

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk (MC-105)
P.O. Box 13087
Austin, Texas 78711-3087
www.tceq.texas.gov/goto/efilings

RE: Response to OPIC's and ED Recommendations
Air Quality Permit #: 174951
TCEQ Docket #: 2025-0829-AIR

Dear Commissioners Jon Niermann, Bobby Janecka, and Emily Lindley:

On behalf of the Concerned Citizens of Robstown and Calallen, we respectfully submit this response regarding the Office of Public Interest Counsel's (OPIC) and the Executive Director's (ED) recommendations on the above-referenced air permit.

We fully support OPIC's and the ED's recommendation to grant our request for a Contested Case Hearing on Air Permit No. 174951, filed by Avina Green Ammonia for its proposed ammonia production facility on FM 1889 in Nueces County.

We also agree with OPIC's and the ED's findings that the issues raised, including deficiencies in the air quality analysis, cumulative public health risks, lack of adequate air monitoring, and broader environmental impacts, are both relevant and material, and therefore warrant further examination through a formal hearing.

One particularly concerning issue is that the air quality and cumulative impact assessments failed to account for emissions from the associated Permit By Rule authorization for Avina Clean Hydrogen, CN Number: CN606301935, Air New Source Registration 177436, is slated to operate at the same site as the Avina Green Ammonia facility.

Our community has at least 4 TCEQ monitored Contaminated Groundwater sites, each contributing to our quality of life, our health and peace of mind. Two of these site contain Benzene and are rated MODERATE. This

omissions further highlights the need for a contested case hearing to ensure full transparency and proper evaluation of community health and environmental risks.

We also support OPIC's and the ED's recommendation that the following individuals, along with the Concerned Citizens of Robstown and Calallen, be recognized as affected persons:

1. Concerned Citizens of Robstown and Calallen
2. Myra Alaniz
3. Samuel Alaniz
4. Sandra Arizmendi
5. Kelley Carrillo
6. Kimberly Castaneda
7. Michael Castaneda
8. Anita Contreras
9. Deanna Contreras
10. Pablo Contreras
11. Eileen Doherty
12. Brittany Donald
13. David Donald
14. Deborah Donald
15. Lawrence Fuhrken
16. Alvin Morin
17. Arsilia Morin
18. Yolanda Morin
19. George Picha, Jr.

We respectfully request that the Texas Commission on Environmental Quality (TCEQ) grant a Contested Case Hearing before the State Office of Administrative Hearings (SOAH), with the maximum 180-day duration, as recommended.

We urge the Commissioners to adopt the recommendations of both OPIC and the ED to ensure a full evidentiary review. This process is vital for protecting the health, safety, and welfare of our homes.

Thank you for your time and consideration.

Myra and Sam Alaniz
Concerned Citizens of Robstown and Calallen

CC: Mailing list attached

MAILING LIST

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TCEQ DOCKET NO 2025-0829-AIR
PERMIT NO. 174951
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