

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



EXAMPLE A

NOTICE OF APPLICATION, PRELIMINARY DECISION, AND PUBLIC MEETING FOR AN AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANT REGISTRATION

PROPOSED REGISTRATION NUMBER: 135411

APPLICATION AND PRELIMINARY DECISION. Austin Ready-Mix, LLC, P.O. Box 579, Del Valle, Texas 78617-0579, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant Registration Number 135411, which would authorize construction of a permanent concrete batch plant under Title 30 Texas Administrative Code § 116.611 (30 TAC § 116.611) located on the south side of Highway 290 approximately 0.13 mile west of its intersection with Southern Drive, Johnson City, Blanco County, Texas 78636. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This application was submitted to the TCEQ on August 28, 2015. The proposed facility will emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

The executive director has completed the technical review of the application and determined that the application meets all of the requirements of a Standard Permit authorized by 30 TAC § 116.611 which would establish the conditions under which the facility must operate. The executive director has made a preliminary decision to issue the registration because it meets all rules and regulations. The permit application, executive director's preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Austin regional office, and the Johnson City Library, 501 Nugent Avenue, Johnson City, Blanco County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Austin Regional Office, 12100 Park 35 Cir Bldg A Rm 179, Austin, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comment or to ask questions about the application. The TCEQ will hold a public meeting if the executive director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**The Public Meeting is to be held:
Monday, December 7, 2015 at 7:00 p.m.
Lyndon B. Johnson High School Commons Area
505 North Nugent
Johnson City, Texas 78636**

You may submit additional written public comments within 30 days of the date of newspaper publication of this notice in the manner set forth in the AGENCY CONTACTS AND INFORMATION paragraph below.

After the deadline for public comment, the executive director will consider the comments and prepare a response to all relevant and material or significant public comment. **The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application. The mailing will also provide instructions for requesting a contested case hearing or reconsideration of the executive director's decision.**

OPPORTUNITY FOR A CONTESTED CASE HEARING. A contested case hearing is a legal proceeding similar to a civil trial in a state district court. A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. A contested case hearing request must include the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number; (2) applicant's name and permit number; (3) the statement "I/we request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; and (6) a description of how you use the property which may be impacted by the facility. If the request is made by a group or association, one or more members who have standing to request a hearing and the interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 30 days following this notice to the Office of the Chief Clerk, at the address provided in the information section below.

A contested case hearing will only be granted based on disputed issues of fact that are relevant and material to the Commission's decisions on the application. Further, the Commission will only grant a hearing on issues submitted by you or others during the public comment period and have not been withdrawn. Issues that are not submitted in public comments may not be considered during a hearing.

EXECUTIVE DIRECTOR ACTION. A timely hearing request has been received by the TCEQ. However, if all timely contested case hearing requests have been withdrawn and no additional comments are received, the executive director may issue final approval of the application. The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application, and will be posted electronically to the Commissioners' Integrated Database (CID). If all timely hearing requests are not withdrawn, the executive director will not issue final approval of the permit and will forward the application and requests to the Commissioners for their consideration at a scheduled commission meeting.

INFORMATION AVAILABLE ONLINE. When they become available, the following documents will be accessible through the Commission's Web site at www.tceq.texas.gov/goto/cid: the executive director's response to comments and the final decision on this application. Once you have access to the CID using the above link, enter the registration number for this application which is provided at the top of this notice. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.
<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.1983&lng=-98.257&zoom=13&type=r>.

MAILING LIST. You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call the Public Education Program toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Austin Ready-Mix, LLC at the address stated above or by calling Mrs. Melissa Fitts, Project Manager, Westward Environmental, Inc. at (830) 249-8284.

Notice Issuance Date: October 19, 2015