

Jon Niermann, *Chairman*
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Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 27, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC 105
Austin, Texas 78711-3087

Re: Texas Star Ready Mix, LLC; Permit 171636
TCEQ Docket No. 2024-1455-AIR
Executive Director's Response to Hearing Requests

Dear Ms. Gharis:

Enclosed please find a copy of the Executive Director's Response to Hearing Requests for the matter listed above.

If you have any questions, please do not hesitate to call me at (512) 239-0633, or email at amanda.kraynok@tceq.texas.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amanda E. Kraynok".

Amanda Kraynok
Staff Attorney
Environmental Law Division

A handwritten signature in cursive script, appearing to read "Katherine Keithley".

Katherine Keithley
Staff Attorney
Environmental Law Division

Cc: Mailing list

**TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 171636
TCEQ DOCKET NUMBER 2024-1455-AIR**

APPLICATION BY TEXAS STAR	§	BEFORE THE TEXAS
READY MIX, LLC	§	COMMISSION ON
DALLAS	§	ENVIRONMENTAL QUALITY
DALLAS COUNTY	§	
	§	

**EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS AND REQUESTS FOR
RECONSIDERATION**

I. INTRODUCTION

The Executive Director of the Texas Commission on Environmental Quality (commission or TCEQ) files this response (Response) to the requests for a contested case hearing submitted by persons listed herein regarding the above-referenced matter. The Texas Clean Air Act (TCAA), Texas Health & Safety Code (THSC) § 382.056(n), requires the Commission to consider hearing requests in accordance with the procedures provided in TEX. WATER CODE (TWC) § 5.556.¹ This statute is implemented through the rules in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F.

Maps showing the location of the proposed plant are included with this Response and have been provided to all hearing requesters listed on the mailing list for this application. In addition, a current compliance history report, technical review summary, and a copy of the Standard Permit for Concrete Batch Plants prepared by the Executive Director's staff have been filed as backup material for the commissioners' agenda. The Executive Director's Response to Public Comment (RTC), which was mailed by the chief clerk to all persons on the mailing list, is on file with the chief clerk for the commission's consideration.

II. PLANT DESCRIPTION

Texas Star Ready Mix, LLC (Applicant) has applied to the TCEQ for a Standard Permit under Texas Clean Air Act (TCAA) § 382.05195. This will authorize the construction of a new facility that may emit air contaminants.

This permit will authorize the Applicant to construct a Concrete Batch Plant. The plant is located at 4500 Great Trinity Forest Way, Dallas, Dallas County. Contaminants authorized under this permit include aggregate, cement, road dust, and particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less.

III. PROCEDURAL BACKGROUND

The permit application was received on January 30, 2023, and declared administratively complete on February 1, 2023. The Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision for this permit application was published in English on March 15, 2023, in the *Daily Commercial Record*, and in Spanish on March 17, 2023, in the *Buena Suerte Newspaper*. The Public Meeting was held on August 17, 2023. The public comment

period ended on March 6, 2024. Because this application was received after September 1, 2015, it is subject to the procedural requirements of and rules implementing Senate Bill 709 (84th Legislature, 2015).

The Executive Director's RTC was filed with the Chief Clerk's Office on July 3, 2024, and mailed to all interested persons on July 11, 2024, including those who asked to be placed on the mailing list for this application and those who submitted comments or requests for a contested case hearing. The cover letter attached to the RTC included information about making requests for a contested case hearing or for reconsideration of the Executive Director's decision. The letter also explained that hearing requestors should specify any of the Executive Director's responses to comments they dispute and the factual basis of the dispute, in addition to listing any disputed issues of law or policy.

The time for requests for reconsideration and hearing requests ended on August 12, 2024. The TCEQ received a timely request for reconsideration from Joppa Freedmans Town Association.

IV. APPLICABLE LAW FOR REQUESTS FOR RECONSIDERATION

Any person may file a request for reconsideration of the Executive Director's decision. However, for the commission to consider the request, it must substantially comply with the following requirements set forth in 30 TAC § 55.201(e): give the name, address, daytime telephone number and, when possible, fax number of the person who files the request; expressly state that the person is requesting reconsideration of the Executive Director's decision; and give reasons why the decision should be reconsidered.

V. RESPONSE TO REQUESTS FOR RECONSIDERATION

The TCEQ received a timely request for reconsideration from Haley Varnadoe, Michael Bates, and Wendi Hammond, collectively, from Legal Aid of North West Texas ("Legal Aid") on behalf of Joppa Freedmans Town Association ("JFTA"). Although the Executive Director determined that the permit application meets the applicable rules and requirements, a final decision to approve the proposed registration has not been made. The application must be considered by the commissioners of the TCEQ at a regularly scheduled public meeting before any final action can be taken on the application.

The requests for reconsideration identified some of the Executive Director's responses in the RTC that they are specifically requesting to be reconsidered. Because some of the issues raised in the request for reconsideration raise concerns about RTC responses, the Executive Director is interpreting statements in the request for reconsideration as they correspond to the appropriate response in the RTC. The Executive Director provides the following responses to the requests for reconsideration.

REQUEST FOR RECONSIDERATION OF RESPONSE 1

JFTA expressed concern that TCEQ failed to consider Informal Comments. JFTA also voiced concern that TCEQ did not consider Contested Case Hearing requests made during the informal comment portion of the public meeting.

TCEQ RESPONSE: The Executive Director responded to concerns about informal comments in Response 1 of the RTC.

The question and answer section of the public meeting is informal and, as stated multiple times during the course of the public meeting by TCEQ staff, is not a part of the formal record. However, in the interest of public participation, the informal questions to TCEQ during the period were included in the RTC for this proposed permit application to the extent possible. Several questions could not be heard by the audio due to several people speaking at once or some not speaking into the microphone, and therefore could not be included. The "Formal Comment" portion of the meeting is strictly structured and conducted in order to ensure comments and commentors are specifically captured. Additionally, several community members speaking did not state their names or address, nor is there a formal record of who spoke. Therefore, the comments from the informal comment portion were attributed throughout the RTC document as "Informal Comments" and not addressed to a specific commenter. Finally, because there is no formal record of who spoke during the informal question and answer period, no comments made during that period will be considered by the Executive Director for contested case hearing purposes. Additionally, 30 TAC § 55.201 states contested case hearing requests must be in writing, and must give a name and address, in addition to other requirements. The specific issues addressed by JFTA in their request for reconsideration regarding the informal comments are addressed in this RHR. While the ED attempted to address all informal comments within the RTC, JFTA can provide additional information of specific informal comments that were not included in the RTC.

REQUEST FOR RECONSIDERATION OF RESPONSE 2

JFTA expressed concern that Applicant failed to comply with statutory and regulatory public notice requirements. Specifically, JFTA voiced concern that the sign posting requirements were not met for the entirety of the comment period. JFTA also expressed concern that Applicant did not provide any of the permit application documents, the executive director's preliminary decision, and the standard permit available at the Erik Jonsson Central Library, and that the TCEQ checklist and incomplete parts of the permit application prior to the updated 2024 requirements were only available in the back room of the library. JFTA also expressed concern that Applicant did not provide an affidavit for providing the required permit documents to the Erik Jonsson Central Library. JFTA voiced concern that Applicant did not repost signs at its site from February 2, 2024, to March 6, 2024.

TCEQ RESPONSE: The Executive Director responded to concerns about public notice requirements in Response 2 of the RTC.

Applicant provided verification to the Office of the Chief Clerk in accordance with 30 TEX. ADMIN. CODE § 39.605 that signs were posted at the proposed site through to the close of the initial extended comment period. Applicant also represented that the updated permit materials were available at the Erik Jonsson Central Library throughout the duration of the second extended comment period over emails with TCEQ staff.

On January 24, 2024, the Commission amended the Air Quality Standard Permit for Concrete Batch Plants. On February 1, 2024, a Notice of Deficiency (NOD) was sent out to Applicant requesting updated representations to demonstrate compliance with the more stringent amended standard permit. Applicant provided the requested updated

application workbook representations on February 2, 2024. Additionally, TCEQ required Applicant to provide the updated permit materials at the required public locations. The Office of the Chief Clerk received the request from APD to extend the public comment period on Feb. 5, 2024; as a result, the public comment period closed on March 6, 2024.

It is important to note that sign postings were required for the initial extended comment period. However, the second extended comment period was the result of the aforementioned updates to the standard permit. Because Applicant was only undergoing the process to update their representations, newspaper publication and sign postings were not required for the public comment period beyond the first extension.

A copy of the air quality application was required to be available in the Erik Jonsson Central Library throughout the duration of the public comment period.

Although Commission rules require that affidavits are filed with the chief clerk to meet the requirements for published newspaper notice, affidavits are not required to meet the requirements for providing a copy of the application at a public place. Title 30 TEX. ADMIN. CODE Ch. 39 Subchapter H, requires that Applicant provide a copy of the application at a public place in the county in which the facility is located or proposed to be located. The rules also require that the application, including any subsequent revisions to the application, be available for review for the duration of the comment period. Applicant represented that the application and the subsequent application revision were made publicly available at the Erik Jonsson Central Library to demonstrate the proposed facility would operate in compliance with the 2024 amended standard permit. Applicant also submitted pictures of the required permit materials for the 2024 amended standard permit at the library, and a picture of a paper signed by library staff acknowledging receipt. In accordance with applicable 30 TEX. ADMIN. CODE § 39.405, applicants are not required to provide sworn affidavits for this method of notice. A copy of the application was also available at the TCEQ Dallas/Fort Worth Regional Office and the TCEQ Central Office.

REQUEST FOR RECONSIDERATION OF RESPONSE 5

JFTA expressed concern that Applicant's Public Involvement Plan (PIP) represented that a second public meeting would be held but never was.

TCEQ RESPONSE: The Executive Director responded to concerns about the lack of a second public meeting in Response 5 of the RTC.

In the description of the PIP for the additional public involvement, Applicant listed August 17, 2023, as the date of the public outreach other than what was required by rule. Applicant did not represent that it would conduct another public meeting.

The Executive Director conducted a public meeting for this application on August 17, 2023, at the request of State Representative Toni Rose and due to significant public interest. This meeting was held in accordance with 30 TEX. ADMIN. CODE Chapter 39 rules regarding public meetings and satisfied the public meeting requirements.

REQUEST FOR RECONSIDERATION OF RESPONSE 6

JFTA voiced concern about Applicant's PIP. Specifically, JFTA voiced concern that Applicant represented in its PIP that it would provide public outreach other than what is required by rule, and Applicant attending the public meeting for the proposed permit was insufficient to meet this representation. JFTA also states that Applicant did not meet the spirit of the PIP by not reaching out to JFTA directly to notify them of comment period extensions.

TCEQ RESPONSE: The Executive Director responded to concerns about the Public Involvement Plan in Response 6 of the RTC.

Planned public outreach activities can include courtesies provided to the public at scheduled public meetings including answering public inquiries and paying for private parking garage fees. A PIP was received and all sections 1 through 7 were completed. Applicant represented the notice was published in an alternative language and a public meeting was conducted on August 17, 2023. Community groups that provided comments were listed in the stakeholder sections along with demographic and linguistic characteristics of the area. A plain language summary was also included.

REQUEST FOR RECONSIDERATION OF RESPONSE 9

JFTA expressed concern about the cumulative impacts of this proposed permit. Specifically, JFTA stated that TCEQ failed to consider cumulative impacts on air quality and health in the area, and that TCEQ has an affirmative duty to consider the cumulative emissions from all of the industrial operators in Joppa. JFTA further asked that TCEQ consider Applicant's previous unauthorized emissions when evaluating the cumulative emissions in the area.

TCEQ RESPONSE: The Executive Director responded to concerns about cumulative effects in Response 9 of the RTC.

The registration application is for a concrete batch plant to operate in accordance with the TCEQ Standard Permit for Concrete Batch Plants and includes the Applicant's representations. TCEQ conducted a protectiveness review during the development of the standard permit to ensure that the requirements of the standard permit were protective of human health and the environment. TCEQ also evaluated the potential for cumulative or additive emissions from neighboring facilities (off-site cumulative effects) as well as single properties with multiple operating facilities (on-site cumulative effects).

TCEQ determined that the maximum modeled emissions concentration typically occurs at a relatively short distance from the source, so that the peak modeled concentrations represent the source's impact at only a few receptors within the modeled area. To account for this, distance requirements to the nearest rock crusher, concrete crusher, or hot mix asphalt plant were added to avoid any potential cumulative emissions higher than the permit limit. Therefore, the Commission determined that a full modeling review of other off-site sources is not necessary when determining approval of any particular standard permit application.

REQUEST FOR RECONSIDERATION OF RESPONSE 10

JFTA voiced concern about whether the proposed permit would meet Best Available Control Technology (BACT) requirements. Further, JFTA voiced concern that operation of the existing, unpermitted site would fail to meet BACT standards.

TCEQ RESPONSE: The Executive Director responded to concerns about BACT in Response 10 of the RTC.

In accordance with 30 TEX. ADMIN. CODE § 116.605, Standard Permit Amendment and Revocation, TCEQ issues amendments to the air quality standard permit for concrete batch plants. On January 24, 2024, the Commission amended the Air Quality Standard Permit for Concrete Batch Plants. In support of these amendments, TCEQ performed an updated air quality analysis (AQA) to address the public concern about potential health impacts from concrete batch plants registered under the standard permit. The adopted revisions to the standard permit are a result of the updated AQA and ensure that BACT is being utilized, as reflected in the updated operating requirements. The Applicant confirmed that they will adhere to the 2024 amendment requirements on February 2, 2024, when it submitted its updated workbooks. After discussing the submission with Applicant, TCEQ accepted Applicant's updated representations on February 2, 2024.

The Executive Director respectfully notes that proposed Permit No. 171636 is a preconstruction authorization. Even though there may be equipment or development, the proposed permit does not authorize operation of a site that violates the standard permit or TCEQ rules. The Applicant was also not authorized to operate the equipment that may have been on this site. Accordingly, this proposed permit would authorize the construction and operation of a concrete batch plant that follows Applicant's representations and the requirements of the Standard Permit for Concrete Batch Plants. Therefore, even though the site may currently have equipment or development, the permit is reviewed as if nothing has been constructed. The Applicant has been the Respondent in an enforcement action for operating the concrete batch plant without operation. That enforcement action resulted in an agreed order that was approved by the Commission on July 17, 2024.

REQUEST FOR RECONSIDERATION OF RESPONSE 11

JFTA voiced concern about the environmental impacts of the proposed plant. Specifically, JFTA stated that TCEQ failed to consider effects on flora and wildlife in the Trinity River corridor, including the Trinity River Audubon Center, Little Lemmon Lake, and Lemmon Lake, because the Executive Director failed to adequately gauge the facility's emissions.

TCEQ RESPONSE: The Executive Director responded to concerns about flora and wildlife in Response 11 of the RTC.

The secondary NAAQS are those the EPA Administrator determines are necessary to protect public welfare and the environment, including animals, crops, vegetation, visibility, and buildings, from any known or anticipated adverse effects associated with the presence of a contaminant in the ambient air. Because the emissions from this facility should not cause an exceedance of the NAAQS, air emissions from this facility are not expected to adversely impact land, livestock, wildlife, crops, or visibility, nor should emissions interfere with the use and enjoyment of surrounding land or water.

Additionally, 30 TEX. ADMIN. CODE § 101.4 prohibits the discharge of contaminants which may be injurious to, or adversely affect, animal life.

REQUEST FOR RECONSIDERATION OF RESPONSE 13

JFTA voiced concern that the Executive Director's reliance on Applicant's permit representations does not adequately consider Applicant's ability to comply with the standard permit. JFTA stated that TCEQ failed to properly evaluate Applicant's compliance history. Specifically, JFTA asked that TCEQ consider documents from EPA and the public for the Applicant's compliance history and future ability to comply. JFTA also expressed concerns about the Applicant's violation and compliance history, noting that TCEQ did not look at investigations, notice of violations, and enforcement orders, and Applicant's recurring pattern of conduct that demonstrated a consistent disregard for the regulatory process, namely by operating an unpermitted concrete batch plant. JFTA further voiced concern that TCEQ did not consider the air enforcement actions against Applicant or the water enforcement actions against the site.

TCEQ RESPONSE: The Executive Director responded to concerns about compliance history in Response 13 of the RTC.

The enforcement action associated with TCEQ Docket No. 2022-1557-AIR-E is subject to ongoing litigation appealing the order in state district court. Accordingly, TCEQ will not be providing additional comment on items associated with this action at this time. The enforcement action associated with TCEQ Docket No. 2021-1518-WQ-E is not associated with the Applicant and is subject to ongoing litigation. Accordingly, TCEQ will not be providing additional comment on items associated with this action at this time. The Executive Director acknowledges that these ongoing enforcement actions are outside of the scope of this registration application.

Additionally, Applicant would still be required to fully and completely comply with and operate in accordance with the provisions of the registration authorization upon issuance. Monitoring and testing requirements are included in the standard permit.

Under 30 TEX. ADMIN. CODE § 60.1(b), the period for the compliance history evaluation "includes the five years prior to the date the permit application is received by the executive director". This review includes multimedia compliance-related components about the site under review. These components include: enforcement orders, consent decrees, court judgments, criminal convictions, chronic excessive emissions events, investigations, notices of violations, audits and violations disclosed under the Audit Act, environmental management systems, voluntary on-site compliance assessments, voluntary pollution reduction programs, and early compliance. A company and site may have one of the following classifications and ratings:

High: rating below .010 - complies with environmental regulations extremely well;

Satisfactory: rating 0.10 - 55.00 - generally complies with environmental regulations;

Unsatisfactory: rating greater than 55.00 - fails to comply with a significant portion of the relevant environmental regulations

Unclassified: rating of N/A - generally given to new facilities without a history to rate or facilities under local air quality program jurisdiction.

At the time the application for registration was submitted, the site had a rating of N/A and a classification of Unclassified. The company also had a rating of N/A and a classification of Unclassified. In accordance with TCEQ rules, site and company classifications are evaluated at the time the application was submitted. Any ongoing investigations were not included in the compliance history evaluation and therefore not considered at the time of this permitting action. Up through to the date of the final decision letter, there were no enforcement orders associated with the site or the company. Further, a respondent failing to meet the requirements for Good Faith Efforts to Comply and Good Faith Criteria under the Penalty Policy does not mean that a respondent acted in bad faith during the enforcement or permit review process.¹

Additionally, Applicant has responded to each Notice of Deficiency (NOD) associated with the permit but has not resubmitted the permit application for proposed permit no. 171636. Therefore, TCEQ acted within Commission rules in considering the compliance history of the five years preceding the permit application's submittal.

Operations authorized under the Air Quality Standard Permit for Concrete Batch Plants are not on a set schedule for compliance investigations. Instead, investigations are generally conducted in response to complaints. Staff from TCEQ regional office review all complaints, and investigations are not limited by media. The investigation may include an inspection of the site, including all equipment, control devices, and a review of all required records. If a facility is found to be out of compliance with the terms and conditions of its permit, it will be subject to an investigation and possible enforcement action. Individuals are encouraged to report any concerns about nuisance issues or suspected noncompliance with terms of any permit or other environmental regulation by contacting the TCEQ Dallas / Fort Worth Regional Office.

Citizen-collected evidence may be used in violation events, including any possible violations that may occur if the Commission grants the permit. *See* 30 TEX. ADMIN. CODE § 70.4, Enforcement Action using Information Provided by a Private Individual, for details on gathering and reporting such evidence. Under the citizen-collected evidence program, individuals are providing information on possible violations of environmental law and the information can be used by TCEQ to pursue enforcement. In that program, citizens can become involved and may eventually testify at a hearing or trial concerning the violation.

REQUEST FOR RECONSIDERATION OF RESPONSE 14

JFTA stated that TCEQ failed to consider environmental justice when issuing the permit in violation of Executive Order 12898. JFTA further voiced concern that TCEQ is not concerned about environmental justice.

TCEQ RESPONSE: The Executive Director responded to concerns about environmental justice in Response 14 of the RTC.

Air permits evaluated by TCEQ are reviewed without reference to the socioeconomic or racial status of the surrounding community. TCEQ is committed to protecting the health of the people of Texas and the environment regardless of the location.

TCEQ encourages public participation in the permitting process. The Office of the Chief Clerk works to help the public and neighborhood groups participate in the

¹ See Texas Commission on Environmental Quality Penalty Policy January 28, 2021, p. 19.

regulatory process to ensure that agency programs that may affect human health or the environment operate without discrimination and to make sure that concerns are considered thoroughly and are handled in a way that is fair to all. You may contact the Office of the Chief Clerk for more information at 512-239-3300. More information may be found on the TCEQ website:

<https://www.tceq.texas.gov/agency/decisions/participation/title-vi-compliance>.

REQUEST FOR RECONSIDERATION OF RESPONSE 17

JFTA expressed concern about the impact of traffic patterns and trucking operations at the plant on the surrounding community. JFTA also stated that the proposed permit prohibits nuisance conditions while ignoring conditions at the site that could lead to the creation of nuisance conditions.

TCEQ RESPONSE: As discussed in Response 17 of the RTC, TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute.

TCEQ is prohibited from regulating roads per the TEX. CLEAN AIR ACT (TCAA) § 382.003(6) which excludes roads from the definition of "facility". In addition, trucks are considered mobile sources, which are not regulated by TCEQ.

Accordingly, TCEQ does not have jurisdiction to consider traffic, road safety, or road repair costs when determining whether to approve or deny a permit application. TCEQ does not have the authority to regulate traffic on public roads, load-bearing restrictions, and public safety, including access, speed limits, and public roadway issues.

Additionally, TCEQ rules and the standard permit work together to prevent the creation of nuisance conditions. If the sources are operated in compliance with the terms and conditions of the permit, nuisance conditions should not occur. Additionally, Applicant is prohibited by 30 TEX. ADMIN. CODE § 101.5 from discharging air contaminants, uncombined water, or other materials from any source which could cause a traffic hazard or interference with normal road use.

REQUEST FOR RECONSIDERATION OF RESPONSE 21

JFTA expressed concern about water discharge and standing water at the site, mentioning an EPA investigation that noted portions of the site were under water.

TCEQ RESPONSE: The Executive Director responded to concerns about water in Response 21 of the RTC.

Although TCEQ is responsible for the environmental protection of air and water as well as the safe management of waste, this registration will regulate the control and abatement of air emissions only. Therefore, issues regarding water quality or discharge are not within the scope of this review. However, Applicant may be required to apply for separate authorizations for water quality, water usage, and the handling of waste. This proposed permit does not authorize the discharge of pollution into a body of water.

REQUEST FOR RECONSIDERATION OF RESPONSE 22

JFTA expressed concern regarding the permit review, type of permit application submitted, permit submissions, and permit representations. Specifically, JFTA expressed concern that the permit had been resubmitted to meet the requirements of

the 2024 revised Air Quality Standard Permit for Concrete Batch Plants. JFTA also expressed concern about how TCEQ verified the Applicant's representations in the permit application, and whether TCEQ should instead issue a permit amendment for Applicant because of prior unpermitted operations. JFTA also voiced concern that TCEQ did not adequately review the application because TCEQ relied on Applicant's representations in the permit application and did not consider whether Applicant had the ability to comply with their representations. JFTA requested that TCEQ consider the actual conditions at the site. Additionally, JFTA requested that TCEQ consider comments from the informal and formal comments, evidence from EPA, whether Applicant could afford to construct a site in accordance with the proposed permit, and whether Applicant would operate in accordance with the proposed permit. JFTA also expressed concern that a signed affidavit of receipt by the Erik Jonsson Central Library was not provided by the Applicant to TCEQ and was therefore insufficient to prove compliance with the requirements in Title 30 TEX. ADMIN. CODE Chapter 39 Subchapter H. JFTA also voiced concern that TCEQ did not conduct a site visit for this permit application. JFTA expressed concern that, without the site visit, TCEQ could not verify Applicant's representations in the application, including roads, fences, stockpile distances, and existing equipment at the site.

TCEQ RESPONSE: The Executive Director responded to concerns about the permit application, permit review process, and operating hours in Response 22 of the RTC.

TCEQ conducted a review and verified that the representations in the application met the standard permit requirements, including the January 24, 2024, amended standard permit requirements. TCEQ may issue a standard permit "if the commission finds that: the standard permit is enforceable; and the commission can adequately monitor compliance with the terms of the standard permit."²

The review included both an administrative and technical review.

During the administrative review, TCEQ verified the following:

- The correct, updated application was submitted in compliance with the amended standard permit requirements;
- The application form and TCEQ Core Data Form have been signed by the Responsible Official;
- The company is an entity legally entitled to do business in Texas;
- The information is accurately recorded in TCEQ's Central Registry;
- The appropriate application fee was received;
- The mailing addresses for the company and the site are USPS validated; and
- There are no delinquent fees owed by the company.

During the technical review, TCEQ evaluated the following in accordance with the 2024 standard permit amendment:

- All sources of air contaminants at the proposed facility have been properly identified and represented within application materials, including an updated plot plan, and updated PI-1S-CBP workbook;

² 30 TEX. ADMIN. CODE § 116.602. (enumeration removed).

- Appropriate updated controls have been proposed for each emission source in compliance with the amended standard permit;
- Proposed operations meet all applicable amended Standard Permit requirements;
- Compliance history for the site and the operator at the time permit was submitted.

Because Applicants submitted the permit application prior to the 2024 standard permit amended requirements and review was still ongoing after the 2024 standard permit amended requirements went into effect, Applicant received a Notice of Deficiency (NOD). This NOD requested that Applicant provide updated representations showing that the proposed site could meet the amended requirements. Applicant provided the updated representations to TCEQ. Applicant's response to this NOD was not a withdrawal of and resubmission of the permit application, but the submission of updated permit documents for the original permit application.

Based on this review, TCEQ determined the application meets the requirements of the amended Standard Permit. An applicant is bound by its representations in the application, and those representations become an enforceable part of the permit, including production rates, authorized emission rates, and equipment.³ If the Applicant deviates from representations made in the application, on which the registration was evaluated, Applicant may be subject to enforcement action.

Title 30 TEX. ADMIN. CODE Ch. 39 Subchapter H, requires that Applicant provide a copy of the application at a public place in the county in which the facility is located or proposed to be located. The rules also require that the application, including any subsequent revisions to the application, be available for review for the duration of the comment period. Applicant represented that the application and the subsequent application revision were made publicly available at the Erik Jonsson Central Library to demonstrate the proposed facility would operate in compliance with the standard permit and the amendments to the standard permit. These representations were verified by Applicant's submission of pictures of the required permit materials at the library and a picture of a paper signed by library staff acknowledging receipt. In accordance with applicable 30 TEX. ADMIN. CODE § 39.405, applicants are not required to provide sworn affidavits for this method of notice. A copy of the application was also available at the TCEQ Dallas/Fort Worth Regional Office and the TCEQ Central Office.

During the technical review of the application, the permit reviewer conducts a line-by-line review of the application. Site investigations and inspections are not a part of the permit review process.

The permit application is considered a preconstruction permit application. The proposed permit is not permitting the operation of a site that does not comply with the Standard Permit, but the construction and operation of a site that complies with

³ See 30 TEX. ADMIN. CODE § 116.615(2) ("All representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit become conditions upon which the facility or changes thereto, must be constructed and operated. It is unlawful for any person to vary from such representations if the change will affect that person's right to claim a standard permit under this section.").

the standard permit and Applicant's representations in the permit application. Therefore, even though the site may currently have equipment or development, the permit is reviewed as if nothing has been constructed. Applicant was subject to an enforcement action for operating without authorization, which resulted in an Agreed Order that was approved by the commission at the July 17, 2024 agenda.

REQUEST FOR RECONSIDERATION OF RESPONSE 28

JFTA raised concerns about access to public records. Specifically, JFTA expressed concern that TCEQ did not obtain Applicant's operational and compliance documents, including operational logs, and provide them in response to Public Information Act requests.

JFTA also expressed concern about the veracity of documentation showing that the proposed permit was available at the Erik Jonsson Central Library. Specifically, JFTA stated that the proof of availability at the library provided by Applicant was not a sworn affidavit and therefore insufficient to prove that the permit materials were received by the library.

TCEQ RESPONSE: The Executive Director responded to concerns about access to public records in Response 28 of the RTC.

Review of current operational logs and record keeping are not requirements for the administrative and technical review of this registration application. Further, the focus of this RTC is the review and evaluation of the current, pending permit application, not the PIA.

Signed affidavits are required to verify proper publication of notice in local newspapers of general circulation. As stated in the Procedural Background section of the RTC, Applicant published the Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision in English in the *Daily Commercial Record* and in Spanish in the *Buena Suerte Newspaper*, and the Applicant properly submitted sworn affidavits for these publications. TCEQ does not require sworn affidavits to demonstrate that an applicant made the permit documents available in a public place. For this proposed permit, Applicant provided pictures of the required documents at the library and the picture of the form stating receipt of the documents by library staff.

VI. THE EVALUATION PROCESS FOR HEARING REQUESTS

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests. Senate Bill 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests. The evaluation process for hearing requests is as follows:

A. Response to Requests

The Executive Director, the Public Interest Counsel, and the Applicant may each submit written responses to hearing requests. 30 TAC § 55.209(d).

Responses to hearing requests must specifically address:

- whether the requestor is an affected person;

- which issues raised in the hearing request are disputed;
- whether the dispute involves questions of fact or of law;
- whether the issues were raised during the public comment period;
- whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment;
- whether the issues are relevant and material to the decision on the application; and
- a maximum expected duration for the contested case hearing.

30 TAC § 55.209(e).

B. Hearing Request Requirements

In order for the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements:

Affected persons may request a contested case hearing. The request must be made in writing and timely filed with the chief clerk. The request must be based only on the requestor's timely comments and may not be based on an issue that was raised solely in a public comment that was withdrawn by the requestor prior to the filing of the Executive Director's Response to Comment.

30 TAC § 55.201(c).

A hearing request must substantially comply with the following:

- give the time, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
- identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
- request a contested case hearing;
- list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and

- provide any other information specified in the public notice of application.

30 TAC § 55.201(d).

C. Requirement that Requestor be an Affected Person/"Affected Person" Status

In order to grant a contested case hearing, the Commission must determine that a requestor is an "affected" person. Section 55.203 sets out who may be considered an affected person.

- For any application, 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. An interest common to members of the general public does not qualify as a personal justiciable interest.
- Except as provided by 30 TAC § 55.103, governmental entities, including local governments and public agencies with authority under state law over issues raised by the application may be considered affected persons.
- In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

whether the interest claimed is one protected by the law under which the application will be considered;

distance restrictions or other limitations imposed by law on the affected interest;

whether a reasonable relationship exists between the interest claimed and the activity regulated;

likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;

likely impact of the regulated activity on use of the impacted natural resource by the person;

for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application which were not withdrawn; and

for governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TAC § 55.203.

In regard specifically to air quality permits, the activity the commission regulates is the emissions of air contaminants into the atmosphere. Any person who plans to construct or modify a facility that may emit air contaminants must receive authorization from the commission. Commission rules also include a general prohibition against causing a nuisance. Further, for air quality permits, distance from the proposed facility is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a facility.

Additionally, this application is for registration for the Air Quality Standard Permit for Concrete Batch Plants. Hearing requests on a concrete batch plant standard permit are subject to the requirements in TCAA § 382.058(c), which states that “only those persons actually residing in a permanent residence within 440 yards of the proposed plant may request a hearing...as a person who may be affected.”

For applications filed on or after September 1, 2015, 30 TAC § 55.201(d) allows the commission to consider, to the extent consistent with case law:

- the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
- the analysis and opinions of the ED; and
- any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requestor.

D. Referral to the State Office of Administrative Hearings

“When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to SOAH for a hearing.” 30 TAC § 50.115(b). The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- involves a disputed question of fact or a mixed question of law and fact;
- was raised during the public comment period by an affected person whose hearing request is granted; and
- is relevant and material to the decision on the application.

30 TAC § 50.115(c).

VII. ANALYSIS OF THE HEARING REQUESTS

The Executive Director has analyzed the hearing requests to determine whether they comply with Commission rules, if the requestors qualify as affected persons, what issues may be referred for a contested case hearing, and what is the appropriate length of the hearing.

1. Folashade Afolabi

The Executive Director reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a requestor is an affected person, and recommends the commission find that Folashade Afolabi is not an affected person.

Folashade Afolabi requested a public hearing on this permit but provided no additional comments or requests. The hearing request was in writing and provided the required contact information.

Ms. Afolabi did not indicate the distance between her residence and the proposed plant. Based on the address provided, the Executive Director determined that Ms. Afolabi's residence is more than 440 yards from the proposed location of the plant. For a registration for a concrete batch plant standard permit, TCAA § 382.058(c) states that “only those persons actually residing in a permanent residence within 440 yards of the proposed plant may request a hearing...as a person who may be affected.” As

shown on the map, Ms. Afolabi does not reside within 440 yards of the proposed plant and therefore cannot be considered an affected person. Because Ms. Afolabi resides greater than 440 yards from the proposed plant, the Executive Director recommends that the commission find that Ms. Afolabi is not an affected person based on the criteria set out in 30 TAC § 55.203 and that the hearing request be denied.

In her hearing requests, Ms. Afolabi did not provide additional issues or comments, other than then the request for a public hearing.

2. Kathryn Bazan

The Executive Director reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a requestor is an affected person, and recommends the commission find that Kathryn Bazan is not an affected person.

Kathryn Bazan is the Chairwoman of the City of Dallas Environmental Commission, the community led advisory body overseeing the city's climate plan and she provided comments. The hearing request was in writing and provided the required contact information. The hearing request stated she wanted the facility to be stopped from operating without a permit and proper enforcement action taken for operating for so long without a permit. In her comments, Ms. Bazan requested a public hearing.

Ms. Bazan did not indicate the distance between her residence and the proposed plant. Based on the address provided, the Executive Director determined that Ms. Bazan's residence is more than 440 yards from the proposed location of the plant. For a registration for a concrete batch plant standard permit, TCAA § 382.058(c) states that "only those persons actually residing in a permanent residence within 440 yards of the proposed plant may request a hearing...as a person who may be affected." As shown on the map, Ms. Bazan does not reside within 440 yards of the proposed plant and therefore cannot be considered an affected person. The Executive Director recommends that the commission find that Kathryn Bazan is not an affected person based on the criteria set out in 30 TAC § 55.203 and that her hearing request be denied.

In her hearing requests, Ms. Bazan raised the following issues:

Issue 1: What the consequences are of a facility acting without a permit.

E. *Groups and Associations*

In addition to the requirements in 30 TAC § 55.201 and 30 TAC § 55.203, requests for a contested case hearing by a group or association, on an application filed on or after September 1, 2015, must meet the requirements in 30 TAC § 55.205(b). Specifically: (1) the group or association must have submitted timely comments on the application; (2) the request must identify, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right; (3) the interests the group or association seeks to protect must be germane to the organization's purpose; and (4) the claim asserted or the relief requested may not require the participation of the individual members in the case.

1. Joppa Freedmans Town Association ("JFTA")

a) *Whether the group or association submitted timely comments on the application.*

JFTA of Northwest Texas requested a contested case hearing on behalf JFTA in their timely comment letter. Therefore, The Executive Director recommends that the Commission find that JFTA has met this requirement for associational standing.

b) Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.

JFTA named a member of the group, Temeckia Derrough. The Executive Director recommends that Ms. Derrough is not an affected person in her own right. As shown on the map, Ms. Derrough does not reside within 440 yards of the proposed plant and therefore cannot be considered an affected person. Accordingly, the Executive Director recommends that the Commission find that JFTA has not met this requirement for associational standing.

c) Whether the interests the group or association seeks to protect are germane to the organization's purpose.

JFTA is a community organization that advocates for the livability and welfare of its members and community of Joppa. Accordingly, the Executive Director recommends that the Commission find that JFTA has met this requirement for associational standing.

d) Whether the claim asserted, or the relief requested requires the participation of the individual members in the case.

The relief requested by JFTA does not require the participation of any individual member of JFTA. Thus, the Executive Director has determined that JFTA has met this requirement for associational standing.

Because JFTA did not meet all four requirements for associational standing, the Executive Director recommends the Commission find that JFTA is not an affected organization.

In the comment letter, the following issues were raised:

Issue 1: Whether the public notice failed to comply with applicable federal and state laws and regulations.

Issue 2: Whether the application and proposed standard permit registration fail to protect the public health, welfare, property and the environment.

Issue 3: Whether the emissions from the proposed facility will have adverse impacts on the public's health, welfare, property and the environment.

Issue 4: Whether the application fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations and policies.

Issue 5: Whether Executive Director's preliminary decision fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations and policies.

Issue 6: Whether the standard permit fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations and policies.

Issue 7: Whether the proposed emissions are reasonable in light of the technical practicability and economic reasonableness of further reducing or eliminating the proposed emissions.

Issue 8: Whether the proposed activity will cause nuisance conditions in violation of 30 TAC § 101.4.

Issue 9: Whether the permit conditions are adequate to protect against nuisance conditions.

Issue 11: Whether the facility fails to provide paved roads or maintenance at entry and exit road.

Issue 12: Whether the permit conditions adequately protect against visible emissions at the property line.

Issue 13: Whether the proposed activity will cause or contribute to any exceedance of NAAQS for PM10 and PM2.5.

Issue 14: Whether the permit conditions are adequate to protect against causing or contributing to exceedances of NAAQS for PM10 and PM2.5.

Issue 15: Whether the proposed activity will utilize Best Available Control Technology (BACT).

Issue 16: Whether the modeling conducted to support the application, including the proposed activity air dispersion modeling, is inadequate or flawed.

Issue 17: Whether there are insufficient air monitoring requirements in the draft permit.

Issue 18: Whether the proposed activity will threaten the health and safety of nearby residents.

Issue 19: Whether the draft permit fails to account for other potential air contaminants resulting from the proposed activity.

Issue 20: Whether the application and proposed standard permit registration and emissions fail to protect property values.

Issue 21: Whether the proposed emissions are reasonable in light of the degree of injury and interference with the public's health and physical property.

Issue 22: Whether the proposed emissions are reasonable in light of the source's lack of social and economic value.

Issue 23: Whether the proposed emissions are reasonable in light of the non-priority of location of the area involved.

2. Downwinders At Risk "DAR"

a) Whether the group or association submitted timely comments on the application.

Jim Schermbeck requested a contested case hearing on behalf DAR in their timely comment letter. Therefore, The Executive Director recommends that the Commission find that DAR has met this requirement for associational standing.

b) Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.

DAR named three members of the group, Alicia Kendrick, Pauline Logan, and Emmanuel Davis. The Executive Director recommends that Alicia Kendrick, Pauline Logan, and Emmanuel Davis are not affected persons in their own right. As shown on the map, Alicia Kendrick, Pauline Logan, and Emmanuel Davis do not reside within 440 yards of the proposed plant and therefore cannot be considered affected persons. Accordingly, the Executive Director recommends that the Commission find that DAR has not met this requirement for associational standing.

c) Whether the interests the group or association seeks to protect are germane to the organization's purpose.

DAR is a long-standing community organization that advocates for clean air in Dallas-Fort Worth area with the goal of reducing pollution. Accordingly, the Executive Director recommends that the Commission find that DAR has met this requirement for associational standing.

d) Whether the claim asserted or the relief requested requires the participation of the individual members in the case.

The relief requested by DAR does not require the participation of any individual member of DAR. Thus, the Executive Director has determined that DAR has met this requirement for associational standing.

Because DAR did not meet all four requirements for associational standing, the Executive Director recommends the Commission find that DAR is not an affected organization.

In the comment letter, the following issues were raised:

Issue 1: Whether short-term and long-term exposure to PM emissions from the facility will have an adverse impact on the public's health, welfare, and the environment.

Issue 2: Whether dust from the proposed facility will create nuisance dust. Issue 3: Whether the proposed permit will emit noxious fumes and smells that will adversely affect public health.

Issue 4: Whether TCEQ adequately addressed environmental justice concerns and complied with Title VI of the Civil Rights Act in reaching the preliminary decision to issue this permit.

Issue 5: Whether emissions from trucks will have an adverse impact on the public's health, welfare, and the environment.

F. Whether Issues Raised Are Referable to SOAH for a Contested Case Hearing

The Executive Director has analyzed issues raised in accordance with the regulatory criteria. The issues discussed were raised during the public comment period and addressed in the RTC. None of the issues were withdrawn. For applications submitted on or after September 1, 2015, only those issues raised in a timely comment by a

requester whose request is granted may be referred.⁴ The issues raised for this application and the ED's analysis and recommendations follow.

If the Commissioner's find affected party status, the followings issue involves a disputed question of fact, were not withdrawn, and is relevant and material to the approval of the registration authorization:

Issue 1: Whether the public notice failed to comply with applicable federal and state laws and regulations.

Issue 2: Whether the application and proposed standard permit registration fail to protect the public health, welfare, property and the environment.

Issue 3: Whether the emissions from the proposed facility will have adverse impacts on the public's health, welfare, property and the environment.

Issue 4: Whether the application fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations and policies.

Issue 7: Whether the proposed emissions are reasonable in light of the technical practicability and economic reasonableness of further reducing or eliminating the proposed emissions.

Issue 8: Whether the proposed activity will cause nuisance conditions in violation of 30 TAC § 101.4.

Issue 10: Whether the proposed activity will create visible emissions at the property line.

Issue 11: Whether the facility fails to provide paved roads or maintenance at entry and exit road.

Issue 13: Whether the proposed activity will cause or contribute to any exceedance of NAAQS for PM10 and PM2.5.

Issue 15: Whether the proposed activity will utilize Best Available Control Technology (BACT).

Issue 18: Whether the proposed activity will threaten the health and safety of nearby residents.

Issue 20: Whether short-term and long-term exposure to PM emissions from the facility will have an adverse impact on the public's health, welfare, and the environment.

Issue 21: Whether the proposed permit will emit noxious fumes and smells that will adversely affect public health.

Issue 22: Whether TCEQ adequately addressed environmental justice concerns and complied with Title VI of the Civil Rights Act in reaching the preliminary decision to issue this permit.

Additionally, the Requestors raised the following issues that involve a disputed questions of fact and were not withdrawn; however, they are not relevant and material to the approval of the registration authorization. The TCEQ's jurisdiction is limited to the issues set forth in statute:

⁴ Tx. Govt. Code § 2003.047(e-1); 30 TAC § 55.211 (c)(2)(A)(ii).

Issue 5: Whether Executive Director's preliminary decision fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations and policies.

Issue 6: Whether the standard permit fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations and policies.

Issue 9: Whether the permit conditions are adequate to protect against nuisance conditions.

Issue 12: Whether the permit conditions adequately protect against visible emissions at the property line.

Issue 14: Whether the permit conditions are adequate to protect against causing or contributing to exceedances of NAAQS for PM10 and PM2.5.

Issue 16: Whether the modeling conducted to support the application, including the proposed activity air dispersion modeling, is inadequate or flawed.

Issue 17: Whether there are insufficient air monitoring requirements in the draft permit.

Issue 19: Whether the draft permit fails to account for other potential air contaminants resulting from the proposed activity.

Issue 23: Whether the application and proposed standard permit registration and emissions fail to protect property values.

Issue 24: Whether the proposed emissions are reasonable in light of the degree of injury and interference with the public's health and physical property.

Issue 25: Whether the proposed emissions are reasonable in light of the source's lack of social and economic value.

Issue 26: Whether the proposed emissions are reasonable in light of the non-priority of location of the area involved.

Issue 27: Whether emissions from trucks will have an adverse impact on the public's health, welfare, and the environment

Issue 28: What the consequences are of a facility acting without a permit.

VIII. CONTESTED CASE HEARING DURATION

If there is a contested case hearing on this application, the ED recommends that the duration of the hearing be no less than six months from the preliminary hearing to the presentation of a proposal for decision to the Commission.

IX. CONCLUSION

The ED recommends the following actions by the Commission:

1. The Executive Director recommends that the Commission find that the hearing requestors are not affected persons as a matter of law and deny their hearing requests.
2. The Executive Director recommends that the Commission deny all requests for reconsideration filed by Joppa Freedmans Town Association.

Respectfully submitted,
Texas Commission on Environmental Quality
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Interim Executive Director
Charmaine Backens, Acting Director
Office of Legal Services
Charmaine Backens, Deputy Director
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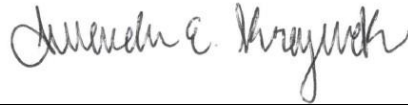


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REPRESENTING THE
EXECUTIVE DIRECTOR OF THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on September 27, 2024, the Executive Director's Response to Hearing Requests and Requests for Reconsideration was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, electronic delivery, inter-agency mail, or by deposit in the U.S. Mail.



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AIR QUALITY PERMIT NO. 171636

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Texas Star Ready Mix, LLC - Requestors

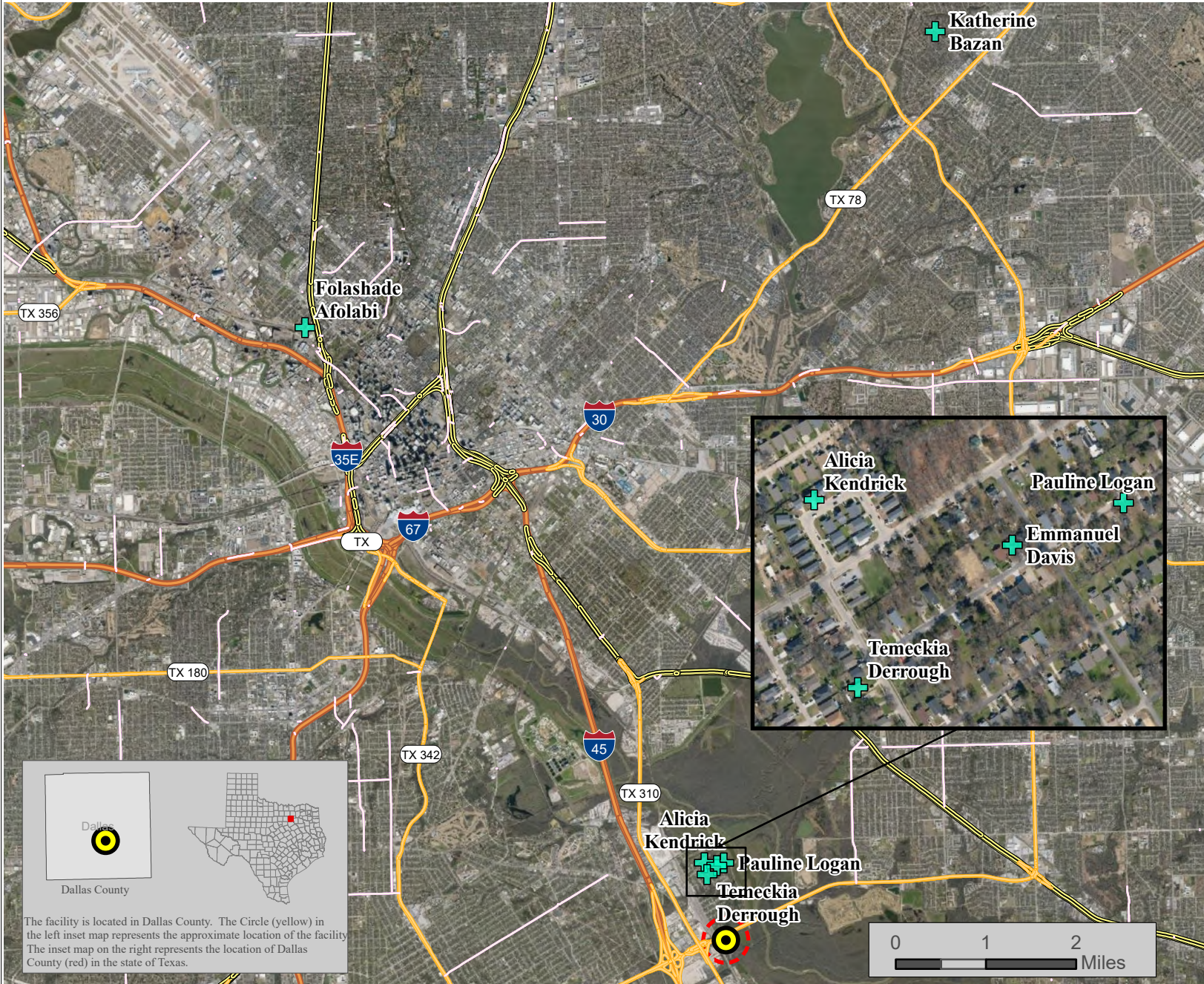
Permit No. 171636

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



Protecting Texas by
Reducing and
Preventing Pollution

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 9/12/2024
CRF 0110062
Cartographer: rkukushk



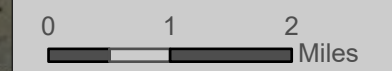
Requestor Name	Distance (yards)
Alicia Kendrick	1564.6
Pauline Logan	1504.01
Emmanuel Davis	1462.52
Temeckia Derrough	1329.13
Folashade Afolabi	14478.25
Katherine Bazan	18149.46

- + Requestors
- Facility
- 440 yards Distance
- Interstate
- Toll Road
- Highway
- Intermediate Roads

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

The facility is located in Dallas County. The Circle (yellow) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Dallas County (red) in the state of Texas.



Texas Star Ready Mix, LLC - Requestors

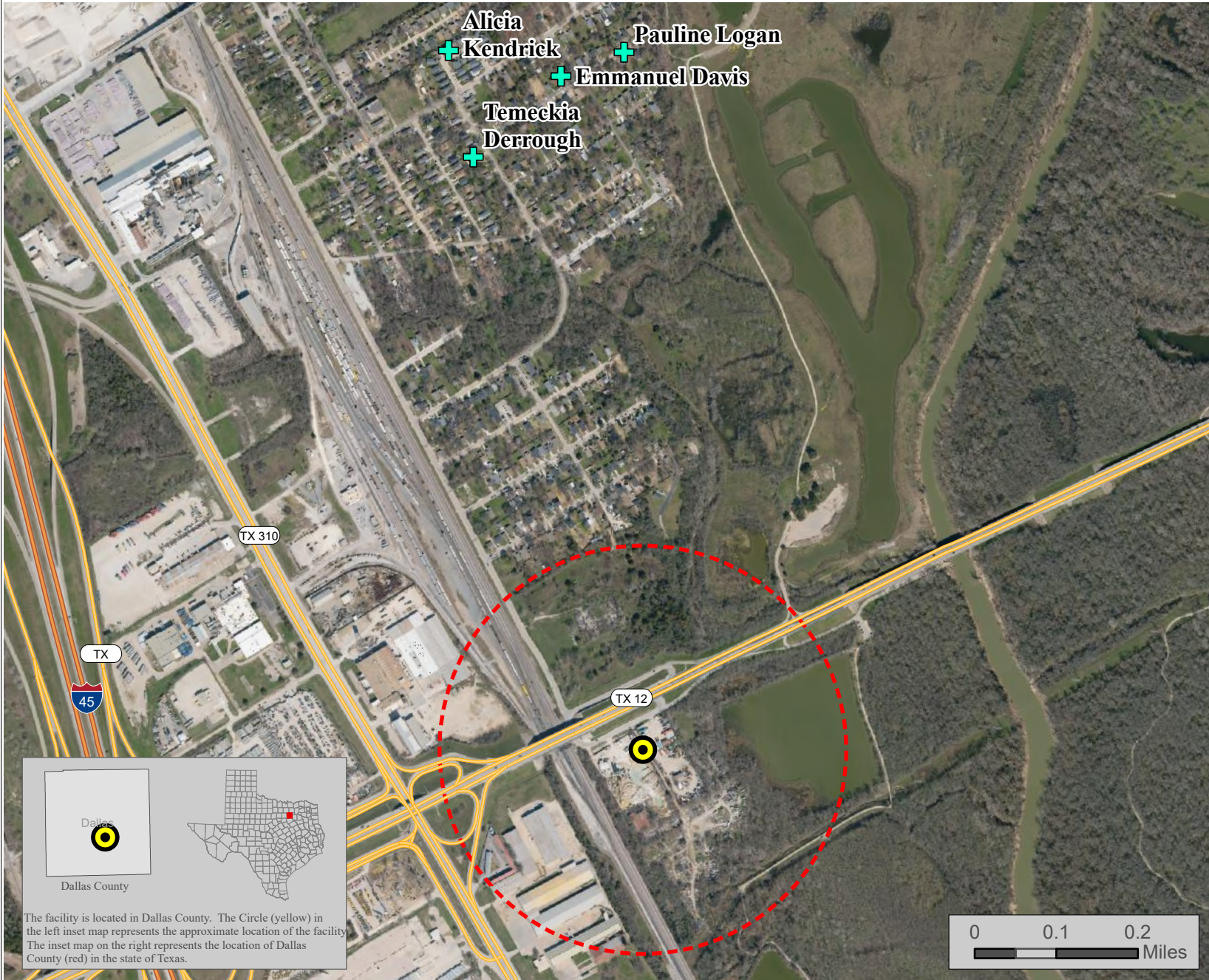
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Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



*Protecting Texas by
Reducing and
Preventing Pollution*

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
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Date: 9/12/2024
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Cartographer: rkukushk

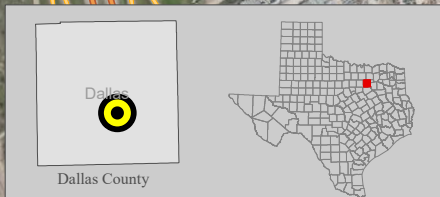


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