TCEQ AIR QUALITY PERMIT NUMBER 174951
TCEQ DOCKET NUMBER 2025-0829-AIR

APPLICATION BY	**§**	**BEFORE THE TEXAS**
NUECES GREEN AMMONIA LLC	**§**	**COMMISSION ON**
NUECES GREEN AMMONIA PLANT	**§**	**ENVIRONMENTAL QUALITY**
ROBSTOWN, NUECES 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 reconsideration and contested case hearings submitted by persons listed herein regarding the above-referenced matter. The Texas Clean Air Act (TCAA), TEX. 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 TEX. ADMIN. 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 service list for this application. In addition, the Maximum Allowable Emission Rates Table, technical review summary, Air Quality Analysis Modeling Audit, current compliance history report, and a copy of the draft permit 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

Nueces Green Ammonia LLC (Applicant) has applied to TCEQ for a New Source Review Authorization under Texas Clean Air Act (TCAA) § 382.0518. This will authorize the construction of a new facility that may emit air contaminants. This permit will authorize the Applicant to construct the Nueces Green Ammonia Plant. The plant is proposed to be located at the southwest corner of FM 1889 and FM 46 north of Robstown, Nueces County, Texas 78380. Contaminants authorized under this permit include anhydrous ammonia, carbon monoxide, hazardous air pollutants, nitrogen oxides, organic compounds, particulate matter, including particulate matter with diameters of 10 microns or less and 2.5 microns or less (PM_{10} and $PM_{2.5}$, respectively), and sulfur dioxide.

III. PROCEDURAL BACKGROUND

Before work begins on the construction of a new facility that may emit air contaminants, the person planning the construction must obtain a permit from the commission. This permit application is for an initial issuance of Air Quality Permit Number 174951. The permit application was received on December 26, 2023, and declared administratively

[1] Statutes cited in this response may be viewed online at www.statutes.legis.state.tx.us. Relevant statutes are found primarily in the THSC and the TWC. The rules in the TAC may be viewed online at www.sos.state.tx.us/tac/index.shtml, or follow the "Rules" link on the TCEQ website at www.tceq.texas.gov.

complete on January 5, 2024. The Notice of Receipt and Intent to Obtain an Air Quality Permit (NORI, first public notice) for this permit application was published in English on February 1, 2024, in the *Corpus Christi Caller Times* and in Spanish on February 1, 2024, in the *Tejano y Grupero News*. The Notice of Application and Preliminary Decision for an Air Quality Permit (NAPD, second public notice) was published on July 1, 2024, in English in the *Corpus Christi Caller Times* and in Spanish on July 1, 2024, in *Tejano y Grupero News*. A public meeting was held on July 29, 2024, in Robstown. The notice of public meeting was published in English and Spanish on July 1, 2024, in the *Corpus Christi Caller Times* and *Tejano y Grupero News*, respectively, and mailed by the Office of the Chief Clerk on June 17, 2024. The public comment period ended on July 31, 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 Response to Public Comments (RTC) was filed with the Chief Clerk's Office on February 28, 2025, and mailed to all interested persons on March 12, 2025, 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 requests 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 April 11, 2025.

TCEQ received timely hearing requests that were not withdrawn from the persons listed in Attachment A. TCEQ received timely requests for reconsideration from the persons listed in Attachment B.

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

Although the Executive Director determined that the permit application meets the applicable rules and requirements, a final decision to approve the draft permit 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 Air Permits Division and other applicable TCEQ staff have conducted a thorough review of this permit application to ensure it meets the requirements of all applicable state and federal standards. The Executive Director's RTC addresses all timely, relevant and material, or significant comments received during the comment period and the RTC is distinct from the Technical Review documents. An Applicant is bound by the representations in the Technical Review documents and any grammatical or spelling

inconsistencies in the RTC do not alter the representations of the Technical Review documents.

TCEQ received timely requests for reconsideration from the persons listed in Attachment B. The requestors referenced several RTC responses with which they disagreed with. In general, the requests for reconsideration reiterated concerns that the Executive Director responded to in the RTC. Where a response was not directly mentioned, the Executive Director will respond to the requests for reconsideration under the RTC Response that best matches the issue or concern. The Executive Director provides the following responses to the requests for reconsideration.

REQUEST FOR RECONSIDERATION OF RESPONSE 1: Health Effects/Air Quality

Lucia Abergo, Theressa Adams, Mullin Adkins, Faustino Alaniz, Mandy Alaniz, Riva Alaniz, Rhonda Alejandro, Cindy Almeida, Dalia Alvarez, Tiffany Amrich, Darwin J. Anderson, Deborah Anderson, Albert Anzaluda, Greg Atchley, Charles Baillie, Chelsea Baillie, Clifton Baillie, Donald Baillie, Sallie Baillie, Velma Barrera, Susan Belardinelli, Marlena Boatwright, Holly Bockholt, Kathleen M. Borhauer, Cordelia Bosquez, Pete Bosquez, Pat A. Botkin, Karen Boyd, Alyson Braden, Amber Brewer, Lauri Bristow, Adolfo Buentello, Arlene Burns, Larry Buxkamper, Alicia Cabrera, Dalmira Calderon, Gary Capeheart, Sharon Capeheart, Phyllis Carrier, John Cole Carrillo, Kimberly Castaneda, Lucia Chavarria, Rosenda Chaves, Rachel M. Cipriano, Teresa Cisneros, Leticia Clark, Cynthia Ann Cleavelin, Concerned Citizen, Pablo Contreras, Louise Cook, Robert Cook, Susan Cornett, Carlos S. Costilla, Dale Crisman, Fransisco Cruz Miranda, Jo Cummings, Debra Davis, Sandra Davis, Jerimey Dear, Laurinda Dear, Giana Delaney, Martha Douglas, Beverly S. Douglass, Jeffrey Durrwachter, Sonya Durrwachter, Mireille Dziuk, Glenna Elliff, Lydia Ferdin, Erica Flores, Lauren Gaddis, Marta Gaddis, Michael B Gaddis, Suzanne Gallagher, Heidi Garcia, Samantha Garcia, Sandra S. Garcia, Alisha Garza, April Garza, Sara Garza, Wendy Genz, Leticia Gomez, Jean Gonzales, Yolanda H Gonzales, Edward Gonzalez, Linda Goulet, Nova I Gracia, Harriet Granderson, Amelia Green, Art Green, David Guzman, Harold Hansmann, Sara Hansmann, Michael Hatch, Tracie Hatch, Adrienne Havelka, Elida Hernandez, Eusebio Hernandez, Jessica Hernandez, Leticia Hernandez, Manuel Hernandez, Mario Hernandez, Norma Hernandez, Richard Hernandez, Mary K. Hines, William Hirko, Crystal Horne, Jeff Horne, Terry Houchin, Kwamin Huff, Debbie Hunter, Carol Huntsinger, John B. Huntsinger, Vanessa Idrogo, Candido Jimenez, Natalie Jimenez, Jessica Keese, Adrienne Kerr, Janice Kimball, Brenda King, Ruth King, Terri Konarik, Lynn Lastrapes, Karen Lindeburg, Leslie Lockwood, Amanda Lopez, David Lopez, Sara Lopez, Ryan Lynes, Judy Macek, Steve Macek, Maryann Markert, Alexander Marroquin, Angela Marroquin, Ginger Martinez, Juan Martinez, Raymond Martinez, Rebecca Martinez, Dianna Matthews, Tommy A. McBroom, April McClure, Juan Mendoza, Rosemary Mendoza, San Juana Mendoza, Angelyn Moore, Brett Moore, Caleb Ray Morales, Jimmy Morales, Lorraine Morales, Lucia Morales, Maegan Morales, Andrew Morin, Arsilia Morin, Leeann Mota Garza, Leeann Mungia, Rachel Munoz, Ellen Murphy, Patricia Murphy, Enrique Naba, Cheryl Najvar, John Najvar, Christi Naylor, Diana O'Brien, Joe H. Ocanas, Ciera Pakebusch, Jennifer Pantoja, Jessica Perez, Arnoldas Pivorius, Terry Plumley, Claudia Regalado, Robin Reinhard, Kathy Rios, Oralia Rios, David Rivera, Sandy Rivera, Bonnie Rodriguez, Gabriel Rodriguez, Johnny Rodriguez, Osvaldo Romero, Mary Jane Ross, William C. Ross, Horacio Rubio, Maurine Sacky, Alexis Salinas, Marcy Santos, Lorraine Sepulveda-Morales, Janie G. Serna, Johnathan Sharpless, Carolyn Shelby, Kadie Kay Simmons, Maina Smith, Don Stone,

Sharon Story, Alma Marie Studer, Paul Supak, Terri Supak, Jessica Svetlik, Maureen M. Swedlund, TCHD Consulting LLC, Charles Tenpenny, Dora Tenpenny, Johnnie Thompson, Carmen Tilton, Joseph Tilton, Scott Tilton, Kimberly Tompkins, Olga C. Tschoepe, Felix Vasquez, Rene Vasquez, Yvette Villalobos, Malynn Wahlen, Michael Wahlen, Carolyn Walter, Gina Wernig, Kris White, Crystal Williams, Sharon Kay Williams, William C. Williams, Veronica Zamorano, and Martin Zurick requested reconsideration due to concerns about health effects and impacts to air quality from the proposed plant.

EXECUTIVE DIRECTOR'S RESPONSE: As described in detail in Response 1 of the RTC, the Executive Director determined that the emissions authorized by this permit are protective of both human health and welfare and the environment. The Executive Director is required to review permit applications to ensure they will be protective of human health and the environment. For this type of air permit application, potential impacts to human health and welfare or the environment are determined by comparing the Applicant's proposed air emissions to appropriate state and federal standards and guidelines. These standards and guidelines include the National Ambient Air Quality Standards (NAAQS), TCEQ Effects Screening Levels (ESLs), and TCEQ rules. A full discussion of how the permit will comply with the NAAQS, TCEQ ESLs, and TCEQ rules was included in Response 1 of the RTC.

REQUEST FOR RECONSIDERATION OF RESPONSE 3: Flora/fauna/habitat loss

Kimberly Castaneda, Debra Davis, Maegan Morales, Andrew Morin, Arsilia Morin, Julie E. Perkins, Kadie Kay Simmons, Stefanie Simmons, and Alma Marie Studer expressed concerns about impacts to livestock, crops, wildlife, and vegetation.

EXECUTIVE DIRECTOR'S RESPONSE: As explained by the Executive Director in Response 3 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 structures, 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, Response 1 of the RTC includes an evaluation of this project's impacts in relation to the NAAQS. Further, 30 TAC § 101.4 prohibits the discharge of contaminants which may be injurious to, or adversely affect, animal life.

Specifically for ammonia, ammonia is naturally occurring in the atmosphere and is used by plants as a source of nitrogen. However, at high concentrations (at least 2,900 ppb) ammonia can cause direct toxic effects on the leaves of plants. Available data indicates that ammonia has similar effects in humans and animals. Based on the available scientific data, the health-protective levels for humans should also be health protective for animals as well. The modeled concentrations of ammonia from the Nueces Green Ammonia plant (100 $\mu g/m^3$ or 0.1 ppb) are much lower than the concentrations shown to produce damage to leaves of plants (2,900 ppb) or cause adverse health effects on animals (5,200 ppb). Therefore, this facility is not expected to cause adverse effects on nearby plants or animals.

REQUEST FOR RECONSIDERATION OF RESPONSE 7: Monitor for Air Quality Analysis

Lucia Abergo, Theressa Adams, Mullin Adkins, Faustino Alaniz, Mandy Alaniz, Riva Alaniz, Rhonda Alejandro, Cindy Almeida, Dalia Alvarez, Tiffany Amrich, Darwin J. Anderson, Deborah Anderson, Albert Anzaluda, Greg Atchley, Charles Baillie, Chelsea Baillie, Clifton Baillie, Donald Baillie, Sallie Baillie, Velma Barrera, Susan Belardinelli, Marlena Boatwright, Holly Bockholt, Kathleen M. Borhauer, Cordelia Bosquez, Pete Bosquez, Pat A. Botkin, Karen Boyd, Alyson Braden, Amber Brewer, Lauri Bristow, Adolfo Buentello, Arlene Burns, Larry Buxkamper, Alicia Cabrera, Dalmira Calderon, Gary Capeheart, Sharon Capeheart, Phyllis Carrier, Lucia Chavarria, Rosenda Chaves, Rachel M. Cipriano, Teresa Cisneros, Leticia Clark, Cynthia Ann Cleavelin, Concerned Citizen, Pablo Contreras, Louise Cook, Robert Cook, Susan Cornett, Carlos S. Costilla, Dale Crisman, Fransisco Cruz Miranda, Jo Cummings, Debra Davis, Sandra Davis, Jerimey Dear, Laurinda Dear, Giana Delaney, Martha Douglas, Jeffrey Durrwachter, Sonya Durrwachter, Mireille Dziuk, Glenna Elliff, Lydia Ferdin, Erica Flores, Lauren Gaddis, Marta Gaddis, Michael B. Gaddis, Suzanne Gallagher, Heidi Garcia, Samantha Garcia, Sandra S. Garcia, Alisha Garza, April Garza, Sara Garza, Wendy Genz, Leticia Gomez, Jean Gonzales, Yolanda H Gonzales, Edward Gonzalez, Linda Goulet, Nova I. Gracia, Harriet Granderson, Amelia Green, Art Green, Harold Hansmann, Sara Hansmann, Michael Hatch, Tracie Hatch, Adrienne Havelka, Elida Hernandez, Eusebio Hernandez, Jessica Hernandez, Leticia Hernandez, Manuel Hernandez, Mario Hernandez, Norma Hernandez, Richard Hernandez, Mary K. Hines, William Hirko, Crystal Horne, Jeff Horne, Terry Houchin, Kwamin Huff, Debbie Hunter, Carol Huntsinger, John B. Huntsinger, Vanessa Idrogo, Candido Jimenez, Natalie Jimenez, Jessica Keese, Adrienne Kerr, Janice Kimball, Brenda King, Ruth King, Terri Konarik, Lynn Lastrapes, Karen Lindeburg, Leslie Lockwood, Amanda Lopez, David Lopez, Sara Lopez, Ryan Lynes, Judy Macek, Steve Macek, Maryann Markert, Alexander Marroquin, Angela Marroquin, Ginger Martinez, Juan Martinez, Raymond Martinez, Rebecca Martinez, Dianna Matthews, Tommy A. McBroom, April McClure, Juan Mendoza, Rosemary Mendoza, San Juana Mendoza, Angelyn Moore, Brett Moore, Lucia Morales, Leeann Mungia, Rachel Munoz, Ellen Murphy, Patricia Murphy, Enrique Naba, Cheryl Najvar, John Najvar, Christi Naylor, Diana O'Brien, Joe H. Ocanas, Ciera Pakebusch, Jennifer Pantoja, Jessica Perez, Arnoldas Pivorius, Terry Plumley, Claudia Regalado, Robin Reinhard, Kathy Rios, Oralia Rios, David Rivera, Sandy Rivera, Bonnie Rodriguez, Gabriel Rodriguez, Johnny Rodriguez, Osvaldo Romero, Mary Jane Ross, William C. Ross, Horacio Rubio, Maurine Sacky, Alexis Salinas, Marcy Santos, Janie G. Serna, Johnathan Sharpless, Carolyn Shelby, Maina Smith, Don Stone, Sharon Story, Paul Supak, Terri Supak, Jessica Svetlik, Maureen M. Swedlund, TCHD Consulting LLC, Charles Tenpenny, Dora Tenpenny, Johnnie Thompson, Carmen Tilton, Joseph Tilton, Scott Tilton, Kimberly Tompkins, Olga C. Tschoepe, Felix Vasquez, Rene Vasquez, Yvette Villalobos, Malynn Wahlen, Michael Wahlen, Carolyn Walter, Gina Wernig, Kris White, Crystal Williams, William C. Williams, Veronica Zamorano, Martin Zurick, requested reconsideration because of the lack of air quality monitors in the area, and concerns about the monitors used to evaluate baseline emissions.

EXECUTIVE DIRECTOR'S RESPONSE: The Executive Director responded to concerns about air quality monitors in the RTC. In Response 7, the Executive Director explained how background concentrations in the air quality modeling analysis are used to account for ambient concentrations from other industrial, natural, and man-made sources in the area around the plant that are not explicitly modeled. Since there are no regulatory

monitors in Robstown, TX, the Applicant selected ambient monitor data from EPA AIRS monitor 483550026 (9860 La Branch, Corpus Christi, Nueces County), EPA AIRS monitor 483550032 (3810 Huisache St., Corpus Christi, Nueces County), and EPA AIRS monitor 482011035 (9525 ½ Clinton Dr., Houston, Harris County) to represent background concentrations in the analysis.

The use of EPA AIRS monitor 483550026 (9860 La Branch, Corpus Christi, Nueces County) and EPA AIRS monitor 483550032 (3810 Huisache St., Corpus Christi, Nueces County) is reasonable based on a quantitative review of emissions sources in the surrounding area of the monitor site relative to the project site. The use of EPA AIRS monitor 482011035 (9525 ½ Clinton Dr., Houston, Harris County) is reasonable based on a comparison of county-wide emissions, population, and a quantitative review of emissions sources in the surrounding area of the monitor site relative to the project site.

For each monitor, the Applicant conducted a quantitative review of emissions in the vicinity of the monitor site relative to the proposed project site. A quantitative review of emissions in the surrounding area of the monitor site relative to the project site is one of the methods to evaluate the representativeness of an air quality monitor. The reported emissions in the vicinity of the selected monitor sites were greater than the reported emissions in the vicinity of the proposed project site. Thus, background concentrations from the selected monitors are conservative because background concentrations in the vicinity of the selective monitors are expected to be higher than background concentrations in the vicinity of the proposed project. TCEQ reviewed the Applicant's air monitoring data analyses and supporting justification, and concluded it was reasonable. Accordingly, the Executive Director does not have additional information to provide beyond what was included in the RTC.

