

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
ANDERSON COLUMBIA CO., INC.
SOAH Docket No. 582-18-3933
TCEQ Docket No. 2018-0560-AIR
Proposed Permit No. 74746L004**

APPLICATION.

Anderson Columbia Co., Inc., P.O. Box 1829, Lake City, Florida 32056-1829, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Air Quality Permit Number 74746L004, which would authorize a change of location of a Rock Crusher. The applicant has provided the following directions to the site: at the intersection of Coyote Run and Old Nacogdoches, go north on Coyote Run 0.4 miles and the plant will be located on the east side of the road, Schertz, Comal County, Texas 78132. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice:

<<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.65389&lng=-98.23639&zoom=13&type=r>>. For the exact location, refer to the application. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code (TAC), Chapter 101, Subchapter J. The facility will emit the following contaminants: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide. This application was submitted to the TCEQ on April 24, 2017.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision to issue the permit because it meets all rules and regulations. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the TCEQ central office, the TCEQ San Antonio regional office, and the New Braunfels Public Library, 700 East Common Street, New Braunfels, Comal County, Texas. The facility's compliance file, if any exists, is available for public review at the TCEQ San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas.

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published in English and Spanish on September 29, 2017. On December 27, 2017, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing at:

**10:00 a.m. – July 24, 2018
Comal County Courthouse
100 Main Plaza, 2nd Floor
New Braunfels, Texas 78130**

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 TAC Chapter 116, Subchapters A and B; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

The purpose of the preliminary hearing is to establish jurisdiction, afford people the opportunity to request to be a party, and to provide all named parties an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing.

To request to be a party, you must attend the preliminary hearing and show you would be affected by the application in a way not common to the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

Please be advised that SOAH will also be conducting a preliminary hearing on the application for issuance of Air Quality Permit Number 146806L001, which would authorize construction of a Rock Crushing Plant at the same site. The preliminary hearing on the application for issuance of Air Quality Permit Number 146806L001 will be held on the same date and in the same location listed above. The time for that hearing will be 1:30 PM.

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/goto/comments, 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, the permitting process, or the contested case hearing process, please call the Public Education Program toll free at 800-687-4040. Si desea información en Español, puede llamar al 800-687-4040. General information regarding the TCEQ may be obtained electronically at <http://www.tceq.texas.gov>

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information regarding the TCEQ can be found at <http://www.tceq.texas.gov/>.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Further information may also be obtained from Anderson Columbia Co., Inc. at the address stated above or by calling Mrs. Katy Sipe, Westward Environmental Inc., at 830-249-8284.

Issued: June 15, 2018



Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality