

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
*Protecting Texas by Reducing and Preventing Pollution*

May 6, 2015

TO: Persons on the attached mailing list.

RE: Columbia Packing Co., Inc.  
Permit No. 106009

**Decision of the Executive Director.**

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** This decision will be considered by the commissioners at a regularly scheduled public meeting before any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter is a copy of the Executive Director's Response to Comments. A copy of the complete application, draft permit and related documents, including public comments, is available for review at the TCEQ Central office. A copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the TCEQ Central office, the TCEQ Dallas/Fort Worth Regional office and the Paul Laurence Dunbar Lancaster-Kiest Branch Library, 2008 East Kiest Boulevard, Dallas, Dallas County, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. A brief description of the procedures for these two requests follows.

**How To Request a Contested Case Hearing.**

It is important that your request include all the information that supports your right to a contested case hearing. You must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) If the request is made by a group or association, the request must identify:

- (A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group; and
  - (B) one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization's purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.
- (3) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.
  - (4) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: "I request a contested case hearing."

Your request must demonstrate that you are an **"affected person."** An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities. A person who may be affected by emissions of air contaminants from the facility is entitled to request a contested case hearing.

Your request must raise disputed issues of fact that are relevant and material to the commission's decision on this application. The request must be based on issues that were raised during the comment period. The request cannot be based solely on issues raised in comments that have been withdrawn. The enclosed Response to Comments will allow you to determine the issues that were raised during the comment period and whether all comments raising an issue have been withdrawn. The public comments filed for this application are available for review and copying at the Chief Clerk's office at the address below.

To facilitate the commission's determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director's responses to comments that you dispute; and 2) the factual basis of the dispute. In addition, you should list, to the extent possible, any disputed issues of law or policy.

## **How To Request Reconsideration of the Executive Director's Decision.**

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

## **Deadline for Submitting Requests.**

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date of this letter. You may submit your request electronically at <http://www.tceq.texas.gov/goto/comments> or by mail to the following address:

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

## **Processing of Requests.**

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the alternative dispute resolution director and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

## **How to Obtain Additional Information.**

If you have any questions or need additional information about the procedures described in this letter, please call the Public Participation and Education Program, toll free, at 1-800-687-4040.

Sincerely,



Bridget C. Bohac  
Chief Clerk

BCB/ka

Enclosure

MAILING LIST  
for  
Columbia Packing Co., Inc.  
Permit No. 106009

FOR THE APPLICANT:

Joseph Ondrusek, President  
Columbia Packing Co., Inc.  
2807 East 11<sup>th</sup> Street  
Dallas, Texas 75203

Lori Madrid, Environmental and Air  
Quality Specialist  
Contek Solutions, LLC  
135 Lige Branch Lane  
Saint Johns, Florida 32259

INTERESTED PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR  
via electronic mail:

Brian Christian, Director  
Texas Commission on Environmental  
Quality  
Environmental Assistance Division  
Public Education Program MC-108  
P.O. Box 13087  
Austin, Texas 78711-3087

Sierra Redding, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division MC-173  
P.O. Box 13087  
Austin, Texas 78711-3087

Joel Stanford, Technical Staff  
Texas Commission on Environmental  
Quality  
Air Permits Division MC-163  
P.O. Box 13087  
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL  
via electronic mail:

Vic McWherter, Attorney  
Texas Commission on Environmental  
Quality  
Public Interest Counsel MC-103  
P.O. Box 13087  
Austin, Texas 78711-3087

FOR THE CHIEF CLERK  
via electronic mail:

