

Bradley J. Adair

23 Old Comfort Road

Comfort, TX 78013

bradleyjadair@gmail.com

210-706-0222

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To:

Office of the Chief Clerk

Texas Commission on Environmental Quality

MC-105, P.O. Box 13087

Austin, Texas 78711-3087

Agenda Docket Clerk - Docket No. 2025-0554-AIR

RE: Response to Executive Director-s Denial of Hearing Request

Docket No. 2025-0554-AIR

Air Permit No. 178130 - Austin Ready-Mix, LLC (Comfort Concrete Batch Plant)

Dear Commissioners,

I am writing to respectfully respond to and object to the Executive Director-s recommendation to deny my contested case hearing request in the above-referenced matter. I further request that the Commission reconsider this recommendation and allow my request to move forward or, alternatively, deny the permit or impose stronger protective conditions.

While the Executive Director determined that I am not an -affected person- under THSC - 382.058(c) due to my residence being 625.12 yards from the nearest emission point, I believe there are grounds to reconsider that determination, based on:

1. Potential Error or Unverified Distance Measurement

I respectfully request the Commission verify the measurement used. To date, I have not been provided:

- The specific emission point coordinates used in the calculation,
- The exact methodology or GIS software used,
- Nor a map of the distance overlay relative to my residence at 23 Old Comfort Road.

In the absence of that transparency, I believe there is a possibility of mapping error, boundary change, or emission point misidentification - especially since the project layout is not publicly posted in a format accessible for third-party validation.

2. Health Risks Due to Documented Vulnerability

I am a disabled veteran rated 100% permanent and total by the U.S. Department of Veterans Affairs. A substantial portion of my disability is directly related to toxic exposure during military service, primarily through contaminated drinking water. My medical history makes me significantly more vulnerable to:

- Particulate exposure (PM2.5, PM10)
- Airborne cement dust and silica
- Exhaust and combustion byproducts from heavy equipment

This is not a hypothetical concern. I relocated to this rural property specifically to minimize environmental exposure and support my long-term health. Placing a source of industrial emissions near my home undercuts the very health protections I sought through relocation.

3. Impact on My Four Young Children

I have four very young children who live with me full-time. Their growing lungs and immune systems are especially vulnerable to the health effects of concrete dust and diesel emissions. My property is used daily for outdoor activity, learning, and family wellness. These impacts are not generalized community concerns - they are deeply personal, specific, and irreversible if unaddressed.

4. Equity and Public Health Considerations

While the 440-yard rule is clear, I ask the Commission to consider whether vulnerable individuals with established medical history, children in daily proximity, and unverified emission measurements should be summarily excluded from participation under a rigid measurement alone. If TCEQ-s mission is to protect public health, I believe my situation warrants a closer look.

Requested Relief:

- I respectfully request the Commission reconsider my hearing request and allow it to proceed based on:
 - A request to verify the distance and mapping methodology;
 - Documented medical vulnerability;
 - The presence of multiple small children in daily outdoor proximity.
- Alternatively, if the hearing request is not granted, I request that the Commission deny the permit or require Austin Ready-Mix, LLC to:

- Install an air quality monitor (PM2.5 and PM10) within 440 yards of the facility;
- Fund mitigation efforts, including vegetative barriers and paved haul routes;
- Restrict hours of operation and truck movement to minimize community impact;
- Hold public quarterly check-ins for compliance concerns.

Thank you for your service to the people of Texas and for reviewing this matter with the seriousness it deserves.

Sincerely,

Bradley J. Adair