

Texas Commission on Environmental Quality
INTEROFFICE MEMORANDUM

TO: Office of Chief Clerk **Date:** August 16, 2024

THRU: Booker Harrison
Senior Attorney
Environmental Law Division

FROM: Contessa N. Gay
Staff Attorney
Environmental Law Division

SUBJECT: Backup Documents Filed for Consideration of Hearing Requests at
Agenda

Applicant: Argos USA, LLC
Permit No.: 105998
Program: Air
Docket No.: TCEQ Docket No. 2024-1224-AIR

Enclosed please find a copy of the following documents for inclusion in the background material for this permit application:

- The final draft of the permit Special Conditions
- The Emission Sources - Maximum Allowable Emission Rates
- The Compliance History Report
- The Permit Renewal Source Analysis & Technical Review

Special Conditions

Permit Number 105998

Emission Limitations

1. This permit authorizes only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission rates and other conditions specified in the table. In addition, this permit authorizes all emissions from planned startup and shutdown activities associated with facilities or groups of facilities that are authorized by this permit.

Opacity/Visible Emission Limitations

2. There shall be no visible fugitive emissions leaving the property. Observations for visible emissions shall be performed and recorded quarterly. The visible emissions determination shall be made during normal plant operations. Observations shall be made on the downwind property line for a minimum of six minutes. Within 24 hours of visible emissions being observed, an evaluation must be accomplished in accordance with EPA 40 CFR Part 60, Appendix A, Test Method (TM) 22, using the criteria that visible emissions shall not exceed a cumulative 30 seconds in duration in any six-minute period. If visible emissions exceed the TM 22 criteria, immediate action shall be taken to eliminate the excessive visible emissions. The corrective action shall be documented within 24 business hours of completion.
3. Opacity of particulate matter emissions from the central baghouses and cement weigh hopper dust collector stacks shall not exceed five percent. A visible emissions evaluation shall be performed on EPNs 8, 9, 14 and 15 during normal plant operations and the results recorded quarterly. The visible emissions observations shall be made at least 15 feet and no more than 0.25 mile from the emission point. If visible emissions are observed from the emission point the owner or operator shall:
 - A. Assume the five percent opacity limit is exceeded, take immediate action to eliminate visible emissions, record the corrective action within 24 hours, and comply with any applicable requirements in 30 Texas Administrative Code (TAC) §101.201, Emissions Event Reporting and Record Keeping Requirements; or
 - B. Determine opacity using 40 CFR Part 60, Appendix A, TM 9. If the five percent opacity limit is exceeded, take immediate action to eliminate visible emissions, record the corrective action within 24 hours, and comply with applicable requirements in 30 TAC §101.201, Emissions Event Reporting and Recordkeeping Requirements.

Operational Limitations, Work Practices, and Plant Design

4. The concrete batch plants shall be limited to the following hourly and annual production rates:

Source	Cubic yards per hour	Cubic yards per year in any rolling 12-month period
Site-Wide	275	500,000
West Plant	150	250,000
East Plant	125	250,000

5. The stockpiling equipment shall be limited to the following hourly and annual throughput rates:

Source	Tons per hour	Tons per year in any rolling 12-month period
Sand	196	357,000
Coarse Aggregate	256	466,250

6. The facilities are authorized to operate up to 8,760 hours per year.
7. Additives represented for use do not contain volatile organic compounds (VOCs).
8. All in-plant roads, stockpiles, truck loading and unloading areas, parking areas, and other traffic areas shall be sprinkled with water, and/or be paved (with a cohesive hard surface) and cleaned as necessary to maintain compliance with all applicable TCEQ rules and regulations.
9. All bulk storage silos shall be vented to a central collection system designed to meet an outlet grain loading of not more than 0.01 grains per dry standard cubic foot.
10. A visible and/or audible warning device shall be installed on each bulk storage silo to warn operators when the silos are full to prevent overloading. The silos shall not be overloaded at any time.
11. The cement weigh hoppers shall be enclosed and vented to their own fabric or cartridge filter system designed to meet an outlet grain loading of not more than 0.0001 grains per dry standard cubic foot. (Draft, 2024)
12. The truck drop points shall be controlled by suction shrouds, enclosures, or other pickup devices and vented to a central baghouse with a minimum of 6,500 actual cubic feet per minute of air. The fabric filter system shall be designed to meet an outlet grain loading of not more than 0.01 grains per dry standard cubic foot.
13. The truck loading points shall be sheltered by intact three-sided structures.
14. Spillage of any raw products, finished products, or waste products shall be cleaned up on a daily basis.
15. Permanently mounted spray bars shall be installed at all material transfer points associated with the stockpiling equipment (EPNs 16, 17 and 18). All water spray

systems shall be operated as necessary to maintain compliance with TCEQ rules and regulations.

16. All aggregate and sand shall be washed prior to delivery to the site and shall not exceed a total stockpiled area of 2 acres. Stockpile heights shall not exceed 45 feet in height unless approved by the TCEQ Regional Director or any local air pollution control program having jurisdiction.

Recordkeeping Requirements

17. In addition to the recordkeeping requirements specified in General Condition No. 7, the following records shall be kept and maintained at this facility site and made available at the request of personnel from the TCEQ or any other air pollution control program having jurisdiction to demonstrate compliance with permit limitations. These records shall be totaled for each calendar month, retained for a rolling 24-month period, and include the following:
 - A. Quarterly observations for visible emissions and/or opacity observations;
 - B. Concrete production in units of cubic yards per hour and cubic yards per year;
 - C. Daily, monthly, and annual throughput of stockpiling equipment, summarized in tons per hour, tons per month, and tons per year;
 - D. Records of road cleaning, application of road dust control, or road maintenance for dust control;
 - E. Inspections, malfunctions, repairs, and maintenance of abatement equipment (including filter replacement) as actions occur; and
 - F. A copy of the manufacturer's suggested cleaning and maintenance schedule for abatement equipment.

Date: Draft

Emission Sources - Maximum Allowable Emission Rates

Permit Number 105998

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

Air Contaminants Data

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates (5)	
			lbs/hour	TPY (4)
1-6, 10-12 and 16-18	Material Handling (6)	PM	0.65	0.6
		PM ₁₀	0.31	0.28
		PM _{2.5}	0.05	0.04
7	West Plant Truck Loading (6)	PM	1.28	1.06
		PM ₁₀	0.35	0.3
		PM _{2.5}	0.06	0.05
13	East Plant Truck Loading (6)	PM	1.06	1.06
		PM ₁₀	0.3	0.3
		PM _{2.5}	0.05	0.05
8	West Plant Weigh Hopper Filter	PM	0.0003	0.0013
		PM ₁₀	0.0003	0.0013
		PM _{2.5}	0.0003	0.0013
14	East Plant Weigh Hopper Filter	PM	0.0003	0.0013
		PM ₁₀	0.0003	0.0013
		PM _{2.5}	0.0003	0.0013
9	West Plant Central Baghouse	PM	0.05	0.04
		PM ₁₀	0.01	0.01
		PM _{2.5}	0.002	0.002
15	East Plant Central Baghouse	PM	0.04	0.04
		PM ₁₀	0.01	0.01
		PM _{2.5}	0.002	0.002

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates (5)	
			lbs/hour	TPY (4)
STK	Stockpiles (6)	PM	-.--	0.24
		PM ₁₀	-.--	0.12
		PM _{2.5}	-.--	0.02

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3) PM - total particulate matter, suspended in the atmosphere, including PM₁₀ and PM_{2.5}, as represented
 - PM₁₀ - total particulate matter equal to or less than 10 microns in diameter, including PM_{2.5}, as represented
 - PM_{2.5} - particulate matter equal to or less than 2.5 microns in diameter
- (4) Compliance with annual emission limits (tons per year) is based on a 12 month rolling period.
- (5) Planned startup and shutdown emissions are included. Maintenance activities are not authorized by this permit.
- (6) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.

Date: _____ Draft _____



Compliance History Report

Compliance History Report for CN604538801, RN100249416, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

Customer, Respondent, or Owner/Operator:	CN604538801, Alleyton Resource Company, LLC	Classification: HIGH	Rating: 0.05
Regulated Entity:	RN100249416, FULTON PLANT	Classification: NOT APPLICABLE	Rating: N/A
Complexity Points:	N/A	Repeat Violator: N/A	
CH Group:	10 - Cement and Concrete Product Manufacturing		
Location:	302 BENNINGTON ST HOUSTON, TX 77022-4820, HARRIS COUNTY		
TCEQ Region:	REGION 12 - HOUSTON		

ID Number(s):

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG0455R	AIR NEW SOURCE PERMITS REGISTRATION 145755
AIR NEW SOURCE PERMITS PERMIT 105998	AIR NEW SOURCE PERMITS AFS NUM 4820101849
PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 2901	WASTEWATER PERMIT TXG113603
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0455R	POLLUTION PREVENTION PLANNING ID NUMBER P09232

Compliance History Period: September 01, 2017 to August 31, 2022 **Rating Year:** 2022 **Rating Date:** 09/01/2022

Date Compliance History Report Prepared: August 13, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2017 to September 01, 2022

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: TCEQ Staff Member **Phone:** (512) 239-1000

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	September 18, 2017	(1452926)
Item 2	October 20, 2017	(1458785)
Item 3	November 20, 2017	(1464237)
Item 4	December 19, 2017	(1470667)
Item 5	January 15, 2018	(1477408)
Item 6	February 16, 2018	(1489529)
Item 7	March 19, 2018	(1493162)

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

Item 8	April 17, 2018	(1496490)
Item 9	May 14, 2018	(1503480)
Item 10	June 19, 2018	(1510543)
Item 11	July 17, 2018	(1516879)
Item 12	August 20, 2018	(1522940)
Item 13	September 19, 2018	(1530222)
Item 14	October 19, 2018	(1536421)
Item 15	November 27, 2018	(1544321)
Item 16	December 18, 2018	(1547990)
Item 17	February 18, 2019	(1568286)
Item 18	March 20, 2019	(1568287)
Item 19	April 11, 2019	(1574696)
Item 20	May 16, 2019	(1589027)
Item 21	June 18, 2019	(1589028)
Item 22	July 16, 2019	(1596139)
Item 23	August 19, 2019	(1602362)
Item 24	September 18, 2019	(1609257)
Item 25	October 22, 2019	(1616112)
Item 26	November 14, 2019	(1621918)
Item 27	December 23, 2019	(1629254)
Item 28	January 20, 2020	(1636906)
Item 29	February 21, 2020	(1643488)
Item 30	March 23, 2020	(1649992)
Item 31	April 16, 2020	(1656388)
Item 32	May 19, 2020	(1662906)
Item 33	June 17, 2020	(1669466)
Item 34	July 20, 2020	(1676427)
Item 35	August 13, 2020	(1683221)
Item 36	September 19, 2020	(1689789)
Item 37	October 15, 2020	(1696108)
Item 38	November 19, 2020	(1720938)
Item 39	January 19, 2021	(1720939)
Item 40	February 15, 2021	(1734016)
Item 41	March 10, 2021	(1734017)
Item 42	April 19, 2021	(1734018)
Item 43	May 18, 2021	(1744310)
Item 44	June 10, 2021	(1744311)
Item 45	July 14, 2021	(1754528)
Item 46	August 19, 2021	(1759852)
Item 47	September 19, 2021	(1769385)
Item 48	October 19, 2021	(1780474)
Item 49	November 19, 2021	(1786679)
Item 50	March 03, 2022	(1801327)
Item 51	March 17, 2022	(1816321)
Item 52	April 15, 2022	(1816322)
Item 53	April 16, 2022	(1822819)
Item 54	May 19, 2022	(1831656)
Item 55	June 19, 2022	(1837977)
Item 56	July 17, 2022	(1845112)
Item 57	August 18, 2022	(1851650)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

Compliance History Report for CN604538801, RN100249416, Rating Year 2022 which includes Compliance History (CH) components from September 01, 2017, through September 01, 2022.

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Permit Renewal Source Analysis & Technical Review

Company	Alleyton Resource Company, LLC	Permit Number	105998
City	Houston	Project Number	351347
County	Harris	Regulated Entity Number	RN100249416
Project Type	Renewal	Customer Reference Number	CN605186832
Project Reviewer	Alexander Hilla	Received Date	December 12, 2022
Site Name	Concrete Batch Plants		

Project Overview

Alleyton Resource Company, LLC (Formerly Argos USA LLC; Change of ownership complete via project 370015 on 02/05/2024) is requesting a renewal of their permit no. 105998 which authorizes air contaminants emitted from their Concrete Batch Plants.

Permit no. 105998 currently authorizes a maximum site wide production of 275 cubic yards per hour, and 500,000 cubic yards per year on a rolling 12-month basis. The authorization has a maximum operating schedule of 24 hours a day, 7 days per week, 52 weeks per year: 8,760 total hours per year. This renewal request does not propose a net increase in emissions, any change in the character of emissions, or a change in the method of emission control.

Authorizations referenced with the renewal of this permit are attached to the issuance letter. The list provided in the attachment is not intended to be all-inclusive and can be altered at the site without modification to the permit.

Scheduled Maintenance, Startup, and Shutdown (MSS) emissions are required to be authorized. Currently, these emissions are authorized as follows:

- Authorized in the existing permit

Emission Summary

Air Contaminant	Current Allowable Emission Rates (tpy)	Proposed Allowable Emission Rates (tpy)	Change in Allowable Emission Rates (tpy)
PM	6.74	3.04	-3.70
PM ₁₀	5.71	1.02	-4.69
PM _{2.5}	5.15	0.17	-4.99

Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:

July 7, 2023

Site rating & classification:

0.00 / High

Company rating & classification:

0.02 / High

Has the permit changed on the basis of the compliance history or rating?

No

Did the Regional Office have any comments? If so, explain.

Investigator Aiden Weaver reported in a site visit on December 16, 2022, the facility has a high potential to create negative health effects and dust nuisance due to its proximity to schools and residences. Investigator recommended additional permit provisions.

Public Notice Information

Requirement	Date
Legislator letters mailed	12/16/2022

Permit Renewal Source Analysis & Technical Review

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Requirement	Date
Date 1 st notice published	1/11/2023
Publication Name: Houston Chronical	
Pollutants: PM, PM10, PM2.5	
Date 1 st notice Alternate Language published	01/12/2023
Publication Name (Alternate Language): EI Perico	
1 st public notice tearsheet(s) received	1/18/2023
1 st public notice affidavit(s) received	1/24/2023
1 st public notice certification of sign posting/application availability received	1/30/2023

Public Interest

Public Interest Information	
Number of comments received	32
Number of meeting requests received	5
Number of hearing requests received	3
Date meeting held	5/2/2023
Date response to comments filed with OCC	04/10/2024
Date of SOAH hearing	

Renewal Requirements

Requirement	
Date of permit expiration:	06/20/2023
Date written notice of review was mailed:	12/12/2022
Permit Renewal Fee: \$	\$670.00

Federal Rules Applicability

Requirement	
Subject to NSPS?	No
There are currently no NSPS requirements for concrete batching facilities or aggregate material handling.	
Subject to NESHAP?	No
This facility is not subject to any of the requirements for hazardous air pollutants as listed under Title 40 CFR Part 61, promulgated by EPA under the authority of the FCAA, §112, as amended.	
Subject to NESHAP (MACT) for source categories?	No
This facility is not subject to any of the requirements of any applicable maximum achievable control technology standard as listed under 40 CFR Part 63, promulgated by the EPA under FCAA, §112 or as listed under 30 TAC §113, Subchapter C title (relating to National Emissions Standards for Hazardous Air Pollutants for Source Categories (FCAA §112, 40 CFR 63)).	

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Title V Applicability

Requirement

Title V applicability: N/A; The site is located in an 8 hour ozone nonattainment county, however no ozone precursors (NOX or VOC) are authorized by this permit and the site is not designated as a major source for any pollutant. The site does not emit hazardous air pollutants listed under the FCAA §112(b). Title V is not applicable.

Periodic Monitoring (PM) applicability: N/A; The site is not subject to the Federal Operating Permits Program, therefore the site is not subject to Periodic Monitoring.

Compliance Assurance Monitoring (CAM) applicability: N/A; The site is not subject to the Federal Operating Permits Program, therefore the site is not subject to Compliance Assurance Monitoring.

Process Description

The site, referred to by the applicant as "The Fulton Plant" consists of two permanent concrete batch plants. The plants are designated as the "State-Side" West Plant #1 and the "Commercial-Side" East Plant #2. The two plants are operationally identical and consist of separate aggregate storage bins, weigh bins, conveyors, silos, dust collectors, and truck mix batch points.

Washed sand and aggregate materials will be delivered to the facility location and stockpiled. The stockpiled material will be transferred from the stockpiles to an underground hopper. From the hopper, the material will be transferred via radial stacker to one of two sets of aggregate storage bins at either the West Plant #1 or the East Plant #2. From these two sets of aggregate storage bins, the material will be transferred to their respective weigh bins. Measured amounts are transferred from the weigh bins via conveyors to the mixer trucks.

Cement and fly ash will be pneumatically loaded into six storage silos (three at each plant). Material from the silos will be fed to their respective cement/fly ash weigh hoppers for measurement, and the desired amount of materials will be transferred to the corresponding mixer truck; sand, aggregate, cement, fly ash, admixtures, and water are combined in the mixer truck, which delivers the wet concrete.

The Fulton Plant also utilizes additional stockpiling equipment consisting of a hopper, a conveyor, and a radial stacker.

Project Scope

Argos USA LLC is requesting a renewal of their permit no. 105998 which authorizes air contaminants emitted from their Concrete Batch Plants.

Best Available Control Technology

Source Name	EPN	Best Available Control Technology Description
Dry Material Storage Silos 1, 2, and 3 (Cement and Fly Ash)	EPN 9	Routed to Central Dust Collector with an air flow rate of at least 6,500 acfm and 99% filter efficiency
Dry Material Storage Silos 4, 5, and 6 (Cement and Fly Ash)	EPN 15	Routed to Central Dust Collector with an air flow rate of at least 6,500 acfm and 99% filter efficiency
West Truck Loadout	EPN 7	Equipped with a suction shroud operated with an air flow rate of at least 6,500 cubic feet per minute, the shroud will capture at least 99% of emissions and be vented to the central dust collector

Permit Renewal Source Analysis & Technical Review

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Source Name	EPN	Best Available Control Technology Description
East Truck Loadout	EPN 13	Equipped with a suction shroud operated with an air flow rate of at least 6,500 cubic feet per minute, the shroud will capture at least 99% of emissions and be vented to the central dust collector
West Plant Weigh Hopper	EPN 8	Equipped with a Bin Dust Collector
East Plant Weigh Hopper	EPN 14	Equipped with a Bin Dust Collector
Material Handling	1-6, 10-12, and 16-18	All raw aggregate and sand material is washed prior to delivery and a minimum moisture content of 1.5% maintained; 95% control. Water sprays for transfer points: 70% control
Stockpiles	STK	Aggregate stockpiles will be sprayed with water upon detection of visible particulate matter emissions; 70% reduction

The material silos will each be vented to the corresponding plants central dust collector. Either an audible or visible alarm will be installed to warn operators when a silo being charged is full. All fabric filters utilized by the plant are designed to meet an outlet grain loading of not more than 0.01 grains per dry standard cubic foot of exhaust and meet a filter efficiency of at least 99%. All batch drop points will be equipped with a suction shroud operated with an air flow rate of at least 6,500 cubic feet per minute, the shroud will capture at least 99% of emissions and be vented to the central dust collector. All in-plant roads and traffic areas, active work areas, and aggregate stockpiles associated with the operation of the concrete batch plants and material handling operations will be sprayed with water upon detection of visible particulate matter emissions. All raw aggregate and sand material is washed prior to delivery and a minimum moisture content of 1.5% will be maintained; pre-washed material results in a fugitive reduction of 95%. The two material transfer points associated with the material handling equipment will be equipped with water sprays achieving a control of 70%.

For the above mentioned sources and pollutants, BACT and best management practices are being applied consistent with technical feasibility and economic reasonableness.

Permits Incorporation

Permit by Rule (PBR) / Standard Permit / Permit Nos.	Description (include affected EPNs)	Action (Reference / Consolidate / Void)
Standard Permit No. 145755	Authorization of two Dust Collector replacements in March 2017	Reference

Review Summary

Application submitted as a renewal certification with no proposed increases in emissions. A change in emission calculation methodologies has resulted in a net decrease in overall emissions.

Impacts Evaluation - 30 TAC 116.111(a)(2)(J)

Was modeling conducted?	No*	Type of Modeling: N/A
Is the site within 3,000 feet of any school?	Yes (Approximately 430ft.)	
Additional site/land use information: Mixed Residential and Industrial		

***Modeling was not conducted as this project was submitted as a no increase renewal.**

Permit Renewal
Source Analysis & Technical Review

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Project Reviewer	Date	Team Leader	Date
Alexander Hilla		Joe Nicosia	