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

ALEXANDER , KEBRAN  
911 GLEN STONE LN  
DALLAS TX 75232-2525

ALFORD , GENETHA  
3015 KELLOGG AVE  
DALLAS TX 75216-4612

BAKER , MCARTHUR  
2969 EAGLE DR  
DALLAS TX 75216-4716

BARBEE , WINSOR  
PO BOX 222139  
DALLAS TX 75222-2139

BARTON , CHARLES E  
3011 KELLOGG AVE  
DALLAS TX 75216-4612

BARTON , MS LA JUANA  
608 SAPLING WAY  
DESOTO TX 75115-3827

BARTON , PATRICIA A  
3011 KELLOGG AVE  
DALLAS TX 75216-4612

BROOKS , TIMOTHY  
1842 HUNTINGDON AVE  
DALLAS TX 75203-4218

CALDWELL , MICHAEL  
537 ESTATE DR  
GRAND PRAIRIE TX 75052-6712

CARAWAY , DWAIN R  
1500 MARILLA ST RM 5FN  
DALLAS TX 75201-6318

CARAWAY , DWAIN R  
1934 ARGYLE AVE  
DALLAS TX 75203-4501

CAVETT , LYNDI  
2414 HOMER ST  
DALLAS TX 75206-6738

CLEMONS , NARLON  
2530 MORGAN DR  
DALLAS TX 75241-6419

CONRAD , ELEANOR N  
2003 LANARK AVE  
DALLAS TX 75203-4524

CRENSHAW , SANDRA  
2018 LANARK AVE  
DALLAS TX 75203-4525

DOMINGUEZ , ERIC  
1551 OAK LAWN AVE APT 137  
DALLAS TX 75207-3660

DOMINGUEZ , RICHARD V  
1316 STEVENS RIDGE DR  
DALLAS TX 75211-1741

EVANS-GRIFFIN , MRS MYRTIS  
4416 S EWING AVE  
DALLAS TX 75216-6819

FININEN , ISREAL  
2015 CEDAR CREST BLVD  
DALLAS TX 75203-4313

GHA AZEE , DAVID  
3614 MEADOW ST  
DALLAS TX 75215-3040

GIPSON , PHILLIP  
CEDAR CREST NEIGHBORHOOD ASSOCIATION  
1917 LANARK AVE  
DALLAS TX 75203-4522

JORDAN , ANDREW  
1812 BLACKFOOT TRL  
MESQUITE TX 75149-6600

KING , MR MICHAEL  
CEDAR CREST COUNTRY CLUB ESTATES  
2433 E Kiest BLVD  
DALLAS TX 75216-3320

LEE , MRS LIBBIE TERRELL  
1317 CARRIAGE CREEK DR  
DESOTO TX 75115-3638

LONG , JANET M  
1942 CEDAR CREST BLVD  
DALLAS TX 75203-4312

MCGUIRE , JAMES B SENIOR ASSISTANT CITY  
ATTORNEY  
CITY OF DALLAS  
1500 MARILLA ST RM 7BN  
DALLAS TX 75201-6318

MOORE SR , GERALD C  
314 AVENUE J  
DALLAS TX 75203-3541

MOORE , ROSELAND  
3804 POMEROY DR  
DALLAS TX 75233-3028

PAIGE , MR RYAN  
312 AUSTIN AVE  
WYLIE TX 75098-5808

PETERS , SANFORD J  
2216 VAN CLEAVE DR  
DALLAS TX 75216-2625

PITRE , KATRINA  
2310 BONNIE VIEW RD  
DALLAS TX 75216-2609

PITRE , ROBERT J  
2642 S HARWOOD ST  
DALLAS TX 75215-2728

PRESTON , MS LINDA  
THE GOLDEN SEEDS FOUNDATION AND GOLDEN  
GATE MRC  
1128 SABINE ST  
DALLAS TX 75203-1536

QUINTANS , MS ALICIA C  
227 N SHORE DR  
DALLAS TX 75216-1030

SHELL , BRENDA  
4844 ROCKPORT DR  
DALLAS TX 75232-1332

STANTON , CHAD  
3102 MAPLE AVE  
DALLAS TX 75237

STEELE JR, BARBARA & CLEOPHAS R  
1924 LANARK AVE  
DALLAS TX 75203-4523

TERREL , MR BOBBY  
3002 KELLOGG AVE  
DALLAS TX 75216-4613

THOMPSON , KELSEY  
412 SPINNER RD  
DESOTO TX 75115-4436

TRAHAN , ZAC  
3303 LEE PKWY STE 402  
DALLAS TX 75219-5118

TUCKER , MARY  
1442 GLEN AVE  
DALLAS TX 75216-1723

WEST , THE HONORABLE ROYCE  
STATE SENATOR SENATE DISTRICT 23  
5787 S HAMPTON RD STE 385  
DALLAS TX 75232-6331

WILLIAMS , BETTY  
1225 E PLEASANT RUN RD APT 1308  
DESOTO TX 75115-4247

WILLIAMS , JAMES A  
3979 AVOCADO DR  
DALLAS TX 75241-6202

WILLIAMS , LEE M  
2908 E 11TH ST  
DALLAS TX 75203-2013

WITHERSPOON , LATASHA  
406 AVENUE H  
DALLAS TX 75203-3529