Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Wednesday, January 15, 2025 2:20 PM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number 178101

H

From: PUBCOMMENT-OCC
Sent: Tuesday, January 7, 2025 3:10 PM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-APD <PUBCOMMENT-APD@tceq.texas.gov>
Subject: FW: Public comment on Permit Number 178101

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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www.tceq.texas.gov/customersurvey

From: zandylulu@gmail.com <zandylulu@gmail.com>
Sent: Monday, January 6, 2025 8:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 178101

REGULATED ENTY NAME FLORES CONCRETE LBK

RN NUMBER: RN111746814

PERMIT NUMBER: 178101

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: FLORES CONCRETE LBK LLC

CN NUMBER: CN606119766

NAME: Donnie Baldridge

EMAIL: zandylulu@gmail.com

COMPANY:

ADDRESS: 4605 COUNTY ROAD 6300
LUBBOCK, TX 79415

PHONE: 8067909262

FAX:

COMMENTS: On several occasions, the blowing dust from this facility operating under a temporary permit from May 2024 thru October 2024 became bad enough that we could no longer stay and work in our shop building located across the street. The dust would blow so bad that breathing was difficult and a thick layer of dust covered everything in the building and on our property afterwards. In addition to being a well established health hazard to those living in close proximity to concrete batch plants, the particular operator at this particular site has shown a blatant disregard concerning the nuisance their operations pose to the surrounding neighborhood and the significant encumbrance to the enjoyment of my property caused by same. Other than established health risks, possible long-term ramifications are largely unknown to me, but I can already see evidence of rust around the screws on metal buildings on my property and the caustic nature of cement dust is also hard on vehicle finishes. I have spoken to the owner via telephone regarding the issues caused by blowing dust. He stated that he is unable and unwilling to correct the problem and suggested that I pursue alternate avenues to address my concerns. Furthermore, in reviewing the pending application, it appears there are numerous misrepresentations concerning the type of dust control equipment and other non-existent dust control measures that seem to be required under the terms of the permit. These issues should be addressed before the permit application is approved. By requesting this contested case hearing, it is my desire that the pending permit application will be denied rather than become an ongoing subject of contention between the owner/operators, myself and other surrounding residents. The batch plant was allowed to operate under a temporary permit for 180 days to complete work on one job only. Issue #1: Mixed batches were routinely delivered to job sites outside the scope of the temporary permit. Me and my wife Lindsey have both observed Flores mixer trucks loading and then followed them to jobs in Lubbock and Post where they proceeded to pour concrete on jobs other than the permitted feedlot job at Hale Center (reference: Complaint Evidence Information affidavit and photographs sent). Issue #2: The batch plant was installed approximately 1000 feet southeast of the site plan provided in the representations portion of the temporary permit application. However, the plant was allowed to operate for 180 days with no corrective action required. Issue #3: Before beginning initial operations, the regional office was not notified properly, and therefore did not perform a pre-startup inspection. As a result, required dust prevention measures and equipment were not verified. Since the pending application pertains to a facility that already exists, I would respectfully request the appropriate individuals perform a thorough inspection of the existing equipment at this location vs the equipment represented in the permit application and verify the correct operation and existence of said equipment. I would also like to request the same scrutiny of other dust containment and control measures such as stockpile placement and containment, roadway construction and maintenance, loading area design, conveyor enclosure and other considerations pertinent to the proper operation of a regulated facility of this type. We have seen little or no dust control to this point and are unable to verify if the dust control equipment is installed or not. There are also misrepresentations on the current permit application as to the distances of how far the vehicles, stockpiles, and stationary equipment are from the property lines. Under the current pending permit

application, public notice signage requirements have not been met. Signs should have been visibly posted beginning December 10, 2024. As of today, January 6, 2025, the signs are not posted (reference: Complaint Evidence Information affidavit and photographs sent). It is our concern that a past history of non-compliance and a pattern of ongoing non-compliance by this operator at this location will continue to pose long-term health hazards and ongoing nuisances that limit the use and enjoyment of my home and property. It is my opinion that the original temporary permit that allowed this facility to operate in such close proximity to existing residences was granted in error and granting a permanent permit for operation on this site would be a grievous mistake.

Donnie Baldridge
4605 County Road 6300 Lubbock, TX 79415
806-790-9262

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2025 JAN 13 AM 10:09
CHIEF CLERKS OFFICE

Reviewed By GCW
JAN 14 2025 H

Permit Number 178101
Flores Concrete

I, Donnie Baldridge, am requesting a contested case hearing. My primary residence is located at 4605 County Road 6300 Lubbock, TX. The concrete batch plant in question is located at 4514 County Road 6300 approximately 220 feet from my property.