REQUEST FOR RECONSIDERATION OF RESPONSE 13: Location/Zoning

Lucia Abergo, Theressa Adams, Mullin Adkins, Faustino Alaniz, Mandy Alaniz, Riva Alaniz, Rhonda Alejandro, Cindy Almeida, Dalia Alvarez, Tiffany Amrich, Darwin J. Anderson, Deborah Anderson, Danika Anderwald, Albert Anzaluda, Greg Atchley, Charles Baillie, Chelsea Baillie, Clifton Baillie, Donald Baillie, Sallie Baillie, Velma Barrera, Susan Belardinelli, Marlena Boatwright, Holly Bockholt, Kathleen M. Borhauer, Cordelia Bosquez, Pete Bosquez, Pat A. Botkin, Karen Boyd, Alyson Braden, Amber Brewer, Lauri Bristow, Adolfo Buentello, Arlene Burns, Larry Buxkamper, Alicia Cabrera, Dalmira Calderon, Gary Capeheart, Sharon Capeheart, Phyllis Carrier, John Cole Carrillo, Lucia Chavarria, Rosenda Chaves, Rachel M. Cipriano, Teresa Cisneros, Leticia Clark, Cynthia Ann Cleavelin, Concerned Citizen, Pablo Contreras, Louise Cook, Robert Cook, Susan Cornett, Carlos S. Costilla, Dale Crisman, Fransisco Cruz Miranda, Jo Cummings, Debra Davis, Sandra Davis, Jerimey Dear, Laurinda Dear, Giana Delaney, Martha Douglas, Beverly S. Douglass, Jeffrey Durrwachter, Sonya Durrwachter, Mireille Dziuk, Glenna Elliff, Lydia Ferdin, Erica Flores, Lauren Gaddis, Marta Gaddis, Michael B. Gaddis, Suzanne Gallagher, Heidi Garcia, Samantha Garcia, Sandra S. Garcia, Alisha Garza, April Garza, Sara Garza, Wendy Genz, Leticia Gomez, Jean Gonzales, Yolanda H Gonzales, Edward Gonzalez, Linda Goulet, Nova I. Gracia, Harriet Granderson, Amelia Green, Art Green, David Guzman, Harold Hansmann, Sara Hansmann, Michael Hatch, Tracie Hatch, Adrienne Havelka, Elida Hernandez, Eusebio Hernandez, Jessica Hernandez, Leticia Hernandez, Manuel Hernandez, Mario Hernandez, Norma Hernandez, Richard Hernandez, Mary K. Hines, William Hirko, Crystal Horne, Jeff Horne, Terry Houchin, Kwamin Huff, Debbie Hunter, Carol Huntsinger, John B. Huntsinger, Vanessa Idrogo,

Candido Jimenez, Natalie Jimenez, Jessica Keese, Adrienne Kerr, Janice Kimball, Brenda King, Ruth King, Terri Konarik, Lynn Lastrapes, Karen Lindeburg, Leslie Lockwood, Amanda Lopez, David Lopez, Sara Lopez, Ryan Lynes, Judy Macek, Steve Macek, Maryann Markert, Alexander Marroquin, Angela Marroquin, Ginger Martinez, Juan Martinez, Raymond Martinez, Rebecca Martinez, Dianna Matthews, Tommy A. McBroom, April McClure, Bill McGregor, Juan Mendoza, Rosemary Mendoza, San Juana Mendoza, Angelyn Moore, Brett Moore, Caleb Ray Morales, Jimmy Morales, Lorraine Morales, Lucia Morales, Leeann Mota Garza, Leeann Mungia, Rachel Munoz, Ellen Murphy, Patricia Murphy, Enrique Naba, Cheryl Najvar, John Najvar, Christi Naylor, Diana O'Brien, Joe H. Ocanas, Ciera Pakebusch, Jennifer Pantoja, Jessica Perez, Julie E. Perkins, Arnoldas Pivorius, Terry Plumley, Claudia Regalado, Robin Reinhard, Kathy Rios, Oralia Rios, David Rivera, Sandy Rivera, Bonnie Rodriguez, Gabriel Rodriguez, Johnny Rodriguez, Osvaldo Romero, Mary Jane Ross, William C. Ross, Horacio Rubio, Maurine Sacky, Alexis Salinas, Marcy Santos, Lorraine Sepulveda-Morales, Janie G. Serna, Johnathan Sharpless, Carolyn Shelby, Kadie Kay Simmons, Stefanie Simmons, Rose Sims, Maina Smith, Don Stone, Sharon Story, Alma Marie Studer, Paul Supak, Terri Supak, Jessica Svetlik, Maureen M. Swedlund, TCHD Consulting LLC, Charles Tenpenny, Dora Tenpenny, Johnnie Thompson, Carmen Tilton, Joseph Tilton, Scott Tilton, Kimberly Tompkins, Olga C. Tschoepe, Felix Vasquez, Rene Vasquez, Yvette Villalobos, Malynn Wahlen, Michael Wahlen, Carolyn Walter, Gina Wernig, Kris White, Crystal Williams, Sharon Kay Williams, William C. Williams, Veronica Zamorano, and Martin Zurick request reconsideration over the proposed plant location.

EXECUTIVE DIRECTOR'S RESPONSE: The Executive Director acknowledges Requestors concerns about the Applicant's chosen plant location. As addressed in Response 13 of the RTC, TCEQ does not have jurisdiction to consider plant location choices made by an applicant when determining whether to approve or deny a permit application, unless a statute or rule imposes specific distance limitations that are enforceable by TCEQ. Zoning and land use are beyond the authority of TCEQ for consideration when reviewing air quality permit applications and the issuance of an air quality authorization does not override any local zoning requirements that may be in effect and does not authorize an applicant to operate outside of local zoning requirements.

REQUEST FOR RECONSIDERATION OF RESPONSE 14: Quality of Life/ Aesthetics/ Property value

Kimberly Castaneda, Beverly S. Douglass, Caleb Ray Morales, Jimmy Morales, Lorraine Morales, Maegan Morales, Andrew Morin, Arsilia Morin, Enrique Naba, and Richard Perez expressed concerns about the impact of the proposed plant on property values, aesthetics, and quality of life in the area.

EXECUTIVE DIRECTOR'S RESPONSE: As addressed in Response 14, TCEQ does not have the authority to consider potential effects from plant location on aesthetics, zoning and land use issues, or effects on property values when determining whether to approve or deny this air permit.

REQUEST FOR RECONSIDERATION OF RESPONSE 15: Noise

Kimberly Casteneda, Maegan Morales, Andrew Morin, Arsilia Morin, Richard Perez, Kadie Kay Simmons, and Stefanie Simmons request reconsideration due to noise concerns from the proposed plant.

EXECUTIVE DIRECTOR'S RESPONSE: As addressed in Response 15, TCEQ does not have authority under the TCAA to require or enforce any noise abatement measures. Noise ordinances are generally enacted by cities or counties and enforced by local law enforcement authorities.

REQUEST FOR RECONSIDERATION OF RESPONSE 17: Truck Traffic

Richard Perez requested reconsideration due to potential impacts on traffic.

EXECUTIVE DIRECTOR'S RESPONSE: Although TCEQ rules prohibit creation of a nuisance, TCEQ does not have jurisdiction to consider traffic, road safety, or road repair costs when determining whether to approve or deny a permit application. In addition, trucks are considered mobile sources, which are not regulated by TCEQ. TCEQ is also prohibited from regulating roads per the TCAA § 382.003(6) which excludes roads from the definition of "facility." Similarly, 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.

REQUEST FOR RECONSIDERATION OF RESPONSE 20: Emission Rates and Calculations

TCHD Consulting LLC requests reconsideration due to concerns that spelling errors in the Executive Director's RTC alter the Technical Review documents regarding emission rates of this application. TCHD Consulting LLC also requests reconsideration due to concerns about the use of flares and the resulting emission rates.

EXECUTIVE DIRECTOR'S RESPONSE: As explained above, the Executive Director's RTC is distinct from the Technical Review documents and any grammatical or spelling inconsistencies in the RTC do not alter the representations of the Technical Review documents. Emissions from this facility were determined by manufacturer's data, TCEQ NSR Emissions Calculations (APD-ID 6v1, Revised 03/21),[2] 2021 Emissions Inventory Guidelines (RG-360/21),[3] or a mathematical equation calculated according to the EPA's Compilation of Air Pollutant Emission Factors, AP-42 Manual.[4] The Applicant represented the appropriate methodologies to control and minimize emissions and utilized corresponding control efficiencies when calculating the emission rates. As provided in 30 TAC § 116.116(a), the Applicant is bound by these representations, including the represented performance characteristics of the control equipment. In addition, the permit holder must operate within the limits of the permit, including the emission limits as listed in the Maximum Allowable Emissions Rate Table (MAERT).

As written in Response 20 of the RTC, this proposed project includes velocity requirements for the flare system to ensure proper/complete combustion of ammonia. Although the flare will operate at conditions that ensure proper/complete combustion of ammonia (99% or higher destruction efficiency), the calculations in this application conservatively assume that only 98% of ammonia is destroyed at the flare. The 98% destruction is based on TCEQ flare guidance for volatile organic compounds with ammonia considered an "otherwise" chemical which defaults to 98% destruction. If calculations were to reflect a more accurate destruction efficiency of 99% or higher,

[2] TCEQ- New Source Review (NSR) Emission Calculations
[3] 2021 Emissions Inventory Guidelines RG-360/21
[4] AP-42: Compilation of Air Emissions Factors from Stationary Sources | US EPA

emissions represented at the flare would be half of that currently being proposed. It is important to note that the modeling of ammonia emissions from the flare has demonstrated the safeguarding of both human health and the environment at the currently proposed, more conservative emission rates. Additionally, flaring of ammonia involves high-temperature oxidation, which would result in converting ammonia into less harmful substances such as nitrogen gas (an inert and unreactive gas) and water, eliminating any ammonia smell.

REQUEST FOR RECONSIDERATION OF RESPONSE 22: Emergency/Evacuation

Alvin Morin, Myra Alaniz, Samuel Alaniz, Darwin J. Anderson, Humberto Arizmendi, Sandra Arizmendi, Holly Bockholt, John Cole Carillo, John Cole Carrillo, TCHD Consulting LLC, David Guzman, Lorraine Morales, Yolanda Morin, Horacio Rubio, and William C. Williams requested reconsideration due to concerns of possible emergency events at the proposed plant.

EXECUTIVE DIRECTOR'S RESPONSE: As stated in Response 22 of the RTC, in the event of an emergency, the Local Emergency Planning Committee and the regulated entity have the primary responsibility of notifying potentially impacted parties regarding the situation. In addition, as set forth in 30 TAC § 101.201(a), regulated entities are required to notify TCEQ regional office within 24 hours of the discovery of releases into the air and in advance of maintenance activities that could or have resulted in excess emissions. Proposed projects which involve toxic chemicals that are known or suspected to have potential for life threatening effects upon off-facility property in the event of a disaster and involve manufacturing processes that may contribute to the potential for disastrous events, may require a disaster review for the application. The Applicant is required to have a Risk Management Plan on file with the U.S. EPA and TCEQ prior to the start of operations. The purpose of this plan is to identify the potential effects of a chemical accident, identify the steps the facility is taking to prevent an accident, and spell out emergency response procedures should an accident occur. The Risk Management Plan will address how events that can be considered will be responded to.

There may be events which are so unexpected that a detailed response and consideration is not made. Reasonable efforts should be made by the owner/operator of the site. A TCEQ NSR Permit does not authorize accidents. The plan is not required prior to construction of the site as the Risk Management Plan is expected to follow how the site is built which may be different from early design intentions proposed for construction. Changes to the early design may need to be submitted to TCEQ for review and agreement prior to authorization depending on the significance of the change(s). A Risk Management Plan was provided which will need to be modified with as built considerations. An updated version will be submitted to the EPA and TCEQ Region 14 prior to operation of the facility. The applicant has made an effort to evaluate scenarios which would have the potential to result in an emergency event. They have then considered how the scenario could be avoided such as through the inclusion of safety redundancies and backup power supply. Although the TCEQ does not permit accidents/upset events, this should result in a reduction in the likelihood of emergency events occurring.

REQUEST FOR RECONSIDERATION OF RESPONSE 23: Environmental Impacts Study

Lucia Abergo, Theressa Adams, Mullin Adkins, Faustino Alaniz, Mandy Alaniz, Riva Alaniz, Rhonda Alejandro, Cindy Almeida, Dalia Alvarez, Tiffany Amrich, Darwin J. Anderson, Deborah Anderson, Albert Anzaluda, Greg Atchley, Charles Baillie, Chelsea Baillie, Clifton Baillie, Donald Baillie, Sallie Baillie, Velma Barrera, Susan Belardinelli, Marlena Boatwright, Kathleen M. Borhauer, Cordelia Bosquez, Pete Bosquez, Pat A. Botkin, Karen Boyd, Alyson Braden, Amber Brewer, Lauri Bristow, Adolfo Buentello, Arlene Burns, Larry Buxkamper, Alicia Cabrera, Dalmira Calderon, Gary Capeheart, Sharon Capeheart, Phyllis Carrier, Lucia Chavarria, Rosenda Chaves, Rachel M. Cipriano, Teresa Cisneros, Leticia Clark, Cynthia Ann Cleavelin, Concerned Citizen, Pablo Contreras, Louise Cook, Robert Cook, Susan Cornett, Carlos S. Costilla, Dale Crisman, Fransisco Cruz Miranda, Jo Cummings, Debra Davis, Sandra Davis, Jerimey Dear, Laurinda Dear, Giana Delaney, Martha Douglas, Jeffrey Durrwachter, Sonya Durrwachter, Mireille Dziuk, Glenna Elliff, Lydia Ferdin, Erica Flores, Lauren Gaddis, Marta Gaddis, Michael B Gaddis, Suzanne Gallagher, Heidi Garcia, Samantha Garcia, Sandra S. Garcia, Alisha Garza, April Garza, Sara Garza, Wendy Genz, Leticia Gomez, Jean Gonzales, Yolanda H Gonzales, Edward Gonzalez, Linda Goulet, Nova I Gracia, Harriet Granderson, Amelia Green, Art Green, Harold Hansmann, Sara Hansmann, Michael Hatch, Tracie Hatch, Adrienne Havelka, Elida Hernandez, Eusebio Hernandez, Jessica Hernandez, Leticia Hernandez, Manuel Hernandez, Mario Hernandez, Norma Hernandez, Richard Hernandez, Mary K. Hines, William Hirko, Crystal Horne, Jeff Horne, Terry Houchin, Kwamin Huff, Debbie Hunter, Carol Huntsinger, John B. Huntsinger, Vanessa Idrogo, Candido Jimenez, Natalie Jimenez, Jessica Keese, Adrienne Kerr, Janice Kimball, Brenda King, Ruth King, Terri Konarik, Lynn Lastrapes, Karen Lindeburg, Leslie Lockwood, Amanda Lopez, David Lopez, Sara Lopez, Ryan Lynes, Judy Macek, Steve Macek, Maryann Markert, Alexander Marroquin, Angela Marroquin, Ginger Martinez, Juan Martinez, Raymond Martinez, Rebecca Martinez, Dianna Matthews, Tommy A. McBroom, April McClure, Juan Mendoza, Rosemary Mendoza, San Juana Mendoza, Angelyn Moore, Brett Moore, Caleb Ray Morales, Jimmy Morales, Lucia Morales, Leeann Mungia, Rachel Munoz, Ellen Murphy, Patricia Murphy, Enrique Naba, Cheryl Najvar, John Najvar, Christi Naylor, Diana O'Brien, Joe H. Ocanas, Ciera Pakebusch, Jennifer Pantoja, Jessica Perez, Arnoldas Pivorius, Terry Plumley, Claudia Regalado, Robin Reinhard, Kathy Rios, Oralia Rios, David Rivera, Sandy Rivera, Bonnie Rodriguez, Gabriel Rodriguez, Johnny Rodriguez, Osvaldo Romero, Mary Jane Ross, William C. Ross, Horacio Rubio, Maurine Sacky, Alexis Salinas, Marcy Santos, Janie G. Serna, Johnathan Sharpless, Carolyn Shelby, Maina Smith, Don Stone, Sharon Story, Paul Supak, Terri Supak, Jessica Svetlik, Maureen M. Swedlund, Charles Tenpenny, Dora Tenpenny, Johnnie Thompson, Carmen Tilton, Joseph Tilton, Scott Tilton, Kimberly Tompkins, Olga C. Tschoepe, Felix Vasquez, Rene Vasquez, Yvette Villalobos, Malynn Wahlen, Michael Wahlen, Carolyn Walter, Gina Wernig, Kris White, Crystal Williams, William C. Williams, Veronica Zamorano, and Martin Zurick request reconsideration to allow for a comprehensive environmental impact study to be conducted.

EXECUTIVE DIRECTOR'S RESPONSE: In Response 23 of the RTC, the Executive Director explains that Environmental Assessments and Environmental Impact Statements (EIS) are a specific requirement for federal agencies under the National Environmental Policy Act (NEPA). An EIS is not required for state actions, such as this permit.

REQUEST FOR RECONSIDERATION OF RESPONSE 25: Environmental Justice

Lorraine Morales requests reconsideration due to concerns about the environmental justice implications of the proposed project.

EXECUTIVE DIRECTOR'S RESPONSE: In Response 25 of the RTC, the Executive Director explains that 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 location. A health effects review was conducted for the proposed facilities during the permit review and the permit was found to be protective of human health and the environment.

REQUEST FOR RECONSIDERATION OF RESPONSE 28: Inspections

TCHD Consulting LLC requests reconsideration due to concerns about the regularity of inspections and investigations of complaints.

EXECUTIVE DIRECTOR'S RESPONSE: As explained in Response 27of the RTC, emissions will be monitored by supplier contracts, vent stream flow and composition monitoring, runtime meters, and Audio, Visual, Olfactory (AVO) inspections. The permit holder is also required to maintain records to demonstrate compliance, including the monitoring listed above. Records must be made available upon request to representatives of TCEQ, EPA, or any local air pollution control program having jurisdiction. The Regional Office may perform investigations of the plant as required.

Additionally, TCEQ evaluates all complaints received. An amendment to Texas Water Code § 5.176, effective September 1, 2023, states that the commission is not required to investigate a complaint that was filed by an individual when there is not a reasonable probability that the commission can substantiate the complaint, and the complaint is redundant of other unsubstantiated complaints, or the complainant has filed other previously unsubstantiated complaints. As explained in Response 28, if a facility is found to be out of compliance with the terms and conditions of its permit, it will be subject to investigation and possible enforcement action. Investigations may include an inspection of the site including all equipment, control devices, monitors, and a review of all calculations and required recordkeeping.

REQUEST FOR RECONSIDERATION OF RESPONSE 29: Water Consumption

Karen Boyd, Lauri Bristow, Kimberly Castaneda, Louise Cook, Glenna Elliff, Suzanne Gallagher, Eusebio Hernandez, Adrienne Kerr, Maegan Morales, Andrew Morin, Arsilia Morin, Enrique Naba, Terry Plumley, Robin Reinhard, Alma Marie Studer, Carolyn Walter, Gina Wernig, and Crystal Williams request reconsideration due to concerns of water pollution and water consumption.

Executive Director's Response: As mentioned in Response 29, this proposed permit will regulate the control and abatement of air emissions only. Therefore, issues regarding water quality or discharge and the handling of waste are not within the scope of this review.

REQUEST FOR RECONSIDERATION OF RESPONSE 33: Cumulative Effects

Lucia Abergo, Theressa Adams, Mullin Adkins, Faustino Alaniz, Mandy Alaniz, Riva Alaniz, Rhonda Alejandro, Cindy Almeida, Dalia Alvarez, Tiffany Amrich, Darwin J.

Anderson, Deborah Anderson, Albert Anzaluda, Greg Atchley, Charles Baillie, Chelsea Baillie, Clifton Baillie, Donald Baillie, Sallie Baillie, Velma Barrera, Susan Belardinelli, Marlena Boatwright, Holly Bockholt, Kathleen M. Borhauer, Cordelia Bosquez, Pete Bosquez, Pat A. Botkin, Karen Boyd, Alyson Braden, Amber Brewer, Lauri Bristow, Adolfo Buentello, Arlene Burns, Larry Buxkamper, Alicia Cabrera, Dalmira Calderon, Gary Capeheart, Sharon Capeheart, Phyllis Carrier, Lucia Chavarria, Rosenda Chaves, Rachel M. Cipriano, Teresa Cisneros, Leticia Clark, Cynthia Ann Cleavelin, Concerned Citizen, Pablo Contreras, Louise Cook, Robert Cook, Susan Cornett, Carlos S. Costilla, Dale Crisman, Fransisco Cruz Miranda, Jo Cummings, Debra Davis, Sandra Davis, Jerimey Dear, Laurinda Dear, Giana Delaney, Martha Douglas, Jeffrey Durrwachter, Sonya Durrwachter, Mireille Dziuk, Glenna Elliff, Lydia Ferdin, Erica Flores, Lauren Gaddis, Marta Gaddis, Michael B Gaddis, Suzanne Gallagher, Heidi Garcia, Samantha Garcia, Sandra S. Garcia, Alisha Garza, April Garza, Sara Garza, Wendy Genz, Leticia Gomez, Jean Gonzales, Yolanda H Gonzales, Edward Gonzalez, Linda Goulet, Nova I Gracia, Harriet Granderson, Amelia Green, Art Green, Harold Hansmann, Sara Hansmann, Michael Hatch, Tracie Hatch, Adrienne Havelka, Elida Hernandez, Eusebio Hernandez, Jessica Hernandez, Leticia Hernandez, Manuel Hernandez, Mario Hernandez, Norma Hernandez, Richard Hernandez, Mary K. Hines, William Hirko, Crystal Horne, Jeff Horne, Terry Houchin, Kwamin Huff, Debbie Hunter, Carol Huntsinger, John B. Huntsinger, Vanessa Idrogo, Candido Jimenez, Natalie Jimenez, Jessica Keese, Adrienne Kerr, Janice Kimball, Brenda King, Ruth King, Terri Konarik, Lynn Lastrapes, Karen Lindeburg, Leslie Lockwood, Amanda Lopez, David Lopez, Sara Lopez, Ryan Lynes, Judy Macek, Steve Macek, Maryann Markert, Alexander Marroquin, Angela Marroquin, Ginger Martinez, Juan Martinez, Raymond Martinez, Rebecca Martinez, Dianna Matthews, Tommy A. McBroom, April McClure, Juan Mendoza, Rosemary Mendoza, San Juana Mendoza, Angelyn Moore, Brett Moore, Caleb Ray Morales, Jimmy Morales, Lucia Morales, Leeann Mungia, Rachel Munoz, Ellen Murphy, Patricia Murphy, Enrique Naba, Cheryl Najvar, John Najvar, Christi Naylor, Diana O'Brien, Joe H. Ocanas, Ciera Pakebusch, Jennifer Pantoja, Jessica Perez, Julie E. Perkins, Arnoldas Pivorius, Terry Plumley, Claudia Regalado, Robin Reinhard, Kathy Rios, Oralia Rios, David Rivera, Sandy Rivera, Bonnie Rodriguez, Gabriel Rodriguez, Johnny Rodriguez, Osvaldo Romero, Mary Jane Ross, William C. Ross, Horacio Rubio, Maurine Sacky, Alexis Salinas, Marcy Santos, Janie G. Serna, Johnathan Sharpless, Carolyn Shelby, Maina Smith, Don Stone, Sharon Story, Paul Supak, Terri Supak, Jessica Svetlik, Maureen M. Swedlund, Charles Tenpenny, Dora Tenpenny, Johnnie Thompson, Carmen Tilton, Joseph Tilton, Scott Tilton, Kimberly Tompkins, Olga C. Tschoepe, Felix Vasquez, Rene Vasquez, Yvette Villalobos, Malynn Wahlen, Michael Wahlen, Carolyn Walter, Gina Wernig, Kris White, Crystal Williams, William C. Williams, Veronica Zamorano, and Martin Zurick request reconsideration due to concerns about cumulative emissions from surrounding industrial emitters in the area.

EXECUTIVE DIRECTOR'S RESPONSE: For this type of air permit application, potential impacts to human health and welfare or the environment are determined by comparing the Applicant's proposed air emissions to appropriate state and federal standards and guidelines. As mentioned in Response 1, an impacts analysis was conducted for nitric oxides, carbon monoxide, particulate matter, sulfur dioxide, ammonia, and diesel fuel. Pollutants below the de minimis level should not cause or contribute to a violation of the NAAQS and are protective of human health and the environment. Nitric oxides, particulate matter less than 2.5 microns in diameter, and sulfur dioxide were the only pollutants with concentrations greater than de minimis levels. Therefore, a full NAAQS

analysis was performed for those pollutants to account for cumulative effects by including an evaluation of all on-property sources, applicable off-property sources, and representative monitored background concentrations.

"An off-property impacts evaluation is required for all NSR projects involving BACT."[5] This impacts evaluation may use screening tools or refined air dispersion modeling. The guide further states that the modeling will consider all emissions from the proposed facility, including both point and fugitive sources. The acceptability of the impact's evaluation is determined by comparing the air dispersion modeling predicted emission concentrations from the proposed facility to appropriate state and federal standards, de minimis levels, or health effects guidance levels. The applicant followed these requirements in determining the impacts from this plant. Current rules and guidelines for the impacts require no further evaluation.

REQUEST FOR RECONSIDERATION OF RESPONSE 34: By Products/CO_2

TCHD Consulting LLC requests reconsideration due to concerns of spelling inconsistencies in the Executive Director's RTC altering the Technical Review documents regarding this application.

EXECUTIVE DIRECTOR'S RESPONSE: The Air Permits Division and other applicable TCEQ staff have conducted a thorough review of this permit application to ensure it meets the requirements of all applicable state and federal standards. The Executive Director's RTC addresses all timely, relevant and material, or significant comments received during the comment period and the RTC is distinct from the Technical Review documents. An Applicant is bound by the representations in the Technical Review documents and any grammatical or spelling inconsistencies in the RTC do not alter the representations of the Technical Review documents.

REQUEST FOR RECONSIDERATION OF RESPONSE 39: Odor

Maegan Morales, Enrique Naba, and Michael Wahlen request reconsideration due to concerns of odor from the proposed project.

EXECUTIVE DIRECTOR'S RESPONSE: As explained in Response 39 of the RTC, the odor threshold that TCEQ uses for air permitting is 3,670 μg/m³. However, people with a more sensitive sense of smell may detect ammonia at lower concentrations, and others with a less sensitive sense of smell may detect ammonia at higher concentrations. The purpose of TCEQ odor threshold for air permitting is to prevent odor nuisance conditions, rather than prevention of odor detection. The modeled concentrations of ammonia from the Nueces Green Ammonia plant (100 μg/m³) are much lower than the ammonia odor threshold (3,670 μg/m³). Therefore, this facility is not expected to cause any nuisance odor conditions.

REQUEST FOR RECONSIDERATION OF RESPONSE 41: Modeling Validity

TCHD Consulting LLC requests reconsideration to do concerns about the validity of modeling completed for this application. They specifically ask what meteorological parameters are used in modeling and what worst-case meteorological conditions are

[5] The Air Permit Reviewer Reference Guide (APDG 6110) Air Pollution Control – How to Conduct a Pollution Control Evaluation; Section IV – Specific Control Evaluations; BACT and Impacts Evaluation

included in modeling. Additionally, TCHD Consulting LLC raises concerns that spelling inaccuracies in the RTC alter the Technical Review documents.

EXECUTIVE DIRECTOR'S RESPONSE: TCEQ'S pre-processed meteorological data consists of several meteorological parameters on an hourly basis. The model will simulate the maximum allowable emissions from all sources emitting simultaneously for each hour of the year. The meteorological data accounts for all variations in meteorological conditions for the year and the model will calculate predictions using these data. Additionally, the modeling demonstration accounts for changes in topography across the model domain by incorporating terrain data from the United States Geological Survey (USGS). The maximum predicted ground-level concentration is the worst-case representation considering emissions data, meteorological data, and topography.

Traditionally reported measurements of meteorological variables include temperature, wind speed, wind direction, and cloud cover. For site specific information, AERMET is provided with surface characteristics such as Albedo, Bown Ratio, and surface roughness length, together with sounding data to develop the full set of meteorological data/parameters used in AERMOD.

REQUEST FOR RECONSIDERATION OF RESPONSE 44: Monitoring of Units

TCHD Consulting LLC requests reconsideration due to concerns about record keeping requirements and the requirements to track ammonia usage in the cooling tower.

EXECUTIVE DIRECTOR'S RESPONSE: As explained in Response 44, TCEQ requires all companies with NSR Permits to monitor emissions or parameters (such as flow rate, temperature, pressure, concentration, and/or other reasonable physical traits) and associated sources that have the potential to emit to the atmosphere to be able to determine actual emissions. Specific monitoring requirements under the permit were also described in Response 44. These requirements include record keeping and monitoring of Ammonia (NH_3) associated with and outside of the cooling towers.

These monitoring requirements ensure that the company can properly and accurately report their emissions to Emissions Inventory. If monitored rates exceed emission rates authorized on the Maximum Allowable Emission Rates Table (MAERT), the company is subject to an enforcement action. TCEQ regional staff will inspect the site to ensure monitors are in place and operating as intended. The inspections will also ensure that data is being retained to support the required reporting. This has proven reasonable to ensure that the correct self-monitoring is being implemented and encourages companies to report issues rather than waiting for a site visit to find problems.

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 Hearing 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:

1. whether the requestor is an affected person;
2. which issues raised in the hearing request are disputed;
3. whether the dispute involves questions of fact or of law;
4. whether the issues were raised during the public comment period;
5. 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 Executive Director's Response to Comment;
6. whether the issues are relevant and material to the decision on the application; and
7. 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:

1) 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;
2) 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;
3) request a contested case hearing;
4) 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 Executive Director's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and

5) 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.

a) 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 quality as a personal justiciable interest.

b) 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.

c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

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

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

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

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

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

6) 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

7) 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. In addition, 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.

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:

1. 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;
2. the analysis and opinions of the Executive Director; and
3. any other expert reports, affidavits, opinions, or data submitted by the Executive Director, the applicant, or hearing requestor.

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.

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:

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

30 TAC § 50.115(c).

VII. ANALYSIS OF THE HEARING REQUESTS

The commission received timely hearing requests from the following persons: Shane Adams, Laurie Ann Adams-Keyes, Myra B. Alaniz, Samuel Y. Alaniz, Esperanza Alonzo, Felix Alonzo, Nancy Alvarado, Sandra A. Arizmendi, Ralph Balko, Rebecca Ballard, Miabella Baltierra, Mary Najvar Barbee, Joseph Biberstein, Mona Lisa Biberstein, Holly Bockholt, Amanda Breland, Rachel Caballero, Juanita S. Cadena, Carlos Camacho, Melissa Camacho, Gary Capeheart, Phyllis Carrier, Kelley Jo Carrillo, John Cole Carrillo, John Edward Carrillo, Kimberly Castaneda, Michael Castaneda, Jazzlyn D. Castro, Imelda Chapa, Debbie Cleveland, Michael Cleveland, Anita Contreras, Deanna Contreras, Pablo Contreras, Abel Cortez, Bette Cranford, Aaron De La Rosa, Abel De La Rosa, Abel Manuel De La Rosa, Robert Dennis, Sara Dennis, Eileen Doherty, David M. Donald, Deborah Donald, Brittany Donald, Cassandra Driscoll, Christopher M. Driscoll, Emily Esquivel, Lawrence Fuhrken, Suzanne Gallagher, Fernando Garcia, Juan G. Garcia, Santos Franco

Garcia, Emma G. Garza, Hermelinda L. Garza, Jorge Luis Garza, Luis Garza, Luis L. Garza, Ruben Garza, John V. Ginn, Christina Gomez, Sally Gomez, Alejandra Gonzalez, Enrique B. Gonzalez, Irma Gonzalez, Jennifer Gracia, Jason R. Hale, Mark S. Heatherton, Ronald T. Hellberg, Anna Hernandez, Lauro Hernandez, Marivel Hernandez, Martina Hernandez, Abel Herrero, Matilda Herrero, Delia Leal Herriman, Ernest Herriman, Clay Hilton, Juan "Chuy" Hinojosa, Chelsea Leigh Hodges, Bruce Hoelscher, Penny Hoelscher, Jaimee Hopfe, Rebecca T. Ibarra, Linda Johnson, Renee Kozak, Ruben M. Leal, Veronica Valle Leal, Israel Sebastyn Longoria, Nora Longoria, Stephen R. Lorenz, Denise H. Otahal, Rocky Lorenz, Diana Lum, Rocky Lum, San Juanita Luna, Randy M., Barbara Mann, Edward John Marez, Monica Marines, Bianca Martinez, Doris McDermott, Irma Medrano, Arthur L. Mireles, Sandy Mireles, Jesus S. Molina, Justin Morales, Juan G. Moreno, Alvin Morin, Arsilia Morin, Yolanda Morin, Solomon Ortiz, Denise Hoff Otahal, Apolonio Paredez Jr, Apolonio Paredez, Ashley Paredez, Ester Maria Paredez, Tara Paredez, Gerald Perez, Trudy L. Perriraz, George F Picha, Laura Picha, Christopher Pruitt, Janie Ramirez, Robert C. Ramirez, Sara Ramirez, Mary Rodriguez, Ruben Rodriguez, Lorenzo Rojas, Magdalena Rojas, Bobbie Jo Salinas, Joshua Samaniego, Miguel Santillan, Victoria Sharpless, Marie Studer, Odilia G. Torrez, Alicia R. Trevino, Jose H. Trevino, Jeannette Truax, Karen R. Vaughan, Jaslynne Vela, Elexie Villarreal, Aaron Villiva, Belinda Villiva, Tim Walz, Cosme Williams, Sabrina Winchester, Mario Ybarra, Mary Ybarra, Elizabeth Zurick, and Concerned Citizens of Robstown and Callalen.

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.

VIII. Persons the Executive Director Recommends the Commission Find are Affected Persons

1. Individuals

Myra B. Alaniz

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 Myra B. Alaniz is an affected person.

Ms. Alaniz submitted five hearing requests during the comment period and one hearing request during the hearing request period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Several issues from her hearing requests were raised in her timely public comments. The Executive Director determined that Ms. Alaniz lives approximately 0.76 miles away from the proposed facility. In her hearing requests, Ms. Alaniz raises concerns regarding her health, as she suffers from autoimmune issues, respiratory conditions, and allergy symptoms. Ms. Alaniz also raised concerns about the impact to the use and enjoyment of her property with respect to the maintenance of her livestock and crops, as well as potential impacts to her livestock and crops, including horses, chickens, and vegetables.

Based on the location of her property, issues raised, and interests affected by the application, Myra B. Alaniz has identified personal justiciable interests not common to

members of the general public. Therefore, the Executive Director recommends that the Commission find that Myra B. Alaniz is an affected person based on the criteria set forth in 30 TAC § 55.203.

In her hearing requests Ms. Alaniz raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 7: Whether the proposed plant would contribute to nuisance odor.

Issue 11: Whether the proposed plant would adversely affect quality of life.

Issue 14: Whether the proposed plant would adversely affect water quality.

Samuel Y. Alaniz

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 Samuel Y. Alaniz is an affected person.

Mr. Alaniz submitted one hearing request during the hearing request period and raised several issues that were based on timely filed comments. His hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Mr. Alaniz lives approximately 0.76 miles from the proposed plant and raises personal justiciable issues not common to the general public. In his hearing request, Mr. Alaniz raised concerns about potential health effects, as he suffers from autoimmune health issues, upper respiratory issues, and other allergy symptoms, and spends many hours outside maintaining his ranch. Mr. Alaniz also raised concerns about the impacts to his livestock and crops, including horses, chickens, and vegetables.

Based on the location of his property, issues raised, and interests affected by the application, Samuel Y. Alaniz identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Samuel Y. Alaniz is an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Alaniz raised the following issues that were also raised in his timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 11: Whether the proposed plant would adversely affect quality of life.

Issue 13: Whether the proposed plant would adversely affect soil quality.

Issue 14: Whether the proposed plant would adversely affect water quality.

Issue 16: Whether the proposed permit meets all BACT requirements.

Issue 19: Whether the proposed permit considered extreme weather conditions in modeling.

Sandra A. Arizmendi

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 Sandra A. Arizmendi is an affected person.

Ms. Arizmendi submitted two hearing requests, one during the comment period and one during the hearing request period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Using the address provided in her hearing request, the Executive Director determined that Ms. Arizmendi's residence is 0.07 miles from the proposed plant location. Ms. Arizmendi raised concerns about adverse health effects from the proposed plant due to her diabetes and severe allergies. She is also concerned about adverse impacts to the use and enjoyment of her property, including outdoor activities such as tending to her chickens.

Based on the location of her property, issues raised, and interests affected by the application, Sandra A. Arizmendi identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Sandra A. Arizmendi is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing requests, Ms. Arizmendi raises the following concerns that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 7: Whether the proposed plant would contribute to nuisance odor.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

Issue 16: Whether the proposed permit meets all BACT requirements.

Issue 17: Whether the proposed plant is a major or minor source.

Issue 18: Whether the proposed permit includes accurate emission rates and calculations.

Issue 20: Whether the proposed permit included background emissions during modeling.

Issue 22: Whether the Applicant submitted a PIP (Public Involvement Plan).

Kelly Jo Carrillo

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 Kelly Jo Carrillo is an affected person.

Ms. Carrillo submitted three hearing requests during the comment period and hearing request period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Carrillo lives approximately 0.11 miles away from the proposed plant and raised concerns of health effects and adverse impacts on the use and enjoyment of her property, including the ability to raise livestock and participate in other outdoor activities on her property. She raised concerns about adverse impacts to the health of her animals and the potential financial loss of the impacts on her livestock.

Based on the location of her property, issues raised, and interests affected by the application, Kelly Jo Carrillo identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Kelly Jo Carrillo is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing requests, Ms. Carrillo raises the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 11: Whether the proposed plant would adversely affect quality of life.

Kimberly Castaneda

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 Kimberly Castaneda is an affected person.

Ms. Castaneda submitted one hearing request during the comment period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Castaneda lives approximately 0.51 miles

away from the proposed plant and raised concerns about potential health effects from the proposed plant on her children's health.

Based on the location of her property, issues raised, and interests affected by the application, Kimberly Castaneda identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Kimberly Castaneda is an affected person based on the criteria set out in 30 TAC § 55.203.

In hearing requests, Ms. Castaneda raises the following issues that were also raised in her comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Michael Castaneda

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 Michael Castaneda is not an affected person.

Mr. Castaneda submitted one hearing request during the comment period. His hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Mr. Castaneda lives approximately 0.51 miles away from the proposed plant and raised concerns about potential emergency events and the impacts on the health of his children.

Based on the location of his property, issues raised, and interests affected by the application, Michael Castaneda identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Michael Castaneda is an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Castaneda raised the following issues:

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Anita Contreras

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 Anita Contreras is an affected person.

Ms. Contreras submitted one hearing request during the comment period and one hearing request during the hearing request period. Her hearing requests were in writing and provided the required contact information. Based on the address provided, the Executive Director determined that Ms. Contreras' property is 0.09 miles from the proposed plant. In her hearing requests, Ms. Contreras raised concerns about health

effects from the proposed plant, as she is elderly and is concerned about exacerbation of her health issues.

Based on the location of her property, issues raised, and interests affected by the application, Anita Contreras identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Anita Contreras is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Contreras raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Deanna Contreras

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 Deanna Contreras is an affected person.

Ms. Contreras submitted one hearing request during the comment period and one hearing request during the hearing request period. Her hearing request was in writing and provided the required contact information. Based on the address provided, the Executive Director determined that Ms. Contreras' property is 0.09 miles from the proposed plant. In her hearing requests, Ms. Contreras raised concerns about health effects from the proposed plant, as her children suffer from asthma, and the potential for emergencies.

Based on the location of her property, issues raised, and interests affected by the application, Deanna Contreras identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Deanna Contreras is an affected person based on the criteria set out in 30 TAC § 55.203.

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

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 20: Whether the proposed permit included background emissions during modeling.

Pablo Contreras

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 Pablo Contreras is an affected person.

Mr. Contreras submitted one hearing request during the comment period and one hearing request during the hearing request period. His hearing request was in writing and provided the required contact information. Based on the address provided, the Executive Director determined that Mr. Contreras' property is 0.09 miles from the proposed plant. In his hearing requests, Mr. Contreras raised concerns about health effects from the proposed plant and impacts on the use and enjoyment of his property, as he has allergies and enjoys fishing on his land.

Based on the location of his property, issues raised, and interests affected by the application, Pablo Contreras identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Pablo Contreras is an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Contreras raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 21: Whether the proposed permit included background emission during modeling.

Eileen Doherty

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 Eileen Doherty is an affected person.

Ms. Doherty submitted one hearing request during the hearing request period and one hearing request during the comment period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of her hearing request. Ms. Doherty lives approximately 0.55 miles away from the proposed plant and raised concerns about health effects due to her compromised respiratory issues, as well as impacts to her chickens and eggs on her property.

Based on the location of her property, issues raised, and interests affected by the application, Eileen Doherty identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Eileen Doherty is an affected person based on the criteria set out in 30 TAC § 55.203.

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

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 20: Whether the proposed permit included background emissions during modeling.

Brittany Donald

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 Brittany Donald is an affected person.

Ms. Donald submitted one hearing request during the hearing request period and one comment during the comment period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of her hearing request. Ms. Donald lives approximately 0.51 miles away from the proposed plant and raised concerns about health effects due to her chronic heart condition and impacts to her livestock and crops, particularly her horses.

Based on the location of her property, issues raised, and interests affected by the application, Brittany Donald identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Brittany Donald is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing requests Ms. Donald raised the following issues that were also raised in her comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

David M. Donald

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 David M. Donald is an affected person.

Mr. Donald submitted five hearing requests during the comment period and hearing request period. His hearing requests were in writing, provided the required contact information, and included issues that are the basis of his hearing request. Mr. Donald identified a property where he resides that is 0.53 miles from the proposed plant. Mr. Donald raised concerns about the effects to his ranch, including impacts to his crops, horses, and cattle. He also raised concerns regarding his health, as he suffers from an autoimmune disease that impacts his respiratory health.

Based on the location of his property, issues raised, and interests affected by the application, David M. Donald identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that David M. Donald is an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing requests and comments, Mr. Donald raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 5: Whether the proposed plant location is appropriate.

Issue 14: Whether the proposed plant would adversely affect water quality.

Issue 20: Whether the proposed permit included background emissions during modeling.

Issue 21: Whether the proposed permit met all public notice requirements.

Deborah Donald

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 Deborah Donald is an affected person.

Ms. Donald submitted seven hearing requests during the comment period and hearing request period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of her hearing request. Ms. Donald lives approximately 0.53 miles away from the proposed plant, and raised concerns about health effects and impacts on her livestock and crops, specifically her horses, young cattle, dogs, and cats. Ms. Donald also suffers from an autoimmune disease and raised concerns that the operation of the plant will exacerbate her symptoms and adversely impact the use and enjoyment of her property, particularly when she does outdoor activities to maintain her ranch.

Based on the location of her property, issues raised, and interests affected by the application, Deborah Donald identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Deborah Donald is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Donald raised the following issues that were also raised in her comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 19: Whether the proposed permit considered extreme weather conditions in modeling.

Issue 21: Whether the proposed permit met all public notice requirements.

Alvin Morin

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 Alvin Morin is an affected person.

Mr. Morin submitted three hearing requests during the hearing request period and comment period. His hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Mr. Morin lives approximately 0.11 miles away from the proposed plant and raised concerns about potential health effects, impacts to the use and enjoyment of his property, and impacts to water systems on his property. Mr. Morin uses his property to fish, hunt, and maintain livestock such as goats, chickens, and pigs.

Based on the location of his property, issues raised, and interests affected by the application, Alvin Morin identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Alvin Morin is an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing requests and comments, Mr. Morin raised the following issues that were also raised in his timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 4: Whether the proposed plant will impact air quality.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 10: Whether the proposed plant would adversely impact property values.

Arsilia Morin

The Executive Director reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the Commission find that Arsilia Morin is an affected person.

Ms. Morin submitted two requests for a contested case hearing during the comment period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Some of the issues raised in this hearing request were based on timely filed comments. Ms. Morin lives approximately 0.53 miles away from the proposed facility and raises the personal justiciable interests of health effects and concerns about plant location relative to her residence.

Based on the location of her property, issues raised, and interests affected by the application, Arsilia Morin has identified personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Arsilia Morin is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Morin raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 5: Whether the proposed plant location is appropriate.

Yolanda Morin

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 Yolanda Morin is an affected person.

Ms. Morin submitted one hearing request during the hearing request period and one during the comment period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Morin lives approximately 0.11 miles away from the proposed plant and raised concerns about potential health effects, impacts to the use and enjoyment of her property, and impacts to water systems on her property. Ms. Morin maintains animals on her property, including goats, chickens, pigs, dogs, fish, and ducks, and is concerned about impacts to their health from the proposed plant.

Based on the location of her property, issues raised, and interests affected by the application, Yolanda Morin identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Yolanda Morin is an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing requests, Ms. Morin raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

Issue 9: Whether the proposed plant would contribute to nuisance light pollution.

Issue 10: Whether the proposed plant would adversely impact property values.

George F. Picha

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 George F. Picha is an affected person.

Mr. Picha submitted one hearing request during the comment period that was in writing, provided the necessary contact information and raised issues that are the basis of his hearing request. Using the address provided in his hearing request, the Executive Director determined that Mr. Picha is 0.94 miles from the proposed plant. In his hearing request, Mr. Picha raised concerns about the impact of the proposed plant on his crops that he sells and eats. Mr. Picha is also concerned about impacts to air quality and adverse health effects as he spends numerous hours outside tending to his garden.

Based on the location of his property, issues raised, and interests affected by the application, George F. Picha identifies personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that George F. Picha is an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Picha raises the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 15: Whether the proposed plant would contribute to water availability issues.

2. Groups/Associations

Concerned Citizens of Robstown and Calallen

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

Members of Concerned Citizens of Robstown and Calallen left timely comments on behalf of the organization during the public comment period. Concerned Citizens of Robstown and Calallen requested a contested case hearing during the hearing request period. Therefore, the Executive Director recommends that the Commission find that Concerned Citizens of Robstown and Calallen met this requirement.

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

Concerned Citizens of Robstown and Calallen have identified members of the group that have standing to request a hearing in their own right. Myra Alaniz, Samuel Alaniz, Alvin Morin, Yolanda Morin, and Sandra Arizmendi. The group identified Humberto Arizmendi as a member, however Mr. Arizmendi did not leave any timely comments on the application, therefore he cannot be an affected person in his own right.

The Executive Director recommends that Samuel Alaniz, Myra Alaniz, Alvin Morin, Yolanda Morin, and Sandra Arizmendi are affected persons in their own right.[6] Therefore, the Executive Director recommends that the Commission find that Concerned Citizens of Robstown and Calallen have met this requirement for associational standing.

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

Concerned Citizens of Robstown and Calallen is an unincorporated non-profit group that aims to protect quality of life, the environment, the health of their community, and is opposed to the proposed project. The Executive Director recommends that the Commission find that the interests of Concerned Citizens of Robstown and Calallen are germane to their purpose, and furthermore that the group has met this requirement for associational standing.

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[6] *See supra* Part VII.1

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

The relief requested does not require the participation of individual members of the case. Therefore, the Executive Director recommends that the Commission find that the Concerned Citizens of Robstown and Calallen has met this requirement of associational standing.

Concerned Citizens of Robstown and Calallen met all requirements for associational standing under 30 TAC § 55.205(b). Therefore, the Executive Director recommends that the Commission find that Concerned Citizens of Robstown and Calallen is an affected organization.

In their hearing request, the Concerned Citizens of Robstown and Calallen raised the following issues that were also raised in their timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 7: Whether the proposed plant would contribute to nuisance order.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

Issue 9: Whether the proposed plant would contribute to nuisance light pollution.

Issue 16: Whether the proposed permit meets all BACT requirements.

Issue 18: Whether the proposed permit includes accurate emission rates and calculations.

Issue 20: Whether the proposed permit included background emissions during modeling.

IX. Persons the Executive Director Recommends the Commission Find are NOT Affected Persons

1. Hearing Requesters that did not substantially comply with the requirements of 30 TAC § 55.201

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d) for determining whether a requestor is an affected person, and recommends that the commission find that Shane Adams, Laurie Ann Adams-Keyes, Ralph Balko, Miabella Baltierra, Joseph Biberstein, Juanita S. Cadena, Carlos Camacho, Melissa Camacho, Jazzlyn D. Castro, Imelda Chapa, Mr. Abel Cortez, Mrs. Abel Cortez, Aaron De La Rosa, Abel De La Rosa, Abel Manuel De La Rosa, Cassandra Driscoll, Christopher M. Driscoll, Emily Esquivel, Fernando Garcia, Juan G. Garcia, Santos Franco Garcia, Emma G. Garza, Hermelinda L. Garza, Jorge Luis Garza, Luis Garza, Luis L. Garza, Ruben Garza, John V. Ginn, Christina Gomez, Sally Gomez, Alejandra Gonzalez, Enrique B. Gonzalez, Irma Gonzalez, Mark S Heatherton, Anna Hernandez, Lauro Hernandez, Marivel Hernandez, Martina Hernandez, Delia Leal Herriman, Ernest Herriman, Clay Hilton, Jaimee Hopfe, Rebecca T. Ibarra, Ruben M. Leal, Veronica Valle Leal, Israel Sebastyn Longoria, Israel Sebastyn Longoria, Jr., Nora Longoria, Diana Lum, Rocky Lum, San Juanita Luna, Barbara Mann, Monica Marines, Irma

Medrano, Arthur L. Mireles, Sandy Mireles, Justin Morales, Juan G. Moreno, Apolonio Paredez, Christopher Pruitt, Janie Ramirez, Robert C. Ramirez, Sara Ramirez, Lorenzo Rojas, Magdalena Rojas, Bobbie Jo. Salinas, Alicia R. Trevino, Jose H. Trevino, Jeannette Truax, Jaslynne Vela, Elexie Villarreal, Aaron Villiva, Belinda Villiva, Cosme Williams, Mario Ybarra, and Mary Ybarra are not affected persons. These individuals submitted a timely request for a contested case hearing; however, they did not substantially comply with 30 TAC § 55.201(c) because they did not submit nor rely on previous timely comments. Additionally, Nancy Alvarado and Solomon Ortiz did not provide a physical address, as required by 30 TAC § 55.201(d). Therefore, the Executive Director recommends that the commission find that the requesters listed above are not affected persons.

2. Hearing Requestors outside of 5 miles from the plant

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find the following persons are not affected: Rachel Caballero, Jennifer Garcia, Jason R. Hale, Abel Herrero, Juan "Chuy" Hinojosa, Edward John Marez, Doris McDermott, Joshua Samaniego, and Sabrina Winchester.

Based on the addresses provided, the ED determined that the requesters listed above live in the state of Texas but beyond the area immediately surrounding the location of the proposed plant. For air authorizations, distance from the proposed plant 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 plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the location of the requesters' residences relative to location of the proposed plant, the requesters' health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that the requesters listed above are not affected persons based on the criteria in 30 TAC § 55.203.

3. Hearing Requestors residing in the immediately surrounding location

Esperanza Alonzo

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 Esperanza Alonzo is not an affected person.

Ms. Alonzo submitted one hearing request during the hearing request period. Her hearing request was in writing and provided the required contact information and included some issues that are the basis of the hearing request that were also raised in her timely comments. Ms. Alonzo lives approximately 2.26 miles away from the proposed plant and raised concerns about potential health effects from the proposed plant on her and her children's health.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Alonzo's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Esperanza Alonzo is not an affected person.

In her hearing request, Ms. Alonzo raised the following issues that were also raised in her timely comment:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Felix Alonzo

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 Felix Alonzo is not an affected person.

Mr. Alonzo submitted one timely hearing request during the hearing request period. His request was in writing and provided the required contact information. Mr. Alonzo raised several issues in his hearing request that were also raised in his timely comments. Using the address provided in his hearing request, the Executive Director determined that Mr. Alonzo's residence is 2.26 miles from the proposed plant location. In his hearing request Mr. Alonzo raises concerns such as potential health effects but does not provide reasons as to how the regulated activity would impact his health and safety or the use of his property.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Alonzo's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Additionally, Mr. Alonzo did not raise any personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Felix Alonzo is not an affected person.

In his hearing request, Mr. Alonzo raised the following issues that were also raised in his timely comments:

Issue 5: Whether the proposed plant location is appropriate.

Rebecca Ballard

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 Rebecca Ballard is not an affected person.

Ms. Ballard submitted one timely hearing request during the comment period. Her hearing request was in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Ballard's residence is 2.01 miles from the proposed plant location. In her hearing request, Ms. Ballard raised general concerns about the proposed location of the plant as it relates to schools, local businesses, churches, and farms.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Ballard's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Ballard did not raise any personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Rebecca Ballard is not an affected person.

In her hearing request, Ms. Ballard raised the following issue:

Issue 5: Whether the proposed plant location is appropriate.

Mary Najvar Barbee

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 Mary Najvar Barbee is not an affected person.

Ms. Barbee submitted one timely hearing request during the hearing request period. Her hearing request was in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Barbee's residence is 2.99 miles from the proposed plant location. In her hearing request, Ms. Barbee raised general concerns about cumulative emissions, lack of monitoring, air quality effects, and location of the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Barbee's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Based on her location relative to the proposed plant, and the failure to raise personal justiciable interests not common to members of the general public in her hearing request, the Executive Director recommends that the Commission find that Mary Najvar Barbee is not an affected person.

In her hearing request, Ms. Barbee raised the following issue that was also raised in her timely comment:

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Mona Lisa Biberstein

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 Mona Lisa Biberstein is not an affected person.

Ms. Biberstein submitted one timely hearing request during the comment period and one hearing request during the hearing request period. Her hearing request was in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Biberstein's residence is 2.14 miles from the proposed plant location. In her hearing request, Ms. Biberstein raised concerns about potential emergency situations and response plans.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Biberstein's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Biberstein did not raise any personal justiciable interests not common to members of the general public. Therefore, the Executive Director recommends that the Commission find that Mona Lisa Biberstein is not an affected person.

In her hearing request, Ms. Biberstein raised the following issue that was also raised in her timely comments:

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Amanda Breland

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 Amanda Breland not an affected person.

Ms. Breland submitted one timely hearing request during the comment period that was in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Breland's residence is 4.41 miles from the proposed plant. In her hearing request, Ms. Breland raised concerns about health effects and air quality, impacts to wildlife, and location.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Breland's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Amanda Breland is not an affected person.

In her hearing request, Ms. Breland raised the following concerns:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 12: Whether the proposed permit considered corporate profits or tax abatements of Applicant.

Holly Bockholt

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 Holly Bockholt is not an affected person.

Ms. Bockholt submitted two hearing requests during the comment period and hearing request period. Her hearing requests were in writing, provided the required contact information, physical address, and included issues that are the basis of the hearing request. Ms. Bockholt lives approximately 6.33 miles from the proposed plant. However, Ms. Bockholt identified another property in her hearing request, which the executive director determined to be 2.40 miles away from the proposed plant. In her hearing request, Ms. Bockholt raised concerns about the impacts to the use and enjoyment of her additional property, particularly outdoor activities involved in maintaining livestock

and crops. She also raised concerns that her allergies may be exacerbated by emissions from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Bockholt's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Holly Bockholt is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing requests Ms. Bockholt raised the following issues that were also raised in her timely public comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 20: Whether the proposed permit included background emissions during modeling.

Gary Capeheart

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 Gary Capeheart is not an affected person.

Mr. Capeheart submitted one timely hearing request during the comment period that was in writing and provided the required contact information. Using the address provided in his hearing request, the Executive Director determined that Mr. Capeheart's residence is 2.67 miles from the proposed plant. In his hearing request, Mr. Capeheart raised general concerns about other required authorizations, emergency response preparedness, zoning concerns, and environmental impacts.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Capeheart's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Based on his location relative to the proposed plant, and the failure to raise personal justiciable interests not common to members of the general public in his hearing request, the Executive Director recommends that the Commission find that Gary Capeheart is not an affected person.

In his hearing request, Mr. Capeheart raised the following Issues:

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Phyllis Carrier

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 Phyllis Carrier is not an affected person.

Ms. Carrier submitted one timely hearing request during the comment period that was in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Carrier's residence is 2.54 miles from the proposed plant. In her hearing request that relied on her previous comments, Ms. Carrier raised concerns about potential health effects and impacts to the rural community's ranchland.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Carrier's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Based on her location relative to the proposed plant, and the failure to raise personal justiciable interests not common to members of the general public in her hearing request, the Executive Director recommends that the Commission find that Phyllis Carrier is not an affected person.

In her hearing request that referenced her prior comment, Ms. Carrier raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 15: Whether the proposed plant would contribute to water availability issues.

John Cole Carrillo

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 John Cole Carrillo is not an affected person.

Mr. Carrillo submitted three hearing requests during the comment period and hearing request period. His hearing requests were in writing, provided the required contact information, and included issues that were the basis of the hearing request. Mr. Carrillo lives approximately 2.14 miles away from the proposed plant and raised concerns of health effects and adverse impacts to his use and enjoyment of property, including the ability to raise livestock and participate in other outdoor activities. He raised concerns about the impacts to the health of his animals and the potential financial loss of the impacts on his livestock.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Carrillo's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general

public. Therefore, the Executive Director recommends that the Commission find that John Cole Carrillo is not an affected person.

In his hearing requests, Mr. Carrillo raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 11: Whether the proposed plant would adversely affect quality of life.

Issue 14: Whether the proposed plant would adversely affect water quality.

John Edward Carrillo

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 John Edward Carrillo is not an affected person.

Mr. Carrillo submitted two hearing requests during the comment period and hearing request period. His hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Mr. Carrillo lives approximately 2.14 miles away from the proposed plant and raised concerns of health effects and adverse impacts to his use and enjoyment of property, including his ability to raise livestock and participate in other outdoor activities. He raised concerns about the impacts on the health of his animals and the potential financial loss of the impacts on his livestock.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Carrillo's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that John Edward Carrillo is not an affected person.

In his hearing requests, Mr. Carrillo raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 11: Whether the proposed plant would adversely affect quality of life.

Issue 14: Whether the proposed plant would adversely affect water quality.

Issue 21: Whether the proposed permit met all public notice requirements.

Debbie Cleveland

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 Debbie Cleveland is not an affected person.

Ms. Cleveland submitted one hearing request during the comment period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Cleveland lives approximately 2.4 miles away from the proposed plant and raised concerns about potential health effects from the proposed plant on her and her husband's health.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Breland's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Debbie Cleveland is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Cleveland raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 14: Whether the proposed plant would adversely affect water quality.

Michael Cleveland

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 Michael Cleveland is not an affected person.

Mr. Cleveland submitted one hearing request during the comment period. His hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Mr. Cleveland lives approximately 2.4 miles away from the proposed plant and raised concerns about potential health effects from the proposed plant on his and his wife's health.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Cleveland's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Michael Cleveland is not an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Cleveland raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 14: Whether the proposed plant would adversely affect water quality.

Bette Cranford

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 Bette Cranford is not an affected person.

Ms. Cranford submitted two timely hearing requests during the comment period that were in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Cranford's residence is 4.36 miles from the proposed plant. In her hearing requests, Ms. Cranford raised concerns about the location of the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Cranford's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Based on her location relative to the proposed plant, and the failure to raise personal justiciable interests not common to members of the general public in her hearing request, the Executive Director recommends that the Commission find that Bette Cranford is not an affected person.

In her hearing request, Ms. Cranford raised the following issues:

Issue 5: Whether the proposed plant location is appropriate.

Robert Dennis

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 Robert Dennis is not an affected person.

Mr. Dennis submitted one timely hearing request during the hearing request period that was in writing and provided the required contact information. Using the address provided in his hearing request, the Executive Director determined that Mr. Dennis' residence is 3.14 miles from the proposed plant. In his hearing request, Mr. Dennis raised concerns about potential health effects, lack of monitoring, and cumulative emissions from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Dennis' address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. The Executive Director recommends that the Commission find that Robert Dennis is not an affected person.

In his hearing request, Mr. Dennis did not raise any issues that were also raised in his comments.

Sara Dennis

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 Sara Dennis is not an affected person.

Ms. Dennis submitted one timely hearing request during the hearing request period that was in writing and provided the required contact information. Using the address provided in his hearing request, the Executive Director determined that Ms. Dennis' residence is 3.14 miles from the proposed plant. In her hearing request, Ms. Dennis raised concerns about potential health effects, impacts to her animals, lack of monitoring, and cumulative emissions from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Dennis' address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. The Executive Director recommends that the Commission find that Sarah Dennis is not an affected person.

In her hearing request, Sara Dennis did not raise any issues that were also raised in her comments.

Lawrence Fuhrken

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 Lawrence Fuhrken is not an affected person.

Mr. Fuhrken submitted one hearing request during the hearing request period. His hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request, and concerns in his previous comments. Mr. Fuhrken lives approximately 1.02 miles away from the proposed plant and raised concerns about potential health effects and impacts to his use and enjoyment of his property, particularly impacts to the chickens and eggs Mr. Fuhrken raises for food.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Fuhrken's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Lawrence Fuhrken is not an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing requests Mr. Fuhrken raises the following issues that were also raised in his comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

Issue 10: Whether the proposed plant would adversely impact property values.

Issue 12: Whether the proposed permit considered corporate profits or tax abatements of Applicant.

Issue 20: Whether the proposed permit included background emissions during modeling.

Suzanne Gallagher

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 Suzanne Gallagher is not an affected person.

Ms. Gallagher submitted two hearing requests during the hearing request period and the comment period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request, and raised concerns in her previous comments. Ms. Gallagher lives approximately 2.5 miles away from the proposed plant and raised concerns about health effects, odor, and impacts to her use and enjoyment of her property.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Gallagher's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Suzanne Gallagher is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her comments and hearing requests, Ms. Gallagher raises the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 7: Whether the proposed plant would contribute to nuisance odor.

Issue 20: Whether the proposed permit included background emissions during modeling.

Chelsea Leigh Hodges

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 Chelsea Leigh Hodges is not an affected person.

Ms. Hodges submitted one hearing request during the hearing request period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Hodges lives approximately 2.14

miles away from the proposed plant and raised concerns about potential health effects from the proposed plant on her and her children's health. Ms. Hodges suffers from eczema and is concerned that operation of the plant will adversely impact the use and enjoyment of her property, as she and her children spend a lot of time outdoors.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Hodges' address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Chelsea Leigh Hodges is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Hodges raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 20: Whether the proposed permit included background emissions during modeling.

Bruce K. Hoelscher

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 Bruce K. Hoelscher is not an affected person.

Mr. Hoelscher submitted one hearing request during the hearing request period. Using the address provided in his hearing request, the Executive Director determined that Mr. Hoelscher's residence is 1.61 miles from the proposed plant. In his hearing request, Mr. Hoelscher raised concerns about monitoring, location, and health concerns in the future.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Hoelscher's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Bruce K. Hoelscher is not an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Hoelscher raised the following issues that were also raised in his public comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Penny Hoelscher

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 Penny Hoelscher is not an affected person.

Ms. Hoelscher submitted two hearing requests, one during the comment period and one during the hearing request period. Her hearing requests were in writing and provided the necessary contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Hoelscher's residence is 1.61 miles from the proposed plant. In her hearing requests, Ms. Hoelscher raised concerns about location of the proposed plant and emergency preparedness.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Hoelscher's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Penny Hoelscher is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Hoelscher raised the following issues that were also raised in her public comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Matilda Herrero

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 Matilda Herrero is not an affected person.

Ms. Herrero submitted one hearing request during the public comment period. Her hearing request was in writing and provided the necessary contact information. Using the physical address provided, the Executive Director determined that Ms. Herrero's residence is 2.62 miles from the proposed plant. In her public comments, Ms. Herrero raised concerns about her son's health.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Herrero's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Matilda Herrero is not an affected person.

In her public comments, Ms. Herrero raised the following issues

Issue 1: Whether the permit would be protective of human health.

Linda Johnson

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 Linda Johnson is not an affected person.

Ms. Johnson submitted one public hearing request during the comment period. Her hearing request was in writing and provided the necessary contact information. Using the address provided the Executive Director determined that Ms. Johnson's residence is 2.78 miles from the proposed plant. Ms. Johnson referenced another property closer to the proposed site but did not provide a physical address for that property, therefore the Executive Director cannot determine her distance from the proposed site from that property. In her public hearing request and comment Ms. Johnson raised concerns about the location of the proposed plant and impact on air quality.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Johnson's listed address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Johnson did not provide a personal justiciable interest not common to the general public in her hearing request. Therefore, the Executive Director recommends that the Commission find that Linda Johnson is not an affected person.

In her public hearing request, Ms. Johnson raised the following issues that were also raised in her comments:

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Stephen R. 'Rocky' Lorenz

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 Stephen Rocky Lorenz is not an affected person.

Mr. Lorenz submitted one hearing request during the comment period and one hearing request during the hearing request period that was in writing and provided the necessary contact information. Using the address provided, the Executive Director determined that Mr. Lorenz's residence is 3.20 miles from the proposed plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Lorenz's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Additionally, Mr. Lorenz did not raise any personal justiciable interests. Therefore, the Executive Director recommends that Stephen Rocky Lorenz is not an affected person.

In his hearing request, Stephen Rocky Lorenz raised the following issue:

Issue 5: Whether the proposed plant location is appropriate.

Randy M.

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 Randy M. is not an affected person.

Randy M. submitted one hearing request during the comment period that was in writing and provided the necessary contact information. Using the address provided, the Executive Director determined that Randy's residence is 2.93 miles from the proposed plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Randy's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Additionally, Randy M. did not raise any personal justiciable interests nor any issues of disputed fact or law. Therefore, the Executive Director recommends that Randy M. is not an affected person.

Bianca Martinez

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 Bianca Martinez is not an affected person.

Bianca Martinez submitted one hearing request during the comment period that was in writing and provided the necessary contact information. Using the address provided, the Executive Director determined that Ms. Martinez's residence is 2.79 miles from the proposed plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Martinez's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Martinez did not raise any personal justiciable interests nor any issues of disputed fact or law. Therefore, the Executive Director recommends that Bianca Martinez is not an affected person.

Jesus M. Molina

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 Jesus M. Molina is not an affected person.

Mr. Molina submitted one request for a public hearing during the comment period that was in writing and provided the required contact information. Using the address provided in his hearing request, the Executive Director determined that Mr. Molina's residence is 4.98 miles from the proposed plant. In his hearing request, Mr. Molina raised general concerns about the location of the proposed plant as it relates to residences.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Molina's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Additionally, Mr. Molina did not raise any personal justiciable interests nor any issues of disputed fact or law. Therefore, the Executive Director recommends that Jesus M. Moina is not an affected person.

Denise Hoff Otahal

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 Denise Hoff Otahal is not an affected person.

Ms. Otahal submitted one hearing request during the hearing request period and two hearing requests during the comment period that were in writing and provided the

required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Otahal's residence is 3.20 miles from the proposed plant. In her hearing request, Mr. Otahal referred to her previous comments, which raised concerns regarding the location, impacts to air quality, and potential odor from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Otahal's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Otahal did not raise any personal justiciable interests in her hearing requests or comments. Therefore, the Executive Director recommends that Denise Hoff Otahal is not an affected person.

In her hearing request, Ms. Otahal raised the following issues that were also raised in her comments:

Issue 5: Whether the proposed plant location is appropriate.

Issue 7: Whether the proposed plant would contribute to nuisance odor.

Ashley Paredez

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 Ashley Paredez is not an affected person.

Ms. Paredez submitted one hearing request during the comment period that was in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Paredez's residence is 1.13 miles from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Paredez's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Paredez did not provide any personal justiciable interests not common to the general public. Therefore, the Executive Director recommends that the Commission find that Ashely Paredez is not an affected person.

In her hearing request, Ashely Paredez raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

Issue 10: Whether the proposed plant would adversely impact property values.

Issue 24: Whether the proposed plant would contribute to increased traffic.

Ester Maria Paredez

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 Ester Maria Paredez is not an affected person.

Ms. Paredez submitted one hearing request during the hearing request period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Paredez lives approximately 1.40 miles away from the proposed plant and raised concerns about potential health effects, particularly exacerbation of respiratory illnesses. Ms. Paredez also raised concerns about impacts to the use and enjoyment of her property, as she spends time outside tending to her lawn.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Paredez's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that the Commission find that Ester Maria Paredez is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing requests and comments, Ms. Paredez raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Tara Paredez

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 Tara Paredez is not an affected person.

Ms. Paredez submitted one hearing request during the comment period and one request during the hearing request period. Her requests were in writing and provided the required contact information. Using the address provided in her hearing request, the Executive Director determined that Ms. Paredez's residence is 2.88 miles from the proposed plant. In her hearing request, Ms. Paredez raised concerns about health effects and the location of the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Paredez's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Additionally, Ms. Paredez did not raise any personal justiciable interests in her hearing requests or comments. Therefore, the Executive Director recommends that Tara Paredez is not an affected person.

In her hearing requests, Ms. Paredez raises the following issues that were also raised in her comments:

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Gerald Perez

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 Gerald Perez is not an affected person.

Mr. Perez submitted two hearing requests during the comment period. The hearing requests were in writing and provided the required contact information. Some of the issues raised in the hearing request were based on timely filed comments. In his hearing requests, Mr. Perez expressed concern about plant location. Mr. Perez did not state specific concerns about the location in relation to himself, and therefore did not articulate a personal justiciable interest. Using the address provided, the Executive Director determined that he lives approximately 1.18 miles from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Perez's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Additionally, Mr. Perez did not raise any personal justiciable interests in his hearing requests or comments. Therefore, the Executive Director recommends that Gerald Perez is not an affected person.

In his hearing request, Mr. Perez raised the following issues that were also raised in his timely comments:

Issue 5: Whether the proposed plant location is appropriate.

Trudy L. Perriraz

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 Trudy L. Perriraz is not an affected person.

Ms. Perriraz submitted three hearing requests during the comment period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Perriraz lives approximately 1.35 miles away from the proposed plant and raised concerns about potential health effects, impacts to air quality, and impacts to livestock.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Perriraz's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that Trudy L. Perriraz is not an affected person.

In her hearing requests and comments, Ms. Perriraz raised the following issues that were also raised in his timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 14: Whether the proposed plant would adversely affect water quality.

Issue 20: Whether the proposed permit included background emissions during modeling.

Issue 23: Whether the proposed permit will meet OSHA safety standards.

Laura Picha

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 Laura Picha is not an affected person.

Ms. Picha submitted a hearing request during the comment period. The hearing request was in writing and provided the required contact information. Some of the issues raised in the hearing request were based on timely filed comments. In her hearing request, Ms. Picha expressed concern about health effects and water quality. Using the address provided, the Executive Director determined that she lives approximately 2.57 miles from the proposed plant. For air authorizations, distance from the proposed plant 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. The natural resource that is the subject of this permit is the ambient air an individual breathes. Based on her location relative to the proposed plant, the Executive Director does not expect the regulated activity to have an impact on Ms. Picha's health in a way that is not common to members of the general public. Accordingly, the Executive Director recommends that the Commission find that Laura Picha is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Picha raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 5: Whether the proposed plant location is appropriate.

Issue 14: Whether the proposed plant would adversely affect water quality.

Mary Rodriguez

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 Mary Rodriguez is an affected person.

Mary Rodriguez submitted one hearing request during the hearing request period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Rodriguez lives approximately 1.32 miles away from the proposed plant and raised concerns about impacts to her health, as she suffers from severe allergies, rheumatoid arthritis, and heart disease.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Rodriguez's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the

general public. Therefore, the Executive Director recommends that Mary Rodriguez is not an affected person.

In her hearing request, Ms. Rodriguez raises the following issues that were also raised in her comments:

Issue 1: Whether the permit would be protective of human health.

Issue 5: Whether the proposed plant location is appropriate.

Ruben Rodriguez

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 Ruben Rodriguez is an not affected person.

Ruben Rodriguez submitted one hearing request during the hearing request period. His hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Mr. Rodriguez lives approximately 1.32 miles away from the proposed plant and raised concerns about impacts on his health, as he suffers from autoimmune disorders and chronic respiratory conditions.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Rodriguez's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that Ruben Rodriguez is not an affected person.

In his hearing request, Mr. Rodriguez raises the following issues that were also raised in his comments:

Issue 1: Whether the permit would be protective of human health.

Issue 5: Whether the proposed plant location is appropriate.

Miguel Santillan

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 Miguel Santillan is not an affected person.

Mr. Santillan submitted one hearing request during the comment period that was in writing and provided the required contact information. Using the address provided, the Executive Director determined that Mr. Santillan is 1.13 miles from the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Santillan's address relative to the location of the plant, his health and safety would not be impacted in a manner different from the general public. However, Mr. Santillan did not raise any personal justiciable interests in his hearing requests or comments. Therefore, the Executive Director recommends that Miguel Santillan is not an affected person.

In his hearing request Mr. Santillan raises the following issues:

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Victoria Sharpless

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 Victoria Sharpless is not an affected person.

Victoria Sharpless submitted two hearing requests during the hearing request period. Her hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Sharpless lives approximately 2.34 miles away from the proposed plant and raised concerns about impacts to the use and enjoyment of her property, as she spends numerous hours outside participating in outdoor activities. Ms. Sharpless also raised concerns about her health and the health of her dogs being impacted by the proposed plant.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Sharpless' address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that Victoria Sharpless is not an affected person.

In her hearing requests and comments, Ms. Sharpless raised the following issues:

Issue 1: Whether the permit would be protective of human health.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

Issue 9: Whether the proposed plant would contribute to nuisance light pollution.

Issue 10: Whether the proposed plant would adversely impact property values.

Issue 11: Whether the proposed plant would adversely affect quality of life.

Issue 15: Whether the proposed plant would contribute to water availability issues.

Alma Marie Studer

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 Alma Marie Studer is not an affected person.

Ms. Studer submitted two hearing requests during the hearing request period and comment period. Her hearing request was in writing, provided the required contact information, an included issues that are the basis of her hearing request. Ms. Studer

initially identified a residence 4.64 miles from the proposed plant, however, Ms. Studer also identified a property 1.63 miles from the proposed plant that her family owns. On her additional property, Ms. Studer maintains the property by mowing and baling hay and tends to cattle on the property.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Studer's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that Alma Marie Studer is not an affected person.

In her hearing requests, Ms. Studer raised the following issues that were also raised in her timely comments:

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 12: Whether the proposed permit considered corporate profits or tax abatements of Applicant.

Issue 14: Whether the proposed plant would adversely affect water quality.

Issue 15: Whether the proposed plant would contribute to water availability issues.

Odilia G. Torrez

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 Odilia G. Torrez is not an affected person.

Odilia G. Torrez submitted one hearing requests during the hearing request period. Her hearing request was in writing, provided the required contact information, and included issues that are the basis of the hearing request. Ms. Torrez lives approximately 1.41 miles away from the proposed plant and raised concerns about impacts to her health.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Torrez's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that Odilia G. Torrez is not an affected person.

In her hearing request, Ms. Torrez raises the following issues that were also raised in her comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Karen R. Vaughan

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 Karen R. Vaughan is not an affected person.

Ms. Vaughan submitted two hearing requests during the comment period that were in writing and provided the required contact information. Ms. Vaughan provided a mailing address and a physical address. Based on the physical address provided in her hearing request the Executive Director determined that her location relative to the proposed plant is 1.58 miles. In her hearing requests, Ms. Vaughan raised concerns about impacts to her health due to prior medical diagnoses that are continually monitored.

The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Vaughan's address relative to the location of the plant, her health and safety would not be impacted in a manner different from the general public. Therefore, the Executive Director recommends that Karen R. Vaughan is not an affected person.

In her hearing request, Ms. Vaugh raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 4: Whether the proposed plant will impact air quality.

Issue 5: Whether the proposed plant location is appropriate.

Tim Walz

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 Tim Walz is not an affected person.

Mr. Walz submitted a hearing request during the comment period. The hearing request was in writing and provided the required contact information. Some of the issues raised in the hearing request were based on timely filed comments. In his hearing request, Mr. Walz expressed concern about plant location, health effects, emergency events, and water availability. Using the address provided, the Executive Director determined that he lives approximately 2.51 miles from the proposed plant. For air authorizations, distance from the proposed plant 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. The natural resource that is the subject of this permit is the ambient air an individual breathes. Based on his location relative to the proposed plant, the Executive Director does not expect the regulated activity to have an impact on Mr. Walz's health in a way that is not common to members of the general public. Accordingly, the Executive Director recommends that the Commission find that Tim Walz is not an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Mr. Walz raised the following issues that were also raised in his timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 5: Whether the proposed plant location is appropriate.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

Issue 15: Whether the proposed plant would contribute to water availability issues.

Elizabeth Zurik

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 Elizabeth Zurik is not an affected person.

Ms. Zurick submitted a hearing request during the comment period. The hearing request was in writing and provided the required contact information. Some of the issues raised in the hearing request were based on timely filed comments. In her hearing request, Ms. Zurick expressed concern about plant location, health effects, cumulative impacts, and emission calculations. Using the address provided, the Executive Director determined that she lives approximately 2.48 miles from the proposed plant. For air authorizations, distance from the proposed plant 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. The natural resource that is the subject of this permit is the ambient air an individual breathes. Based on her location relative to the proposed plant, the Executive Director does not expect the regulated activity to have an impact on Ms. Zurick's health in a way that is not common to members of the general public. Accordingly, the Executive Director recommends that the Commission find that Elizabeth Zurick is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Ms. Zurick raised the following issues that were also raised in her timely comments:

Issue 1: Whether the permit would be protective of human health.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

Issue 5: Whether the proposed plant location is appropriate.

Issue 18: Whether the proposed permit includes accurate emission rates and calculations.

X. 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.[7] The issues raised for this application and the Executive Director's analysis and recommendations follow.

[7] TEX. GOVT. CODE § 2003.047(e-1); 30 TAC § 55.211 (c)(2)(A)(ii).

Issue 1: Whether the permit would be protective of human health.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The Executive Director recommends referring this issue to SOAH.

Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The Executive Director recommends referring this issue to SOAH.

Issue 3: Whether the proposed plant would contribute to cumulative impacts.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The Executive Director recommends referring this issue to SOAH.

Issue 4: Whether the proposed plant will impact air quality.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The Executive Director recommends referring this issue to SOAH.

Issue 5: Whether the proposed plant location is appropriate.

This issue involves a disputed question of fact, and was not withdrawn, but is not relevant or material to the issuance of the draft permit. TCEQ's jurisdiction is limited to issues set forth in statute. TCEQ does not have the authority to consider plant location choices of an applicant unless a statute or rule imposes distance requirements.

The Executive Director recommends the Commission not refer this issue to SOAH.

Issue 6: Whether emission events/emergency preparedness were adequately prepared for in the proposed permit.

This issue involves a disputed question of fact, and was not withdrawn, but is not relevant and material to the issuance of the draft permit. Per Special Condition 5, this Applicant is required to submit a Risk Management Plan on file with the U.S. EPA and TCEQ prior to the start of operation, however the plant is not considered during the permit review.

The Executive Director recommends the commission not refer this issue to SOAH.

Issue 7: Whether the proposed plant would contribute to nuisance odor.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by several hearing requestors who the Executive Director recommends the Commission find are affected persons.

The Executive Director recommends referring this issue to SOAH.

Issue 8: Whether the proposed plant would contribute to nuisance noise.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ's jurisdiction is limited to the issues set forth in statute. TCEQ does not have the authority to consider noise pollution or noise abatement measures.

The ED recommends the commission not refer this issue to SOAH.

Issue 9: Whether the proposed plant would contribute to nuisance light pollution.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ's jurisdiction is limited to the issues set forth in statute. TCEQ does not have the authority to consider light pollution.

The ED recommends the commission not refer this issue to SOAH.

Issue 10: Whether the proposed plant would adversely impact property values.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ's jurisdiction is limited to the issues set forth in statute. TCEQ does not have the authority to impacts to property values.

The ED recommends the commission not refer this issue to SOAH.

Issue 11: Whether the proposed plant would adversely affect quality of life.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ's jurisdiction is limited to the issues set forth in statute. TCEQ does not have the authority to consider impacts to quality of life.

The ED recommends the commission not refer this issue to SOAH.

Issue 12: Whether the proposed permit considered corporate profits or tax abatements of Applicant.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ's jurisdiction is limited to the issues set forth in statute. TCEQ does not have the authority to consider corporate profits or tax abatements of an applicant.

The ED recommends the commission not refer this issue to SOAH.

Issue 13: Whether the proposed plant would adversely affect soil quality.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ's jurisdiction is limited to the issues set forth in statute. TCEQ does not have the authority to consider soil quality.

The ED recommends the commission not refer this issue to SOAH.

Issue 14: Whether the proposed plant would adversely affect water quality.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. Although TCEQ is responsible for the environmental protection of air and water as well as the safe management of waste, this proposed permit will regulate the control and abatement of air emissions only and therefore, issues regarding water quality or discharge are not within the scope of this permit review.

The ED recommends that the Commission not refer this issue to SOAH.

Issue 15: Whether the proposed plant would contribute to water availability issues.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. This permit limits production of anhydrous ammonia and associated emissions to the air. Therefore, issues regarding water availability are outside the scope of this permit review.

The ED recommends that the Commission not refer this issue to SOAH.

Issue 16: Whether the proposed permit meets all BACT requirements.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The ED recommends the Commission refer this issue to SOAH.

Issue 17: Whether the proposed plant is a major or minor source.

This issue involves an undisputed question of fact. The proposed permit would authorize the operation of a minor source.

The ED recommends the commission not refer this issue to SOAH.

Issue 18: Whether the proposed permit includes accurate emission rates and calculations.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The ED recommends the Commission refer this issue to SOAH.

Issue 19: Whether the proposed permit considered extreme weather conditions in modeling.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The ED recommends the Commission refer this issue to SOAH.

Issue 20: Whether the proposed permit included background emissions during modeling.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The ED recommends the Commission refer this issue to SOAH.

Issue 21: Whether the proposed permit met all public notice requirements.

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. The issue was raised by multiple requestors who the Executive Director recommends the Commission find are affected persons.

The ED recommends the Commission refer this issue to SOAH.

Issue 22: Whether the Applicant submitted a PIP (Public Involvement Plan).

This issue involves an undisputed question of fact. The Applicant did not submit a Public Involvement Plan. Additionally, the submission of a Public Involvement Plan does not impact the substantive review of the permit application.

The ED recommends the commission not refer this issue to SOAH.

Issue 23: Whether the proposed permit will meet OSHA safety standards.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ does not have jurisdiction to enforce OSHA compliance or consider employee health when determining whether to approve or deny permit issuance.

The ED recommends the commission not refer this issue to SOAH.

Issue 24: Whether the proposed plant would contribute to increased traffic.

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. TCEQ does not have jurisdiction to consider traffic, road safety, or road repair costs when determining whether to approve or deny a permit application. Additionally, 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.

The ED recommends the commission not refer this issue to SOAH

XI. Executive Director's Recommendation

The Executive Director respectfully recommends the following actions by the Commission:

1. The Executive Director recommends that the Commission find that Myra B. Alaniz, Samuel Y. Alaniz, Sandra A. Arizmendi, Kelly Jo Carrillo, Kimberly Castaneda, Michael Castaneda, Anita Contreras, Deanna Contreras, Pablo Contreras, Eileen Doherty, Brittany Donald, David M. Donald, Deborah Donald, Alvin Morin, Arsilia Morin, Yolanda Morin, George F. Pincha and Concerned Citizens of Robstown and Calallen are affected persons and grant their hearing requests.
2. The Executive Director recommends the Commission find that the remaining hearing requestors are not affected persons and deny their hearing requests.
3. The Executive Director recommends that the Commission deny the requests for reconsideration.
4. If referred to SOAH, refer the following issues as raised by an affected person as identified by the Executive Director:

   Issue 1: Whether the permit would be protective of human health.

   Issue 2: Whether the permit would be protective of flora and fauna, including livestock and local wildlife.

   Issue 3: Whether the proposed plant would contribute to cumulative impacts.

   Issue 4: Whether the proposed plant will impact air quality.

   Issue 7: Whether the proposed plant would contribute to nuisance odor.

   Issue 16: Whether the proposed permit meets all BACT requirements.

   Issue 18: Whether the proposed permit includes accurate emission rates and calculations.

   Issue 19: Whether the proposed permit considered extreme weather conditions in modeling.

   Issue 20: Whether the proposed permit included background emission calculations during modeling.

   Issue 21: Whether the proposed permit met all public notice requirements.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel, Executive Director

Phillip Ledbetter, Director
Office of Legal Services

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REPRESENTING THE
EXECUTIVE DIRECTOR OF THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on this 28th day of July 2025, a true and correct copy of the "Executive Director's Response to Hearing Requests and Requests for Reconsideration" for Air Quality Permit No. 174951 was served on all persons on the service list by the undersigned via electronic filing, electronic mail, facsimile transmission, inter-agency mail, electronic submittal, or by deposit in the U.S. Mail.

Elizabeth Black, Staff Attorney
Environmental Law Division

ATTACHMENT A

Shane Adams
Laurie Ann
Adams-Keyes
Myra B. Alaniz
Samuel Y. Alaniz
Esperanza Alonzo
Felix Alonzo
Nancy Alvarado
Sandra A. Arizmendi
Ralph Balko
Rebecca Ballard
Miabella Baltierra
Mary Najvar Barbee
Joseph Biberstein
Mona Lisa Biberstein
Holly Bockholt
Amanda Breland
Rachel Caballero
Juanita S. Cadena
Carlos Camacho
Melissa Camacho
Gary Capeheart
Phyllis Carrier
John Cole Carrillo
John Edward Carrillo
Kelly Jo Carrillo
Kimberly Castaneda
Michael Castaneda
Jazzlyn D. Castro
Imelda Chapa
Debbie Cleveland
Michael Cleveland
Anita Contreras
Deanna Contreras
Pablo Contreras
Abel Cortez
Bette Cranford
Abel De La Rosa Jr.
Aaron De La Rosa
Abel Manuel De La Rosa
Robert Dennis
Sara Dennis
Eileen Doherty
Brittany Donald
David M. Donald
David M. Donald
Deborah Donald
Cassandra Driscoll
Christopher M. Driscoll
Emily Esquivel
Lawrence Fuhrken
Suzanne Gallagher
Fernando Garcia
Juan G. Garcia
Santos Franco Garcia
Emma G. Garza
Hermelinda L. Garza
Jorge Luis Garza
Luis Garza
Luis L. Garza
Ruben Garza
John V. Ginn
Christina Gomez
Sally Gomez
Alejandra Gonzalez
Enrique B. Gonzalez
Irma Gonzalez
Jennifer Gracia
Jason Hale
Mark S. Heatherton
Ronald T. Hellberg
Anna Hernandez
Lauro Hernandez
Marivel Hernandez
Martina Hernandez
Abel Herrero
Matilda Herrero
Delia Leal Herriman
Ernest Herriman
Clay Hilton
Juan "Chuy" Hinojosa
Chelsea Leigh Hodges
Bruce Hoelscher
Penny Hoelscher
Jaimee Hopfe
Rebecca T. Ibarra
Linda Johnson
Renee Kozak
Ruben M. Leal
Veronica Valle Leal
Israel Sebastyn Longoria
Nora Longoria
Rocky Lorenz
Stephen R. Lorenz
Diana Lum
Rocky Lum
San Juanita Luna
Randy M.
Barbara Mann

Edward John Marez
Monica Marines
Bianca Martinez
Doris McDermott
Irma Medrano
Arthur L. Mireles
Sandy Mireles
Jesus S. Molina
Justin Morales
Juan G. Moreno
Alvin Morin
Arsilia Morin
Yolanda Morin
Solomon Ortiz
Denise Hoff Otahal
Apolonio Paredez
Ashley Paredez
Ester Maria Paredez
Tara Paredez
Gerald Perez
Trudy L. Perriraz
George F. Picha
Laura Picha
Christopher Pruitt
Robert C. Ramierez
Sara Ramierez
Janie Ramirez
Mary Rodriguez
Ruben Rodriguez
Lorenzo Rojas
Magdalena Rojas
Bobbie Jo Salinas
Joshua Samaniego
Miguel Santillan
Victoria Sharpless
Alma Marie Studer
Odilia G. Torrez
Alicia R. Trevino
Jose H. Trevino
Jeannette Truax
Karen R. Vaughan
Jaslynne Vela
Elexie Villarreal
Aaron Villiva
Belinda Villiva
Tim Walz
Cosme Williams
Sabrina Winchester
Mario Ybarra
Mary Ybarra
Elizabeth Zurick

ATTACHMENT B

Lucia Abergo
Theressa Adams
Mullin Adkins
Faustino Alaniz
Mandy Alaniz
Riva Alaniz
Rhonda Alejandro
Cindy Almeida
Dalia Alvarez
Tiffany Amrich
Darwin J. Anderson
Deborah Anderson
Danika Anderwald
Albert Anzaldua
Greg Atchley
Clifton Bailey
Charles Bailie
Chelsea Baillie
Donald Baillie
Sallie Baillie
Velma Barrera
Susan Belardinelli
Marlena Boatwright
Holly Bockholt
Kathleen M Borhauer
Pete Bosquez
Cordelia Bosquez
Pat A. Botkin
Karen Boyd
Alyson Braden
Amber Brewer
Lauri Bristow
Adolfo Buentello
Arlene Burns
Larry Buxkamper
Alicia Cabrera
Dalmira Calderon
Gary Capeheart
Sharon Capeheart
Phyllis Carrier
Cole Carrillo
Kimberly Castaneda
Lucia Chavarria
Rosenda Chavez
Rachel M. Cipriano
Teresa Cisneros
Leticia Clark
Ann Cleavelin
Concerned Citizen
Pablo Contreras
Louise Cook
Robert Cook
Susan Cornett
Carlos S. Costilla
Dale Crisman
Francisco Cruz Miranda
Jo Cummings
Debra Davis
Sandra Davis
Jerimey Dear
Laurinda Dear
Giana Delaney
Martha Douglas
S. Douglass
Sonya Durrwachter
Jeffrey Durrwachter
Mireille Dziuk
Glenna Elliff
Lydia Ferdin
Erica Flores
Lauren Gaddis
Marta Gaddis
Michael B. Gaddis
Suzanne Gallagher
Heidi Garcia
Samantha Garcia
Sandra S Garcia
Alisha Garza
April Garza
Sara Garza
Wendy Genz
Leticia Gomez
Jean Gonzales
Yolanda H Gonzales
Edward Gonzalez
Linda Goulet
Nova I. Gracia
Harriet Granderson
Amelia Green
Art Green
David Guzman
Harold Hansmann
Sara Hansmann
Michael Hatch
Tracie Hatch
Adrienne Havelka
Elida Hernandez
Eusebio Hernandez
Jessica Hernandez
Leticia Hernandez
Manuel Hernandez

Mario Hernandez
Norma Hernandez
Richard Hernandez
Mary K. Hines
William Hirko
Crystal Horne
Jeff Horne
Terry Houchin
Kwamin Huff
Debbie Hunter
Carol Huntsinger
John B. Huntsinger
Vanessa Idrogo
Candido Jimenez
Natalie Jimenez
Jessica Keese
Adrienne Kerr
Janice Kimball
Brenda King
Ruth King
Terri Konarik
Lynn Lastrapes
Karen Lindeburg
Leslie Lockwood
Amanda Lopez
David Lopez
Sara Lopez
Ryan Lynes
Steve Macek
Judy Macek
Maryann Markert
Alexander Marroquin
Angela Marroquin
Ginger Martinez
Juan Martinez
Raymond Martinez
Rebecca Martinez
Dianna Mathews
Tommy A. McBroom
April McClure
Bill McGregor
Juan Mendoza
Rosemary Mendoza
San Juana Mendoza
Angelyn Moore
Brett Moore
Lucia Morales
Ray Morales
Jimmy Morales
Lorraine Morales
Maegan Morales
Andrew Morin
Arsilia Morin
Leeann Mota Garza
Leeann Mungia
Rachel Munoz
Patricia Murphy
Ellen Murphy
Enrique Naba
John Najvar
Cheryl Najvar
Christi Naylor
Diana O'Brien
Joe H. Ocanas
Ciera Pakebusch
Jennifer Pantoja
Jessica Perez
Richard Perez
E. Perkins
Arnoldas Pivorius
Terry Plumley
Claudia Regalado
Robin Reinhard
Kathy Rios
Oralia Rios
David Rivera
Sandy Rivera
Bonnie Rodriguez
Gabriel Rodriguez
Johnny Rodriguez
Osvaldo Romero
Sylvia Romero
Mary Jane Ross
William C Ross
Horacio Rubio
Maurine Sacky
Alexis Salinas
Marcy Santos
Lorraine Sepulveda-Morales
Janie G. Serna
Jonathan Sharpless
Carolyn Shelby
Kay Simmons
Stefanie Simmons
Rose Sims
Maina Smith
Don Stone
Sharon Story

Marie Studer
Paul Supak
Terri Supak
Jessica Svetlik
Maureen M. Swedlund
TCHD Consulting LLC
Charles Tenpenny
Dora Tenpenny
Johnnie Thompson
Carmen Tilton
Joseph Tilton
Scott Tilton
Kimberly Tompkins
Olga C Tschoepe
Felix Vasquez
Rene Vazquez
Yvette Villalobos
Malynn Wahlen
Michael Wahlen
Carolyn Walter
Gina Wernig
Kris White
Crystal Williams
William C Williams
Kay Williams
Veronica Zamorano
Martin Zurick

Nueces Green Ammonia LLC

174951

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

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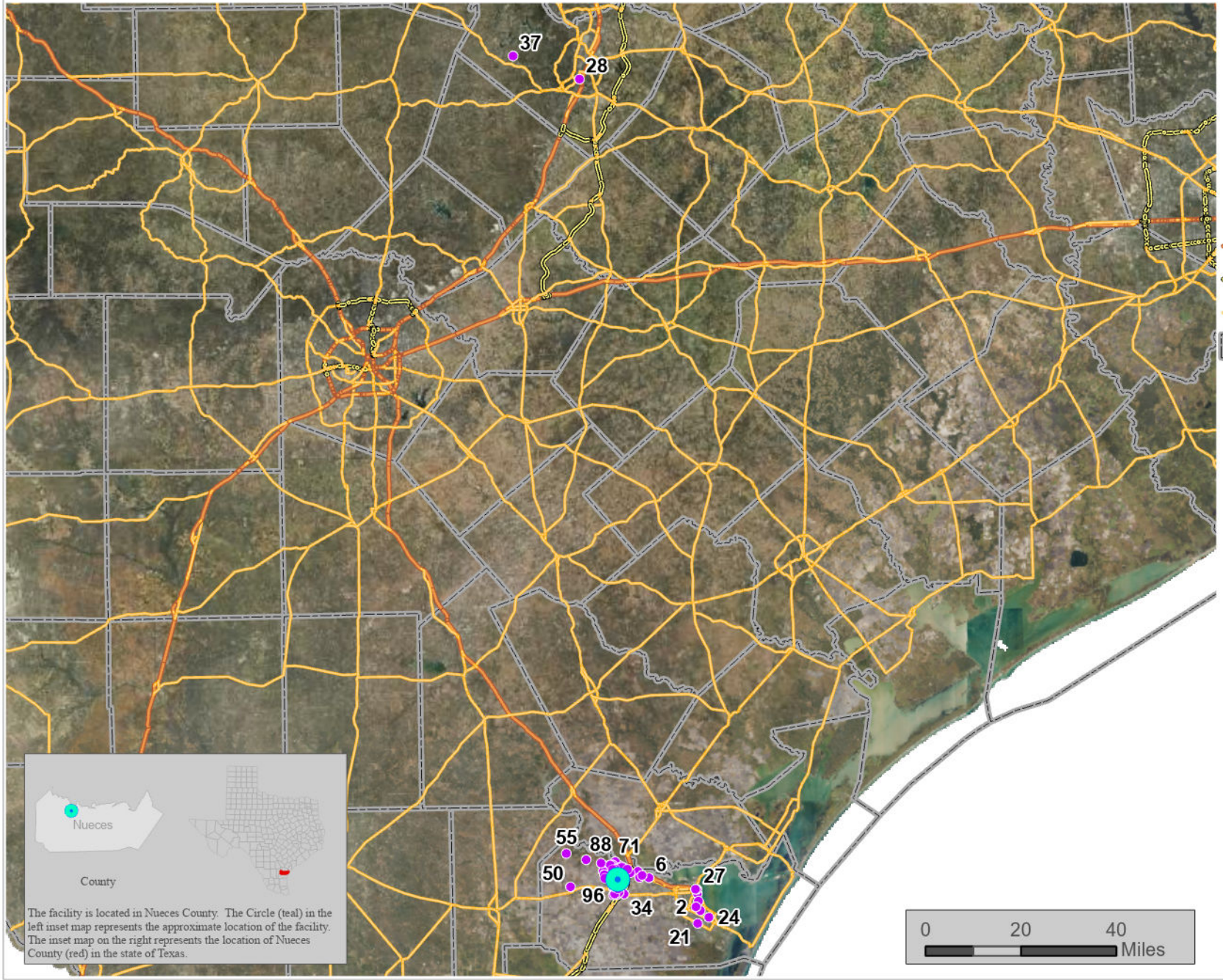
Protecting Texas by Reducing and Preventing Pollution



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

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

Date: 7/1/2025
CRF 0119300
Cartographer: AProvenc

- Requestors
- Facility Property
- Interstate
- Toll Road
- Highway
- County Boundary

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.

Nueces Green Ammonia LLC

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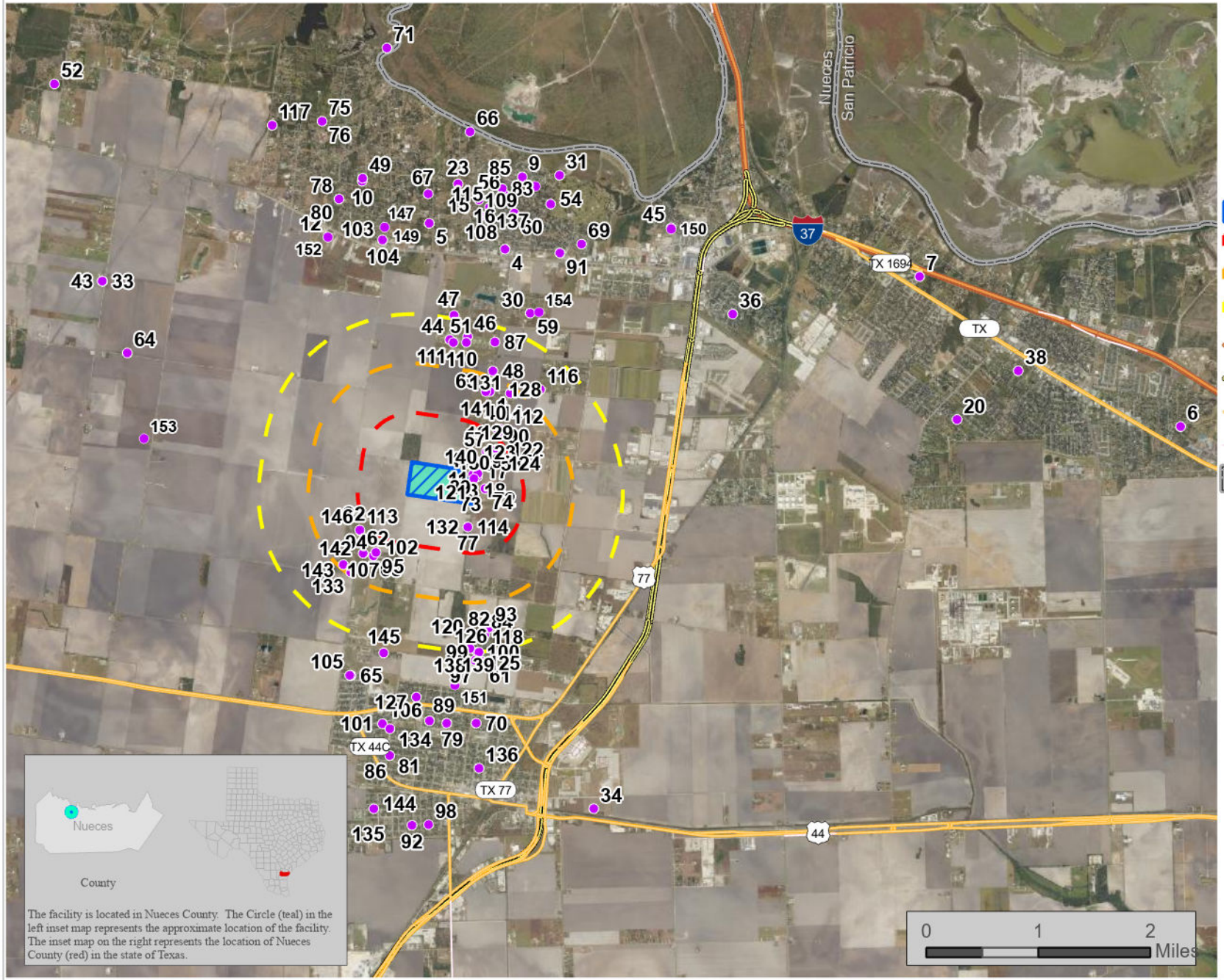
Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda

Protecting Texas by Reducing and Preventing Pollution



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P.O. Box 13087
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Date: 7/1/2025
CRF 0119300
Cartographer: AProvenc

- Requestors
- Facility Property Boundary
- 0.5 miles
- 1 mile
- 1.5 miles
- Interstate
- Toll Road
- Highway
- Intermediate Roads
- County Boundary

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.

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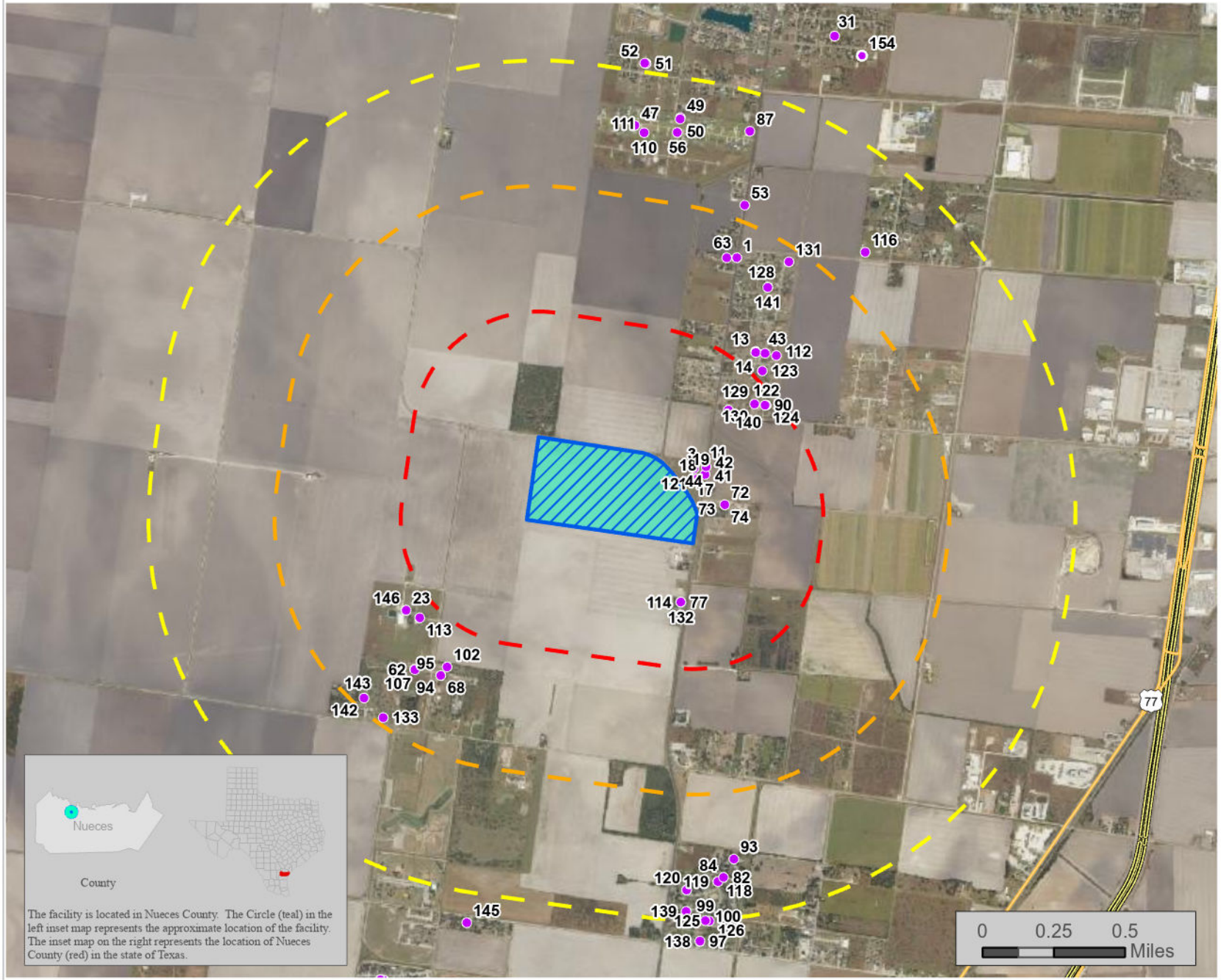

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- Facility Property Boundary
- 0.5 miles
- 1 mile
- 1.5 miles
- Requestors
- Toll Road
- Highway

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Nueces Green Ammonia LLC

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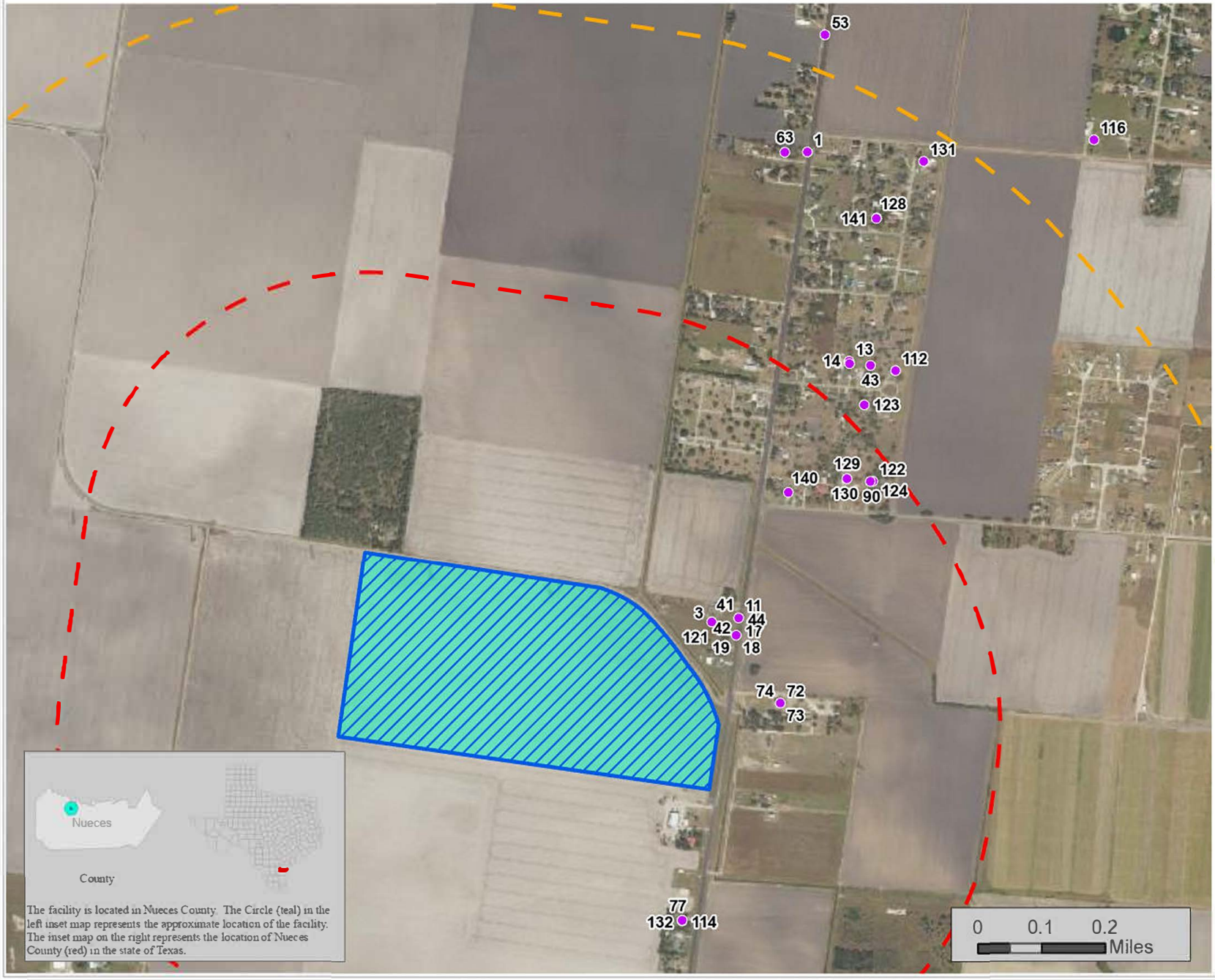
Protecting Texas by Reducing and Preventing Pollution



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- Facility Property Boundary
- 0.5 miles
- 1 mile
- 1.5 miles
- Requestors

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Appendix A for Nueces Green Ammonia, LLC

ID	Name	Address	City	St	ZIP	Lat	Long	Distance to Facility Point (Miles)
62	ADAMS, SHANE	4757 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.820337	-97.680071	0.66
107	ADAMS-KEYES, LAURIE ANN	4757 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.820361	-97.680095	0.66
1	ALANIZ, MYRA B.	4695 FM 1889	ROBSTOWN	TX	78380	27.8409556	-97.6611305	0.76
63	ALANIZ, SAMUEL Y.	4695 FM 1889	ROBSTOWN	TX	78380	27.840961	-97.66171	0.74
108	ALONZO, ESPERANZA	4230 BIG CYPRUS BYU	CORPUS CHRISTI	TX	78410	27.86374	-97.661873	2.26
109	ALONZO, FELIX	4230 BIG CYPRUS BYU	CORPUS CHRISTI	TX	78410	27.86374	-97.661873	2.26
2	ALVARADO, NANCY	PO BOX 1806	CORPUS CHRISTI	TX	78403	27.742778	-97.401944	17.05
3	ARIZMENDI, SANDRA A.	4519 FM 1889	ROBSTOWN	TX	78380	27.83027661	-97.6638362	0.07

64	BALKO, RALPH	4418 COUNTY ROAD 52	ROBSTOWN	TX	78380	27.846945	-97.713874	2.72
4	BALLARD, REBECCA	4022 WOOD RIVER DR	CORPUS CHRISTI	TX	78410	27.8593582	-97.6584698	2.01
65	BALTIERRA, MIABELLA	910 BENAVIDES ST	ROBSTOWN	TX	78380	27.804567	-97.682239	1.69
66	BARBEE, MARY NAJVAR	3864 RIVERVIEW CIR	ROBSTOWN	TX	78380	27.874655	-97.663213	2.99
67	BIBERSTEIN, JOSEPH	5399 RIVER TRAIL DR	ROBSTOWN	TX	78380	27.866735	-97.669507	2.40
5	BIBERSTEIN, MONA LISA	5339 RIVER TRAIL DR	ROBSTOWN	TX	78380	27.86291787	-97.66944815	2.14
153	BOCKHOLT, HOLLY	4815 COUNTY ROAD 77	ROBSTOWN	TX	78380	27.835805	-97.711703	2.40
6	BOCKHOLT, HOLLY	216 E WILDWOOD DR	CORPUS CHRISTI	TX	78410	27.83450088	-97.56051	6.33
7	BRELAND, AMANDA	11930 LEOPARD ST	CORPUS CHRISTI	TX	78410	27.85466468	-97.59809215	4.41
8	CABALLERO, RACHEL	522 HANCOCK AVE	CORPUS CHRISTI	TX	78404	27.78305511	-97.39646466	16.65
68	CADENA, JUANITA S.	4654 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.820012	-97.678599	0.62

110	CAMACHO, CARLOS	3757 AMANDA LN	ROBSTOWN	TX	78380	27.847413	-97.66629	1.11
111	CAMACHO, MELISSA	3757 AMANDA LN	ROBSTOWN	TX	78380	27.847413	-97.66629	1.11
9	CAPEHEART, GARY	4517 WOOD RIVER DR	CORPUS CHRISTI	TX	78410	27.86867038	-97.65572505	2.67
10	CARRIER, PHYLLIS	5375 PARTRIDGE	ROBSTOWN	TX	78380	27.86855897	-97.67909655	2.54
152	CARRILLO, JOHN EDWARD	5236 CAROUSAL LANE	ROBSTOWN	TX	78380	27.86140806	-97.68425503	2.14
11	CARRILLO, KELLEY JO	4537 FM 1889	ROBSTOWN	TX	78380	27.830355	-97.6631422	0.11
12	CARRILLO, JOHN COLE	5236 CAROUSAL LN	ROBSTOWN	TX	78380	27.86140806	-97.68425503	2.14
13	CASTANEDA, KIMBERLY	3674 JACK DR	ROBSTOWN	TX	78380	27.83616854	-97.66017328	0.51
14	CASTANEDA, MICHAEL	3674 JACK DR	ROBSTOWN	TX	78380	27.83611161	-97.66016255	0.51
69	CASTRO, JAZZLYN D.	14413 PENTRIDGE DR	CORPUS CHRISTI	TX	78410	27.859812	-97.647282	2.30
70	CHAPA, IMELDA	305 E LIGUSTRUM BLVD	ROBSTOWN	TX	78380	27.798052	-97.66414	1.96

15	CLEVELAND, DEBBIE	15402 BEDROCK DR	CORPUS CHRISTI	TX	78410	27.86582376	-97.66214209	2.40
16	CLEVELAND, MICHAEL	15402 BEDROCK DR	CORPUS CHRISTI	TX	78410	27.86582376	-97.66214209	2.40
17	CONTRERAS, ANITA	4527 FM 1889	ROBSTOWN	TX	78380	27.8299606	-97.6632165	0.09
18	CONTRERAS, DEEANNA	4527 FM 1889	ROBSTOWN	TX	78380	27.8299606	-97.6632165	0.09
19	CONTRERAS, PABLO	4527 FM 1889	ROBSTOWN	TX	78380	27.8299606	-97.6632165	0.09
71	CORTEZ, ABEL	4648 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.885737	-97.675081	3.70
20	CRANFORD, BETTE	3802 WILMONT DR	CORPUS CHRISTI	TX	78410	27.83604171	-97.59308662	4.36
73	DE LA ROSA JR, ABEL	4512 FM 1889	ROBSTOWN	TX	78380	27.828396	-97.662122	0.10
72	DE LA ROSA, AARON	4512 FM 1889	ROBSTOWN	TX	78380	27.828396	-97.662122	0.10
74	DE LA ROSA, ABEL MANUEL	4512 FM 1889	ROBSTOWN	TX	78380	27.828396	-97.662122	0.10
75	DENNIS, ROBERT	4124 EMIL ST	ROBSTOWN	TX	78380	27.876416	-97.684757	3.14

76	DENNIS, SARA	4124 EMIL ST	ROBSTOWN	TX	78380	27.876416	-97.684757	3.14
112	DOHERTY, EILEEN	3660 JACK DR	ROBSTOWN	TX	78380	27.83593	-97.658986	0.55
21	DONALD, DAVID M.	4833 SARATOGA BLVD	CORPUS CHRISTI	TX	78413	27.69211917	-97.39746806	18.76
22	DONALD, DEBORAH	4693 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.82336944	-97.68050396	0.53
113	DONALD, BRITTANY	4693 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.822971	-97.679733	0.53
146	DONALD, DAVID M.	4693 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.82336944	-97.68050396	0.53
114	DRISCOLL, CASSANDRA	4437 FM 1889	ROBSTOWN	TX	78380	27.823487	-97.664757	0.21
77	DRISCOLL, CHRISTOPHER M.	4437 FM 1889	ROBSTOWN	TX	78380	27.823492	-97.664756	0.21
115	ESQUIVEL, EMILY	4242 RAPIDS DR	CORPUS CHRISTI	TX	78410	27.864792	-97.660596	2.35
116	FUHRKEN, LAWRENCE	3600 COUNTY ROAD 50	ROBSTOWN	TX	78380	27.841095	-97.653766	1.02
23	GALLAGHER, SUZANNE	5419 RIVERVIEW DR	ROBSTOWN	TX	78380	27.86795218	-97.66512129	2.52

78	GARCIA, FERNANDO	5420 WAGON TRL	ROBSTOWN	TX	78380	27.866313	-97.682521	2.44
79	GARCIA, JUAN G.	104 W LIGUSTRUM BLVD	ROBSTOWN	TX	78380	27.798137	-97.66843	1.97
80	GARCIA, SANTOS FRANCO	5420 WAGON TRL	ROBSTOWN	TX	78380	27.866313	-97.682521	2.44
81	GARZA, EMMA G.	534 W AVENUE D	ROBSTOWN	TX	78380	27.794094	-97.676834	2.33
82	GARZA, HERMELINDA L.	205 AVALON DR	ROBSTOWN	TX	78380	27.809438	-97.662643	1.18
83	GARZA, JORGE LUIS	15134 SHOSHONE DR	CORPUS CHRISTI	TX	78410	27.867217	-97.658679	2.53
84	GARZA, LUIS	205 AVALON DR	ROBSTOWN	TX	78380	27.809438	-97.662643	1.18
85	GARZA, LUIS L.	15413 BIG CYPRUS BYU	CORPUS CHRISTI	TX	78140	27.867909	-97.661167	2.55
86	GARZA, RUBEN	534 W AVENUE D	ROBSTOWN	TX	78380	27.794094	-97.676834	2.33
117	GINN, JOHN V.	4220 WADE ST	ROBSTOWN	TX	78380	27.876039	-97.692044	3.25
87	GOMEZ, CHRISTINA	3702 AMANDA LN	ROBSTOWN	TX	78380	27.847371	-97.660232	1.19

88	GOMEZ, SALLY	5323 N HORIZON TRL	ROBSTOWN	TX	78380	27.89327	-97.774586	7.53
89	GONZALEZ, ALEJANDRA	128 W LIGUSTRUM BLVD	ROBSTOWN	TX	78380	27.798486	-97.670932	1.97
118	GONZALEZ, ENRIQUE B.	201 AVALON DR	ROBSTOWN	TX	78380	27.809226	-97.662968	1.19
119	GONZALEZ, IRMA	201 AVALON DR	ROBSTOWN	TX	78380	28.809226	-97.662968	67.29
24	GRACIA, JENNIFER	1118 CRESCENT DR	CORPUS CHRISTI	TX	78412	27.70983785	-97.3586928	20.35
25	HALE, JASON R.	4421 HAMLIN DR	CORPUS CHRISTI	TX	78411	27.73072129	-97.3874356	18.18
120	HEATHERTON, MARK S.	109 AVALON DR	ROBSTOWN	TX	78380	27.808835	-97.66477	1.21
147	HELLBERG, RONALD T.	5296 WAGON TRAIL	ROBSTOWN	TX	78380	27.862534	-97.675961	2.11
121	HERNANDEZ, ANNA	4527 FM 1889	ROBSTOWN	TX	78380	27.829722	-97.663712	0.05
122	HERNANDEZ, LAURO	3658 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.83342	-97.659628	0.41
123	HERNANDEZ, MARIVEL	3665 JACK DR	ROBSTOWN	TX	78380	27.835167	-97.659808	0.48

124	HERNANDEZ, MARTINA	3658 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.83342	-97.659628	0.41
27	HERRERO, ABEL	606 N CARANCAHUA ST	CORPUS CHRISTI	TX	78401	27.79555564	-97.397158	16.47
28	HERRERO, MATILDA	PO BOX 2910	AUSTIN	TX	78768	30.267222	-97.743056	167.77
148	HERRERO, MATILDA	4557 TEAL DRIVE	CORPUS CHRISTI	TX	78410	27.867408	-97.653822	2.62
125	HERRIMAN, DELIA LEAL	121 JEWITT DR	ROBSTOWN	TX	78380	27.807231	-97.663509	1.32
126	HERRIMAN, ERNEST	121 JEWITT DR	ROBSTOWN	TX	78380	27.807231	-97.663509	1.32
90	HILTON, CLAY	3662 COUNTY RD 48	ROBSTOWN	TX	78380	27.833419	-97.659694	0.40
29	HINOJOSA, JUAN "CHUY"	602 N STAPLES ST STE 240	CORPUS CHRISTI	TX	78401	27.79614753	-97.40238325	16.15
91	HODGES, CHELSEA LEIGH	14501 REAGAN DR	CORPUS CHRISTI	TX	78410	27.858711	-97.650485	2.14
59	HOELSCHER, BRUCE	3646 COUNTY ROAD 52B	ROBSTOWN	TX	78380	27.8521262	-97.65525652	1.61
30	HOELSCHER, PENNY	3646 COUNTY ROAD 52B	ROBSTOWN	TX	78380	27.8521262	-97.65525652	1.61

127	HOPFE, JAIMEE	306 KISSLING AVE	ROBSTOWN	TX	78380	27.801598	-97.672782	1.78
92	IBARRA, REBECCA T.	604 KANSAS ST	ROBSTOWN	TX	78380	27.784999	-97.673806	2.91
31	JOHNSON, LINDA	14611 SPRING CREEK DR	CORPUS CHRISTI	TX	78410	27.86877332	-97.65028355	2.78
32	KOZAK, RENEE	PO BOX 261014	CORPUS CHRISTI	TX	78426	27.742778	-97.401944	17.05
149	KOZAK, RENEE	5296 WAGON TRAIL	ROBSTOWN	TX	78380	27.862534	-97.675961	2.11
128	LEAL, RUBEN M.	3670 INCA ST	ROBSTOWN	TX	78380	27.839419	-97.659387	0.72
93	LEAL, VERONICA VALLE	207 RETAMA DR	ROBSTOWN	TX	78380	27.810357	-97.662026	1.12
94	LONGORIA, ISRAEL	4654 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.820012	-97.678599	0.62
95	LONGORIA, NORA	4654 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.820012	-97.678599	0.62
33	LORENZ, ROCKY	5093 COUNTY ROAD 79	ROBSTOWN	TX	78380	27.85628306	-97.71725356	3.20
129	LUM, DIANA	3664 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.833493	-97.660293	0.38

130	LUM, ROCKY	3664 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.833493	-97.660293	0.38
131	LUNA, SAN JUANITA	4984 BLUEBIRD ST	ROBSTOWN	TX	78380	27.840686	-97.658151	0.83
34	M., RANDY	3499 E MAIN AVE	ROBSTOWN	TX	78380	27.78666188	-97.64725892	2.93
132	MANN, BARBARA	4437 FM 1889	ROBSTOWN	TX	78380	27.823481	-97.664757	0.21
35	MAREZ, EDWARD JOHN	521 VAKY ST	CORPUS CHRISTI	TX	78404	27.75981394	-97.39334442	17.20
133	MARINES, MONICA	3942 COUNTY ROAD 44	ROBSTOWN	TX	78380	27.81793	-97.681942	0.86
36	MARTINEZ, BIANCA	3730 BROOKHILL DR	CORPUS CHRISTI	TX	78410	27.85033611	-97.62545562	2.79
37	MCDERMOTT, DORIS	110 RIVULET LN	LAKEWAY	TX	78738	30.34138125	-97.97465945	173.78
134	MEDRANO, IRMA	600 LOPEZ ST	ROBSTOWN	TX	78380	27.797567	-97.676739	2.09
135	MIRELES, ARTHUR L.	1326 DAKOTA ST	ROBSTOWN	TX	78380	27.784049	-97.684008	3.08
96	MIRELES, SANDY	1326 DAKOTA ST	ROBSTOWN	TX	78380	27.78406	-97.684004	3.08

38	MOLINA, JESUS S.	4314 LEONARD DR	CORPUS CHRISTI	TX	78410	27.84217939	-97.5839996	4.98
136	MORALES, JUSTIN	412 E AVENUE D	ROBSTOWN	TX	78380	27.792215	-97.663858	2.36
137	MORENO, JUAN G.	4242 RAPIDS DR	CORPUS CHRISTI	TX	78410	27.864805	-97.660601	2.35
39	MORIN, ALVIN	4537 FM 1889	ROBSTOWN	TX	78380	27.830355	-97.6631422	0.11
40	MORIN, ARSILIA	3670 JACK DR	ROBSTOWN	TX	78380	27.83606319	-97.65962635	0.53
41	MORIN, YOLANDA	4537 FM 1889	ROBSTOWN	TX	78380	27.830355	-97.6631422	0.11
61	TORREZ, ODILIA G.	116 JEWITT DR	ROBSTOWN	TX	78380	27.806	-97.663	1.41
42	ORTIZ, SOLOMON	PO BOX 286	CORPUS CHRISTI	TX	78403	27.742778	-97.401944	17.05
43	OTAHAL, DENISE HOFF	5093 COUNTY ROAD 79	ROBSTOWN	TX	78380	27.85631152	-97.71731793	3.20
150	PAREDEZ, APOLONIO JR	13733 RIVER CANYON DRIVE	CORPUS CHRISTI	TX	78410	27.86151	-97.634164	2.87
97	PAREDEZ, APOLONIO	113 MAGEE LN	ROBSTOWN	TX	78380	27.806218	-97.664071	1.39

44	PAREDEZ, ASHLEY	3765 AMANDA LN	ROBSTOWN	TX	78380	27.84779569	-97.66681285	1.13
138	PAREDEZ, ESTER MARIA	113 MAGEE LN	ROBSTOWN	TX	78380	27.806201	-97.664078	1.40
45	PAREDEZ, TARA	13733 RIVER CANYON DR	CORPUS CHRISTI	TX	78410	27.86166778	-97.63417178	2.88
46	PEREZ, GERALD	3734 AMANDA LN	ROBSTOWN	TX	78380	27.84813883	-97.66419309	1.18
47	PERRIRAZ, TRUDY L.	3782 W BARBER LN	ROBSTOWN	TX	78380	27.85093418	-97.66610129	1.35
48	PICHA, GEORGE F.	4739 FM 1889	ROBSTOWN	TX	78380	27.8436177	-97.6606153	0.94
49	PICHA, LAURA	5381 PARTRIDGE	ROBSTOWN	TX	78380	27.86892851	-97.67902345	2.57
139	PRUITT, CHRISTOPHER	108 CACTUS ST	ROBSTOWN	TX	78380	27.807747	-97.66483	1.29
140	RAMIEREZ, SARA	3686 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.833209	-97.661805	0.29
141	RAMIREZ, JANIE	3670 INCA ST	ROBSTOWN	TX	78380	27.839408	-97.659395	0.72
98	RAMIREZ, ROBERT C.	312 KANSAS ST	ROBSTOWN	TX	78380	27.785043	-97.67139	2.89

99	RODRIGUEZ, MARY	119 JEWITT DR	ROBSTOWN	TX	78380	27.807253	-97.663732	1.32
100	RODRIGUEZ, RUBEN	119 JEWITT DR	ROBSTOWN	TX	78380	27.807253	-97.663732	1.32
142	ROJAS, LORENZO	3962 COUNTY ROAD 44	ROBSTOWN	TX	78380	27.818946	-97.683023	0.85
143	ROJAS, MAGDALENA	3962 COUNTY ROAD 44	ROBSTOWN	TX	78380	27.818946	-97.683023	0.85
101	SALINAS, BOBBIE JOE	614 HUISACHE ST	ROBSTOWN	TX	78380	27.798235	-97.677797	2.05
50	SAMANIEGO, JOSHUA	3892 RACHAL LN	ROBSTOWN	TX	78380	27.81170488	-97.83026519	9.66
51	SANTILLAN, MIGUEL	3733 AMANDA LN	ROBSTOWN	TX	78380	27.84739143	-97.66439106	1.13
60	SHARPLESS, VICTORIA	4229 COWHOUSE CREEK CT	CORPUS CHRISTI	TX	78410	27.864	-97.657	2.34
52	STUDER, ALMA MARIE	5433 COUNTY ROAD 79	ROBSTOWN	TX	78380	27.88196974	-97.7236922	4.64
151	STUDER, ALMA MARIE	1301 FM 1889	ROBSTOWN	TX	78380	27.803022	-97.667117	1.63
103	TREVINO, ALICIA R.	5270 WAGON TRL	ROBSTOWN	TX	78380	27.860891	-97.676306	2.00

104	TREVINO, JOSE H.	5270 WAGON TRL	ROBSTOWN	TX	78380	27.860891	-97.676306	2.00
102	TRUAX, JEANNETTE	4658 COUNTY ROAD 73	ROBSTOWN	TX	78380	27.820439	-97.678226	0.59
154	VAUGHAN, KAREN R.	3627 COUNTY ROAD 52	ROBSTOWN	TX	78380	27.851095	-97.65371	1.58
105	VELA, JASLYNNE	916 BENAVIDES ST	ROBSTOWN	TX	78380	27.804591	-97.68242	1.69
106	VILLARREAL, ELEXIE	614 HUISACHE ST	ROBSTOWN	TX	78380	27.798239	-97.677797	2.05
144	VILLIVA, BELINDA	1019 IOWA ST	ROBSTOWN	TX	78380	27.787247	-97.67932	2.82
54	WALZ, TIM	4226 SPRING CREEK DR	CORPUS CHRISTI	TX	78410	27.86506746	-97.6516769	2.51
145	WILLIAMS, COSME	316 MAINER RD	ROBSTOWN	TX	78380	27.807405	-97.677407	1.43
55	WINCHESTER, SABRINA	5477 LONESOME DOVE	ROBSTOWN	TX	78380	27.91343503	-97.842107	11.78
58	YBARRA, MARIO	3682 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.833	-97.661	0.32
57	YBARRA, MARY	3682 COUNTY ROAD 48	ROBSTOWN	TX	78380	27.833	-97.661	0.32

56	ZURICK, ELIZABETH	4339 WOOD RIVER DR	CORPUS CHRISTI	TX	78410	27.86628615	-97.65811872	2.48