



- Daytime Phone Number:** 713.892.4843
- Fax Number:** 713.892.4800
- Applicant's Name:** Munilla Construction Management, LLC
- Applicant's Registration Number:** 95295L002

-Specific description of how CR would be adversely affected by the Application and air emissions from the facility in a way not common to the general public: CR would be adversely affected by the Application and air emissions because CR is the operator of the hospital across the street from the future location of the above-referenced Plant. If the Plant is constructed, serious problems will cause injury to CR, its owners, operators, staff, and patients. For example, the prevailing winds in the area of the Plant will carry the massive clouds of dust created by the Plant directly into the hospital's front door. This is a health and safety issue. The dust will harm the hospital's patients, who are already in a vulnerable state due to the illnesses that have brought them to the hospital in the first place. The dust will especially harm the patients with respiratory and pulmonary conditions. The dust may also harm CR's facility, equipment, and business. On information and belief, the Applicant has not yet demonstrated the future location of the required 12-foot-high barrier. The site, which is currently being prepared for the installation of the Plant, is already creating a nuisance condition.

-Location and distance of the property relative to the facility: The Plant will be located on approximately 2.38 acres of land, generally located at the southeast corner of University Drive and Magnolia Boulevard in the Town of Little Elm, Denton County, Texas. CR operates the hospital at the northeast corner of US 380E and Magnolia Boulevard in the Savannah Addition, in Denton County, Texas—which is across the street from the future location of the Plant. On information and belief, the edge of the operations will only be approximately 400 feet from CR's front door.

-A description of how CR uses the property which may be impacted by the facility: CR operates a hospital on the property. If the Plant is constructed, serious problems will cause injury to CR, its owners, operators, staff, and patients. For example, the prevailing winds in the area of the Plant will carry the massive clouds of dust created by the Plant directly into the hospital's front door. This is a health and safety issue. The dust will harm the hospital's patients, who are already in a vulnerable state due to the illnesses that have brought them to the hospital in the first place. The dust will especially harm the patients with respiratory and pulmonary conditions. The dust may also harm CR's facility, equipment, and business.

-Standing: CR has standing to request this hearing. CR is well within 440 yards of where the Plant will be. On information and belief, the edge of the Plant's operations will only be approximately 400 feet from CR's front door.



Interests to be protected: The interests to be protected are health, safety, economic, and property interests. CR is the operator of the hospital across the street from the future location of the above-referenced Plant. If the Plant is constructed, serious problems will cause injury to CR, its owners, operators, staff, and patients. For example, the prevailing winds in the area of the Plant will carry the massive clouds of dust created by the Plant directly into the hospital's front door. This is a health and safety issue. The dust will harm the hospital's patients, who are already in a vulnerable state due to the illnesses that have brought them to the hospital in the first place. The dust will especially harm the patients with respiratory and pulmonary conditions. The dust may also harm CR's facility, equipment, and business.

Disputed issues of fact:

Whether the Application should be granted

Whether the Applicant has complied with TCEQ requirements

Whether the Applicant can/will comply with TCEQ requirements

The amount of dust from the Plant (and caused by the Plant's operations) that will affect CR, its owners, operators, staff, patients, facility, equipment, and business

The amount of damage and harm (physical, emotional, economic, and otherwise) that will be suffered by CR, its owners, operators, staff, patients, facility, equipment, and business

Please let me know when the hearing is scheduled. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "George R. Gibson" followed by a stylized flourish or initials "KA".

George R. Gibson



Nathan Sommers Jacobs

2800 Post Oak Boulevard
6th Floor
Houston, Texas 77056

RECEIVED
NOV 21 2014
TCEQ MAIL CENTER
JR

NORTH HOUSTON TX 77060
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QUALITY

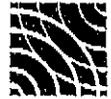
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CLERKS OFFICE

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

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Nathan Sommers Jacobs

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November 19, 2014

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

By Regular Mail
and Facsimile 512.239.3311

NSR
95014

Re: Munilla Construction Management, LLC
TCEQ Customer Reference Number CN603824186
TCEQ Regulated Entity Number RN106102064
TCEQ Air Quality Registration Number 95295L002
Application for Air Quality Standard Permit (the "Applicaton")

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 19 PM 11:04
CHIEF CLERK'S OFFICE

Concrete Batch Plant (the "Plant") on approximately 2.38 acres of land, generally located at the southeast corner of University Drive and Magnolia Boulevard in the Town of Little Elm, Denton County, Texas

Dear Chief Clerk:

My law firm represents CR Emergency Room, LLC ("CR"), the operator of the Baylor Emergency Hospital across the street from the future location of the above-referenced Plant. This is CR's request for a contested case hearing regarding the above-referenced Application.

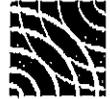
We request a contested case hearing.

The following is the information in support of our request:

- Name: CR Emergency Room, LLC
- Official Representative: George R. Gibson
- Mailing Address: CR Emergency Room, LLC
c/o George R. Gibson
Nathan Sommers Jacobs
A Professional Corporation
2800 Post Oak Boulevard
61st Floor
Houston, Texas 77056

Handwritten signature/initials

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November 19, 2014
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-Daytime Phone Number: 713.892.4843
-Fax Number: 713.892.4800
-Applicant's Name: Munilla Construction Management, LLC
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-Standing: CR has standing to request this hearing. CR is well within 440 yards of where the Plant will be. On information and belief, the edge of the Plant's operations will only be approximately 400 feet from CR's front door.

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November 19, 2014
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Please let me know when the hearing is scheduled. Thank you for your assistance.

Sincerely,

George R. Gibson

c: Don Nelson, TCEQ

By Facsimile 512.239.1300

NATHAN SOMMERS JACOBS
A PROFESSIONAL CORPORATION

FAX COVER PAGE

To: Texas Commission on Environmental Quality
ATTN: Office of the Chief Clerk

By Facsimile 512.239.3311

To: Don Nelon

By Facsimile 512.239.1300

From: George R. Gibson

Telephone 713.892.4843

Date: November 19, 2014

Number of pages: 4

Re: Munilla Construction Management, LLC
TCEQ Customer Reference Number CN603824186
TCEQ Regulated Entity Number RN106102064
TCEQ Air Quality Registration Number 95295L002
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Concrete Batch Plant (the "Plant") on approximately 2.38 acres of land, generally located at the southeast corner of University Drive and Magnolia Boulevard in the Town of Little Elm, Denton County, Texas

Message:

Please see attached.

The information contained in this facsimile message is confidential information intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return it to us at the above address via the U.S. Postal Service. Thank you.

2800 Post Oak Boulevard, 61st Floor, Houston, Texas 77056-6102 713.960.0303

2014 NOV 19 PM 11:04
CHIEF CLERK'S OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY