothian because plants had undertaken expansion projects to meet the historic highs, he said. A second line had been added to the plant, capable of producing 1.1 million metric tons of clinker, the main ingredient in cement, doubling the plant's production capacity, said Dan Carnes, environmental manager for the plant. So the company managers decided to shut down line one, the original line that was built when the plant opened in 1987, he said.

"We weren't even running line two full time," Carnes said. "Financially, it didn't make sense (to have both running)."

The company kept line one serviced and up to date on permits, but didn't turn on the



Contractors work on line one at the Holcim cement plant in Midlothian. The line is being brought back into production after being shut down during the recession.

kiln because it would take 50 hours just to preheat the kiln to one-fourth of the temperature of the sun's surface, he said. The line remained dormant until last year when demand was showing a steady recovery.

"We started to see gradual increases in demand. Every year went a little bit better. By 2014, they were more confident it had returned," Moser said.

Crews and contractors are currently working on line one to make any needed repairs that were put on hold while the line was dormant and ensure all systems are ready to fire up, Carnes said.

"We hope it runs a few months this year, he added.

The Ash Grove plant in Midlothian didn't feel the effects of the slow recovery in the late 2000s because the company managers

decided it was time to implement a long-planned installation of a dry kiln, Blankenship said. The three original lines were installed between 1966 and 1972, he said.

"The market's return and the environmental rules made it a good time to implement the plan," Blankenship said.

Construction of the new kiln is complete, but contractors are still working out kinks to ensure the line runs at predicted levels, he said. Demolition of the last two old lines is expected to begin soon, but an exact time is unclear.

Both plant managers said they will be hiring additional workers as the production levels increase.

Contact Bethany Peterson at 469-517-1450 or email bkurtz@waxahachleb.com. Follow her on Facebook at www.facebook.com/BethanyKurtzMidlothian or on Twitter @bethmidlothian.

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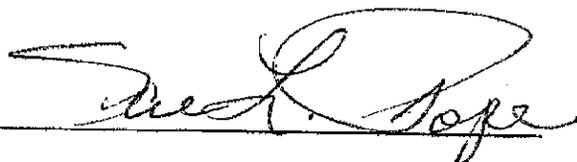
HOLCIM HAS UNDERESTIMATED EMISSIONS INCREASES IN THE PAST, COMING IN YEARS LATER (4) WITH PERMIT CHANGES. . THIS EMPHASIZES THE NEED FOR A TEST BURN TO BE PERFORMED WITHIN FOUR TO SIX MONTHS OF INITIAL START UP IN ORDER TO SEE IF THEY ARE IN COMPLIANCE AND THAT THE NEW CONTROLS ARE FUNCTIONING AS EXPECTED.

I HAVE LIVED HERE 45 YEARS AND WAS DEFINITELY ABLE TO TELL THE DIFFERENCE IN THE AIR QUALITY WHEN HOLCIM BEGAN OPERATING IN 1987.

A HEARING IS IN THE PUBLIC'S INTEREST

RESPECTFULLY SUBMITTED.

BY:



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**REQUESTER(S) / INTERESTED
PERSON(S):**

See attached list.

CHIEF CLERKS OFFICE

2015 APR 20 AM 8:03

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY