

October 23, 2024

Russell Petre's Reply Brief to Executive Director's Response Brief to the Motion to Overturn
North Texas Natural Select Materials, LLC
Air Quality Permit No. 175198 TCEQ Docket 2024-1583-AIR

From Elizabeth Black, Staff Attorney, Environmental Law Division TCEQ, dated October 18, 2024

VI. NTNSM's other authorizations are outside the scope of this Standard Permit (175198)

Russell Petre's MTO contends that NTNSM does not have the necessary permits and verifications to operate and questioned NTNSM's use of water suppression methods to control dust without permits.

The Air Quality Standard Permit for Permanent Rock and Concrete Crushers does not authorize the discharge of pollution into a body of water, nor does it authorize effluent. An Applicant may be required to apply for separate authorizations, depending on the nature of the plant operations. NTNSM's other authorizations are outside the scope of the issuance of this Standard Permit.

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A review of the Applicant's TCEQ Form 20463 Registration Checklist provides the following items:

Pg. 4 Item (3)(J) Applicant affirms permanently mounted spray bars to be installed at the inlet and outlet of all crushers, at all shaker screens, and at all material transfer points and used as necessary to maintain compliance with all TCEQ rules and regulations.

Pg. 5 Item (3)(M) and (3)(M)(iii) Applicant affirms all in-plant roads and active work areas that are associated with the operation of the crusher, associated facilities, and associated sources will be treated with water.

Pg. 5 Item (3)(N) Applicant affirms all stockpiles will be sprinkled with water, dust-suppressant chemicals, or covered, as necessary, to minimize dust emissions.

Referencing the Registration Checklist and Applicant Flow Diagram (attached), the following discovery:

Item (3)(J) At the approved production rate of 200 tons of product per hour:

Hopper dust suppression spray: 600 gallons water per hour

Screen dust suppression spray: 360 gallons water per hour

Conveyor (2) suppression spray: 1200 gallons water per hour

Cumulative suppression spray: 2160 gallons water per hour

Item (3)(M) and (3)(M)(iii) In-plant roads and active work areas water treatment for dust suppression:

Tanker truck pump-and-roll: 1200 gallons water per hour

Item (3)(N) Stockpiles sprinkled for dust suppression 6000-12000 gallons water per hour

Dry work conditions: 12000 gallons water per hour

Cumulative water consumption for dust suppression on a typical ten-hour work day would consume 153,600 gallons of water on the work site to meet all appropriate requirements in the approved Air Permit No. 175198 for North Texas Natural Select Materials, LLC.

The attached FLOW DIAGRAM provided by North Texas Natural Select Materials, LLC located at Denison, Grayson County, Texas for Air Quality Permanent SPRC/CC along with specific information provided on TCEQ Form 20463 (Revised 02/09) Registration Checklist for Rock Crusher Items (3)(J), (3)(M), (3)(M)(iii), and (3)(N) identify water usage for dust suppression per TCEQ Rules and Regulations.

There are two important issues unaddressed which require answers outside the scope of Standard Air Permit 175198. These two significant topics need to be addressed by TCEQ or the proper agencies within which these specific issues lie for this approval to be whole.

No provision for source of water to accommodate Items (3)(J), (3)(M), (3)(M)(iii), or (3)(N) are identified. Nowhere in the application process is a verified source of water for dust suppression purposes required or requested. It would be imperative that confirmed sustainable water supply is a significant component in this type of specialized industrial process. All rules and regulations for Health Code and Environmental concerns regarding this type and quantity of water consumption should be considered and included.

Staff Attorney Elizabeth Black of Environmental Law Division TCEQ stated that this Standard Air Permit 175198 does not authorize the discharge of pollution into a body of water, nor does it authorize effluent. Does this water, in fact, constitute possible pollution or effluent outside the scope of the Standard Air Permit? Using the previously mentioned information provided by the applicant Flow Diagram, and following the guidelines established by TCEQ Registration Checklist 20463, this process and this quantity of discharged water should be included in the approval guidelines.

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In the interest of environment and public health, thorough, comprehensive practices should be followed to reverse the denial of my motion to overturn the approval of Air Quality Standard Permit 175198. Lack of proof of source or discharge of water for dust suppression should reverse this approval. Per TCEQ, the applicant may have an inadequate application lacking separate authorizations. Standard Permit 175198 does not provide verification of sustainable water source for dust suppression although the applicant has affirmed that dust suppression practices will be followed. This appears as a double standard where the applicant's Registration Checklist indicates agreement to the rule of dust suppression without proof of equipment to do so, nor sustainable water to achieve dust suppression.

Additionally, with the use of the applicant Flow Diagram and the associated information provided by TCEQ Form 20463, Registration Checklist, a significant quantity of water would be consumed in the daily operation of this crushing facility. More than 100,000 gallons of water is a major discharge. Once consumed for dust suppression purposes, this operation raises the question of where all that polluted discharge (or effluent) will go. Left unaddressed, this constitutes an environmental health hazard. Should this fall outside of the scope of the issuance of Standard Permit No. 175198, the proper steps should be followed.

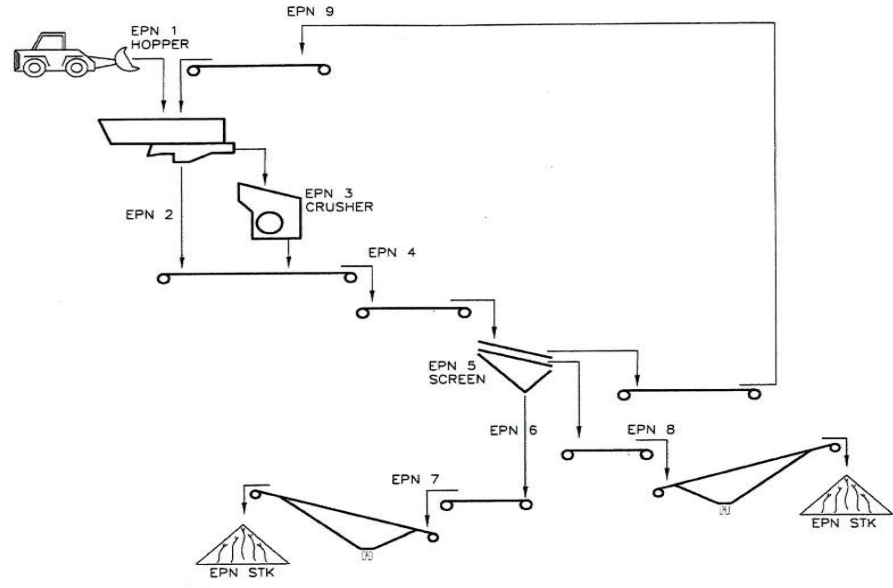
Regarding these two missing components of the Air Quality Permit process, a reversal of the denial to my Motion to Overturn the approval of Standard Air Quality Permit No. 175198 remains my primary request.

Sincerely,

Russell Petre

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SHEET #: 1	IMAGE:	N/A
	ISSUE DATE:	11/21/2023
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	CHECKED BY:	MF
	JOB #:	11081-017

FLOW DIAGRAM			
AIR QUALITY PERMANENT SPRC/CC			
NORTH TEXAS NATURAL SELECT MATERIALS, LLC			
DENISON, GRAYSON COUNTY, TEXAS			
REV.	DESCRIPTION	BY	DATE

WESTWARD
 Environmental, Engineering, Natural Resources.
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 TBPG REG. NO.: 50112