On several occasions, the blowing dust from this facility operating under a temporary permit from May 2024 thru October 2024 became bad enough that we could no longer stay and work in our shop building located across the street. The dust would blow so bad that breathing was difficult and a thick layer of dust covered everything in the building and on our property afterwards. In addition to being a well established health hazard to those living in close proximity to concrete batch plants, this particular operator at this particular site has shown a blatant disregard concerning the nuisance their operations pose to the surrounding neighborhood and the significant encumbrance to the enjoyment of my property caused by same. Other than established health risks, possible long-term ramifications are largely unknown to me, but I can already see evidence of rust around the screws on metal buildings on my property and the caustic nature of cement dust is also hard on vehicle finishes. I have spoken to the owner via telephone regarding the issues caused by blowing dust. He stated that he is unable and unwilling to correct the problem and suggested that I pursue alternate avenues to address my concerns.

Furthermore, in reviewing the pending application, it appears there are numerous misrepresentations concerning the type of dust control equipment and other non-existent dust control measures that seem to be required under the terms of the permit. These issues should be addressed before the permit application is approved. By requesting this contested case hearing, it is my desire that the pending permit application will be denied rather than become an ongoing subject of contention between the owner/operators, myself and other surrounding residents.

The batch plant was allowed to operate under a temporary permit for 180 days to complete work on one job only. Issue #1: Mixed batches were routinely delivered to job sites outside the scope of the temporary permit. Me and my wife Lindsey have both observed Flores mixer trucks loading and then followed them to jobs in Lubbock and Post where they proceeded to pour concrete on jobs other than the permitted feedlot job at Hale Center (reference: Complaint Evidence Information affidavit and photographs sent). Issue #2: The batch plant was installed approximately 1000 feet southeast of the site plan provided in the representations portion of the temporary permit application. However, the plant was allowed to operate for 180 days with no corrective action required. Issue #3: Before beginning initial operations, the regional office was not notified properly, and therefore did not perform a pre-startup inspection. As a result, required dust prevention measures and equipment were not verified.

Since the pending application pertains to a facility that already exists, I would respectfully request the appropriate individuals perform a thorough inspection of the existing equipment at this location vs the equipment represented in the permit application and verify the correct operation and existence of said equipment. I would also like to request the same scrutiny of other dust containment and control

measures such as stockpile placement and containment, roadway construction and maintenance, loading area design, conveyor enclosure and other considerations pertinent to the proper operation of a regulated facility of this type. We have seen little or no dust control to this point and are unable to verify if the dust control equipment is installed or not.

There are also misrepresentations on the current permit application as to the distances of how far the vehicles, stockpiles, and stationary equipment are from the property lines.

Under the current pending permit application, public notice signage requirements have not been met. Signs should have been visibly posted beginning December 10, 2024. As of today, January 6, 2025, the signs are not posted (reference: Complaint Evidence Information affidavit and photographs sent).

It is our concern that a past history of non-compliance and a pattern of ongoing non-compliance by this operator at this location will continue to pose long-term health hazards and ongoing nuisances that limit the use and enjoyment of my home and property. It is my opinion that the original temporary permit that allowed this facility to operate in such close proximity to existing residences was granted in error and granting a permanent permit for operation on this site would be a grievous mistake.

Donnie Baldridge
4605 County Road 6300
Lubbock, Tx 79415

CERTIFIED MAIL

9589 0710 5270 2574 3583 55

Retail

RDC 99

78711

U.S. POSTAGE PAID
FCM LETTER
LUBBOCK, TX 79490
JAN 07, 2025

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Austin, TX 78711-3087

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2025 JAN 13 AM 9:44
CHIEF CLERKS OFFICE
RETURN RECEIPT REQUESTED

Donnie Baldridge
4605 County Road 6300 Lubbock, TX 79415
806-790-9262

Reviewed By GW

JAN 09 2025 H

Permit Number 178101
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Fax Cover Sheet

Date: 01/08/25	**To:** TCEQ Office of the Chief Clerk MC 105
Fax: 512-239-3311	**Attn:**
From: Donnie Baldridge	**Re:** Contested Case Hearing Request
Phone: 806-790-9262	**Pages:** 3 Including cover

Notes:
A copy of this request has been sent via certified mail.

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Juliet Varra

From: eFax Corporate <message@inbound.efax.com>
Sent: Wednesday, January 8, 2025 5:20 PM
To: Fax3311
Subject: Corporate eFax message from "FaxZerocom" - 3 page(s)
Attachments: FAX_20250108_1736378393_887.pdf

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Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Tuesday, January 7, 2025 3:10 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 178101

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: zandylulu@gmail.com <zandylulu@gmail.com>
Sent: Monday, January 6, 2025 8:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 178101

REGULATED ENTY NAME FLORES CONCRETE LBK

RN NUMBER: RN111746814

PERMIT NUMBER: 178101

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: FLORES CONCRETE LBK LLC

CN NUMBER: CN606119766

NAME: Donnie Baldridge

EMAIL: zandylulu@gmail.com

COMPANY:

ADDRESS: 4605 COUNTY ROAD 6300
LUBBOCK, TX 79415

PHONE: 8067909262

FAX:

COMMENTS: On several occasions, the blowing dust from this facility operating under a temporary permit from May 2024 thru October 2024 became bad enough that we could no longer stay and work in our shop building located across the street. The dust would blow so bad that breathing was difficult and a thick layer of dust covered everything in the building and on our property afterwards. In addition to being a well established health hazard to those living in close proximity to concrete batch plants, the particular operator at this particular site has shown a blatant disregard concerning the nuisance their operations pose to the surrounding neighborhood and the significant encumbrance to the enjoyment of my property caused by same. Other than established health risks, possible long-term ramifications are largely unknown to me, but I can already see evidence of rust around the screws on metal buildings on my property and the caustic nature of cement dust is also hard on vehicle finishes. I have spoken to the owner via telephone regarding the issues caused by blowing dust. He stated that he is unable and unwilling to correct the problem and suggested that I pursue alternate avenues to address my concerns. Furthermore, in reviewing the pending application, it appears there are numerous misrepresentations concerning the type of dust control equipment and other non-existent dust control measures that seem to be required under the terms of the permit. These issues should be addressed before the permit application is approved. By requesting this contested case hearing, it is my desire that the pending permit application will be denied rather than become an ongoing subject of contention between the owner/operators, myself and other surrounding residents. The batch plant was allowed to operate under a temporary permit for 180 days to complete work on one job only. Issue #1: Mixed batches were routinely delivered to job sites outside the scope of the temporary permit. Me and my wife Lindsey have both observed Flores mixer trucks loading and then followed them to jobs in Lubbock and Post where they proceeded to pour concrete on jobs other than the permitted feedlot job at Hale Center (reference: Complaint Evidence Information affidavit and photographs sent). Issue #2: The batch plant was installed approximately 1000 feet southeast of the site plan provided in the representations portion of the temporary permit application. However, the plant was allowed to operate for 180 days with no corrective action required. Issue #3: Before beginning initial operations, the regional office was not notified properly, and therefore did not perform a pre-startup inspection. As a result, required dust prevention measures and equipment were not verified. Since the pending application pertains to a facility that already exists, I would respectfully request the appropriate individuals perform a thorough inspection of the existing equipment at this location vs the equipment represented in the permit application and verify the correct operation and existence of said equipment. I would also like to request the same scrutiny of other dust containment and control measures such as stockpile placement and containment, roadway construction and maintenance, loading area design, conveyor enclosure and other considerations pertinent to the proper operation of a regulated facility of this type. We have seen little or no dust control to this point and are unable to verify if the dust control equipment is installed or not. There are also misrepresentations on the current permit application as to the distances of how far the vehicles, stockpiles, and stationary equipment are from the property lines. Under the current pending permit application, public notice signage requirements have not been met. Signs should have been visibly posted beginning December 10, 2024. As of today, January 6, 2025, the signs are not posted (reference: Complaint Evidence Information affidavit and photographs sent). It is our concern that a past history of non-compliance and a pattern of ongoing non-compliance by this operator at this location will continue to pose long-term health hazards and ongoing nuisances that limit the use and enjoyment of my home and property. It is my opinion that the original temporary permit that allowed this facility to operate in such close proximity to existing residences was granted in error and granting a permanent permit for operation on this site would be a grievous mistake.

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Friday, January 24, 2025 2:57 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number 178101

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: sbhster1@gmail.com <sbhster1@gmail.com>
Sent: Friday, January 24, 2025 2:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 178101

REGULATED ENTY NAME FLORES CONCRETE LBK

RN NUMBER: RN111746814

PERMIT NUMBER: 178101

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: FLORES CONCRETE LBK LLC

CN NUMBER: CN606119766

NAME: Shiela B Hall

EMAIL: sbhster1@gmail.com

COMPANY: southwest geological & env svc inc

ADDRESS: 4502 17th Street
Lubbock, TX 79416

PHONE: 8067810565

FAX:

COMMENTS: Also a property owner on Kent Ave. Protesting the permit due to air quality considerations Wish to be notified on public hearing date Many thanks!