Vincent Redondo

From:	PUBCOMMENT-OCC
Sent:	Friday, November 1, 2024 4:54 PM
To:	PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject:	FW: Public comment on Permit Number 176227
Attachments:	24.11.01_NELC Supplemental Comments and Request for Contested Case Hearing.pdf

H

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

FIRST NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") submit: 1. a supplement to our request for a contested case hearing; and 2. supplemental public ments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applican en Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:29 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_AlexHillaEmails-NoticeProblemAndOldPermit.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 3:10 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_AlexHillaEmails-NoticeProblemAndOldPermit.pdf

From: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Sent: Thursday, August 8, 2024 2:11 PM
To: Adam Pirtle <pirtlea@lanwt.org>
Subject: RE: Triple C Permit Number Change

Adam,

It is my understanding that the facility located at 1521 Erskine Street, Lubbock, Lubbock County, TX was previously authorized by Standard Permit Authorization number 71025. The company failed to submit a timely renewal and the authorization was voided on March 15, 2024. I would recommend reaching out to the TCEQ Lubbock Regional Office (Region 2) regarding concerns of unauthorized plant operation. The main line to the Region 2 office is 806-796-7092.

Best Regards,

Alexander Hilla
Air Permits Division, Mechanical
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753
Work: (512)-239-0157
Mobile: (512)-659-7478
Email: alexander.hilla@tceq.texas.gov

How is our customer service? www.tceq.texas.gov/customersurvey

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Thursday, August 8, 2024 1:53 PM
To: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Subject: RE: Triple C Permit Number Change

Thank you for providing the document to me.

Does the Applicant have a valid authorization from TCEQ to be operating at the current time? If you are not the appropriate person to direct this question, please refer me to the correct person.

Thank you,
Adam

From: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Sent: Thursday, August 8, 2024 1:18 PM

To: Adam Pirtle <pirtlea@lanwt.org>
Subject: RE: Triple C Permit Number Change

Adam,

Typically you would need to make a Public Information Request.
The Public Notice Verification submitted by the applicant on 08/05/2024 will not be accepted as it stands, but will be included in the public folder for completeness. I went ahead and attached it here due to the nature of situation where the permit number has changed and I don't want any confusion or delay in receiving the requested document, but please use the Public Information Request portal in the future.

Best Regards,

Alexander Hilla
Air Permits Division, Mechanical
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753
Work: (512)-239-0157
Mobile: (512)-659-7478
Email: alexander.hilla@tceq.texas.gov

How is our customer service? www.tceq.texas.gov/customersurvey

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Thursday, August 8, 2024 12:21 PM
To: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Subject: RE: Triple C Permit Number Change

Thank you, Mr. Hilla.

When you have a moment, could you please send me the affidavits the Applicant delivered to TCEQ certifying that it had properly posted signs and posted the application at the Lubbock County Courthouse? If it is best to make a public information request, I will cc you on that request.

Thank you,
Adam

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

This message, as well as any attached document, contains information from the law firm of Legal Aid of NorthWest Texas that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

From: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Sent: Thursday, August 8, 2024 12:07 PM
To: Adam Pirtle <pirtlea@lanwt.org>
Subject: RE: Triple C Permit Number Change

Hello Adam,

The L00# suffix placed on some permit numbers is used to denote temporary/portable facilities. A permit ending in L004 for example would be a temporary/portable facility that has changed site locations three times for various jobs or based on company needs. The L001 added to Triple C Concrete's permit application for an initial authorization of a permanent facility was an error on the administrative side when processing this application.

I completely understand the concern for tracking the project efficiently and this WILL impact the public notice for this project. At this time we are discussing next steps with the applicant to republish an amended notice using the corrected permit number, effectively extending the comment period further. The comments received so far would be kept on the record and commenters on the mailing list would remain throughout this extended comment period. Sorry for the confusion and I hope this answers your question. Let me know if I can clarify further or if you have any other questions.

Best Regards,

Alexander Hilla
Air Permits Division, Mechanical
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753
Work: (512)-239-0157
Mobile: (512)-659-7478
Email: alexander.hilla@tceq.texas.gov

How is our customer service? www.tceq.texas.gov/customersurvey

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Thursday, August 8, 2024 11:45 AM
To: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Subject: Triple C Permit Number Change

Mr. Hilla:

I noticed this morning that the permit number has changed for Triple C Concrete's most recent permit application. The public notice and other public facing documents that TCEQ previously released list the permit number as Air Source New Registration 176227L001.

In the last hour, TCEQ now lists the permit application as Air Source New Registration 176227.

Could you please explain why TCEQ made this change? I fear it may cause confusion as many members of the public are using the old permit number to keep track of the application.

Thank you,
Adam

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

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Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:26 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2025-10-09_Printout-TCEQintegratedDatabase.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:57 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2025-10-09_Printout-TCEQintegratedDatabase.pdf

Questions or Comments >>

TCEQ Home

Search Results for TCEQ Commissioners' Integrated Database

Note: *Any document type in activity action, filing, or comment letter, etc. appearing as a hyperlink has a copy of the document(s) viewable in PDF. (Help with PDF). See Glossary of Terms. for clarification of terms used.*

For more information, about this permit application or the permitting process, please call the Public Education Program, toll free, at 1-800-687-4040.

Return to search form.

| 1 - 1 |

Report Results 1 of 1

Applicant/Respondent Name, TCEQ Customer Number:	**Status:** ACTIVE
TRIPLE C CONCRETE OF LUBBOCK LTD, CN604580019	**Item Type:** ENFORCE

Regulated Entity Name, Regulated Entity Number:
COMMERCIAL CONCRETE, RN104156286

TCEQ Docket Num: 2024-1699-AIR-E	**Program:** AIRNSR	**Permit Number:** 176227
SOAH Docket Num:	**Program:** ENF	**Permit Number:** 66900
County, TCEQ Region: LUBBOCK, REGION 02 - LUBBOCK		
Doc. Type: ORDER		

Protestant Information

Note: Allow up to five or more business days after the end of the comment period for comments or hearing requests to be included in this total.

Comments Received: 0 **Hearing Requests Received:** 0 **Public Meetings Received:** 0

Activity Action List:

Date	Document Type	Action
10/21/2024	TCEQ DOCKET NUMBER	REQUESTED
10/21/2024	TCEQ DOCKET NUMBER	ISSUED

Filings received since July 2009 can be downloaded as a PDF by clicking on the Filing Title.

Filings:

Date Received	Filing Title
No Filings found	

Comment letters, etc. received since November 2008 can be downloaded as a PDF by clicking on the Correspondence Type.

Date Received	Commentor	Correspondence Type	Comments Submitted Electronically
10/28/2024 8:43 PM	OUALLINE,MARK	Regarding Permit Application	There were issues for some getting to the meeting, Google maps gave us a different location when HQ Plaza was searched for

| 1 - 1 |

Return to search form.

Related Links:

Central Registry	**Commissioners Agenda**	**Executive Director's Agenda**	**Commission Issued Orders**	**Public Meetings**	**State Office of Administrative Hearings**	**Public Notice**
Comment on Pending Applications	**File documents**					

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Statewide Links: **Texas.gov | Texas Homeland Security | TRAIL Statewide Archive | Texas Veterans Portal**

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Last Modified 2025-04-09 - Production v3.3.2

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:24 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2025-10-09_PenelopeRodriguezAffidavit.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:56 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2025-10-09_PenelopeRodriguezAffidavit

AFFIDAVIT OF PENELOPE RODRIGUEZ

STATE OF TEXAS §
§
COUNTY OF LUBBOCK §

Before me, the undersigned authority, on this day personally appeared PENELOPE RODRIGUEZ, who swore or affirmed to tell the truth, and stated as follows:

1. My name is PENELOPE RODRIGUEZ. I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I am over the age of twenty-one years old and am competent to testify to the matters set forth in this Affidavit. I swear that the testimony and evidence as follows is true and correct to the best of my knowledge.

2. I am a paralegal for Legal Aid of NorthWest Texas at the address 1001 Main Street, Suite 502, Lubbock, Texas 79401.

3. I certify that on October 8, 2025, beginning at approximately 12:21 P.M. and ending at approximately 12:30 P.M., I used my phone camera to take two photos in the immediate vicinity of Triple C Concrete at 1521 Erskine St, Lubbock, TX 79403.

4. I certify that I took the attached photos entitled: "ExA_10.8_12:21PM.HEIC"; "ExB_10.8_12:30PM.HEIC."

5. I affirm that I took the photo entitled: "ExA_10.8_12:21PM.HEIC" from 1521 Erskine St, Lubbock, TX 79403 at approximately 33.60674° N, 101.85247° W.

6. I affirm that I took the photo entitled: "ExB_10.8_12:30PM.HEIC" from 1521 Erskine St, Lubbock, TX 79403 at approximately 33.60674° N, 101.85247° W.

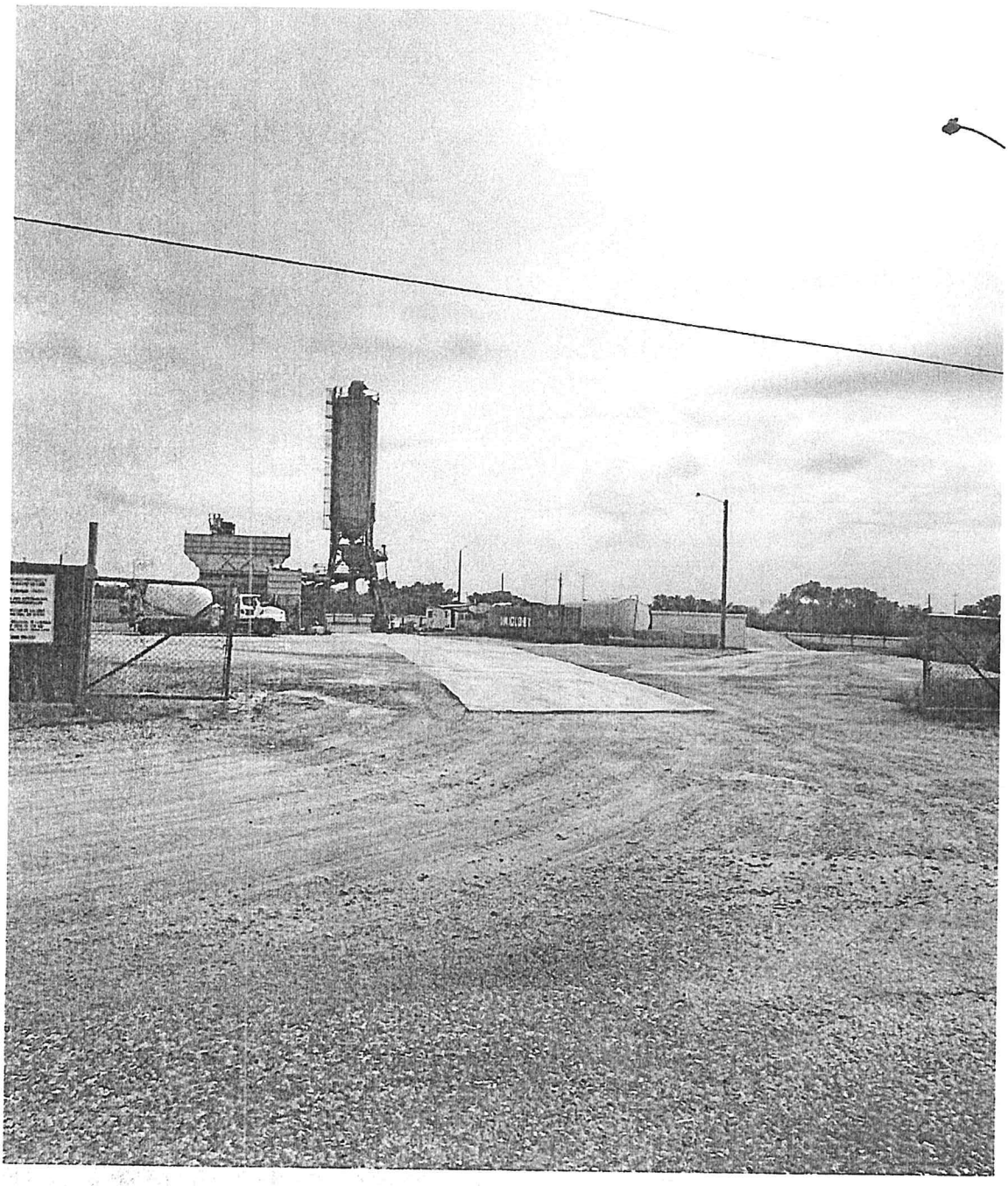
7. I hereby certify that I took the attached photos on October 8, 2025, of Applicant's site at 1521 Erskine St, Lubbock, TX 79403. At the site on this date, I witnessed and documented through photos the perimeter wall surrounded the facility is under six feet tall. Portions of the wall/fence consists of only chain link fencing, and the roads throughout the facility including the entry and exit areas are unpaved.

8. The affidavit and evidence submitted with it may be used for a hearing or any court proceeding.

ExA_10.8_12:21PM.HEIC



ExB_10.8_12:30PM.HEIC



Signed,

PENELOPE RODRIGUEZ

State of Texas
County of Lubbock

SWORN to and SUBSCRIBED before me, the undersigned authority, on the 9th day of October 2025.

Notary Public,
State of Texas

ALICIA G ANDREWS
Notary Public, State of Texas
Notary ID#: 13415740-0
My Commission Expires 01-20-2027

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:22 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2025-08-26_AgreedOrder_2023-0980-AIR-E.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:55 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2025-08-26_AgreedOrder_2023-0980-AIR-E.pdf

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING TRIPLE C CONCRETE OF LUBBOCK, LTD RN104156286	§ § § § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2023-0980-AIR-E

I. JURISDICTION AND STIPULATIONS

On August 26, 2025, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Triple C Concrete of Lubbock, LTD (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a concrete batch plant located at 1521 Erskine Street in Lubbock, Lubbock County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $3,000 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $2,400 of the penalty and $600 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During an investigation at the Plant conducted on March 27, 2023, an investigator documented that the Respondent failed to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface that can be maintained intact and cleaned, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants No. (9)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, TCEQ staff documented that the route to the washout basin was not paved and the surfaces that were paved could not be verified as intact and were not cleaned.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Triple C Concrete of Lubbock, LTD, Docket No. 2023-0980-AIR-E" to:

   Financial Administration Division, Revenue Operations Section
   Attention: Cashier's Office, MC 214
   Texas Commission on Environmental Quality
   P.O. Box 13088
   Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Order, implement measures designed to ensure all entry and exit roads and main traffic routes associated with the operation of the Plant are paved with a cohesive hard surface that can be maintained intact and cleaned.

b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

> "I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

> Enforcement Division, MC 149A
> Texas Commission on Environmental Quality
> P.O. Box 13087
> Austin, Texas 78711-3087

with a copy to:

> Air Section Manager
> Lubbock Regional Office
> Texas Commission on Environmental Quality
> 5012 50th Street, Suite 100
> Lubbock, Texas 79414-3426

3. All relief not expressly granted in this Order is denied.

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.

5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.

6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned,

digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
Amy Settemeyer	08/26/2025
For the Executive Director	Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Karla Colquett	5-1-25
Signature	Date
Karla Colquett	Partner
Name (Printed or typed) Authorized Representative of Triple C Concrete of Lubbock, LTD	Title

☐ *If mailing address has changed, please check this box and provide the new address below:*

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 29, 2025

Mr. Scott Reed, Plant Superintendent
Triple C Concrete of Lubbock, LTD
2008 East 50th Street
Lubbock, Texas 79404-4044

Re: TCEQ Enforcement Action
Triple C Concrete of Lubbock, LTD
Docket No. 2023-0980-AIR-E

Dear Mr. Reed:

Enclosed for your records is a fully-executed copy of the Agreed Order for the above-referenced matter.

Please review the enclosed Agreed Order, particularly the "Ordering Provisions" section, to determine if further action will be required of you, such as the completion of technical requirements to achieve compliance. When technical requirements are listed (usually Ordering Provision No. 2 or 3), a deadline will be provided based on a specific number of days after the effective date. The effective date is as stated in the enclosed Agreed Order.

Should you have any questions, please contact Mackenzie Mehlmann, the Enforcement Coordinator assigned to this matter, at (512) 239-2545.

Sincerely,

Michael Parrish
Enforcement Division

Enclosure

cc: Mackenzie Mehlmann, Enforcement Division
Air Enforcement Section Manager, Region 2

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:21 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2025-08-22_TPIARequest_NELC_TripleCandTCEQPolicyGuidance.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:54 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2025-08-22_TPIARequest_NELC_TripleCandTCEQPolicyGuidance.pdf

400 S Zang Blvd, Suite 1420
Dallas, TX 75208
214-243-2582

Legal Aid of NorthWest Texas

August 22, 2025

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for policy guidance and related documentation.

Dear Public Information Officer:

I represent the North and East Lubbock Coalition ("NELC"). Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, NELC respectfully requests the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

NELC requests the following:

1) Any and all policy guidance related to TCEQ's rating system for low, moderate, and high hazard potential for Standard Concrete Batch Plants.

2) Any and all documentation related to, considered, and/or relied upon for the determination of moderate hazard potential in the investigation of Permit Number 17626, Project Number 373356 on or around December 12, 2024.

3) Any and all policy guidance related to TCEQ's evaluation process for §382.052 of the Texas Health and Safety Code related to school distances within 3,000 feet of Standard Concrete Batch Plants.

4) Any and all documentation related to, considered, and/or relied upon for the finding that there is no school within 3,000 feet regarding the investigation of Permit Number 17626, Project Number 373356 on or around December 12, 2024. (see Figure 1 below for details)

Date Received: **12/12/2024**	
PERMIT No. 176227	**PROJECT No. 373356**
Company Name: Triple C Concrete Of Lubbock Ltd	
Investigator's/Compliance Officer's Name (Please Print): **Ashley Torrez**	
Organization: Region 2, Lubbock Office	Phone: (806)796-7607
Comments Deadline:	12/9/2024
Date of Last Site Visit:	10/31/2024
SITE INFORMATION:	
Nuisance/Odor Potential: ___ Low ✓ Moderate ___ High	
Existing Odor Problem: ___ Yes ✓ No (If yes, provide details)	
Hazard Potential: ___ Low ✓ Moderate ___ High	
Surrounding Land Use: Industrial, Agricultural	
School within 3,000 feet? ___ Yes ✓ No Distance (feet): School Name:	
Distance to Nearest Off-Property Receptor:	116'
Receptor Type:	Residence
Distance from unit to nearest property line:	155'
Describe area surrounding the site (agriculture, industrial, residential):	Industrial, residential

Figure 1

B. Confidential information requested except for emails

NELC requests all records and information responsive to this request including confidential information. NELC agrees that email addresses may be redacted. If TCEQ believes that other responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a neighborhood group serving the North and East Lubbock community. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Michael Bates
Staff Attorney
Legal Aid of NorthWest Texas
Phone: (214) 243-2582 Ext. 8902
Email: batesm@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:19 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2025-07-14_TripleCTCEQInvestigation.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:52 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2025-07-14_TripleCTCEQInvestigation.pdf

AIR CP_104156286_CP_20250716_Investigation_2071721_

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: COMMERCIAL CONCRETE
Regulated Entity Number: RN104156286

Investigation # 2071721

Investigator: SARA COLEY

Supervisor: Hailey Clark
Approved Date: 08/14/2025

Conducted: 07/14/2025 -- 07/16/2025

Program(s): AIR QUALITY NON PERMITTED

Investigation Type: Compliance Investigation

Additional ID(s)

Address: ,
, ,

Incident Numbers
443312

Site Classification

NAIC Code: 327320
SIC Code: 3273

Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX

Local Unit: REGION 02 - LUBBOCK
Activity Type(s AIR MNSR - MINOR SOURCE NEW SOURCE REVIEW
AIRCOMPL - AIR CMPL - AIR COMPLAINT INV

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	PLANT MANAGER	SCOTT REED	Phone	(806) 577-6659
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETTE	Fax Phone	(806) 762-6514 (806) 762-3227

Other Staff Member(s):

Role	Name
QA Reviewer	ANDREW SPEIGEL
Supervisor	HAILEY CLARK

Information Copy 8/14/25 ah EDOC 7853624

Associated Check List

Checklist Name	Unit Name
AIR EQUIPMENT	443312
AIR COMPLAINT INVESTIGATION	443312

Investigation Comments:

INTRODUCTION
On July 10, 2025, the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office received a complaint alleging Commercial Concrete, the Regulated Entity (RE), was operating without authorization via the online complaint form. The RE is owned and operated by Triple C Concrete of Lubbock, LTD, the Customer. The site is located at 1521 Erskine Street, Lubbock, Lubbock County, Texas. Incident No. 443312 was created (Attachment 1) and assigned to Sara Coley, Environmental Investigator, on July 11, 2025. Coley called and emailed the complainant on July 11, 2025, to provide the incident number, explain the complaint and citizen collected evidence process. Coley conducted an Air Complaint (AIRCOMPL) and Minor New Source Review (AIR MNSR) investigation to determine if the site was operating without authorization.

Daily Narrative
On July 14, 2025, Coley and Andrew Speigel, Emissions Evaluator, traveled to the area of the complaint, arriving at 1415 hours. Coley parked on Avenue (Ave) P to the west of the RE. The meteorological conditions were measured with a Kestrel 5000 Environmental Meter (Kestrel) and the investigators observed the site until approximately 1430 hours. The temperature was 86 degrees Fahrenheit (F), with a slight breeze from the southwest (0-1 miles per hour[mph]). Drum trucks were observed washing out and driving on the site. Operation of the concrete batch plant was not observed.

On July 16, 2025, Coley arrived in the area at 0810 hours. Coley parked northeast of the plant on the Erskine Street (St) right-of-way near Ave Q. The meteorological conditions were measured with a Kestrel 5000 Environmental Meter (Kestrel). The temperature was 73 degrees F, with southeast winds at 5-10 mph. No operation of the batch plant was observed.

At 0820 hours Coley observed a Triple C labeled drum truck traveling west on Erskine St turn onto Ave P. At 0823 hours Coley parked west of the plant entrance on Ave P right-of-way. Coley observed the drum truck washing out and sitting on the pavement outside the batch plant. No operation of the batch plant was observed.

Coley spoke with Scott Reed, Superintendent, and he informed her the silo was empty and they had been moving aggregate around to facilitate repairs and reorganization of the stockpile bins. He stated they were completing contracts by purchasing concrete from Permian Basin Materials (PBM). Coley reviewed 3 months of invoices from PBM documenting the Customer is purchasing concrete to complete their contracts.

Exit Interview
No alleged violations were discovered, so an exit interview form was not provided.

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 2).

Air Quality Standard Permit for Concrete Batch Plants, Standard Permit Registration Number (No) 71025 expired on February 10, 2024. The Customer submitted an application on April 30, 2024, to permit the site under the Air Quality Standard Permit for Concrete Batch Plants. The permit authorization is pending approval.

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material

specified per job. The concrete is mixed in the plant mixer, and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer and the RE have "Satisfactory" compliance history classifications (Attachment 3).

Agreed Orders, Court Orders, and other Compliance Agreements
There is one effective administrative order (Docket No. 2019-0959-AIR-E) with an effective date of May 12, 2020, for the RE.

Prior Enforcement Issues
A Notice of Enforcement (NOE) was issued on October 4, 2024, for failure to obtain authorization prior to operating a source of air contaminants. See Investigation No. 2008932.

An NOV was issued on September 29, 2022, for failure to pave all in-plant roads with a cohesive hard surface. The alleged violation was referred to the TCEQ Enforcement Division and a NOE was issued on April 14, 2023, due to failure to complete corrective action within 180-days.

Complaints
There have been two other complaints regarding the RE in the past 2 years.

Incident No. 431297 alleged materials from the RE were being discharged offsite. No alleged violations were discovered (see Investigation No. 2022723).

Incident No. 427691 alleged nuisance dust from the RE. Nuisance dust conditions were not substantiated but an NOE was issued for operating without authorization, see Investigation No. 2008932.

ADDITIONAL INFORMATION
Coley was unable to substantiate the complaint since she did not document the Customer operating the concrete batch plant without authorization. An final complaint letter was sent to the Customer, and a "Request for Assistance" letter was sent to the complainant in August 2025.

Additional Issue
There are no additional issues.

No Violations Associated to this Investigation

Attachments: (in order of final report submittal)

___Enforcement Action Request (EAR)
X Letter to Facility (specify type) : Final Complaint
Investigation Report
___Sample Analysis Results
___Manifests
___Notice of Registration
___Maps, Plans, Sketches
___Photographs
___Correspondence from the facility
X Other (specify) :
See list of attached files

List of Attached files

Att 1_Complaint Report.pdf

Att 2_Triple C SOS.pdf

Att 3_Compliance History Report.pdf

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 15, 2025

Ms. Karla Colquett, Corporate Secretary
Triple C Concrete of Lubbock
2008 East 50th Street
Lubbock, Texas 79404-4044

Re: Final Letter for Complaint and Minor New Source Review Investigation at:
Triple C Concrete of Lubbock, 1521 Erskine Street, Lubbock, Lubbock County, Texas
Regulated Entity No.: 104156286

Dear Ms. Colquett:

From July 14 to 16, 2025, Ms. Sara Coley of the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office conducted an investigation of the above-referenced site to evaluate compliance with applicable requirements for air quality. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Coley in the Region 2 Lubbock Office at (806) 796-7092.

Sincerely,

Jason Lindeman
Section Manager
Region 2 Lubbock Office

TCEQ Complaint Report

08/04/2025
2:15:14PM

Incident No: 443312
Media Type: AIR
Start Date: 7/10/2025
Received Date: 07/10/2025
Method : Email

Staff Member: SCOLEY
Status:
Status Date: 08/04/2025
Priority: Within 30 Calendar Days

Regulated Entity: COMMERCIAL CONCRETE

RN104156286

Address:
LUBBOCK County
Physical Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX

Responsible Party: TRIPLE C CONCRETE OF LUBBOCK LTD
Address: 2008 E 50TH ST, LUBBOCK, TX 79404
PHONE

Title:

Number Complaining: 1
Frequency: CURRENT
Alleged Source: COMMERCIAL CONCRETE

Program Group: AIR QUALITY - HIGH LEVEL

Nature: OTHER
Effect: GENERAL

Initial Problem

On July 10, 2025, a complainant contacted the Texas Commission on Environmental Quality (TCEQ) through the online complaint system. The complaint was forwarded to the TCEQ Region 2 Lubbock Office via email the same day. The complainant was concerned about a business operating without a permit in Lubbock County.

Action Taken

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Closure Comments

More information will be available upon approval of the investigation report.

Investigation Number: 2071721

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
Original Date of Filing:	March 12, 2014	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32053446053	**FEIN:**	
Duration:	Perpetual		

Name: TRIPLE C CONCRETE OF LUBBOCK, LTD
Address: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
May 8, 2015	Karquett, L.L.C.	General Partner	2008 E. 50th Street Lubbock, TX 79404 USA

Order | Return to Search

Instructions:
- To place an order for additional information about a filing press the 'Order' button.

Compliance History Report

Compliance History Report for CN604580019, RN104156286, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604580019, Triple C Concrete Of Lubbock, Ltd **Classification:** SATISFACTORY **Rating:** 8.50

Regulated Entity: RN104156286, COMMERCIAL CONCRETE **Classification:** SATISFACTORY **Rating:** 17.00

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 10 - Cement and Concrete Product Manufacturing

Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX LUBBOCK, TX, LUBBOCK COUNTY

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 176227

AIR NEW SOURCE PERMITS ACCOUNT NUMBER 960022A

AIR NEW SOURCE PERMITS AFS NUM 4877700647

AIR EMISSIONS INVENTORY ACCOUNT NUMBER 960022A

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: July 16, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: SColey **Phone:** (806) 796-7092

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 05/12/2020 ADMINORDER 2019-0959-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 3(K) PERMIT

Description: Failure to report a reportable emissions event within 24 hours of discovery

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 3(J)(vi) and (vii) PERMIT

Description: Failure to maintain records of application of dust suppression to plant roads and stock piles.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 5(H) PA
Description: The failure to conduct quarterly visible emissions observations.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(E)(ii) PERMIT
Description: Failure to maintain a dust suppressing fence or barrier that is at least 12 feet high.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(F) PERMIT
Description: Failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface.

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
Item 1 August 22, 2020 (1671484)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:18 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2024-12-12_TCEQ-InvestigationReport-AIR NSR_176227-SiteReview.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:51 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK,	§	
LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-12-12_TCEQ-InvestigationReport-AIR NSR_176227-SiteReview.pdf

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: COMMERCIAL CONCRETE
Regulated Entity Number: RN104156286

Investigation # 2029833
Investigator: ASHLEY TORREZ
Conducted: 12/12/2024 -- 12/12/2024
Program(s): AIR NEW SOURCE PERMITS
Investigation Type: Site Assessment File Review
Additional ID(s) 176227

Incident Numbers
Site Classification STANDARD PERMIT
NAIC Code: 327320
SIC Code: 3273
Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX

Address: ,
, ,

Local Unit: REGION 02 - LUBBOCK
Activity Type(s PMSI116IH - AIR PMSI116IH - IN HOUSE CH 116 PERMIT SITE REVIEW

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Fax Phone	(806) 762-6514 (806) 762-3227
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514

Other Staff Member(s):

Role	Name
Supervisor	HAILEY CLARK

Associated Check List

Checklist Name	Unit Name
AIR PERMIT SITE REVIEW	176227

Investigation Comments:

INTRODUCTION
On December 12, 2024, a Request for Comments (RFC) Project Number 378226 (Attachment 1) was received in the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office for

Commercial Concrete the Regulated Entity, located at 1521 Erskine Street in Lubbock County, Texas. The RE is applying for an initial standard permit, No. 176227.

Daily Narrative
On December 12, 2024, Ashley Torrez, Environmental Investigator for the TCEQ Region 2 Lubbock Office, conducted an in-house assessment of the location. The surrounding land use is primarily industrial and residential. The distance to the nearest receptor is approximately 116 feet. The nearest property line is approximately 155 feet from an emissions point. The nuisance/odor potential and the hazard potential are considered moderate due to the types of activities occurring at the site and the proximity to sensitive receptors. The RFC with comments was completed and sent to Alexander Hilla with Air Permits Division (APD) on December 12, 2024.

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 2).

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material specified per job. The concrete is mixed in the plant mixer, and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer and RE has "Satisfactory" compliance history ratings (Attachment 3).

Agreed Orders, Court Orders, and other Compliance Agreements
Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875).

Agreed Order, Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).

Prior Enforcement Issues
Based on a review of CCEDS, there were Notices of Violation (NOVs) issued by the TCEQ within the past five years.

Provide detail of any violation issued in the previous 5 years.
A violation was issued on October 19, 2022, for failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface. This violation was cited again in a Notice of Enforcement (NOE) dated April 14, 2023.

Complaints
On August 1, 2024, the TCEQ received a complaint alleging the RE, previously named Triple C Concrete of Lubbock (RN111965935) was operating without authorization via the online complaint form. Reference Investigation No. 2008932.

ADDITIONAL INFORMATION
Conclusions, Recommendations, and Current Enforcement Actions
The investigator recommends proceeding with APD Review.

Additional Issue
None.

No Violations Associated to this Investigation

Signed Ashley Torrez **Date** 2/18/2025

Environmental Investigator

Signed Hailey Clark **Date** 02/20/2025

Supervisor

Attachments: (in order of final report submittal)

___Enforcement Action Request (EAR)

___Letter to Facility (specify type) : _____

Investigation Report

___Sample Analysis Results

___Manifests

___Notice of Registration

___Maps, Plans, Sketches

___Photographs

___Correspondence from the facility

✓ Other (specify) :

See list below.

List of Attached files
Attachment 1-RFC.pdf
Attachment 2-SOS.pdf
Attachment 3-Compliance History Report.pdf

Request for Comments -- Site Review TCEQ -- Air Permits Division Phone: (512) 239-1250 Fax: (512) 239-1400		
Submitted by: Air Permits Initial Review Team		
TO: Region: 2	City: Lubbock	County: Lubbock
Date Request Submitted: November 18, 2024	Date Response Requested: December 31, 2024	
Comments: Deadline is 45 days for MSS-type reviews, 21 calendar days for all others, from the Date Request Submitted. Section Manager approval is required for responses requested sooner than those deadlines. MSS = an NSR application for Planned Maintenance, Start-up, or Shutdown emissions in accordance with 30 TAC Chapter 101.		
Date Application Received by Air Permit Initial Review Team: April 30, 2024		
REGIONAL OFFICES: Please return comments to the appropriate Permitting Team Leader indicated on the following page ASAP, but no later than deadline established above. Permit disposition will proceed after comments are received or after the comments deadline has passed.		
REQUESTED PERMIT ACTION:		
MSS Construction	MSS Amendment	Revision
Construction	Amendment	X Other Initial STDPMT
Renewal	Renewal Abbreviated Review	
Project No.: 373356	PERMIT No.: 176227	
Regulated Entity No.: RN104156286	Customer No.: CN604580019	
Company Name: Triple C Concrete Of Lubbock Ltd		
Plant Name: Commercial Concrete	City: Lubbock	County: Lubbock
Location: 1521 Erskine St		
Unit Name: Concrete Batch Plant		
Technical Contact: Aslyn Henry		Phone: (806) 783-9944
Local Program Applicable?: Yes X No Local Programs: Note: For sites in a region that has a local program with jurisdiction, MSS projects for those sites will be reviewed by regional offices only.		

Request for Comments -- Site Review RESPONSE			
PLEASE SEND COMMENTS TO THE PERSON IDENTIFIED BELOW. (To avoid delays, please do not send this back to the Air Permits Initial Review Team.):			
	To: Joe Nicosia - Air Permits Division – Austin (Mech)	E-Mail: Joe Nicosia	Phone: (512) 239-1644
	To: Sabrina Coty-Butler - Air Permits Division – Austin (Coatings)	E-Mail: Sabrina Coty-Butler	Phone: (512) 239-1225
	To: Daniel Crean - Air Permits Division - Austin (Chem)	E-Mail: Daniel Crean	Phone: (512) 239-1505
	To: Matthew Ray - Air Permits Division - Austin (Energy)	E-Mail: Matthew Ray	Phone: (512) 239-4716
	To: Joel Stanford - Air Permits Division - Austin (Expedite)	E-Mail: Joel Stanford	Phone: (512) 239-0270
	To: Rule Registration Section	E-Mail: AirRR	Phone: (512) 239-1250 Fax: (512) 239-2101
X	To: Alexander Hilla	E-Mail: alexander.hilla@tceq.texas.gov	Phone:512-239-0157 Fax:(512) 239-1400

FROM: Region: 2	City: Lubbock	County: Lubbock
	Compliance:	Legal:

Copy of Application Received by your Office: ___ YES ✓ NO (STEERS)	
Date Received: **12/12/2024**	
PERMIT No. 176227	**PROJECT No. 373356**
Company Name: Triple C Concrete Of Lubbock Ltd	
Investigator's/Compliance Officer's Name (Please Print): **Ashley Torrez**	
Organization: Region 2, Lubbock Office	Phone: (806)796-7607
Comments Deadline:	12/9/2024
Date of Last Site Visit:	10/31/2024
SITE INFORMATION:	
Nuisance/Odor Potential: ___ Low ✓ Moderate ___ High	
Existing Odor Problem: ___ Yes ✓ No (If yes, provide details)	
Hazard Potential: ___ Low ✓ Moderate ___ High	
Surrounding Land Use: Industrial, Agricultural	
School within 3,000 feet? ___ Yes ✓ No Distance (feet): School Name:	
Distance to Nearest Off-Property Receptor:	116'
Receptor Type:	Residence
Distance from unit to nearest property line:	155'
Describe area surrounding the site (agriculture, industrial, residential):	Industrial, residential

NOV/NOE INFORMATION (concerning affected process unit):	
Type of Site: ___ New ✓ Existing	
NOV Issued? ___ No ✓ Yes	Date:
Type of Violation:	
Was there an NOE for this site?: ___No ✓Yes	Date: 7/3/2019, 4/14/2023, 10/4/2023
Please provide any information the permit engineer needs concerning the current NOV, violation, or NOE status	Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875). Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).
Summarize any recent complaints related to this facility including complaint type and CCEDS number:	Please see below.
Recommendation based on Compliance History: (*For Compliance Use Only)	
Proceed with Permit Review ☑ Additional Provisions ☐ Deny Permit ☐ Update Application ☐	
SITE REVIEW:	
In light of the proximity of sensitive receptors and the surrounding land use, please discuss any concerns you have concerning a facility of this type locating at the proposed site. Paving and roads at site do not meet Special Conditon 9(F).	
MSS Specific Notes:	
The following MSS activities in the application are insufficient or inconsistent with our knowledge of MSS at the facility, and why:	
The following activities are typically considered planned MSS and are not found in the application. These activities should be added or addressed:	

Two complaints have been received by the TCEQ Region 2 Lubbock Office regarding the RE during the past two years. Investigation No. 2008932 was conducted in response to a complaint of nuisance dust conditions; however, no nuisance conditions were documented. This investigation, Investigation No. 2022723, was conducted in response to concerns of materials dumping; however, no conditions of materials dumping were documented.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
Original Date of Filing:	March 12, 2014	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32053446053	**FEIN:**	
Duration:	Perpetual		

Name: TRIPLE C CONCRETE OF LUBBOCK, LTD

Address: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
May 8, 2015	Karquett, L.L.C.	General Partner	2008 E. 50th Street Lubbock, TX 79404 USA

Order | Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN604580019, RN104156286, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604580019, Triple C Concrete Of Lubbock, Ltd **Classification:** SATISFACTORY **Rating:** 8.50

Regulated Entity: RN104156286, COMMERCIAL CONCRETE **Classification:** SATISFACTORY **Rating:** 17.00

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 10 - Cement and Concrete Product Manufacturing

Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX LUBBOCK, TX, LUBBOCK COUNTY

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 176227

AIR NEW SOURCE PERMITS ACCOUNT NUMBER 960022A

AIR NEW SOURCE PERMITS AFS NUM 4877700647

AIR EMISSIONS INVENTORY ACCOUNT NUMBER 960022A

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: January 28, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: ATorrez **Phone:** (806) 796-7607

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 05/12/2020 ADMINORDER 2019-0959-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 3(K) PERMIT
Description: Failure to report a reportable emissions event within 24 hours of discovery
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
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Description: Failure to prevent unauthorized emissions.
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Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(8)
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Rqmt Prov: Special Condition 3(J)(vi) and (vii) PERMIT

Description: Failure to maintain records of application of dust suppression to plant roads and stock piles.
Classification: Major
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30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(E)(ii) PERMIT
Description: Failure to maintain a dust suppressing fence or barrier that is at least 12 feet high.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(F) PERMIT
Description: Failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface.

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
Item 1 August 22, 2020 (1671484)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:15 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-10-01_NELC-TPIA_Triple C_Proposed Registration No. 176227.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:49 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-10-01_NELC-TPIA_Triple C_Proposed Registration No. 176227.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act records of Triple C Concrete of Lubbock, LTD, RN111965935, related to communications between it and the TCEQ, and its current permit application for Proposed Registration No. 176227

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. I request the following information from TCEQ:

1) All communications between Triple C (and its agents) and TCEQ beginning December 1, 2023, to the present;
2) Triple C's most current application and related documents submitted to TCEQ for Proposed Registration No. 176227;
3) All signed affidavits and Public Notice Verification Forms for Proposed Registration No. 176227;
4) All photos of the documents at the Lubbock County Courthouse and signed affidavits by Courthouse staff of application receipt for Proposed Registration No. 176227; and
5) All documentation TCEQ has for their evaluation of potential for cumulative or additive emissions for this permit application for Proposed Registration No. 176227.

B. Confidential information not requested

I request all records and information responsive to this requested expect for information that TCEQ determines to be confidential.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for

producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:14 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2024-10-01_NELC-TPIA_Triple C_Onsite Records.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:47 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-10-01_NELC-TPIA_Triple C_Onsite Records.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935, related to onsite records

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. I request the following records collected by TCEQ or to which TCEQ has a right of access as of August 27, 2024, to the present. Please note that I do not limit the records requested by the date of their creation but by the date TCEQ collected them. I maintain that if TCEQ does not currently possess the records I request that it can and should collect them by exercising its right of access as a regulatory agency with jurisdiction over Triple C.

I request the records that Triple C is required to keep onsite pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. **I sent a similar request on August 26, 2024. At that time, TCEQ responded that they did not have responsive information to this request because they had not requested it from Triple C. I request this information again in case TCEQ has requested this information as part of a compliance investigation related to complaints of Triple C illegally operating without authorization.**

Specifically, I request the following records which should be maintained on-site by Triple C:

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

- records related to 30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;
- records related to 30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;
- production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;
- all repairs and maintenance of abatement systems and other dust suppression controls;
- Material Safety Data Sheets for all additives and other chemicals used at the site;
- road cleaning, application of road dust control, or road maintenance for dust control;
- stockpile dust suppression;
- monthly silo warning device or shut-off system tests;
- quarterly visible emissions observations and any corrective actions required to control excess visible emissions;
- demonstration of compliance with subsection (6)(B) of this standard permit;
- type of fuel used to power engines authorized by this standard permit; and
- demonstration of compliance with subsection (5)(L) of this standard permit.

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records.

B. Confidential information requested

I request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

D. Public information includes records that TCEQ has a lawful right to obtain

According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[2] Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ must exercise its right of access to obtain this public information from Triple C to comply with this request. For the record, I disagree with TCEQ's view that it is not required to request this information from a regulated owner or operator when responding to a TPIA request.

---

[2] TEX. GOV'T CODE § 552.002(a)

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:13 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-10-01_NELC-TPIA_Triple C_Investigations.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:46 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK,	§	
LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-10-01_NELC-TPIA_Triple C_Investigations.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935, related to compliance and enforcement actions

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. I request the following records related to compliance and enforcement actions by TCEQ from August 27, 2024, to the present. I request the following:

1) All information regarding Triple C's compliance history including, but not limited to, enforcement orders, investigations, notices of violations, and citizen collected evidence; and
2) All information related to site visits of Triple C by TCEQ.

B. Confidential information requested except for emails

I request all records and information responsive to this request including confidential information. I agree that email addresses may be redacted. If TCEQ believes that other responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:10 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-09-11_NELC Comment-PublicCommentPeriodError.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:46 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-09-11_NELC Comment-PublicCommentPeriodError.pdf

From:	PUBCOMMENT-OCC
To:	PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Cc:	PUBCOMMENT-APD
Subject:	FW: Triple C Concrete"s application public comment period
Date:	Thursday, September 12, 2024 8:33:22 AM
Attachments:	24.09.11_Triple C Public Comment Period.pdf

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Wednesday, September 11, 2024 3:08 PM
To: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Cc: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Subject: Triple C Concrete's application public comment period

Hello Mr. Hilla:

I spoke to you last month regarding Triple C Concrete in Lubbock, Texas. Please see the attached letter regarding the public comment period for Triple C's permit application. The Central Registry page needs to be corrected to reflect that the public comment period had not ended but is extended until the end of the upcoming public meeting.

I am glad to see that the Executive Director approved the request for a public meeting.

Thank you,

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

This message, as well as any attached document, contains information from the law firm of Legal Aid of NorthWest Texas that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

September 11, 2024

Via Email: *Alexander.Hilla@tceq.texas.gov*

Alexander Hilla
Texas Commission on Environmental Quality
Air Permits Division MC-163
P.O. Box 13087
Austin, Texas 78711-3087

Re: Triple C Concrete Public Comment Period Incorrectly Marked as Ended

Dear Mr. Hilla:

I represent the North and East Lubbock Coalition. We spoke last month on the telephone regarding the permit application of Triple C Concrete, LTD ("Triple C"). The permit registration number is Air New Source Registration 176227. The RN number is RN111965935.

I write to express my concern that the TCEQ's Central Registry Page lists the public comment period as having ended on August 1, 2024. I enclosed a screengrab of the Central Registry page on the following page showing this error. While you personally assured me that the public comment period remains open until the conclusion of the public meeting, **please change the status of the Activity Actions box to reflect that the public comment period is still open to avoid public confusion.**[1] Thank you.

I am glad to see that the Executive Director approved a public meeting on this matter on August 30, 2024. Has TCEQ set a date?

Thank you for your attention to this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Cc: Chief Clerk Laurie Gharis via email: Laurie.Gharis@tceq.texas.gov
Enc: Screengrab of Central Registry Page for Triple C

[1] As you know, the Texas Admin Code also states that, "the public comment period shall automatically be extended to the close of any public meeting." 30 TAC § 55.152(b).

Screengrab of Central Registry Page for Triple C. The webpage is: https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.itemdetail&addn_id=377557572024121&re_id=372557562024121

ENVIRONMENTAL QUALITY

Query Home | Customer Search | RE Search | ID Search | Document Search | Registration Detail | TCEQ Home

Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Air New Source Registration 176227**
For: **TRIPLE C CONCRETE OF LUBBOCK** (RN111965935 ...)
1521 ERSKINE ST, LUBBOCK
Registration Status: **PENDING**
Held by: **TRIPLE C CONCRETE OF LUBBOCK LTD** (CN604580019 ...) View 'Issued To' History ...
OWNER OPERATOR Since 04/30/2024
Mailing Address: 2008 E 50TH ST LUBBOCK, TX 79404 -4044

Commissioners' Actions

Item Number	Item Type	Document Type	Status	TCEQ Docket Number	SOAH Docket Number
138041				N/A	N/A

Item 138041
Activity Actions

Action Date	Document Type	Action
08/30/2024	Public Meeting	ED APPROVE
08/01/2024	Comment Period	END
08/05/2024	Availability Verification Form	RECEIVED
08/05/2024	Alternative Language Verif For	RECEIVED
07/02/2024	Alternative Language Notice	PUBLISHED
07/01/2024	Notice - Application	PUBLISHED

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:08 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2024-08-26_NELC-TPIA_Triple C - Notice of Deficiency .pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:45 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-26_NELC-TPIA_Triple C - Notice of Deficiency .pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 26, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935, related to Notices of Deficiency

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935.

A. Information requested

I request:

1) All Notices of Deficiency issues to Triple C;
2) All communications between Triple C and the TCEQ regarding improvements or corrections that Triple C must make before a permit may be granted or to return to compliance; and
3) All citations issued to Triple C.

The date range for the information I request is from April 1, 2024, to the date of this letter.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:07 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-26_NELC-TPIA_382.052.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:44 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-26_NELC-TPIA_382.052.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 26, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records related to Tex. Health and Safety Code § 382.052

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ" or "the commission"). If this request is unclear, please contact me using the information in my signature block below for clarification.

This request involves **Texas Health & Safety Code § 382.052**. That section requires that, "[i]n considering the issuance of a permit to construct or modify a facility within 3,000 feet of an elementary, junior high, or senior high school, the commission shall consider possible adverse short-term or long-term side effects of air contaminants or nuisance odors from the facility on the individuals attending the school facilities."

A. Information requested

Please provide any policy guidance, regulations, external or internal communications, forms, or any other records used by TCEQ to carry out the mandate of Tex. Health & Safety Code § 382.052.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore,

NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:06 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-12_LeighFloresPIA-email.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:43 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-12_LeighFloresPIA-email

Adam Pirtle

From: AirPIR <AirPir@tceq.texas.gov>
Sent: Monday, August 12, 2024 1:11 PM
To: Adam Pirtle; Deanna Moreno
Cc: AirPIR
Subject: RE: TCEQ Public Information Request 96078

Good afternoon,

After discussing with our Legal Office about your concerns for PIR 24-96078, please see below:

> A Public Information Act request can only encompass public information in existence at the time the request was made, and governmental bodies are not obligated to prepare new information in response to a request. Private third-party records are only considered public information if they are "created by, transmitted to, received by, or maintained by . . . *a person or entity performing official business or a governmental function on behalf of a governmental body*. . . ." Tex. Gov't Code § 552.002(a-1). Regulated entities that are required to maintain certain records to demonstrate permitting compliance are not performing TCEQ business or governmental functions when doing so. *See* Open Records Decision No. 462 (1987).

As Triple C Concrete of Lubbock does not maintain the requested information in the role of an agent acting on behalf of TCEQ, and TCEQ has not acquired this information from Triple C Concrete of Lubbock through 30 Tex. Admin. Code § 106.8(c), TCEQ has no additional information to provide that is responsive to your request.
Please let me know if you have any further questions.

Thanks,

LEIGH FLORES
TEAM LEADER
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AIR PERMITS DIVISION
BUSINESS SUPPORT SECTION MC-163
PO BOX 13087
AUSTIN, TEXAS 78711-3087
512-239-0361
leigh.flores@tceq.texas.gov

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Friday, August 9, 2024 5:46 PM
To: Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: RE: TCEQ Public Information Request 96078

Good afternoon, Ms. Moreno:

On August 1, 2024, I requested Triple C Concrete's operating logs and other records it was required to keep onsite as a condition of the standard permit from January 1, 2023, to the date of the request. For your convenience, I have duplicated that portion of the request below my signature and attached the original request receipt.

In the records you provided in response to my request, I did not find any records that Triple C maintained onsite as required by the standard permit and other law. Did TCEQ attempt to request these documents from Triple C Concrete to fulfill this request?

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. TCEQ has a lawful right of access to these records. Under the Texas Public Information Act, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information." TEX. GOV'T CODE § 552.002(a). Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ needed to exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you,
Adam

Request excerpt:
"We request the written records that Triple C is required to keep on-site pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. Specifically, we request the records maintained on-site for the following including:

- *30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;*
- *30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;*
- *production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;*
- *all repairs and maintenance of abatement systems and other dust suppression controls;*
- *Material Safety Data Sheets for all additives and other chemicals used at the site;*
- *road cleaning, application of road dust control, or road maintenance for dust control;*
- *stockpile dust suppression;*
- *monthly silo warning device or shut-off system tests;*
- *quarterly visible emissions observations and any corrective actions required to control excess visible emissions;*
- *demonstration of compliance with subsection (6)(B) of this standard permit;*
- *type of fuel used to power engines authorized by this standard permit; and*
- *demonstration of compliance with subsection (5)(L) of this standard permit.*

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records."

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

This message, as well as any attached document, contains information from the law firm of Legal Aid of NorthWest Texas that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

From: Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Sent: Friday, August 9, 2024 11:28 AM
To: Adam Pirtle <pirtlea@lanwt.org>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: TCEQ Public Information Request 96078

Good morning,

Attached please find our response to your Public Information Request (PIR) to Texas Commission on Environmental Quality. This PIR is now closed.

Please contact me with any questions regarding this request.

Thank you, and have a great day!

Deanna Moreno
Permit Support Specialist II
Air Permit Division, MC 163
Texas Commission on Environmental Quality
PO Box 13087

Austin, TX 78711-3087
(P) 512-239-0701
deanna.moreno@tceq.texas.gov

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-05_TCEQ-InvestigationReport-2008932.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:43 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

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TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-05_TCEQ-InvestigationReport-2008932.pdf

AIR CP_111965935_CP ACONF_20240805_Investigation_2008932_

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: TRIPLE C CONCRETE OF LUBBOCK
Regulated Entity Number: RN111965935

Investigation # 2008932

Investigator: SARA COLEY

Conducted: 08/05/2024 -- 08/05/2024

Program(s): AIR NEW SOURCE PERMITS

Investigation Type: Compliance Investigation

Additional ID(s) 176227

Incident Numbers
427691

Site Classification STANDARD PERMIT

SIC Code: 3273
NAIC Code: 327320

Location:

Address: 1521 ERSKINE ST,
LUBBOCK, TX , 79403

Local Unit: REGION 02 - LUBBOCK

Activity Type(s AIR MNSR - MINOR SOURCE NEW SOURCE REVIEW
AIRCOMPL - AIR CMPL - AIR COMPLAINT INV

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514
PARTICIPATED IN	PLANT MANAGER	JR MOJICA	Work	(806) 745-1111
REGULATED ENTITY CONTACT	PLANT MANAGER	JR MOJICA	Work	(806) 745-1111

Other Staff Member(s):

Role	Name
QA Reviewer	ASHLEY TORREZ
Supervisor	HAILEY CLARK

Associated Check List

Checklist Name	Unit Name
AIR EQUIPMENT	Triple C
AIR COMPLAINT INVESTIGATION	Triple C
AIR GENERIC INVESTIGATION (10 ITEMS)	Triple C

Investigation Comments:

INTRODUCTION
On August 1, 2024, the Texas Commission on Environmental Quality (TCEQ) received a complaint alleging Triple C Concrete of Lubbock, the Regulated Entity (RE), a concrete batch plant, was operating without authorization via the online complaint form. On August 5, 2024, the Region 2 Lubbock Office received a second complaint via phone call with the same allegation. The RE is owned and operated by Triple C Concrete of Lubbock, LTD, the Customer. The site is located at 1521 Erskine Street, Lubbock, Lubbock County, Texas. Incident No. 427691 was created (Attachment 1) and assigned to Sara Coley, Environmental Investigator, on August 5, 2023. Coley received contact information for the first complainant on August 9, 2024, and called them the same day to provide the incident number and explain the complaint process. Coley spoke with the second complainant on August 5 and 7, 2024, providing the incident number and status of their complaint.

Daily Narrative
On August 5, 2024, Coley traveled to the area of the complaint, arriving at 1110 hours. Coley parked in Comencheria Lake Park on Avenue P to the west of the RE and measured the meteorological conditions with a Kestrel 5000 Environmental Meter and conducted a visible emissions survey until 1120 hours. The temperature was 85 degrees Fahrenheit, with southwest winds at 0-5 miles per hour. Coley did not observe any visible emissions from the site.

At 1123 hours, Coley parked along the west side of Avenue Q, across from the plant entrance. Coley observed a truck being washed out and then parking under the drop point of the plant. Coley did not observe the truck being loaded at this time. Coley then proceeded to the weigh house and spoke with JR Mojica, Plant Manager. He stated they had been operating that morning sending out loaded trucks and asked Coley to call Karla Colquett, Corporate Secretary, to discuss the status of the permit and any alleged violations.

Coley called Colquett the same day, to inform her of the alleged violation for operating without authorization and she asked Coley to reach out to their consultant, Roger Reyna, Managing Member with R2M Engineering. Coley called R2M Engineering and requested a call back from Reyna. Reyna called Coley on August 6, 2024, and informed Coley he would reach out to TCEQ Air Permits Division (APD) regarding the status of the permit. Coley did not receive any additional information from Reyna about the permit status.

On August 19, 2024, Coley received Citizens Collected Evidence (CCE) in the form of 2 videos. Neither video appeared to capture unauthorized activity, so the CCE was not used in support of this investigation.

The concrete batch plant operated by the Customer at this location was authorized previously under RN104156286 and Standard Permit Registration No. 71025. This registration expired on February 10, 2024 (Attachment 2). See Violation Track Number (VTN) 893743. This is an Enforcement Initiation Criteria (EIC) Revision 17, Category A2.b. An application for the Air Quality Standard Permit for Concrete Batch Plants was submitted by R2M Engineering on behalf of the Customer on April 30, 2024.

Exit Interview
On August 5, 2024, Coley called Colquett and informed her of the alleged violation and that operations at the plant were not authorized until the pending permit was approved by the TCEQ APD. On August 10, 2024, Coley emailed an Exit Interview Form (EIF) to Colquett (Attachment 3).

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 4).

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material specified per job. The concrete is mixed in the plant mixer and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer has a "Satisfactory" compliance history rating and the RE has an "Unclassified" compliance history rating (Attachment 5).

Agreed Orders, Court Orders, and other Compliance Agreements
There are no such orders for the RE.

Prior Enforcement Issues
There are no prior enforcement issues for the RE.

Complaints
No other complaints have been received regarding this RE in the past 2 years.

ADDITIONAL INFORMATION
An NOE letter was sent to the Customer in October of 2024. A "Request for Assistance" letter was sent to the complainants in October 2024.

Additional Issue
There are no additional issues.

NOE Date: 10/4/2024

OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track Number: 893743 **Compliance Due Date: To Be Determined**

Violation Start Date: 8/5/2024

30 TAC Chapter 116.110(a)
5C THSC Chapter 382.0518(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 2008932 Comment Date: 09/27/2024

Failure to obtain authorization prior to operating a source of air contaminants.

On August 5, 2024, the investigator observed a batch truck being washed out at the site. The investigator spoke with the plant manager who stated they had been batching loads at the site and had loaded trucks with concrete that morning.

Recommended Corrective Action: As required by 30 Texas Administrative Code (TAC) 116.110(a), any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain authorization. Provide written documentation to the TCEQ demonstrating operations at the site have ceased and will not resume until

authorization is obtained.

Signed Dara Coley **Date** 10/4/2024

Environmental Investigator

Signed Hailey Clark **Date** 10/4/2024

Supervisor

Attachments: (in order of final report submittal)

X Enforcement Action Request (EAR)

X Letter to Facility (specify type) : NOE

Investigation Report

___Sample Analysis Results

___Manifests

___Notice of Registration

___Maps, Plans, Sketches

___Photographs

___Correspondence from the facility

X Other (specify) :

See List of Attached Files

List of Attached files

Att 1_Triple C_Complaint Report.pdf
Att 2_Letter of expiration on prior authorization.pdf
Att 3_EIF and email.pdf
Att 4_Triple C_SOS.pdf
Att 5_Triple C_Compliance History.pdf

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

CERTIFIED MAIL # 70180680000021460942
RETURN RECEIPT REQUESTED

Ms. Karla Colquett, Corporate Secretary
Triple C Concrete of Lubbock
2008 East 50th Street
Lubbock, Texas 79404-4044

Re: Notice of Enforcement for Complaint and Minor New Source Review Investigation at:
Triple C Concrete of Lubbock, 1521 Erskine Street, Lubbock, Lubbock County, Texas
Regulated Entity No.: 111965935

Dear Ms. Colquett:

On August 5, 2024, Ms. Sara Coley of the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for the air quality program. During this investigation, a certain outstanding alleged violation was documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at https://www.tceq.texas.gov for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Lubbock Region Office at (806) 796-7092 or the Central Office Publications Ordering Team at 512-239-0028.

One or more of the violations documented during the subject investigation includes unauthorized activity and you are hereby advised that continued operation is not authorized.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. We encourage you to immediately begin taking actions to address the outstanding alleged violation.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violation documented in this notice has been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Air Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Ms. Coley in the Lubbock Region Office at 806-796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Region 2 Lubbock Office
Texas Commission on Environmental Quality

JKL/SKC/ah

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

TRIPLE C CONCRETE OF LUBBOCK
1521 ERSKINE ST
LUBBOCK, LUBBOCK COUNTY, TX 79403

Investigation # 2008932
Investigation Date: 08/05/2024

Additional ID(s): 176227

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 893743 **Compliance Due Date: To Be Determined**

30 TAC Chapter 116.110(a)
5C THSC Chapter 382.0518(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 2008932 Comment Date: 09/19/2024

Failure to obtain authorization prior to operating a source of air contaminants.

On August 5, 2024, the investigator observed a batch truck being washed out at the site. The investigator spoke with the plant manager who stated they had been batching loads at the site and had loaded trucks with concrete that morning.

Recommended Corrective Action: As required by 30 Texas Administrative Code (TAC) 116.110(a), any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain authorization. Provide written documentation to the TCEQ demonstrating operations at the site have ceased and will not resume until authorization is obtained.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

Re: Investigation Request at:
Triple C Concrete of Lubbock, located at 1521 Erskine, Lubbock, Lubbock County, TexasRN104156286, Investigation No.:2008935, Incident No.: 427691

The Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office has completed a final investigation in response to your concern regarding unauthorized operations at the above-referenced facility. The complaint investigation report contains confidential information, as such you will need to submit a Public Information Request to obtain a copy of the investigation report. For information about how to submit a Public Information Request go to: https://www.tceq.texas.gov/agency/data/records-services/reqinfo.html.

To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 427691, you may refer to our website: https://www.tceq.texas.gov/compliance/complaints.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Sara Coley in the Lubbock Region Office at (806) 796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Lubbock Region 2 Office

JKL/SKC/ah

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

Re: Investigation Request at:
Triple C Concrete of Lubbock, located at 1521 Erskine, Lubbock, Lubbock County, Texas
RN104156286, Investigation No.:2008935, Incident No.: 427691

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We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Sara Coley in the Lubbock Region Office at (806) 796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Lubbock Region 2 Office

JKL/SKC/ah

printed on recycled paper using vegetable based ink

TCEQ Complaint Report

09/26/2024
2:06:38PM

Incident No: 427691
Media Type: AIR
Start Date: Unknown
Received Date: 08/01/2024
Method :

Staff Member: SCOLEY
Status: Closed
Status Date: 08/26/2024
Priority: Within 30 Calendar Days

Regulated Entity: TRIPLE C CONCRETE OF LUBBOCK

RN111965935

Address: 1521 ERSKINE ST
LUBBOCK, LUBBOCK County, TX 79403
Physical Location:

Responsible Party: TRIPLE C CONCRETE OF LUBBOCK LTD
Address: 2008 E 50TH ST, LUBBOCK, TX 79404
E-Mail:

Title:

Number Complaining: 2
Frequency: CURRENT
Alleged Source: TRIPLE C CONCRETE OF LUBBOCK

Program Group: AIR QUALITY - HIGH LEVEL

Nature: DUST
Effect: ENVIRONMENTAL

Initial Problem

On August 1, 2024, a complainant contacted the Texas Commission on Environmental Quality (TCEQ) through the online complaint system. The complaint was forwarded to the TCEQ Region 2 Lubbock Office via email the same day. The complainant was concerned about a dust issue in Lubbock County.

Action Taken

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Closure Comments

More information will be available upon approval of the investigation report.

Investigation Number: 2008932

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 15, 2024

MRS KARLA COLQUETTE
CORPORATE SECRETARY
TRIPLE C CONCRETE OF LUBBOCK LTD
2008 E 50TH ST
LUBBOCK TX 79404-4044

Re: Renewal of Standard Permit Registration
Permit Number: 71025
Company Name: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019
Regulated Entity Number: RN104156286

Dear Mrs. Colquette:

We have reviewed our records for Registration Number 71025 for the Commercial Concrete located in Lubbock County, Texas. During the review, we noticed that a renewal notification letter dated January 6, 2023 was provided to Triple C Concrete Of Lubbock, Ltd, informing you of the expiration date of February 10, 2024. Because no renewal application was received by the expiration date, the registration automatically expired. You will need to submit an application for a new registration. To obtain a copy of the Form PI-1S with instructions, please visit the Texas Commission on Environmental Quality (TCEQ) Web site at:

www.tceq.texas.gov/permitting/air/forms/newsourcereview/nsr_sp_forms.html

Please feel free to contact the staff of the Air Permits Initial Review Team at (512)239-1250 if you have any questions or need further assistance.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division

cc: Air Section Manager, Region 2 - Lubbock

Cc: R2APDmail@tceq.texas.gov
Subject: Expiration Notification of Registration 71025
Attachments: 1-DefExp(71025)-4113E.pdf

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

From: Roger Reyna
Sent: Friday, March 15, 2024 10:05 AM
To: Steven Piper
Cc: R2APDMail
Subject: RE: Expiration Notification of Registration 71025

Hello Steven.

We are receipt of the correspondence. Can we petition your assistance. Can you provide information on the renewal notification(s). When it was sent, delivery method and any possible confirmation of receipts.

Thank you in advance for your assistance.

Roger Reyna
Triple C Consultant.

From: Steven Piper <Steven.Piper@tceq.texas.gov>
Sent: Friday, March 15, 2024 9:06 AM
To: Roger Reyna
Cc: R2APDMail <R2APDMail@tceq.texas.gov>
Subject: Expiration Notification of Registration 71025

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	Triple C Concrete of Lubbock			TCEQ Add. ID No. RN No. (optional)	RN11195935		
Investigation Type	CMPL	Contact Made In-House (Y/N)	Y	Purpose of Investigation	Complaint		
Regulated Entity Contact	Karla Colquett			Telephone No.	806-762-3227	Date Contacted	8/10/2024
Title	Corporate Secretary			Fax No.		Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations.* Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request: identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type[1]	Rule Citation (if known)	Description of Issue
1	AV	30 TAC 116.115(c)	Operating a concrete batch plant located at 1521 Erskine, Lubbock, Texas, without authorization from the TCEQ.

[1]Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	■ Yes	☐ No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	■ Yes	☐ No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Sara Coley	8/10/2024		
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Optional)	Date

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

From:
To: Sara Coley
Subject: RE: Erskine Plant EIF
Date: Monday, August 12, 2024 4:21:04 PM
Attachments: image001.png

Sara
Thank you for reaching out. As you know R2M Engineering handles this for us. I was not aware that we couldn't be running. Triple C is a small woman owned plant and just trying to stay in business and compete with all of these large corporate owned companies. I appreciate any suggestions that you can offer.
Thank you for your time
Karla Colquett

From: Sara Coley <sara.coley@tceq.texas.gov>
Sent: Saturday, August 10, 2024 1:02 PM
To: '
Subject: Erskine Plant EIF

Hi Karla,
I am just following up on our conversation on Aug 5 with the Exit Interview Form document containing the alleged violation and citations for operating without authorization for Triple C Concrete of Lubbock located at 1521 Erskine, in Lubbock. As we discussed, Triple C does not have a current active authorization to operate the plant since the permit application has not been approved by the TCEQ Air Permits Division, since Triple C Concrete of Lubbock LTD did have prior knowledge authorization to operate a concrete batch plant is required, this alleged violation will be referred to the TCEQ Enforcement Division. Please call or email if you have any questions.
Best,

Sara Coley
Environmental Investigator
TCEQ Region 2 Lubbock Office
Email: sara.coley@tceq.texas.gov
Phone: 806-796-7092 | Fax: 806-796-7107
5012 50th Street, Ste 100, Lubbock, TX 79414-3426

EXAS SECRETARY of STATE
ANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

iling Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
)riginal Date of Filing:	March 12, 2014	**Entity Status:**	In existence
ormation Date:	N/A		
ax ID:	32053446053	**FEIN:**	
)uration:	Perpetual		

lame: TRIPLE C CONCRETE OF LUBBOCK, LTD
\ddress: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Name	Address	Inactive Date
Karla Colquett	2008 E 50th Street Lubbock, TX 79404 USA	

Order | Return to Search

ıstructions:

- To place an order for additional information about a filing press the 'Order' button.

Compliance History Report

Compliance History Report for CN604580019, RN111965935, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604580019, Triple C Concrete Of Lubbock, Ltd **Classification:** SATISFACTORY **Rating:** 9.10

Regulated Entity: RN111965935, TRIPLE C CONCRETE OF LUBBOCK **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 10 - Cement and Concrete Product Manufacturing

Location: 1521 ERSKINE ST LUBBOCK, TX 79403-3213, LUBBOCK COUNTY

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):
AIR NEW SOURCE PERMITS REGISTRATION 176227

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: September 19, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Sara Coley **Phone:** (806) 796-7092

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? NO
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-01_Request for Investigation_Triple C.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:42 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-01_Request for Investigation_Triple C.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 1, 2024

Via TCEQ Online Complaint Process:
https://www.surveymonkey.com/r/Environmental_Complaints

Environmental Investigator
Texas Commission for Environmental Quality, Region 2
5012 50th Street, Suite 100
Lubbock, Texas 79414

Re: North and East Lubbock Request for Investigation of Triple C Concrete; Response Requested by August 30, 2024

To whom it may concern:

I write on behalf of my client, the North and East Lubbock Coalition ("NELC"). NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. NLNA files this request for investigation of **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935.

Triple C's previous permit registration, Registration No. 71025, expired on February 10, 2024. On March 15, 2024, TCEQ sent a letter to Triple C informing it that its permit had automatically expired on February 10, 2024, because Triple C did not submit a renewal application. A copy of this letter is available here: https://drive.google.com/file/d/1eC6xwS2FYHQKrhovXvaSZz8dwK-0DG0R/view?usp=sharing.

NELC has reason to believe that Triple C has continued to operate after this authorization to operate expired. "[O]perating without required authorization" is classified as a major violation under 30 TAC §60.2(d)(1)(B).

Dora Cortez, the North Lubbock Co-Director of NELC, witnessed activity at Triple C on the afternoon of July 17, 2024. The photo in Figure 1 on the next page was taken by Adam Pirtle at 4:01 p.m. Dora Cortez was present at the time of this photograph and witnessed the events depicted. Dora Cortez also witnessed a cement truck loading concrete on July 31, 2024, at 3:15 p.m. A video taken by Dora Cortez is available here: https://drive.google.com/file/d/17ny7Q4kpbRQwJLbecNUr5y3BfzhS4HqF/view?usp=sharing.

NELC requests that TCEQ investigate Triple C to ensure that they are not unlawfully operating. If permit or other authorization currently exists that allows Triple C to operate, please provide this information to NELC through counsel.

NLNA asks to be notified of how TCEQ will proceed with this request for investigation by August 31, 2024. Please reach out to me at the contact information below if you have questions or concerns. Thank you for your attention to this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

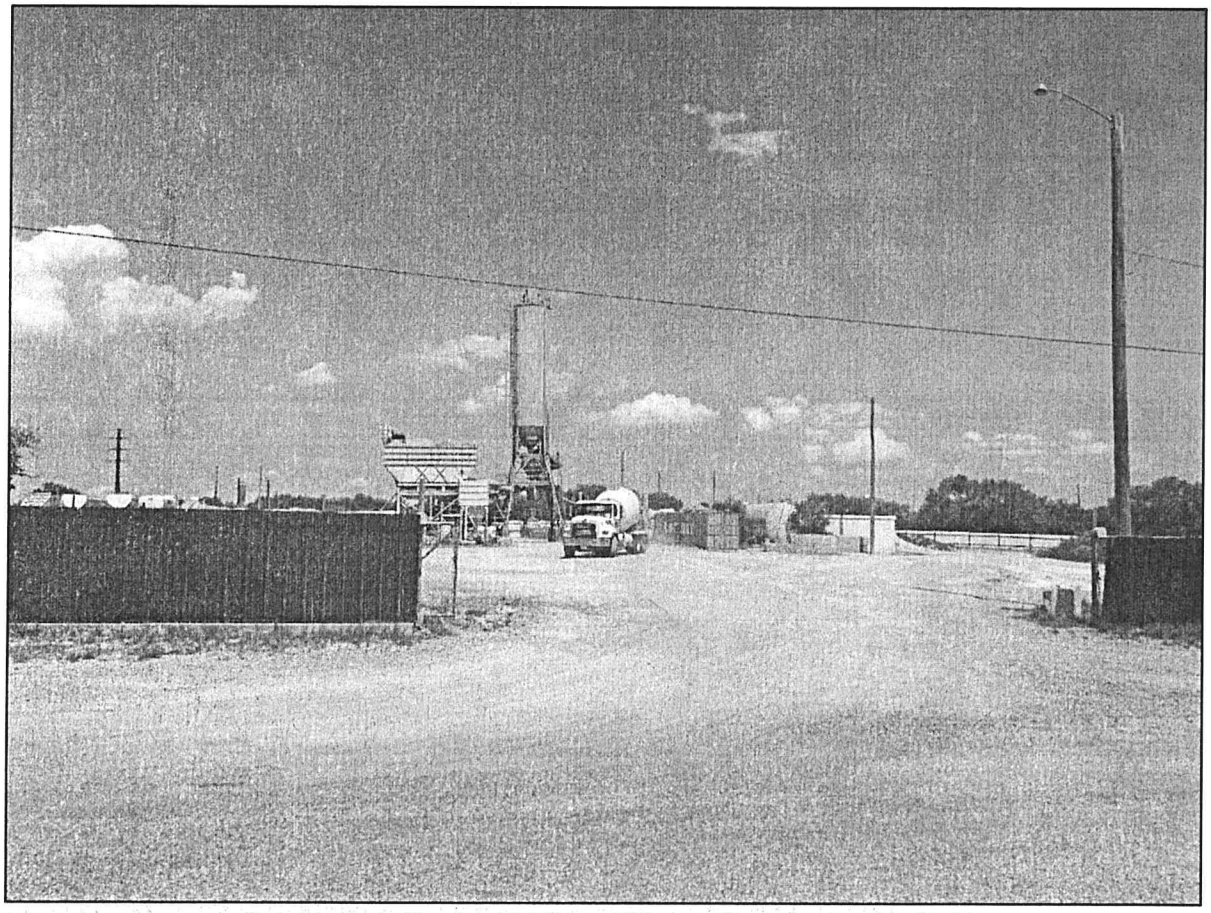

Figure 1: Triple C on July 17, 2024, at 4:01 p.m.: Photo taken by Adam Pirtle

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-01_NELC-TPIA_Triple C.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:41 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-01_NELC-TPIA_Triple C.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. We request the following for the period starting on January 1, 2023, to the date of this of this letter.

We request the written records that Triple C is required to keep on-site pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. Specifically, we request the records maintained on-site for the following including:

- 30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;
- 30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;
- production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;
- all repairs and maintenance of abatement systems and other dust suppression controls;
- Material Safety Data Sheets for all additives and other chemicals used at the site;
- road cleaning, application of road dust control, or road maintenance for dust control;
- stockpile dust suppression;
- monthly silo warning device or shut-off system tests;
- quarterly visible emissions observations and any corrective actions required to control excess visible emissions;
- demonstration of compliance with subsection (6)(B) of this standard permit;

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

- type of fuel used to power engines authorized by this standard permit; and
- demonstration of compliance with subsection (5)(L) of this standard permit.

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

D. Public information includes records that TCEQ has a lawful right to obtain

According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[2] Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ must exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

[2] TEX. GOV'T CODE § 552.002(a)

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-03-15_TCEQtoTripleC-ExpiredAuthorization.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:40 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-03-15_TCEQtoTripleC-ExpiredAuthorization.pdf

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 15, 2024

MRS KARLA COLQUETTE
CORPORATE SECRETARY
TRIPLE C CONCRETE OF LUBBOCK LTD
2008 E 50TH ST
LUBBOCK TX 79404-4044

Re: Renewal of Standard Permit Registration
Permit Number: 71025
Company Name: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019
Regulated Entity Number: RN104156286

Dear Mrs. Colquette:

We have reviewed our records for Registration Number 71025 for the Commercial Concrete located in Lubbock County, Texas. During the review, we noticed that a renewal notification letter dated January 6, 2023 was provided to Triple C Concrete Of Lubbock, Ltd, informing you of the expiration date of February 10, 2024. Because no renewal application was received by the expiration date, the registration automatically expired. You will need to submit an application for a new registration. To obtain a copy of the Form PI-1S with instructions, please visit the Texas Commission on Environmental Quality (TCEQ) Web site at:

www.tceq.texas.gov/permitting/air/forms/newsourcereview/nsr_sp_forms.html

Please feel free to contact the staff of the Air Permits Initial Review Team at (512)239-1250 if you have any questions or need further assistance.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division

cc: Air Section Manager, Region 2 - Lubbock

Cc:	RREYNA@R2MENG.COM; R2APDmail@tceq.texas.gov
Subject:	Expiration Notification of Registration 71025
Attachments:	1-DefExp(71025)-4113E.pdf

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

From: Roger Reyna <rreyna@R2Meng.com>
Sent: Friday, March 15, 2024 10:05 AM
To: Steven Piper
Cc: R2APDMail
Subject: RE: Expiration Notification of Registration 71025

Hello Steven.

We are receipt of the correspondence. Can we petition your assistance. Can you provide information on the renewal notification(s). When it was sent, delivery method and any possible confirmation of receipts.

Thank you in advance for your assistance.

Roger Reyna
Triple C Consultant.

From: Steven Piper <Steven.Piper@tceq.texas.gov>
Sent: Friday, March 15, 2024 9:06 AM
To: Roger Reyna <rreyna@R2Meng.com>
Cc: R2APDMail <R2APDMail@tceq.texas.gov>
Subject: Expiration Notification of Registration 71025

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:53 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-APD; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024_12-12_TripleCTCEQInvestigation-Violations.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:39 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

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Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK,	§	
LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
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AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
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Ex_2024_12-12_TripleCTCEQInvestigation-Violations.pdf

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: COMMERCIAL CONCRETE
Regulated Entity Number: RN104156286

Investigation # 2029833
Investigator: ASHLEY TORREZ
Conducted: 12/12/2024 -- 12/12/2024
Program(s): AIR NEW SOURCE PERMITS
Investigation Type: Site Assessment File Review
Additional ID(s) 176227

Incident Numbers
Site Classification STANDARD PERMIT
NAIC Code: 327320
SIC Code: 3273
Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX

Address: ,
, ,

Local Unit: REGION 02 - LUBBOCK
Activity Type(s PMSI116IH - AIR PMSI116IH - IN HOUSE CH 116 PERMIT SITE REVIEW

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Fax Phone	(806) 762-6514 (806) 762-3227
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514

Other Staff Member(s):

Role	Name
Supervisor	HAILEY CLARK

Associated Check List

Checklist Name	Unit Name
AIR PERMIT SITE REVIEW	176227

Investigation Comments:

INTRODUCTION
On December 12, 2024, a Request for Comments (RFC) Project Number 378226 (Attachment 1) was received in the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office for

Commercial Concrete the Regulated Entity, located at 1521 Erskine Street in Lubbock County, Texas. The RE is applying for an initial standard permit, No. 176227.

Daily Narrative
On December 12, 2024, Ashley Torrez, Environmental Investigator for the TCEQ Region 2 Lubbock Office, conducted an in-house assessment of the location. The surrounding land use is primarily industrial and residential. The distance to the nearest receptor is approximately 116 feet. The nearest property line is approximately 155 feet from an emissions point. The nuisance/odor potential and the hazard potential are considered moderate due to the types of activities occurring at the site and the proximity to sensitive receptors. The RFC with comments was completed and sent to Alexander Hilla with Air Permits Division (APD) on December 12, 2024.

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 2).

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material specified per job. The concrete is mixed in the plant mixer, and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer and RE has "Satisfactory" compliance history ratings (Attachment 3).

Agreed Orders, Court Orders, and other Compliance Agreements
Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875).

Agreed Order, Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).

Prior Enforcement Issues
Based on a review of CCEDS, there were Notices of Violation (NOVs) issued by the TCEQ within the past five years.

Provide detail of any violation issued in the previous 5 years.
A violation was issued on October 19, 2022, for failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface. This violation was cited again in a Notice of Enforcement (NOE) dated April 14, 2023.

Complaints
On August 1, 2024, the TCEQ received a complaint alleging the RE, previously named Triple C Concrete of Lubbock (RN111965935) was operating without authorization via the online complaint form. Reference Investigation No. 2008932.

ADDITIONAL INFORMATION
Conclusions, Recommendations, and Current Enforcement Actions
The investigator recommends proceeding with APD Review.

Additional Issue
None.

No Violations Associated to this Investigation

Signed Ashley Torrez **Date** 2/18/2025

Environmental Investigator

Signed Hailey Clark **Date** 02/20/2025

Supervisor

Attachments: (in order of final report submittal)

____Enforcement Action Request (EAR)

____Letter to Facility (specify type) : _____

Investigation Report

____Sample Analysis Results

____Manifests

____Notice of Registration

____Maps, Plans, Sketches

____Photographs

____Correspondence from the facility

✓ Other (specify) :

See list below.

List of Attached files
Attachment 1-RFC.pdf
Attachment 2-SOS.pdf
Attachment 3-Compliance History Report.pdf

Request for Comments -- Site Review TCEQ -- Air Permits Division Phone: (512) 239-1250 Fax: (512) 239-1400		
Submitted by: Air Permits Initial Review Team		
TO: Region: 2	City: Lubbock	County: Lubbock
Date Request Submitted: November 18, 2024	Date Response Requested: December 31, 2024	
Comments: Deadline is 45 days for MSS-type reviews, 21 calendar days for all others, from the Date Request Submitted. Section Manager approval is required for responses requested sooner than those deadlines. MSS = an NSR application for Planned Maintenance, Start-up, or Shutdown emissions in accordance with 30 TAC Chapter 101.		
Date Application Received by Air Permit Initial Review Team: April 30, 2024		
REGIONAL OFFICES: Please return comments to the appropriate Permitting Team Leader indicated on the following page ASAP, but no later than deadline established above. Permit disposition will proceed after comments are received or after the comments deadline has passed.		
REQUESTED PERMIT ACTION:		
MSS Construction	MSS Amendment	Revision
Construction	Amendment	X Other Initial STDPMT
Renewal	Renewal Abbreviated Review	
Project No.: 373356	PERMIT No.: 176227	
Regulated Entity No.: RN104156286	Customer No.: CN604580019	
Company Name: Triple C Concrete Of Lubbock Ltd		
Plant Name: Commercial Concrete	City: Lubbock	County: Lubbock
Location: 1521 Erskine St		
Unit Name: Concrete Batch Plant		
Technical Contact: Aslyn Henry	Phone: (806) 783-9944	
Local Program Applicable?: Yes X No Local Programs: Note: For sites in a region that has a local program with jurisdiction, MSS projects for those sites will be reviewed by regional offices only.		

Request for Comments -- Site Review RESPONSE			
PLEASE SEND COMMENTS TO THE PERSON IDENTIFIED BELOW. (To avoid delays, please do not send this back to the Air Permits Initial Review Team.):			
	To: Joe Nicosia - Air Permits Division – Austin (Mech)	E-Mail: Joe Nicosia	Phone: (512) 239-1644
	To: Sabrina Coty-Butler - Air Permits Division – Austin (Coatings)	E-Mail: Sabrina Coty-Butler	Phone: (512) 239-1225
	To: Daniel Crean - Air Permits Division - Austin (Chem)	E-Mail: Daniel Crean	Phone: (512) 239-1505
	To: Matthew Ray - Air Permits Division - Austin (Energy)	E-Mail: Matthew Ray	Phone: (512) 239-4716
	To: Joel Stanford - Air Permits Division - Austin (Expedite)	E-Mail: Joel Stanford	Phone: (512) 239-0270
	To: Rule Registration Section	E-Mail: AirRR	Phone: (512) 239-1250 Fax: (512) 239-2101
X	To: Alexander Hilla	E-Mail: alexander.hilla@tceq.texas.gov	Phone:512-239-0157 Fax:(512) 239-1400

FROM: Region: 2	City: Lubbock	County: Lubbock
	Compliance:	Legal:

Copy of Application Received by your Office: ___ YES ✓ NO (STEERS)	
Date Received: **12/12/2024**	
PERMIT No. 176227	**PROJECT No. 373356**
Company Name: Triple C Concrete Of Lubbock Ltd	
Investigator's/Compliance Officer's Name (Please Print): **Ashley Torrez**	
Organization: Region 2, Lubbock Office	Phone: (806)796-7607
Comments Deadline:	12/9/2024
Date of Last Site Visit:	10/31/2024
SITE INFORMATION:	
Nuisance/Odor Potential: ___ Low ✓ Moderate ___ High	
Existing Odor Problem: ___ Yes ✓ No (If yes, provide details)	
Hazard Potential: ___ Low ✓ Moderate ___ High	
Surrounding Land Use: Industrial, Agricultural	
School within 3,000 feet? ___ Yes ✓ No Distance (feet): School Name:	
Distance to Nearest Off-Property Receptor:	116'
Receptor Type:	Residence
Distance from unit to nearest property line:	155'
Describe area surrounding the site (agriculture, industrial, residential):	Industrial, residential

NOV/NOE INFORMATION (concerning affected process unit):	
Type of Site: ___ New ✓ Existing	
NOV Issued? ___ No ✓ Yes	Date:
Type of Violation:	
Was there an NOE for this site?: ___No ✓Yes	Date: 7/3/2019, 4/14/2023, 10/4/2023
Please provide any information the permit engineer needs concerning the current NOV, violation, or NOE status	Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875). Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).
Summarize any recent complaints related to this facility including complaint type and CCEDS number:	Please see below.
Recommendation based on Compliance History: (*For Compliance Use Only)	
Proceed with Permit Review ☑ Additional Provisions ☐ Deny Permit ☐ Update Application ☐	
SITE REVIEW:	
In light of the proximity of sensitive receptors and the surrounding land use, please discuss any concerns you have concerning a facility of this type locating at the proposed site. Paving and roads at site do not meet Special Conditon 9(F).	
MSS Specific Notes:	
The following MSS activities in the application are insufficient or inconsistent with our knowledge of MSS at the facility, and why:	
The following activities are typically considered planned MSS and are not found in the application. These activities should be added or addressed:	

Two complaints have been received by the TCEQ Region 2 Lubbock Office regarding the RE during the past two years. Investigation No. 2008932 was conducted in response to a complaint of nuisance dust conditions; however, no nuisance conditions were documented. This investigation, Investigation No. 2022723, was conducted in response to concerns of materials dumping; however, no conditions of materials dumping were documented.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
Original Date of Filing:	March 12, 2014	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32053446053	**FEIN:**	
Duration:	Perpetual		

Name: TRIPLE C CONCRETE OF LUBBOCK, LTD

Address: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
May 8, 2015	Karquett, L.L.C.	General Partner	2008 E. 50th Street Lubbock, TX 79404 USA

Order | Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN604580019, RN104156286, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN604580019, Triple C Concrete Of Lubbock, Ltd	**Classification:** SATISFACTORY	**Rating:** 8.50
Regulated Entity:	RN104156286, COMMERCIAL CONCRETE	**Classification:** SATISFACTORY	**Rating:** 17.00
Complexity Points:	4	**Repeat Violator:** NO	
CH Group:	10 - Cement and Concrete Product Manufacturing		
Location:	PORTABLE 1521 ERSKINE ST LUBBOCK TX LUBBOCK, TX, LUBBOCK COUNTY		
TCEQ Region:	REGION 02 - LUBBOCK		

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 176227
AIR NEW SOURCE PERMITS ACCOUNT NUMBER 960022A
AIR NEW SOURCE PERMITS AFS NUM 4877700647
AIR EMISSIONS INVENTORY ACCOUNT NUMBER 960022A

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: January 28, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: ATorrez **Phone:** (806) 796-7607

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 05/12/2020 ADMINORDER 2019-0959-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 3(K) PERMIT
Description: Failure to report a reportable emissions event within 24 hours of discovery
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 3(J)(vi) and (vii) PERMIT

Description: Failure to maintain records of application of dust suppression to plant roads and stock piles.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 5(H) PA
Description: The failure to conduct quarterly visible emissions observations.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(E)(ii) PERMIT
Description: Failure to maintain a dust suppressing fence or barrier that is at least 12 feet high.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(F) PERMIT
Description: Failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface.

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
Item 1 August 22, 2020 (1671484)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:50 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
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RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

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TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
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Exhibit Timeline of Events
Attachment
Ex_2020-05-12_AgreedOrder 2019-0959-AIR-E.pdf

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING TRIPLE C CONCRETE OF LUBBOCK, LTD RN104156286	**§ § § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2019-0959-AIR-E

I. JURISDICTION AND STIPULATIONS

On MAY 06 2020, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Triple C Concrete of Lubbock, Ltd (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a concrete batch plant located at 1521 Erskine Street in Lubbock, Lubbock County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $14,120 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $341 of the penalty and $2,824 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

   The remaining amount of $10,955 of the undeferred penalty shall be paid in 35 monthly payments of $313 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of

the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During an investigation conducted from April 29, 2019 through May 7, 2019, an investigator documented that the Respondent:

1. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B), 116.115(b)(2)(E)(i), and 116.615(8), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, Special Conditions ("SC") No. (3)(J)(i), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for the emissions event that occurred on April 2, 2019 was due by April 3, 2019, but was not submitted.

2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released approximately 5,555 pounds of cement dust from the baghouse, during an emissions event that occurred on April 2, 2019 and lasted five minutes. The emissions event occurred when the silo was over-filled during loading, resulting in the release to the atmosphere. Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

3. Failed to maintain written records on-site for a rolling 24-month period, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(8), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC Nos. (3)(J)(vi), (vii), and (viii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, on May 7, 2019, the Respondent did not provide records for the road cleaning, application of road dust control or road maintenance for dust control; stockpile dust suppression; and monthly silo alarm tests.

4. Failed to conduct quarterly visible emissions observations, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (5)(H), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not conduct quarterly visible emissions observations downwind on the property line from the second quarter of 2017 through the first quarter of 2019.

5. Failed to construct borders to a height of at least 12 feet, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, TCEQ staff observed stockpiles and operational roads at the Plant that did not meet the minimum buffer distance of 50 feet from any property line, and the dust suppressing fencing that was constructed ranged in height from six to 12 feet.

6. Failed to pave all entry and exit roads and main traffic routes associated with the operation of the Plant with a cohesive hard surface that can be maintained and cleaned, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (9)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, TCEQ staff observed that the west entry/exit road and the batch truck roads within the Plant were composed of caliche and were not paved with a cohesive surface.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Triple C Concrete of Lubbock, Ltd, Docket No. 2019-0959-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

a. Within 30 days after the effective date of this Order:

i. Implement measures and/or procedures designed to ensure that initial notifications for reportable emissions events are submitted in a timely manner;

ii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as the emissions event that occurred on April 2, 2019;

iii. Begin maintaining the records on-site for a rolling 24-month period for the road cleaning, application of road dust control, or road maintenance for dust control; stockpile dust suppression; and monthly silo alarm tests;

iv. Begin conducting quarterly visible emissions observations downwind on the property line;

v. Construct the dust suppressing fencing or other barriers as a border around roads, other traffic areas, and work areas to a height of at least 12 feet; and

vi. Pave the entry/exit road and the main traffic routes associated with the operation of the Plant with a cohesive hard surface that can be maintained and cleaned.

b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Lubbock Regional Office
Texas Commission on Environmental Quality
5012 50th Street, Suite 100
Lubbock, Texas 79414-3426

3. All relief not expressly granted in this Order is denied.

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.

5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.

7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or

issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission — Date: 5/12/2020

Doug Miller for Ramiro Garcia, Jr — For the Executive Director — Date: 3.23.20

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Karla Colquett — Signature — Date: 3-4-2020

Karla Colquett — Name (Printed or typed) — Title: Partner

Authorized Representative of
Triple C Concrete of Lubbock, Ltd

☐ *If mailing address has changed, please check this box and provide the new address below:*

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 14, 2020

FIRST CLASS MAIL

Karla Colquett, Partner
Triple C Concrete of Lubbock, Ltd
2008 East 50th Street
Lubbock, Texas 79404

RE: Triple C Concrete of Lubbock, Ltd
TCEQ Docket No. 2019-0959-AIR-E; Registration No. 71025
Agreed Order Assessing Administrative Penalties and Requiring Certain Actions

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Michael O'Malley of the Office of the Chief Clerk at (512) 239-3300.

Sincerely,

Bridget C. Bohac

Bridget C. Bohac
Chief Clerk

BCB/mgo

Enclosure

cc: Carol McGrath, Enforcement Coordinator, TCEQ Enforcement Division

Request for Comments -- Site Review TCEQ -- Air Permits Division Phone: (512) 239-1250 Fax: (512) 239-1400		
Submitted by: Air Permits Initial Review Team		
TO: Region: 2	City: Lubbock	County: Lubbock
Date Request Submitted: November 18, 2024	Date Response Requested: December 31, 2024	
Comments: Deadline is 45 days for MSS-type reviews, 21 calendar days for all others, from the Date Request Submitted. Section Manager approval is required for responses requested sooner than those deadlines. MSS = an NSR application for Planned Maintenance, Start-up, or Shutdown emissions in accordance with 30 TAC Chapter 101.		
Date Application Received by Air Permit Initial Review Team: April 30, 2024		
REGIONAL OFFICES: Please return comments to the appropriate Permitting Team Leader indicated on the following page ASAP, but no later than deadline established above. Permit disposition will proceed after comments are received or after the comments deadline has passed.		
REQUESTED PERMIT ACTION:		
MSS Construction	MSS Amendment	Revision
Construction	Amendment	X Other Initial STDPMT
Renewal	Renewal Abbreviated Review	
Project No.: 373356	PERMIT No.: 176227	
Regulated Entity No.: RN104156286	Customer No.: CN604580019	
Company Name: Triple C Concrete Of Lubbock Ltd		
Plant Name: Commercial Concrete	City: Lubbock	County: Lubbock
Location: 1521 Erskine St		
Unit Name: Concrete Batch Plant		
Technical Contact: Aslyn Henry		Phone: (806) 783-9944
Local Program Applicable?: Yes X No Local Programs: Note: For sites in a region that has a local program with jurisdiction, MSS projects for those sites will be reviewed by regional offices only.		

Request for Comments -- Site Review RESPONSE			
PLEASE SEND COMMENTS TO THE PERSON IDENTIFIED BELOW. (To avoid delays, please do not send this back to the Air Permits Initial Review Team.):			
	To: Joe Nicosia - Air Permits Division – Austin (Mech)	E-Mail: Joe Nicosia	Phone: (512) 239-1644
	To: Sabrina Coty-Butler - Air Permits Division – Austin (Coatings)	E-Mail: Sabrina Coty-Butler	Phone: (512) 239-1225
	To: Daniel Crean - Air Permits Division - Austin (Chem)	E-Mail: Daniel Crean	Phone: (512) 239-1505
	To: Matthew Ray - Air Permits Division - Austin (Energy)	E-Mail: Matthew Ray	Phone: (512) 239-4716
	To: Joel Stanford - Air Permits Division - Austin (Expedite)	E-Mail: Joel Stanford	Phone: (512) 239-0270
	To: Rule Registration Section	E-Mail: AirRR	Phone: (512) 239-1250 Fax: (512) 239-2101
X	To: Alexander Hilla	E-Mail: alexander.hilla@tceq.texas.gov	Phone:512-239-0157 Fax:(512) 239-1400

FROM: Region: 2	City: Lubbock	County: Lubbock
	Compliance:	Legal:

Copy of Application Received by your Office: ___ YES ✓ NO (STEERS)	
Date Received: **12/12/2024**	
PERMIT No. 176227	**PROJECT No. 373356**
Company Name: Triple C Concrete Of Lubbock Ltd	
Investigator's/Compliance Officer's Name (Please Print): **Ashley Torrez**	
Organization: Region 2, Lubbock Office	Phone: (806)796-7607
Comments Deadline:	12/9/2024
Date of Last Site Visit:	10/31/2024
SITE INFORMATION:	
Nuisance/Odor Potential: ___ Low ✓ Moderate ___ High	
Existing Odor Problem: ___ Yes ✓ No (If yes, provide details)	
Hazard Potential: ___ Low ✓ Moderate ___ High	
Surrounding Land Use: Industrial, Agricultural	
School within 3,000 feet? ___ Yes ✓ No Distance (feet): School Name:	
Distance to Nearest Off-Property Receptor:	116'
Receptor Type:	Residence
Distance from unit to nearest property line:	155'
Describe area surrounding the site (agriculture, industrial, residential):	Industrial, residential

NOV/NOE INFORMATION (concerning affected process unit):	
Type of Site: ___ New ✓ Existing	
NOV Issued? ___ No ✓ Yes	Date:
Type of Violation:	
Was there an NOE for this site?: ___No ✓ Yes	Date: 7/3/2019, 4/14/2023, 10/4/2023
Please provide any information the permit engineer needs concerning the current NOV, violation, or NOE status	Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875). Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).
Summarize any recent complaints related to this facility including complaint type and CCEDS number:	Please see below.
Recommendation based on Compliance History: (*For Compliance Use Only)	
Proceed with Permit Review ☑ Additional Provisions ☐ Deny Permit ☐ Update Application ☐	
SITE REVIEW:	
In light of the proximity of sensitive receptors and the surrounding land use, please discuss any concerns you have concerning a facility of this type locating at the proposed site. Paving and roads at site do not meet Special Conditon 9(F).	
MSS Specific Notes:	
The following MSS activities in the application are insufficient or inconsistent with our knowledge of MSS at the facility, and why:	
The following activities are typically considered planned MSS and are not found in the application. These activities should be added or addressed:	

Two complaints have been received by the TCEQ Region 2 Lubbock Office regarding the RE during the past two years. Investigation No. 2008932 was conducted in response to a complaint of nuisance dust conditions; however, no nuisance conditions were documented. This investigation, Investigation No. 2022723, was conducted in response to concerns of materials dumping; however, no conditions of materials dumping were documented.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
Original Date of Filing:	March 12, 2014	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32053446053	**FEIN:**	
Duration:	Perpetual		

Name: TRIPLE C CONCRETE OF LUBBOCK, LTD

Address: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
May 8, 2015	Karquett, L.L.C.	General Partner	2008 E. 50th Street Lubbock, TX 79404 USA

Order | Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN604580019, RN104156286, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604580019, Triple C Concrete Of Lubbock, Ltd **Classification:** SATISFACTORY **Rating:** 8.50

Regulated Entity: RN104156286, COMMERCIAL CONCRETE **Classification:** SATISFACTORY **Rating:** 17.00

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 10 - Cement and Concrete Product Manufacturing

Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX LUBBOCK, TX, LUBBOCK COUNTY

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 176227

AIR NEW SOURCE PERMITS ACCOUNT NUMBER 960022A

AIR NEW SOURCE PERMITS AFS NUM 4877700647

AIR EMISSIONS INVENTORY ACCOUNT NUMBER 960022A

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: January 28, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: ATorrez **Phone:** (806) 796-7607

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 05/12/2020 ADMINORDER 2019-0959-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 3(K) PERMIT
Description: Failure to report a reportable emissions event within 24 hours of discovery
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 3(J)(vi) and (vii) PERMIT

Description: Failure to maintain records of application of dust suppression to plant roads and stock piles.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 5(H) PA
Description: The failure to conduct quarterly visible emissions observations.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(E)(ii) PERMIT
Description: Failure to maintain a dust suppressing fence or barrier that is at least 12 feet high.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(F) PERMIT
Description: Failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface.

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
Item 1 August 22, 2020 (1671484)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:15 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-10-01_NELC-TPIA_Triple C_Proposed Registration No. 176227.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:49 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-10-01_NELC-TPIA_Triple C_Proposed Registration No. 176227.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act records of Triple C Concrete of Lubbock, LTD, RN111965935, related to communications between it and the TCEQ, and its current permit application for Proposed Registration No. 176227

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. I request the following information from TCEQ:

1) All communications between Triple C (and its agents) and TCEQ beginning December 1, 2023, to the present;
2) Triple C's most current application and related documents submitted to TCEQ for Proposed Registration No. 176227;
3) All signed affidavits and Public Notice Verification Forms for Proposed Registration No. 176227;
4) All photos of the documents at the Lubbock County Courthouse and signed affidavits by Courthouse staff of application receipt for Proposed Registration No. 176227; and
5) All documentation TCEQ has for their evaluation of potential for cumulative or additive emissions for this permit application for Proposed Registration No. 176227.

B. Confidential information not requested

I request all records and information responsive to this requested expect for information that TCEQ determines to be confidential.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for

producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:14 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-10-01_NELC-TPIA_Triple C_Onsite Records.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:47 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-10-01_NELC-TPIA_Triple C_Onsite Records.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935, related to onsite records

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. I request the following records collected by TCEQ or to which TCEQ has a right of access as of August 27, 2024, to the present. Please note that I do not limit the records requested by the date of their creation but by the date TCEQ collected them. I maintain that if TCEQ does not currently possess the records I request that it can and should collect them by exercising its right of access as a regulatory agency with jurisdiction over Triple C.

I request the records that Triple C is required to keep onsite pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. **I sent a similar request on August 26, 2024. At that time, TCEQ responded that they did not have responsive information to this request because they had not requested it from Triple C. I request this information again in case TCEQ has requested this information as part of a compliance investigation related to complaints of Triple C illegally operating without authorization.**

Specifically, I request the following records which should be maintained on-site by Triple C:

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

- records related to 30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;
- records related to 30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;
- production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;
- all repairs and maintenance of abatement systems and other dust suppression controls;
- Material Safety Data Sheets for all additives and other chemicals used at the site;
- road cleaning, application of road dust control, or road maintenance for dust control;
- stockpile dust suppression;
- monthly silo warning device or shut-off system tests;
- quarterly visible emissions observations and any corrective actions required to control excess visible emissions;
- demonstration of compliance with subsection (6)(B) of this standard permit;
- type of fuel used to power engines authorized by this standard permit; and
- demonstration of compliance with subsection (5)(L) of this standard permit.

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records.

B. Confidential information requested

I request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

D. Public information includes records that TCEQ has a lawful right to obtain

According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[2] Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ must exercise its right of access to obtain this public information from Triple C to comply with this request. For the record, I disagree with TCEQ's view that it is not required to request this information from a regulated owner or operator when responding to a TPIA request.

[2] TEX. GOV'T CODE § 552.002(a)

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:13 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-10-01_NELC-TPIA_Triple C_Investigations.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:46 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-10-01_NELC-TPIA_Triple C_Investigations.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935, related to compliance and enforcement actions

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. I request the following records related to compliance and enforcement actions by TCEQ from August 27, 2024, to the present. I request the following:

1) All information regarding Triple C's compliance history including, but not limited to, enforcement orders, investigations, notices of violations, and citizen collected evidence; and
2) All information related to site visits of Triple C by TCEQ.

B. Confidential information requested except for emails

I request all records and information responsive to this request including confidential information. I agree that email addresses may be redacted. If TCEQ believes that other responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:10 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-09-11_NELC Comment-PublicCommentPeriodError.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:46 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-09-11_NELC Comment-PublicCommentPeriodError.pdf

From:	PUBCOMMENT-OCC
To:	PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Cc:	PUBCOMMENT-APD
Subject:	FW: Triple C Concrete"s application public comment period
Date:	Thursday, September 12, 2024 8:33:22 AM
Attachments:	24.09.11 Triple C Public Comment Period.pdf

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Wednesday, September 11, 2024 3:08 PM
To: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Cc: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Subject: Triple C Concrete's application public comment period

Hello Mr. Hilla:

I spoke to you last month regarding Triple C Concrete in Lubbock, Texas. Please see the attached letter regarding the public comment period for Triple C's permit application. The Central Registry page needs to be corrected to reflect that the public comment period had not ended but is extended until the end of the upcoming public meeting.

I am glad to see that the Executive Director approved the request for a public meeting.

Thank you,

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

This message, as well as any attached document, contains information from the law firm of Legal Aid of NorthWest Texas that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

September 11, 2024

Via Email: *Alexander.Hilla@tceq.texas.gov*

Alexander Hilla
Texas Commission on Environmental Quality
Air Permits Division MC-163
P.O. Box 13087
Austin, Texas 78711-3087

Re: Triple C Concrete Public Comment Period Incorrectly Marked as Ended

Dear Mr. Hilla:

I represent the North and East Lubbock Coalition. We spoke last month on the telephone regarding the permit application of Triple C Concrete, LTD ("Triple C"). The permit registration number is Air New Source Registration 176227. The RN number is RN111965935.

I write to express my concern that the TCEQ's Central Registry Page lists the public comment period as having ended on August 1, 2024. I enclosed a screengrab of the Central Registry page on the following page showing this error. While you personally assured me that the public comment period remains open until the conclusion of the public meeting, **please change the status of the Activity Actions box to reflect that the public comment period is still open to avoid public confusion.**[1] Thank you.

I am glad to see that the Executive Director approved a public meeting on this matter on August 30, 2024. Has TCEQ set a date?

Thank you for your attention to this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Cc: Chief Clerk Laurie Gharis via email: Laurie.Gharis@tceq.texas.gov
Enc: Screengrab of Central Registry Page for Triple C

[1] As you know, the Texas Admin Code also states that, "the public comment period shall automatically be extended to the close of any public meeting." 30 TAC § 55.152(b).

Screengrab of Central Registry Page for Triple C. The webpage is: https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.itemdetail&addn_id=377557572024121&re_id=372557562024121

ENVIRONMENTAL QUALITY

Query Home | Customer Search | RE Search | ID Search | Document Search | Registration Detail | TCEQ Home

Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Air New Source Registration 176227**
For: **TRIPLE C CONCRETE OF LUBBOCK** (RN111965935 ...)
1521 ERSKINE ST, LUBBOCK
Registration Status: **PENDING**
Held by: **TRIPLE C CONCRETE OF LUBBOCK LTD** (CN604580019 ...) View 'Issued To' History ...
OWNER OPERATOR Since 04/30/2024
Mailing Address: 2008 E 50TH ST LUBBOCK, TX 79404 -4044

Commissioners' Actions

Item Number	Item Type	Document Type	Status	TCEQ Docket Number	SOAH Docket Number
138041				N/A	N/A

Item 138041
Activity Actions

Action Date	Document Type	Action
08/30/2024	Public Meeting	ED APPROVE
08/01/2024	Comment Period	END
08/05/2024	Availability Verification Form	RECEIVED
08/05/2024	Alternative Language Verif For	RECEIVED
07/02/2024	Alternative Language Notice	PUBLISHED
07/01/2024	Notice - Application	PUBLISHED

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:08 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-26_NELC-TPIA_Triple C - Notice of Deficiency .pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:45 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-26_NELC-TPIA_Triple C - Notice of Deficiency .pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 26, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935, related to Notices of Deficiency

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935.

A. Information requested

I request:

1) All Notices of Deficiency issues to Triple C;
2) All communications between Triple C and the TCEQ regarding improvements or corrections that Triple C must make before a permit may be granted or to return to compliance; and
3) All citations issued to Triple C.

The date range for the information I request is from April 1, 2024, to the date of this letter.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:07 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-26_NELC-TPIA_382.052.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:44 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-26_NELC-TPIA_382.052.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 26, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records related to Tex. Health and Safety Code § 382.052

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ" or "the commission"). If this request is unclear, please contact me using the information in my signature block below for clarification.

This request involves **Texas Health & Safety Code § 382.052**. That section requires that, "[i]n considering the issuance of a permit to construct or modify a facility within 3,000 feet of an elementary, junior high, or senior high school, the commission shall consider possible adverse short-term or long-term side effects of air contaminants or nuisance odors from the facility on the individuals attending the school facilities."

A. Information requested

Please provide any policy guidance, regulations, external or internal communications, forms, or any other records used by TCEQ to carry out the mandate of Tex. Health & Safety Code § 382.052.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore,

NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:06 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-12_LeighFloresPIA-email.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:43 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-12_LeighFloresPIA-email

Adam Pirtle

From: AirPIR <AirPir@tceq.texas.gov>
Sent: Monday, August 12, 2024 1:11 PM
To: Adam Pirtle; Deanna Moreno
Cc: AirPIR
Subject: RE: TCEQ Public Information Request 96078

Good afternoon,

After discussing with our Legal Office about your concerns for PIR 24-96078, please see below:

> A Public Information Act request can only encompass public information in existence at the time the request was made, and governmental bodies are not obligated to prepare new information in response to a request. Private third-party records are only considered public information if they are "created by, transmitted to, received by, or maintained by . . . *a person or entity performing official business or a governmental function on behalf of a governmental body*. . . ." Tex. Gov't Code § 552.002(a-1). Regulated entities that are required to maintain certain records to demonstrate permitting compliance are not performing TCEQ business or governmental functions when doing so. *See* Open Records Decision No. 462 (1987).

As Triple C Concrete of Lubbock does not maintain the requested information in the role of an agent acting on behalf of TCEQ, and TCEQ has not acquired this information from Triple C Concrete of Lubbock through 30 Tex. Admin. Code § 106.8(c), TCEQ has no additional information to provide that is responsive to your request.
Please let me know if you have any further questions.

Thanks,

LEIGH FLORES
TEAM LEADER
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AIR PERMITS DIVISION
BUSINESS SUPPORT SECTION MC-163
PO BOX 13087
AUSTIN, TEXAS 78711-3087
512-239-0361
leigh.flores@tceq.texas.gov

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Friday, August 9, 2024 5:46 PM
To: Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: RE: TCEQ Public Information Request 96078

Good afternoon, Ms. Moreno:

On August 1, 2024, I requested Triple C Concrete's operating logs and other records it was required to keep onsite as a condition of the standard permit from January 1, 2023, to the date of the request. For your convenience, I have duplicated that portion of the request below my signature and attached the original request receipt.

In the records you provided in response to my request, I did not find any records that Triple C maintained onsite as required by the standard permit and other law. Did TCEQ attempt to request these documents from Triple C Concrete to fulfill this request?

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. TCEQ has a lawful right of access to these records. Under the Texas Public Information Act, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information." TEX. GOV'T CODE § 552.002(a). Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ needed to exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you,
Adam

Request excerpt:
"We request the written records that Triple C is required to keep on-site pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. Specifically, we request the records maintained on-site for the following including:

- *30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;*
- *30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;*
- *production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;*
- *all repairs and maintenance of abatement systems and other dust suppression controls;*
- *Material Safety Data Sheets for all additives and other chemicals used at the site;*
- *road cleaning, application of road dust control, or road maintenance for dust control;*
- *stockpile dust suppression;*
- *monthly silo warning device or shut-off system tests;*
- *quarterly visible emissions observations and any corrective actions required to control excess visible emissions;*
- *demonstration of compliance with subsection (6)(B) of this standard permit;*
- *type of fuel used to power engines authorized by this standard permit; and*
- *demonstration of compliance with subsection (5)(L) of this standard permit.*

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records."

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

This message, as well as any attached document, contains information from the law firm of Legal Aid of NorthWest Texas that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

From: Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Sent: Friday, August 9, 2024 11:28 AM
To: Adam Pirtle <pirtlea@lanwt.org>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: TCEQ Public Information Request 96078

Good morning,

Attached please find our response to your Public Information Request (PIR) to Texas Commission on Environmental Quality. This PIR is now closed.

Please contact me with any questions regarding this request.

Thank you, and have a great day!

Deanna Moreno
Permit Support Specialist II
Air Permit Division, MC 163
Texas Commission on Environmental Quality
PO Box 13087

Austin, TX 78711-3087
(P) 512-239-0701
deanna.moreno@tceq.texas.gov

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 4:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-05_TCEQ-InvestigationReport-2008932.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:43 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-05_TCEQ-InvestigationReport-2008932.pdf

AIR CP_1119659[illegible]_CP ACONF_20240805_Investigation_2008932_

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: TRIPLE C CONCRETE OF LUBBOCK
Regulated Entity Number: RN111965935

Investigation # 2008932

Investigator: SARA COLEY

Conducted: 08/05/2024 -- 08/05/2024

Program(s): AIR NEW SOURCE PERMITS

Investigation Type: Compliance Investigation

Additional ID(s) 176227

Incident Numbers
427691

Site Classification STANDARD PERMIT

SIC Code: 3273
NAIC Code: 327320

Location:

Address: 1521 ERSKINE ST,
LUBBOCK, TX , 79403

Local Unit: REGION 02 - LUBBOCK

Activity Type(s AIR MNSR - MINOR SOURCE NEW SOURCE REVIEW
AIRCOMPL - AIR CMPL - AIR COMPLAINT INV

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514
PARTICIPATED IN	PLANT MANAGER	JR MOJICA	Work	(806) 745-1111
REGULATED ENTITY CONTACT	PLANT MANAGER	JR MOJICA	Work	(806) 745-1111

Other Staff Member(s):

Role	Name
QA Reviewer	ASHLEY TORREZ
Supervisor	HAILEY CLARK

Associated Check List

Checklist Name	Unit Name
AIR EQUIPMENT	Triple C
AIR COMPLAINT INVESTIGATION	Triple C
AIR GENERIC INVESTIGATION (10 ITEMS)	Triple C

Investigation Comments:

INTRODUCTION
On August 1, 2024, the Texas Commission on Environmental Quality (TCEQ) received a complaint alleging Triple C Concrete of Lubbock, the Regulated Entity (RE), a concrete batch plant, was operating without authorization via the online complaint form. On August 5, 2024, the Region 2 Lubbock Office received a second complaint via phone call with the same allegation. The RE is owned and operated by Triple C Concrete of Lubbock, LTD, the Customer. The site is located at 1521 Erskine Street, Lubbock, Lubbock County, Texas. Incident No. 427691 was created (Attachment 1) and assigned to Sara Coley, Environmental Investigator, on August 5, 2023. Coley received contact information for the first complainant on August 9, 2024, and called them the same day to provide the incident number and explain the complaint process. Coley spoke with the second complainant on August 5 and 7, 2024, providing the incident number and status of their complaint.

Daily Narrative
On August 5, 2024, Coley traveled to the area of the complaint, arriving at 1110 hours. Coley parked in Comencheria Lake Park on Avenue P to the west of the RE and measured the meteorological conditions with a Kestrel 5000 Environmental Meter and conducted a visible emissions survey until 1120 hours. The temperature was 85 degrees Fahrenheit, with southwest winds at 0-5 miles per hour. Coley did not observe any visible emissions from the site.

At 1123 hours, Coley parked along the west side of Avenue Q, across from the plant entrance. Coley observed a truck being washed out and then parking under the drop point of the plant. Coley did not observe the truck being loaded at this time. Coley then proceeded to the weigh house and spoke with JR Mojica, Plant Manager. He stated they had been operating that morning sending out loaded trucks and asked Coley to call Karla Colquett, Corporate Secretary, to discuss the status of the permit and any alleged violations.

Coley called Colquett the same day, to inform her of the alleged violation for operating without authorization and she asked Coley to reach out to their consultant, Roger Reyna, Managing Member with R2M Engineering. Coley called R2M Engineering and requested a call back from Reyna. Reyna called Coley on August 6, 2024, and informed Coley he would reach out to TCEQ Air Permits Division (APD) regarding the status of the permit. Coley did not receive any additional information from Reyna about the permit status.

On August 19, 2024, Coley received Citizens Collected Evidence (CCE) in the form of 2 videos. Neither video appeared to capture unauthorized activity, so the CCE was not used in support of this investigation.

The concrete batch plant operated by the Customer at this location was authorized previously under RN104156286 and Standard Permit Registration No. 71025. This registration expired on February 10, 2024 (Attachment 2). See Violation Track Number (VTN) 893743. This is an Enforcement Initiation Criteria (EIC) Revision 17, Category A2.b. An application for the Air Quality Standard Permit for Concrete Batch Plants was submitted by R2M Engineering on behalf of the Customer on April 30, 2024.

Exit Interview
On August 5, 2024, Coley called Colquett and informed her of the alleged violation and that operations at the plant were not authorized until the pending permit was approved by the TCEQ APD. On August 10, 2024, Coley emailed an Exit Interview Form (EIF) to Colquett (Attachment 3).

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 4).

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material specified per job. The concrete is mixed in the plant mixer and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer has a "Satisfactory" compliance history rating and the RE has an "Unclassified" compliance history rating (Attachment 5).

Agreed Orders, Court Orders, and other Compliance Agreements
There are no such orders for the RE.

Prior Enforcement Issues
There are no prior enforcement issues for the RE.

Complaints
No other complaints have been received regarding this RE in the past 2 years.

ADDITIONAL INFORMATION
An NOE letter was sent to the Customer in October of 2024. A "Request for Assistance" letter was sent to the complainants in October 2024.

Additional Issue
There are no additional issues.

NOE Date: 10/4/2024

OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track Number: 893743 **Compliance Due Date: To Be Determined**

Violation Start Date: 8/5/2024

30 TAC Chapter 116.110(a)
5C THSC Chapter 382.0518(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 2008932 Comment Date: 09/27/2024

Failure to obtain authorization prior to operating a source of air contaminants.

On August 5, 2024, the investigator observed a batch truck being washed out at the site. The investigator spoke with the plant manager who stated they had been batching loads at the site and had loaded trucks with concrete that morning.

Recommended Corrective Action: As required by 30 Texas Administrative Code (TAC) 116.110(a), any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain authorization. Provide written documentation to the TCEQ demonstrating operations at the site have ceased and will not resume until

authorization is obtained.

Signed Dana Coley **Date** 10/4/2024

Environmental Investigator

Signed Hailey Clark **Date** 10/4/2024

Supervisor

Attachments: (in order of final report submittal)

X Enforcement Action Request (EAR)

X Letter to Facility (specify type) : NOE

Investigation Report

___Sample Analysis Results

___Manifests

___Notice of Registration

___Maps, Plans, Sketches

___Photographs

___Correspondence from the facility

X Other (specify) :

See List of Attached Files

List of Attached files

Att 1_Triple C_Complaint Report.pdf
Att 2_Letter of expiration on prior authorization.pdf
Att 3_EIF and email.pdf
Att 4_Triple C_SOS.pdf
Att 5_Triple C_Compliance History.pdf

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

CERTIFIED MAIL # 70180680000021460942
RETURN RECEIPT REQUESTED

Ms. Karla Colquett, Corporate Secretary
Triple C Concrete of Lubbock
2008 East 50th Street
Lubbock, Texas 79404-4044

Re: Notice of Enforcement for Complaint and Minor New Source Review Investigation at:
Triple C Concrete of Lubbock, 1521 Erskine Street, Lubbock, Lubbock County, Texas
Regulated Entity No.: 111965935

Dear Ms. Colquett:

On August 5, 2024, Ms. Sara Coley of the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for the air quality program. During this investigation, a certain outstanding alleged violation was documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at https://www.tceq.texas.gov for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Lubbock Region Office at (806) 796-7092 or the Central Office Publications Ordering Team at 512-239-0028.

One or more of the violations documented during the subject investigation includes unauthorized activity and you are hereby advised that continued operation is not authorized.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. We encourage you to immediately begin taking actions to address the outstanding alleged violation.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violation documented in this notice has been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Air Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Ms. Coley in the Lubbock Region Office at 806-796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Region 2 Lubbock Office
Texas Commission on Environmental Quality

JKL/SKC/ah

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

TRIPLE C CONCRETE OF LUBBOCK
1521 ERSKINE ST
LUBBOCK, LUBBOCK COUNTY, TX 79403

Investigation # 2008932
Investigation Date: 08/05/2024

Additional ID(s): 176227

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 893743 **Compliance Due Date: To Be Determined**

30 TAC Chapter 116.110(a)
5C THSC Chapter 382.0518(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 2008932 Comment Date: 09/19/2024

Failure to obtain authorization prior to operating a source of air contaminants.

On August 5, 2024, the investigator observed a batch truck being washed out at the site. The investigator spoke with the plant manager who stated they had been batching loads at the site and had loaded trucks with concrete that morning.

Recommended Corrective Action: As required by 30 Texas Administrative Code (TAC) 116.110(a), any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain authorization. Provide written documentation to the TCEQ demonstrating operations at the site have ceased and will not resume until authorization is obtained.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

Re: Investigation Request at:
Triple C Concrete of Lubbock, located at 1521 Erskine, Lubbock, Lubbock County, TexasRN104156286, Investigation No.:2008935, Incident No.: 427691

The Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office has completed a final investigation in response to your concern regarding unauthorized operations at the above-referenced facility. The complaint investigation report contains confidential information, as such you will need to submit a Public Information Request to obtain a copy of the investigation report. For information about how to submit a Public Information Request go to: https://www.tceq.texas.gov/agency/data/records-services/reqinfo.html.

To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 427691, you may refer to our website: https://www.tceq.texas.gov/compliance/complaints.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Sara Coley in the Lubbock Region Office at (806) 796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Lubbock Region 2 Office

JKL/SKC/ah

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

Re: Investigation Request at:
Triple C Concrete of Lubbock, located at 1521 Erskine, Lubbock, Lubbock County, Texas
RN104156286, Investigation No.:2008935, Incident No.: 427691

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To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 427691, you may refer to our website: https://www.tceq.texas.gov/compliance/complaints.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Sara Coley in the Lubbock Region Office at (806) 796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Lubbock Region 2 Office

JKL/SKC/ah

printed on recycled paper using vegetable based ink

TCEQ Complaint Report

09/26/2024
2:06:38PM

Incident No: 427691
Media Type: AIR
Start Date: Unknown
Received Date: 08/01/2024
Method :

Staff Member: SCOLEY
Status: Closed
Status Date: 08/26/2024
Priority: Within 30 Calendar Days

Regulated Entity: TRIPLE C CONCRETE OF LUBBOCK

RN111965935

Address: 1521 ERSKINE ST
LUBBOCK, LUBBOCK County, TX 79403
Physical Location:

Responsible Party: TRIPLE C CONCRETE OF LUBBOCK LTD
Address: 2008 E 50TH ST, LUBBOCK, TX 79404
E-Mail:

Title:

Number Complaining: 2
Frequency: CURRENT
Alleged Source: TRIPLE C CONCRETE OF LUBBOCK

Program Group: AIR QUALITY - HIGH LEVEL
Nature: DUST
Effect: ENVIRONMENTAL

Initial Problem

On August 1, 2024, a complainant contacted the Texas Commission on Environmental Quality (TCEQ) through the online complaint system. The complaint was forwarded to the TCEQ Region 2 Lubbock Office via email the same day. The complainant was concerned about a dust issue in Lubbock County.

Action Taken

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Closure Comments

More information will be available upon approval of the investigation report.

Investigation Number: 2008932

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 15, 2024

MRS KARLA COLQUETTE
CORPORATE SECRETARY
TRIPLE C CONCRETE OF LUBBOCK LTD
2008 E 50TH ST
LUBBOCK TX 79404-4044

Re: Renewal of Standard Permit Registration
Permit Number: 71025
Company Name: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019
Regulated Entity Number: RN104156286

Dear Mrs. Colquette:

We have reviewed our records for Registration Number 71025 for the Commercial Concrete located in Lubbock County, Texas. During the review, we noticed that a renewal notification letter dated January 6, 2023 was provided to Triple C Concrete Of Lubbock, Ltd, informing you of the expiration date of February 10, 2024. Because no renewal application was received by the expiration date, the registration automatically expired. You will need to submit an application for a new registration. To obtain a copy of the Form PI-1S with instructions, please visit the Texas Commission on Environmental Quality (TCEQ) Web site at:

www.tceq.texas.gov/permitting/air/forms/newsourcereview/nsr_sp_forms.html

Please feel free to contact the staff of the Air Permits Initial Review Team at (512)239-1250 if you have any questions or need further assistance.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division

cc: Air Section Manager, Region 2 - Lubbock

Cc: R2APDmail@tceq.texas.gov
Subject: Expiration Notification of Registration 71025
Attachments: 1-DefExp(71025)-4113E.pdf

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

From: Roger Reyna
Sent: Friday, March 15, 2024 10:05 AM
To: Steven Piper
Cc: R2APDMail
Subject: RE: Expiration Notification of Registration 71025

Hello Steven.

We are receipt of the correspondence. Can we petition your assistance. Can you provide information on the renewal notification(s). When it was sent, delivery method and any possible confirmation of receipts.

Thank you in advance for your assistance.

Roger Reyna
Triple C Consultant.

From: Steven Piper <Steven.Piper@tceq.texas.gov>
Sent: Friday, March 15, 2024 9:06 AM
To: Roger Reyna
Cc: R2APDMail <R2APDMail@tceq.texas.gov>
Subject: Expiration Notification of Registration 71025

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	Triple C Concrete of Lubbock			TCEQ Add. ID No. RN No. (optional)	RN11195935		
Investigation Type	CMPL	Contact Made In-House (Y/N)	Y	Purpose of Investigation	Complaint		
Regulated Entity Contact	Karla Colquett			Telephone No.	806-762-3227	Date Contacted	8/10/2024
Title	Corporate Secretary			Fax No.		Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations.* Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request: identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type[1]	Rule Citation (if known)	Description of Issue
1	AV	30 TAC 116.115(c)	Operating a concrete batch plant located at 1521 Erskine, Lubbock, Texas, without authorization from the TCEQ.

[1]Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	■ Yes	☐ No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	■ Yes	☐ No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Sara Coley	8/10/2024		
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Optional)	Date

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

From:
To: Sara Coley
Subject: RE: Erskine Plant EIF
Date: Monday, August 12, 2024 4:21:04 PM
Attachments: image001.png

Sara
Thank you for reaching out. As you know R2M Engineering handles this for us. I was not aware that we couldn't be running. Triple C is a small woman owned plant and just trying to stay in business and compete with all of these large corporate owned companies. I appreciate any suggestions that you can offer.
Thank you for your time
Karla Colquett

From: Sara Coley <sara.coley@tceq.texas.gov>
Sent: Saturday, August 10, 2024 1:02 PM
To: '
Subject: Erskine Plant EIF

Hi Karla,
I am just following up on our conversation on Aug 5 with the Exit Interview Form document containing the alleged violation and citations for operating without authorization for Triple C Concrete of Lubbock located at 1521 Erskine, in Lubbock. As we discussed, Triple C does not have a current active authorization to operate the plant since the permit application has not been approved by the TCEQ Air Permits Division, since Triple C Concrete of Lubbock LTD did have prior knowledge authorization to operate a concrete batch plant is required, this alleged violation will be referred to the TCEQ Enforcement Division. Please call or email if you have any questions.
Best,

Sara Coley
Environmental Investigator
TCEQ Region 2 Lubbock Office
Email: sara.coley@tceq.texas.gov
Phone: 806-796-7092 | Fax: 806-796-7107
5012 50th Street, Ste 100, Lubbock, TX 79414-3426

EXAS SECRETARY of STATE
ANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

iling Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
riginal Date of Filing:	March 12, 2014	**Entity Status:**	In existence
ormation Date:	N/A		
ax ID:	32053446053	**FEIN:**	
uration:	Perpetual		

ame:	TRIPLE C CONCRETE OF LUBBOCK, LTD
ddress:	2008 East 50th Street Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Name	Address	Inactive Date
Karla Colquett	2008 E 50th Street Lubbock, TX 79404 USA	

Order | Return to Search

structions:

- To place an order for additional information about a filing press the 'Order' button.

Compliance History Report

Compliance History Report for CN604580019, RN111965935, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604580019, Triple C Concrete Of Lubbock, Ltd **Classification:** SATISFACTORY **Rating:** 9.10

Regulated Entity: RN111965935, TRIPLE C CONCRETE OF LUBBOCK **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 10 - Cement and Concrete Product Manufacturing

Location: 1521 ERSKINE ST LUBBOCK, TX 79403-3213, LUBBOCK COUNTY

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):
AIR NEW SOURCE PERMITS REGISTRATION 176227

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: September 19, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Sara Coley **Phone:** (806) 796-7092

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? NO
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 4:01 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2024-08-01_Request for Investigation_Triple C.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:42 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-01_Request for Investigation_Triple C.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 1, 2024

Via TCEQ Online Complaint Process:
https://www.surveymonkey.com/r/Environmental_Complaints

Environmental Investigator
Texas Commission for Environmental Quality, Region 2
5012 50th Street, Suite 100
Lubbock, Texas 79414

Re: North and East Lubbock Request for Investigation of Triple C Concrete; Response Requested by August 30, 2024

To whom it may concern:

I write on behalf of my client, the North and East Lubbock Coalition ("NELC"). NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. NLNA files this request for investigation of **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935.

Triple C's previous permit registration, Registration No. 71025, expired on February 10, 2024. On March 15, 2024, TCEQ sent a letter to Triple C informing it that its permit had automatically expired on February 10, 2024, because Triple C did not submit a renewal application. A copy of this letter is available here: https://drive.google.com/file/d/1eC6xwS2FYHQKrhovXvaSZz8dwK-0DG0R/view?usp=sharing.

NELC has reason to believe that Triple C has continued to operate after this authorization to operate expired. "[O]perating without required authorization" is classified as a major violation under 30 TAC §60.2(d)(1)(B).

Dora Cortez, the North Lubbock Co-Director of NELC, witnessed activity at Triple C on the afternoon of July 17, 2024. The photo in Figure 1 on the next page was taken by Adam Pirtle at 4:01 p.m. Dora Cortez was present at the time of this photograph and witnessed the events depicted. Dora Cortez also witnessed a cement truck loading concrete on July 31, 2024, at 3:15 p.m. A video taken by Dora Cortez is available here: https://drive.google.com/file/d/17ny7Q4kpbRQwJLbecNUr5y3BfzhS4HqF/view?usp=sharing.

NELC requests that TCEQ investigate Triple C to ensure that they are not unlawfully operating. If permit or other authorization currently exists that allows Triple C to operate, please provide this information to NELC through counsel.

