



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

July 14, 2015

TO: Persons on the attached mailing list.

RE: TXI Operations, LP
Permit No. WQ0005092000

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.** Unless a timely request for contested case hearing or reconsideration is received (see below), the TCEQ executive director will act on the application and issue the permit.

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 City of Weatherford Public Library, 1014 Charles Street, Weatherford, 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.

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 Education Program, toll free, at 1-800-687-4040.

Sincerely,



Bridget C. Bohac
Chief Clerk

BCB/lg

Enclosure

MAILING LIST
for
TXI Operations, LP
Permit No. WQ0005092000

FOR THE APPLICANT:

Edwin J. Gerik, Jr.
TXI Operations, LP
1503 LBJ Freeway, Suite 400
Dallas, Texas 75234

Debbi Mathews
Westward Environmental, Inc.
P.O. Box 2205
Borne, Texas 78006

PROTESTANTS/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
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Robert Brush, Staff Attorney
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FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Vic McWherter, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel MC-103
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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

ANDERSON , ANN
807 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0720

ASHFORD , MELISA
166 E EL CAMINO REAL
WEATHERFORD TX 76087-6545

BASDEN , BRUCE
1323 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0717

BOYD , LARRY EUGENE
749 TIN TOP ESTATES RD
WEATHERFORD TX 76087-6849

BRAY , CARDLE
140 E EL CAMINO REAL
WEATHERFORD TX 76087-6544

BRAY , CHRIS
140 E EL CAMINO REAL
WEATHERFORD TX 76087-6544

BUCKLEY , JACK
151 E EL CAMINO REAL
WEATHERFORD TX 76087-6533

BUCKLEY , PAT
151 E EL CAMINO REAL
WEATHERFORD TX 76087-6533

CONCERNED CITIZEN ,
1111 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0725

CONCERNED CITIZEN ,
198 W EL CAMINO REAL
WEATHERFORD TX 76087-6571

ELMORE , STAN
124 W EL CAMINO REAL
WEATHERFORD TX 76087-6571

FELTS , LEE
807 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0720

FERRELL , BONNIE & KEN
1101 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0725

FERRELL , BONNIE
1101 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0725

FERRELL , KEN
1101 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0725

GARRETT , DENISE & JENKS
8131 TIN TOP HWY
WEATHERFORD TX 76087-1769

GRAHAM , SHELLY & TONY
124 HILLCROFT DR
WEATHERFORD TX 76087-6854

HAGEMANN , MARIETTA
103 SILVER SAGE CT
WEATHERFORD TX 76087-0709

HAGEMANN , ROBERT A
103 SILVER SAGE CT
WEATHERFORD TX 76087-0709

HAHN , CONNIE
807 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0720

HARD , BARBARA
5255 NEW TIN TOP RD
WEATHERFORD TX 76087-7438

HARD , MEREDITH
149 E EL CAMINO REAL
WEATHERFORD TX 76087-6533

HARD , NANCY
149 E EL CAMINO REAL
WEATHERFORD TX 76087-6533

HARD , DR. STEVE D
5255 NEW TIN TOP RD
WEATHERFORD TX 76087-7438

HEEP , DON
291 N BLUE STEM CT
WEATHERFORD TX 76087-0707

HEEP , GALE
291 N BLUE STEM CT
WEATHERFORD TX 76087-0707

JORDAN , B E
161 E EL CAMINO REAL
WEATHERFORD TX 76087-6533

JORDAN , MARY JO
161 E EL CAMINO REAL
WEATHERFORD TX 76087-6533

KIENLE , JEANENNE
178 W EL CAMINO REAL
WEATHERFORD TX 76087-6571

LINNEY , CHRISTI
5224 TIN TOP RD
WEATHERFORD TX 76087-7460

LINNEY , STEPHEN
5224 TIN TOP RD
WEATHERFORD TX 76087-7460

MCCARTY , TERRY
192 W EL CAMINO REAL
WEATHERFORD TX 76087-6571

MCGREW , BRIAN
1475 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0715

MOFFITT , BRIAN
108 MONTCLAIR DR
WEATHERFORD TX 76087-6564

MOFFITT , HEDI
108 MONTCLAIR DR
WEATHERFORD TX 76087-6564

MORGAN , JANE
5215 TIN TOP RD
WEATHERFORD TX 76087-7438

MURDOCK , CINDY
PO BOX 9
SONORA TX 76950-0009

SIMMONS , DANIEL E
166 E EL CAMINO REAL
WEATHERFORD TX 76087-6545

SMITH , CHRISTY
300 HILLCROFT DR
WEATHERFORD TX 76087-6503

SMITH , P
300 HILLCROFT DR
WEATHERFORD TX 76087-6503

SPITZ , GAYLA & TODD
281 E EL CAMINO REAL
WEATHERFORD TX 76087-6528

STEVENS , JIM
124 LAKEWOOD DR
WEATHERFORD TX 76087-6528

STEVENS , MR LEWIS T
LAW OFFICES OF LEWIS T STEVENS
131 E EXCHANGE AVE STE 204
FORT WORTH TX 76164-8244

STEVENS , SANDY
124 LAKEWOOD DR
WEATHERFORD TX 76087-6528

VAUGHAN , ROPER
255 N BLUE STEM CT
WEATHERFORD TX 76087-0707

VAUGHAN , SUSAN
255 N BLUE STEM CT
WEATHERFORD TX 76087-0707

WINTURROTH , JAMI
124 LAKEWOOD DR
WEATHERFORD TX 76087-6528

YOUNG , PEGGY & WILLIAM J
661 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0722

YOUNG , PEGGY A
661 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0722

YOUNG , WILLIAM
661 DRIFTWOOD RANCH TRL
WEATHERFORD TX 76087-0722