

Sandra Arizmendi and Humberto Arizmendi
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August 11, 2025

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk (MC-105)
P.O. Box 13087 Austin, TX 78711-3087

RE: Response to OPIC's and ED Recommendation
Permit No. 174951
Docket No. 2025-0829-Air

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

I am submitting my response along with my husband Humberto Arizmendi, regarding the Office of Public Interest Counsel's (OPIC) and the Executive Director's (ED) response on the application by Nueces Green Ammonia for Air quality Permit referenced above.

I would also like to point out that my husband Humberto Arizmendi's response should be the same as my response in all submitted contested and response paperwork. In OPIC's response dated July 18, 2025, my husband Humberto Arizmendi was listed in paragraph 2 on page 7 but was not included in the Recommendation List. Please be aware that we are a couple who reside at 4519 FM 1889 and all submitted responses from me (Sandra Arizmendi) should be our voice and response for both of us. I am the one that prepares and submits all of these contested and responses on behalf of both Humberto Arizmendi and Sandra Arizmendi.

We agree with OPIC's and the ED's recommendations to grant our request for a Contested Case Hearing.

We agree with OPIC's and the ED's determination that the issues raised –including air quality deficiencies cumulative public health risks, inadequate air monitoring, and broader environmental impacts –are relevant, material, and warrant further examination.

One particular concerning issues 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. This omission further highlights the need for a contested case hearing to ensure full transparency and proper evaluation of community health and environmental risks.

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 sites contain Benzene and are rated MODERATE. These omissions further highlight the need for a contested case hearing to ensure full transparency and proper evaluation of our community health and environmental risks.

Our permanent residence is within 0.07 miles of the proposed site, these issues are directly relevant to my husband and I making us affected persons. They include air quality and emission risks that would impact our health and physical property, as well as the health of livestock and wildlife on our property. Potential nuisance odor from the proposed plant would impact our household enjoyment of our land and animals. It is important that extreme weather conditions be considered in the modeling of the proposed plant.

We also support the need for further examination of cumulative public health risks to our community, inadequacies of the air monitoring that is proposed, whether the proposed permit meets all BACT requirements, and broader environmental impacts on the surrounding area. It is particularly concerning that the air quality and cumulative impact analyses failed to account for emissions from the Permit by Rule (PBR) authorization for Avina Clean Hydrogen, a facility permitted to operate immediately adjacent to the proposed Avina Green Ammonia site. This omission further supports the need for a contested case hearing. I also support OPIC's and the ED's recommendation that the following individuals and the Concerned Citizens group be recognized as affected persons:

Concerned Citizens of Robstown and Calallen, Myra Alaniz, Samuel Alaniz, Sandra and Humberto Arizmendi, Kelley Carrillo, Kimberly Castaneda, Michael Castaneda, Anita Contreras, Deanna Conteras, Pablo Contreras, Eileen Doherty, Brittany Donald, David Donald, Deborah Donald, Lawrence Fuhrken, Alvin Morin, Arsilia Morin, Yolanda Morin, and George Picha, Jr.

We respectfully request that the Commission grant my and the Concerned Citizens of Calallen Robstown affected persons request for a Contested Case Hearing at the State Office of Administrative Hearings (SOAH), with the maximum allowable duration of 180 days.

Given the significant and unresolved issues raised, I respectfully urge the Commissioners to adopt OPIC's and the ED's recommendations to grant our request for a Contested Case Hearing. This action is essential to ensure a complete evidentiary record and protect the health, safety, and welfare of the affected community now and for the future of our community.

Thank you for the time and consideration.

Best Regards,
Sandra A Arizmendi and Humberto Arizmendi
Concerned Citizens of Robstown and Calallen

CC: Mailing list attached.

MAILING LIST

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