NLNA asks to be notified of how TCEQ will proceed with this request for investigation by August 31, 2024. Please reach out to me at the contact information below if you have questions or concerns. Thank you for your attention to this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

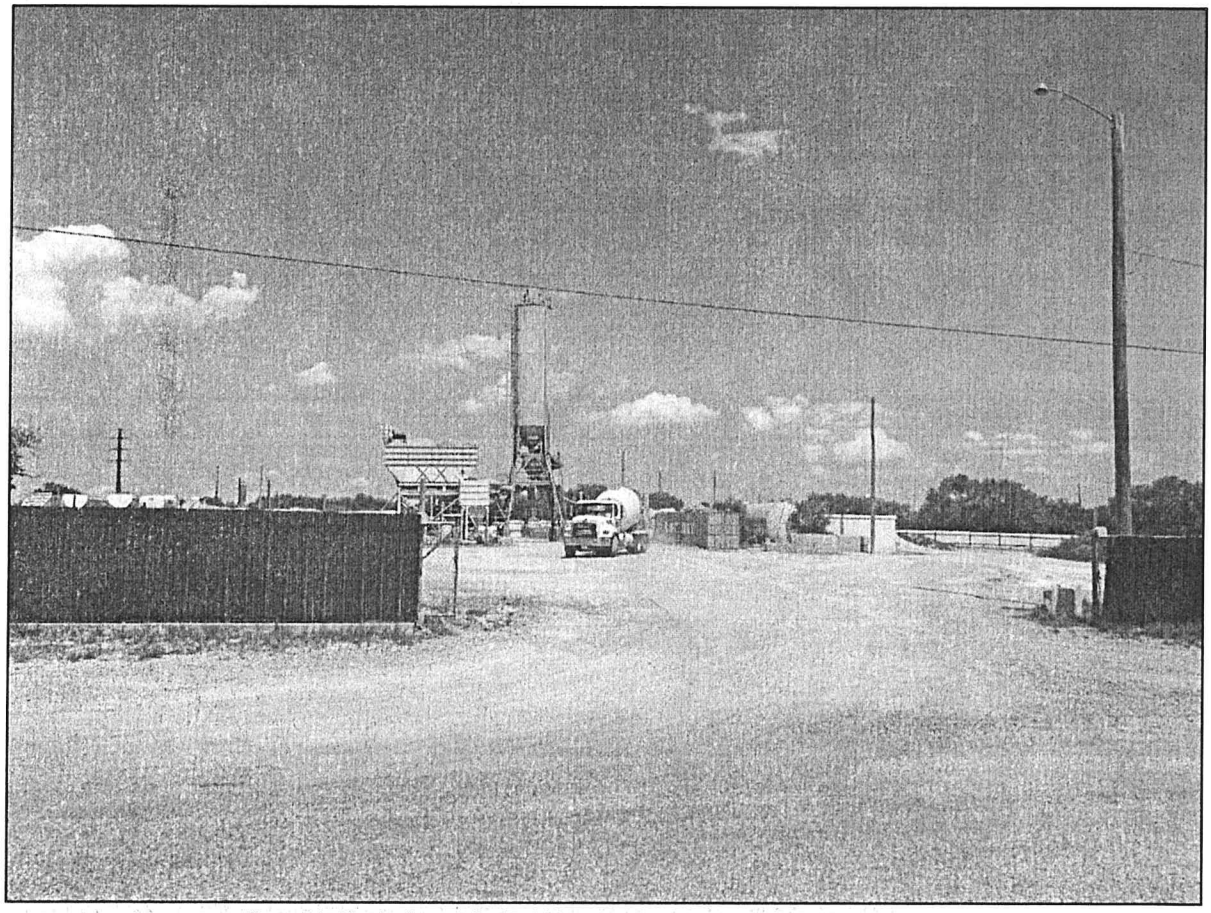

Figure 1: Triple C on July 17, 2024, at 4:01 p.m.: Photo taken by Adam Pirtle

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-08-01_NELC-TPIA_Triple C.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:41 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-08-01_NELC-TPIA_Triple C.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

A. Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. We request the following for the period starting on January 1, 2023, to the date of this of this letter.

We request the written records that Triple C is required to keep on-site pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. Specifically, we request the records maintained on-site for the following including:

- 30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;
- 30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;
- production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;
- all repairs and maintenance of abatement systems and other dust suppression controls;
- Material Safety Data Sheets for all additives and other chemicals used at the site;
- road cleaning, application of road dust control, or road maintenance for dust control;
- stockpile dust suppression;
- monthly silo warning device or shut-off system tests;
- quarterly visible emissions observations and any corrective actions required to control excess visible emissions;
- demonstration of compliance with subsection (6)(B) of this standard permit;

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

- type of fuel used to power engines authorized by this standard permit; and
- demonstration of compliance with subsection (5)(L) of this standard permit.

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

D. Public information includes records that TCEQ has a lawful right to obtain

According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[2] Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ must exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

[2] TEX. GOV'T CODE § 552.002(a)

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024-03-15_TCEQtoTripleC-ExpiredAuthorization.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:40 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024-03-15_TCEQtoTripleC-ExpiredAuthorization.pdf

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 15, 2024

MRS KARLA COLQUETTE
CORPORATE SECRETARY
TRIPLE C CONCRETE OF LUBBOCK LTD
2008 E 50TH ST
LUBBOCK TX 79404-4044

Re: Renewal of Standard Permit Registration
Permit Number: 71025
Company Name: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019
Regulated Entity Number: RN104156286

Dear Mrs. Colquette:

We have reviewed our records for Registration Number 71025 for the Commercial Concrete located in Lubbock County, Texas. During the review, we noticed that a renewal notification letter dated January 6, 2023 was provided to Triple C Concrete Of Lubbock, Ltd, informing you of the expiration date of February 10, 2024. Because no renewal application was received by the expiration date, the registration automatically expired. You will need to submit an application for a new registration. To obtain a copy of the Form PI-1S with instructions, please visit the Texas Commission on Environmental Quality (TCEQ) Web site at:

www.tceq.texas.gov/permitting/air/forms/newsourcereview/nsr_sp_forms.html

Please feel free to contact the staff of the Air Permits Initial Review Team at (512)239-1250 if you have any questions or need further assistance.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division

cc: Air Section Manager, Region 2 - Lubbock

Cc:	RREYNA@R2MENG.COM; R2APDmail@tceq.texas.gov
Subject:	Expiration Notification of Registration 71025
Attachments:	1-DefExp(71025)-4113E.pdf

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

From: Roger Reyna <rreyna@R2Meng.com>
Sent: Friday, March 15, 2024 10:05 AM
To: Steven Piper
Cc: R2APDMail
Subject: RE: Expiration Notification of Registration 71025

Hello Steven.

We are receipt of the correspondence. Can we petition your assistance. Can you provide information on the renewal notification(s). When it was sent, delivery method and any possible confirmation of receipts.

Thank you in advance for your assistance.

Roger Reyna
Triple C Consultant.

From: Steven Piper <Steven.Piper@tceq.texas.gov>
Sent: Friday, March 15, 2024 9:06 AM
To: Roger Reyna <rreyna@R2Meng.com>
Cc: R2APDMail <R2APDMail@tceq.texas.gov>
Subject: Expiration Notification of Registration 71025

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:53 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-APD; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_2024_12-12_TripleCTCEQInvestigation-Violations.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:39 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2024_12-12_TripleCTCEQInvestigation-Violations.pdf

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: COMMERCIAL CONCRETE
Regulated Entity Number: RN104156286

Investigation # 2029833
Investigator: ASHLEY TORREZ
Conducted: 12/12/2024 -- 12/12/2024
Program(s): AIR NEW SOURCE PERMITS
Investigation Type: Site Assessment File Review
Additional ID(s) 176227

Incident Numbers
Site Classification STANDARD PERMIT
NAIC Code: 327320
SIC Code: 3273
Location: PORTABLE
1521 ERSKINE ST LUBBOCK TX

Address: ,
, ,

Local Unit: REGION 02 - LUBBOCK
Activity Type(s PMSI116IH - AIR PMSI116IH - IN HOUSE CH 116 PERMIT SITE REVIEW

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Fax Phone	(806) 762-6514 (806) 762-3227
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514

Other Staff Member(s):

Role	Name
Supervisor	HAILEY CLARK

Associated Check List

Checklist Name	Unit Name
AIR PERMIT SITE REVIEW	176227

Investigation Comments:

INTRODUCTION
On December 12, 2024, a Request for Comments (RFC) Project Number 378226 (Attachment 1) was received in the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office for

Commercial Concrete the Regulated Entity, located at 1521 Erskine Street in Lubbock County, Texas. The RE is applying for an initial standard permit, No. 176227.

Daily Narrative
On December 12, 2024, Ashley Torrez, Environmental Investigator for the TCEQ Region 2 Lubbock Office, conducted an in-house assessment of the location. The surrounding land use is primarily industrial and residential. The distance to the nearest receptor is approximately 116 feet. The nearest property line is approximately 155 feet from an emissions point. The nuisance/odor potential and the hazard potential are considered moderate due to the types of activities occurring at the site and the proximity to sensitive receptors. The RFC with comments was completed and sent to Alexander Hilla with Air Permits Division (APD) on December 12, 2024.

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 2).

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material specified per job. The concrete is mixed in the plant mixer, and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer and RE has "Satisfactory" compliance history ratings (Attachment 3).

Agreed Orders, Court Orders, and other Compliance Agreements
Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875).

Agreed Order, Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).

Prior Enforcement Issues
Based on a review of CCEDS, there were Notices of Violation (NOVs) issued by the TCEQ within the past five years.

Provide detail of any violation issued in the previous 5 years.
A violation was issued on October 19, 2022, for failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface. This violation was cited again in a Notice of Enforcement (NOE) dated April 14, 2023.

Complaints
On August 1, 2024, the TCEQ received a complaint alleging the RE, previously named Triple C Concrete of Lubbock (RN111965935) was operating without authorization via the online complaint form. Reference Investigation No. 2008932.

ADDITIONAL INFORMATION
Conclusions, Recommendations, and Current Enforcement Actions
The investigator recommends proceeding with APD Review.

Additional Issue
None.

No Violations Associated to this Investigation

Signed Ashley Torrez **Date** 2/18/2025

Environmental Investigator

Signed Hailey Clark **Date** 02/20/2025

Supervisor

Attachments: (in order of final report submittal)

___Enforcement Action Request (EAR)

___Letter to Facility (specify type) : _____

Investigation Report

___Sample Analysis Results

___Manifests

___Notice of Registration

___Maps, Plans, Sketches

___Photographs

___Correspondence from the facility

✓ Other (specify) :

See list below.

List of Attached files
Attachment 1-RFC.pdf
Attachment 2-SOS.pdf
Attachment 3-Compliance History Report.pdf

Request for Comments -- Site Review TCEQ -- Air Permits Division Phone: (512) 239-1250 Fax: (512) 239-1400		
Submitted by: Air Permits Initial Review Team		
TO: Region: 2	City: Lubbock	County: Lubbock
Date Request Submitted: November 18, 2024	Date Response Requested: December 31, 2024	
Comments: Deadline is 45 days for MSS-type reviews, 21 calendar days for all others, from the Date Request Submitted. Section Manager approval is required for responses requested sooner than those deadlines. MSS = an NSR application for Planned Maintenance, Start-up, or Shutdown emissions in accordance with 30 TAC Chapter 101.		
Date Application Received by Air Permit Initial Review Team: April 30, 2024		
REGIONAL OFFICES: Please return comments to the appropriate Permitting Team Leader indicated on the following page ASAP, but no later than deadline established above. Permit disposition will proceed after comments are received or after the comments deadline has passed.		
REQUESTED PERMIT ACTION:		
MSS Construction	MSS Amendment	Revision
Construction	Amendment	X Other Initial STDPMT
Renewal	Renewal Abbreviated Review	
Project No.: 373356	PERMIT No.: 176227	
Regulated Entity No.: RN104156286	Customer No.: CN604580019	
Company Name: Triple C Concrete Of Lubbock Ltd		
Plant Name: Commercial Concrete	City: Lubbock	County: Lubbock
Location: 1521 Erskine St		
Unit Name: Concrete Batch Plant		
Technical Contact: Aslyn Henry		Phone: (806) 783-9944
Local Program Applicable?: Yes X No Local Programs: Note: For sites in a region that has a local program with jurisdiction, MSS projects for those sites will be reviewed by regional offices only.		

Request for Comments -- Site Review RESPONSE			
PLEASE SEND COMMENTS TO THE PERSON IDENTIFIED BELOW. (To avoid delays, please do not send this back to the Air Permits Initial Review Team.):			
	To: Joe Nicosia - Air Permits Division – Austin (Mech)	E-Mail: Joe Nicosia	Phone: (512) 239-1644
	To: Sabrina Coty-Butler - Air Permits Division – Austin (Coatings)	E-Mail: Sabrina Coty-Butler	Phone: (512) 239-1225
	To: Daniel Crean - Air Permits Division - Austin (Chem)	E-Mail: Daniel Crean	Phone: (512) 239-1505
	To: Matthew Ray - Air Permits Division - Austin (Energy)	E-Mail: Matthew Ray	Phone: (512) 239-4716
	To: Joel Stanford - Air Permits Division - Austin (Expedite)	E-Mail: Joel Stanford	Phone: (512) 239-0270
	To: Rule Registration Section	E-Mail: AirRR	Phone: (512) 239-1250 Fax: (512) 239-2101
X	To: Alexander Hilla	E-Mail: alexander.hilla@tceq.texas.gov	Phone:512-239-0157 Fax:(512) 239-1400

FROM: Region: 2	City: Lubbock	County: Lubbock
	Compliance:	Legal:

Copy of Application Received by your Office: ___ YES ✓ NO (STEERS)	
Date Received: **12/12/2024**	
PERMIT No. 176227	**PROJECT No. 373356**
Company Name: Triple C Concrete Of Lubbock Ltd	
Investigator's/Compliance Officer's Name (Please Print): **Ashley Torrez**	
Organization: Region 2, Lubbock Office	Phone: (806)796-7607
Comments Deadline:	12/9/2024
Date of Last Site Visit:	10/31/2024
SITE INFORMATION:	
Nuisance/Odor Potential: ___ Low ✓ Moderate ___ High	
Existing Odor Problem: ___ Yes ✓ No (If yes, provide details)	
Hazard Potential: ___ Low ✓ Moderate ___ High	
Surrounding Land Use: Industrial, Agricultural	
School within 3,000 feet? ___ Yes ✓ No Distance (feet): School Name:	
Distance to Nearest Off-Property Receptor:	116'
Receptor Type:	Residence
Distance from unit to nearest property line:	155'
Describe area surrounding the site (agriculture, industrial, residential):	Industrial, residential

NOV/NOE INFORMATION (concerning affected process unit):	
Type of Site: ___ New ✓ Existing	
NOV Issued? ___ No ✓ Yes	Date:
Type of Violation:	
Was there an NOE for this site?: ___No ✓ Yes	Date: 7/3/2019, 4/14/2023, 10/4/2023
Please provide any information the permit engineer needs concerning the current NOV, violation, or NOE status	Agreed Order, Docket No. 2023-0980-AIR-E, is pending (refer to Investigation No. 1888875). Docket No. 2024-1699-AIR-E, is pending (refer to Investigation No. 2008932).
Summarize any recent complaints related to this facility including complaint type and CCEDS number:	Please see below.
Recommendation based on Compliance History: (*For Compliance Use Only)	
Proceed with Permit Review ☑ Additional Provisions ☐ Deny Permit ☐ Update Application ☐	
SITE REVIEW:	
In light of the proximity of sensitive receptors and the surrounding land use, please discuss any concerns you have concerning a facility of this type locating at the proposed site. Paving and roads at site do not meet Special Conditon 9(F).	
MSS Specific Notes:	
The following MSS activities in the application are insufficient or inconsistent with our knowledge of MSS at the facility, and why:	
The following activities are typically considered planned MSS and are not found in the application. These activities should be added or addressed:	

Two complaints have been received by the TCEQ Region 2 Lubbock Office regarding the RE during the past two years. Investigation No. 2008932 was conducted in response to a complaint of nuisance dust conditions; however, no nuisance conditions were documented. This investigation, Investigation No. 2022723, was conducted in response to concerns of materials dumping; however, no conditions of materials dumping were documented.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
Original Date of Filing:	March 12, 2014	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32053446053	**FEIN:**	
Duration:	Perpetual		

Name: TRIPLE C CONCRETE OF LUBBOCK, LTD

Address: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Last Update	Name	Title	Address
May 8, 2015	Karquett, L.L.C.	General Partner	2008 E. 50th Street Lubbock, TX 79404 USA

Order | Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN604580019, RN104156286, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN604580019, Triple C Concrete Of Lubbock, Ltd	**Classification:** SATISFACTORY	**Rating:** 8.50
Regulated Entity:	RN104156286, COMMERCIAL CONCRETE	**Classification:** SATISFACTORY	**Rating:** 17.00
Complexity Points:	4	**Repeat Violator:** NO	
CH Group:	10 - Cement and Concrete Product Manufacturing		
Location:	PORTABLE 1521 ERSKINE ST LUBBOCK TX LUBBOCK, TX, LUBBOCK COUNTY		
TCEQ Region:	REGION 02 - LUBBOCK		

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 176227

AIR NEW SOURCE PERMITS ACCOUNT NUMBER 960022A

AIR NEW SOURCE PERMITS AFS NUM 4877700647

AIR EMISSIONS INVENTORY ACCOUNT NUMBER 960022A

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: January 28, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: ATorrez **Phone:** (806) 796-7607

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? YES
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 05/12/2020 ADMINORDER 2019-0959-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 3(K) PERMIT

Description: Failure to report a reportable emissions event within 24 hours of discovery

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(8)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 3(J)(vi) and (vii) PERMIT

Description: Failure to maintain records of application of dust suppression to plant roads and stock piles.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 5(H) PA
Description: The failure to conduct quarterly visible emissions observations.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(E)(ii) PERMIT
Description: Failure to maintain a dust suppressing fence or barrier that is at least 12 feet high.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 9(F) PERMIT
Description: Failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface.

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
Item 1 August 22, 2020 (1671484)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 3:50 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2020-05-12_AgreedOrder 2019-0959-AIR-E.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:38 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2020-05-12_AgreedOrder 2019-0959-AIR-E.pdf

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING TRIPLE C CONCRETE OF LUBBOCK, LTD RN104156286	§ § § § § § §	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2019-0959-AIR-E

I. JURISDICTION AND STIPULATIONS

On MAY 0 6 2020, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Triple C Concrete of Lubbock, Ltd (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a concrete batch plant located at 1521 Erskine Street in Lubbock, Lubbock County, Texas (the "Plant"). The Plant consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.

3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of $14,120 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid $341 of the penalty and $2,824 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

   The remaining amount of $10,955 of the undeferred penalty shall be paid in 35 monthly payments of $313 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of

the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.

7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During an investigation conducted from April 29, 2019 through May 7, 2019, an investigator documented that the Respondent:

1. Failed to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B), 116.115(b)(2)(E)(i), and 116.615(8), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, Special Conditions ("SC") No. (3)(J)(i), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the initial notification for the emissions event that occurred on April 2, 2019 was due by April 3, 2019, but was not submitted.

2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent released approximately 5,555 pounds of cement dust from the baghouse, during an emissions event that occurred on April 2, 2019 and lasted five minutes. The emissions event occurred when the silo was over-filled during loading, resulting in the release to the atmosphere. Since the Respondent did not comply with the emissions event reporting requirements and the emissions event could have been avoided by better operational and maintenance practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

3. Failed to maintain written records on-site for a rolling 24-month period, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(8), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC Nos. (3)(J)(vi), (vii), and (viii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, on May 7, 2019, the Respondent did not provide records for the road cleaning, application of road dust control or road maintenance for dust control; stockpile dust suppression; and monthly silo alarm tests.

4. Failed to conduct quarterly visible emissions observations, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (5)(H), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent did not conduct quarterly visible emissions observations downwind on the property line from the second quarter of 2017 through the first quarter of 2019.

5. Failed to construct borders to a height of at least 12 feet, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (9)(E)(ii), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, TCEQ staff observed stockpiles and operational roads at the Plant that did not meet the minimum buffer distance of 50 feet from any property line, and the dust suppressing fencing that was constructed ranged in height from six to 12 feet.

6. Failed to pave all entry and exit roads and main traffic routes associated with the operation of the Plant with a cohesive hard surface that can be maintained and cleaned, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (9)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, TCEQ staff observed that the west entry/exit road and the batch truck roads within the Plant were composed of caliche and were not paved with a cohesive surface.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Triple C Concrete of Lubbock, Ltd, Docket No. 2019-0959-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

a. Within 30 days after the effective date of this Order:

i. Implement measures and/or procedures designed to ensure that initial notifications for reportable emissions events are submitted in a timely manner;

ii. Implement measures and/or procedures designed to prevent the recurrence of emissions events due to the same or similar causes as the emissions event that occurred on April 2, 2019;

iii. Begin maintaining the records on-site for a rolling 24-month period for the road cleaning, application of road dust control, or road maintenance for dust control; stockpile dust suppression; and monthly silo alarm tests;

iv. Begin conducting quarterly visible emissions observations downwind on the property line;

v. Construct the dust suppressing fencing or other barriers as a border around roads, other traffic areas, and work areas to a height of at least 12 feet; and

vi. Pave the entry/exit road and the main traffic routes associated with the operation of the Plant with a cohesive hard surface that can be maintained and cleaned.

b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Lubbock Regional Office
Texas Commission on Environmental Quality
5012 50th Street, Suite 100
Lubbock, Texas 79414-3426

3. All relief not expressly granted in this Order is denied.

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Plant operations referenced in this Order.

5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.

7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or

issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission — Date: 5/12/2020

Jay Miller for Ramiro Garcia, Jr — Date: 3·23·20
For the Executive Director

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Karla Colquett — Date: 3-4-2020
Signature

Karla Colquett — Title: Partner
Name (Printed or typed)
Authorized Representative of
Triple C Concrete of Lubbock, Ltd

☐ *If mailing address has changed, please check this box and provide the new address below:*

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 14, 2020

FIRST CLASS MAIL

Karla Colquett, Partner
Triple C Concrete of Lubbock, Ltd
2008 East 50th Street
Lubbock, Texas 79404

RE: Triple C Concrete of Lubbock, Ltd
TCEQ Docket No. 2019-0959-AIR-E; Registration No. 71025
Agreed Order Assessing Administrative Penalties and Requiring Certain Actions

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Michael O'Malley of the Office of the Chief Clerk at (512) 239-3300.

Sincerely,

Bridget C. Bohac

Bridget C. Bohac
Chief Clerk

BCB/mgo

Enclosure

cc: Carol McGrath, Enforcement Coordinator, TCEQ Enforcement Division

Tammy Washington

From:	PUBCOMMENT-OCC
Sent:	Thursday, October 9, 2025 3:49 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227
Attachments:	Ex_2014-05-22_TCEQtoTripleC-ReceivedOwnerOperatorChangeFor71025.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:37 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment
Ex_2014-05-22_TCEQtoTripleC-ReceivedOwnerOperatorChangeFor71025.pdf

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

AIR PA/RN 104156286
0022A
Acct# 96 PA 71025
Ownership Date: 5/22/14

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 22, 2014

MRS KARLA COLQUETTE
CORPORATE SECRETARY
TRIPLE C CONCRETE OF LUBBOCK LTD
2008 E 50TH ST
LUBBOCK TX 79404-4044

RECEIVED
JUN 11 2014
TCEQ
CENTRAL FILE ROOM

Re: Change in Ownership
Customer Number: CN604580019

Dear Mrs. Colquette:

Thank you for your request received on May 21, 2014, notifying us of the change in ownership. Your letter states that TRIPLE C CONCRETE OF LUBBOCK LTD is now the Owner and Operator of the facility or facilities listed in the enclosed document. Our records have been updated to reflect this change.

We understand that there will be no change in the type of pollutants emitted and no increase in the quantity of emissions. As the new permittee/registrant, you have committed to maintain compliance with all air quality regulations and applicable rule requirements of the Texas Commission on Environmental Quality.

Thank you for informing us of this change in ownership. If you have any questions regarding this letter, please feel free to contact Ms. Sandra Young at (512) 239-1326.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division
Texas Commission on Environmental Quality

JDB/sy

cc: Air Section Manager, Region 2 - Lubbock
Mr. Mark Chambers, Emissions Assessment Section (MC-164), Austin
Mr. Adam Bullock, Emissions Assessment Section (MC-164), Austin
Ms. Jeanette Emanuel, Emissions Assessment Section (MC-164), Austin
TCEQ Central Records (MC-198)

Enclosure

Change in Ownership Table

Regulated Entity Number	Account Number	Permit / Registration Number	Permit / Registration Expiration Date	Previous Permitee / Registrant	TCEQ Region	County
RN104156286	96-0022-A	71025	February 10, 2024	Fast Concrete, Inc.	2 - Lubbock	Lubbock

05/22/2014 ----------NSR IMS - PROJECT RECORD ----------

PROJECT#: 211155 STATUS: PENDING DISP CODE: _____

RECEIVED: 05/21/2014 PROJTYPE: OWNCHANGE ISSUED DT: _____

PROJECT ADMIN NAME: CHANGE OF OWNERSHIP
PROJECT TECH NAME: TRIPLE C CONCRETE

STAFF ASSIGNED TO PROJECT:

YOUNG , SANDRA - REVIEWR1_2 - AP INITIAL REVIEW

CUSTOMER INFORMATION (OWNER/OPERATOR DATA)

ISSUED TO: TRIPLE C CONCRETE OF LUBBOCK LTD
COMPANY NAME: TRIPLE C CONCRETE OF LUBBOCK LTD
CUSTOMER REFERENCE NUMBER: **CN604580019**

REGULATED ENTITY/SITE INFORMATION

REGULATED ENTITY NUMBER: **RN104156286** ACCOUNT: 960022A

REGULATED ENTITY LOCATION: 1521 ERSKINE ST
REGION 02 - LUBBOCK NEAR CITY: LUBBOCK COUNTY: LUBBOCK

CONTACT/PERMIT INFORMATION

CONTACT NAME: MRS KARLA COLQUETTE CONTACT ROLE: RESPONSIBLE OFFICIAL
JOB TITLE: CORPORATE SECRETARY ORGANIZATION:
MAILING ADDRESS: 2008 E 50TH ST, LUBBOCK, TX, 79404-4044
PHONE: (806) 762-3227 Ext: 0
FAX: (806) 762-6514 Ext: 0

PERMIT#: 71025 AUTHTYPE: STDPMT RENEWAL: 02/10/2024
PERMIT NAME: ALL AMERICAN CONCRETE

PROJECT NOTES:

05/22/2014 CHANGE OF OWNERSHIP EFFECTIVE 05/08/2014

TRACKING ELEMENTS:

TE Name	Start Date	Complete Date
APIRT RECEIVED PROJECT (DATE)	05/21/2014	
CENTRAL REGISTRY UPDATED	05/22/2014	05/22/2014
APIRT TRANSFERRED PROJECT TO TECHNICAL STAFF (DATE)		
ENHANCED ADMINISTRATIVE OR APPLICATIONS REVIEW (EAR)		

Sandra Young

From:	Sandra Young
Sent:	Thursday, May 22, 2014 9:25 AM
To:	'rreyna@R2Meng.com'
Cc:	'RREYNA@R2MENG.COM'; RFCAIR2; Mark Chambers; Adam Bullock; Jeanette Emanuel
Subject:	Change in Ownership for TRIPLE C CONCRETE OF LUBBOCK LTD
Attachments:	211155.Docx

Karla Colquette,

This is confirmation that your request for change in ownership received on May 21, 2014 has been completed. Please refer to the attached letter for more details.

Thank you,

Sandra Young

Roger, Since I didn't have an email address for Mrs. Colquette, her copy will go in the mail today.

Sandra

TCEQ Core Data Form

TCEQ Use Only

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

MAY 21 2014
APIRT

SECTION I: General Information

1. Reason for Submission *(If other is checked please describe in space provided)*

☒ New Permit, Registration or Authorization *(Core Data Form should be submitted with the program application)*

☐ Renewal *(Core Data Form should be submitted with the renewal form)* ☐ Other

2. Attachments **Describe Any Attachments:** *(ex. Title V Application, Waste Transporter Application, etc.)*

☒ Yes ☐ No — Change of Name/Ownership Form

3. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	4. Regulated Entity Reference Number *(if issued)*
CN TBA		RN 104156286

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy) 5/8/2014

6. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check only one of the following:*

☐ Owner ☐ Operator ☒ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other: _____

7. General Customer Information

☒ New Customer ☐ Update to Customer Information ☒ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State) ☐ No Change**

If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.

8. Type of Customer:	☐ Corporation	☐ Individual	☐ Sole Proprietorship- D.B.A
☐ City Government	☐ County Government	☐ Federal Government	☐ State Government
☐ Other Government	☐ General Partnership	☒ Limited Partnership	☐ Other:

9. Customer Legal Name *(If an individual, print last name first: ex: Doe, John)*	*If new Customer, enter previous Customer below*	*End Date:*
Triple C Concrete of Lubbock, Ltd.	Fast Concrete, Inc.	5/8/2014

10. Mailing Address:	2008 East 50th Street							
	City	Lubbock	State	TX	ZIP	79404	ZIP + 4	4044

11. Country Mailing Information *(if outside USA)*	12. E-Mail Address *(if applicable)*
	N/A

13. Telephone Number	14. Extension or Code	15. Fax Number *(if applicable)*
(806) 762-3227		(806) 762-6514

16. Federal Tax ID *(9 digits)*	17. TX State Franchise Tax ID *(11 digits)*	18. DUNS Number*(if applicable)*	19. TX SOS Filing Number *(if applicable)*
N/A	N/A	N/A	801951014 ✓

20. Number of Employees

☐ 0-20 ☒ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

21. Independently Owned and Operated?

☒ Yes ☐ No

SECTION III: Regulated Entity Information

22. General Regulated Entity Information *(If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)*

☐ New Regulated Entity ☒ Update to Regulated Entity Name ☐ Update to Regulated Entity Information ☐ No Change** *(See below)*

**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.

23. Regulated Entity Name *(name of the site where the regulated action is taking place)*

Triple C Concrete

24. Street Address of the Regulated Entity: *(No P.O. Boxes)*	1521 Erskine Avenue							
	City	Lubbock	State	TX	ZIP	79403	ZIP + 4	3213
25. Mailing Address:	2008 East 50th Street							
	City	Lubbock	State	TX	ZIP	79404	ZIP + 4	4044

26. E-Mail Address:	N/A

27. Telephone Number	28. Extension or Code	29. Fax Number *(if applicable)*
(806) 762-3227		(806) 762-6514

30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)	33. Secondary NAICS Code (5 or 6 digits)
3273		327320	

34. What is the Primary Business of this entity? *(Please do not repeat the SIC or NAICS description.)*

Ready-Mixed Concrete

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:	

36. Nearest City	County	State	Nearest ZIP Code
Lubbock	Lubbock	TX	79403

37. Latitude (N) In Decimal:	33.605556		38. Longitude (W) In Decimal:	-101.8525	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
33	36	20	-101	51	09

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Industrial Hazardous Waste	☐ Municipal Solid Waste
☒ New Source Review – Air	☐ OSSF	☒ Petroleum Storage Tank	☐ PWS	☐ Sludge
71025		83859		
☐ Stormwater	☐ Title V – Air	☐ Tires	☐ Used Oil	☐ Utilities
☐ Voluntary Cleanup	☒ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:
	TXG111252			

SECTION IV: Preparer Information

40. Name:	Roger Reyna	41. Title:	Environmental Consultant

42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(806) 783-9944		(806) 783-9966	rreyna@R2Meng.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	Triple C Concrete of Lubbock	Job Title:	Corporate Secretary
Name *(In Print)*:	Karla Colquett	Phone:	(806) 762-3227
Signature:	Karla Colquett	Date:	5-16-14

Texas Commission on Environmental Quality
Air Permits Division
Change of Name/Ownership Form

MAY 21 2014
APIRT

I.	**Application Type**		
	☑ Change in Ownership ☐ Change in Company Name		
II.	**Name of the New Owner or Operator of the Facilities or Equipment** *(Legal Entity Name of the new permittee)*		
A.	Customer Name: Triple C Concrete of Lubbock, Ltd.		
B.	Customer Reference Number (CN) *(if issued)*: 604580019		
C.	Submittal Date: 5/15/14		
D.	Effective Date of Change: 5/8/14		
E.	Is the new owner an affiliate of the previous owner?		☐ YES ☑ NO
III.	**Responsible Official (RO) Contact Information**		
Name (☐ Mr. ☑ Mrs. ☐ Ms. ☐ Dr.): Karla Colquett			
Title: Corporate Secretary			
Company Name: Triple C Concrete of Lubbock, Ltd.			
Mailing Address: 2008 East 50th Street			
City: Lubbock	State: TX		Zip Code: 79404
Territory:		Country: USA	
Foreign Postal Code:		Internal Mail Code:	
Telephone No.: (806) 762-3227		Fax No.: (806) 762-6514	
E-mail Address: N/A			
IV.	**Technical Contact Information**		
Name (☑ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.): Roger Reyna			
Title: Environmental Consultant			
Company Name: R2M Engineering, LLC.			
Mailing Address: 5012 50th Street, Suite 204			
City: Lubbock	State: TX		Zip Code: 79414
Territory:		Country: USA	
Foreign Postal Code:		Internal Mail Code:	
Telephone No.: (806) 783-9944		Fax No.: (806) 783-9966	
E-mail Address: rreyna@R2Meng.com			
V.	**Site Information**		
A.	Site Name: Triple C Concrete		
B.	Regulated Entity Number (RN) *(if issued)*: 104156286		
C.	Account Number *(if issued)*: 960022A		

Texas Commission on Environmental Quality
Air Permits Division
Change of Name/Ownership Form

MAY 21 2014
APIRT

V.	**Site Information** ***(continued)***							
D.	If action is transfer of ownership, is the change for the entire site?							☑ YES ☐ NO ☐ N/A
E.	If action is transfer of ownership for a portion of the existing site, will the new site be a major source?							☐ YES ☐ NO ☑ N/A
F.	Indicate all pollutants for which the site is a major source based on the site's potential to emit.							
Pollutant:	VOC	NO_X	SO_2	PM_{10}	CO	PB	HAPs	Other
Major at the Site *(YES/NO)*:	NO	NO	NO	NO	NO	NO	NO	
VI.	**Air Authorizations That Are Affected By This Action**							
A.	List all NSR authorizations (including PBR, SE, and standard permit registrations, and NSR permits), as applicable: 71025							
B.	List all FOPs (including SOPs and ATOs under GOPs), as applicable: N/A							
VII.	**NSR Conditions for Change of Ownership under 30 TAC § 116.110(e)**							

- The new owner agrees to be bound by all the permit conditions and all representations made in the permit and any amendments and alterations.
- The new owner asserts there will be no change in the type of pollutants emitted.
- The new owner asserts there will be no increase in the quantity emitted.

VIII. FOP Conditions for Change of Ownership

- For SOP holders:
  Pursuant to 30 TAC § 122.210 and § 122.211, the permit holder (new owner) is required to submit a permit revision application for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit.
- For GOP holders:
  Pursuant to 30 TAC § 122.503, the permit holder (new owner) is required to submit (before the change is operated) an application for a new authorization to operate for a change to the permit identification of ownership or operational control of a site. The change must be facilitated by a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the old and new permit holder. This written agreement is maintained with the permit.

A.	Are any other changes needed for the FOP? *(If YES, submit the information as explained in the instructions.)*	☐ YES ☑ NO
B.	Is there an Acid Rain permit or Clean Air Interstate Rule (CAIR) permit included in the SOP? *(If YES, submit the information as explained in the instructions.)*	☐ YES ☑ NO

IX. Authorization

I, Karla Colquett, certify that I am the responsible official for this application and that, based on information and belief formed after reasonable inquiry, the statements and information on this form are true, accurate, and complete.

Signature: Karla Colquett Signature Date: 5-16-14

Title: Corporate Secretary

R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
www.R2Meng.com
5012 50th Street, Suite 204 Lubbock, TX 79414 P: (806) 783-9944 F: (806) 783-9966

AIR PERMITS DIVISION
MAY 21 2014
RECEIVED

May 19, 2014

TCEQ
Air Permits Initial Review Team
MC-161
P.O. Box 13087
Austin, TX 78711-3087

By Certified Mail #
70123460000002392656

MAY 21 2014
APIRT

Re: Change of Name/Ownership
Triple C Concrete of Lubbock, Ltd.
1521 Erskine Avenue
Lubbock, TX 79403-3213
CN: TBA
RN: 104156286

Dear Sir or Madam:

Please find attached the Change of Name/Ownership Form and Core Data for the above referenced facility.

Please feel free to contact me at your convenience, should you have any questions or require any additional information.

Respectfully,

Roger Reyna
Environmental Consultant for Triple C Concrete of Lubbock, Ltd.

Encls: As stated

cc: TCEQ Region 2, Lubbock, By Certified Mail: 70123460000002392663
Mrs. Karla Colquett, Corporate Secretary, Triple C Concrete of Lubbock, Ltd.

02/03/2014 ----------NSR IMS - PROJECT RECORD ----------

PROJECT#: 202322 PERMIT#: 71025 STATUS: PENDING DISP CODE: C
RECEIVED: 12/02/2013 PROJTYPE: RENEWAL AUTHTYPE: STDPMT ISSUED DT: 2/10/2014
RENEWAL: ~~05/27/2014~~ 2/10/2024
PROJECT ADMIN NAME: RENEWAL OF PERMIT 71025
PROJECT TECH NAME: CONCRETE BATCH PLANT

Assigned Team:MECH/CONST TEAM

STAFF ASSIGNED TO PROJECT:

GLASPIE-FELIX , SHELIA	- REVIEWR1_2 -	AP INITIAL REVIEW
NELON , DON	- REVIEW ENG -	MECH/CONST TEAM

CUSTOMER INFORMATION (OWNER/OPERATOR DATA)
ISSUED TO: FAST CONCRETE, INC.
COMPANY NAME: Fast Concrete, Inc.
CUSTOMER REFERENCE NUMBER: CN602552408

REGULATED ENTITY/SITE INFORMATION
REGULATED ENTITY NUMBER: RN104156286 ACCOUNT: 960022A
PERMIT NAME: ALL AMERICAN CONCRETE

RECEIVED
MAR 18 2014
TCEQ
CENTRAL FILE ROOM

PROJECT AI LOCATION
REGION 02 - LUBBOCK
APPLIED FOR NEAR CITY NAME: LUBBOCK APPLIED FOR COUNTY NAME: LUBBOCK
APPLIED FOR PHYSICAL LOCATION: 1521 ERSKINE ST

CONTACT DATA

CONTACT NAME: MR RONNIE ZAHN CONTACT ROLE: RESPONSIBLE OFFICIAL
JOB TITLE: PRESIDENT ORGANIZATION: FAST CONCRETE INC
MAILING ADDRESS: 6608 MLK BLVD, LUBBOCK, TX, 79404-6010
PHONE: (806) 748-1877 Ext: 0
FAX: (806) 748-6060 Ext: 0
EMAIL:ZAHNPAVING@PGRB.COM

CONTACT NAME: MR ROGER REYNA CONTACT ROLE: TECHNICAL CONTACT
JOB TITLE: ENVIRONMENTAL CONSULTANT ORGANIZATION: R2M ENGINEERING LLC
MAILING ADDRESS: 5012 50TH ST STE 204, LUBBOCK, TX, 79414-3426
PHONE: (806) 783-9944 Ext: 0
FAX: (806) 783-9966 Ext: 0
EMAIL:RREYNA@R2MENG.COM

PROJECT NOTES:

12/03/2013	CR/SOS/DFC DONE 12/3/13 - NOT ON APWL
12/13/2013	PN1 REQUIRED - DOCUMENT #487779

12/03/2013 PER RENEWAL NOTICE PROJECT #201448 - NOTICE MAILED 7/18/13 - DELIVERED 7/26/13 - CLOSED PROJECT 12/2/13

PERMIT NOTES:

FEE:

Reference	Fee Receipt Number	Amount	Fee Receipt Date	Fee Payment Type
14698	R409199	900.00	12/04/2013	CHECK

PUBLIC NOTICE:

Public Hearing Req Number	Public Meeting Req Number	Comment Count	Alternative Languages
0	0	0	NO ALT LANGUAGE

TRACKING ELEMENTS:

TE Name	Start Date	Complete Date
APIRT RECEIVED PROJECT (DATE)	12/02/2013	
CENTRAL REGISTRY UPDATED	12/03/2013	12/03/2013
PUBLIC NOTICE DRAFT SENT TO COMPANY (DATE)	12/09/2013	
COMPANY APPROVED DRAFT PUBLIC NOTICE (DATE)	12/12/2013	
APIRT TRANSFERRED PROJECT TO TECHNICAL STAFF (DATE)	12/13/2013	
LEGISLATORS NOTIFIED OF APPLICATION RECEIVED (DATE)	12/13/2013	
PROJECT DECLARED ADMIN COMPLETE (DATE)	12/13/2013	
DEFICIENCY CYCLE	12/16/2013	12/16/2013
PROJECT RECEIVED BY ENGINEER (DATE)	12/16/2013	
PROJECT RECEIVED BY TECHNICAL STAFF FROM APIRT (DATE)	12/16/2013	
COMPLIANCE HISTORY REVIEW COMPLETED (DATE)	12/17/2013	
ENGINEER INITIAL REVIEW COMPLETED (DATE)	12/17/2013	
PUBLIC NOTICE COMMENT PERIOD (NSR 1ST NOTICE)	01/07/2014	01/24/2014
1ST NOTICE OCC COMPLETE (DATE)	01/30/2014	
FINAL PACKAGE TO SECTION MANAGER FOR REVIEW (DATE)	02/03/2014	
FINAL PACKAGE TO TEAM LEADER OR SUPERVISOR FOR REVIEW (DATE)	02/03/2014	
PEER / MANAGER REVIEW PERIOD	02/03/2014	02/03/2014

Permit Unit Type:

PROJECT RULES:

Unit Desc	Rule Desc	Request Type	On Application	Approve
CONCRETE BATCH PLANTS	6004 -	ADD	Y	APPROVE

PERMIT RULES:

Unit Desc	Rule Desc	Start Date	End Date

PROJECT ATTRIBUTES:

Attributes	Value
CAPACITY	190
CAPUNITS	CUBIC YARDS PER HOUR
MSS- 101.222(H)(1)	F

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 10, 2014

MR RONNIE ZAHN
PRESIDENT
FAST CONCRETE INC
6608 MLK BLVD
LUBBOCK TX 79404-6010

Re: Registration Renewal - Air Quality Standard Permit for Concrete Batch Plants
(As amended effective December 21, 2012)
Standard Permit Registration Number: 71025
Concrete Batch Plant
Lubbock, Lubbock County
Regulated Entity Number: RN104156286
Customer Reference Number: CN602552408
Account Number: 96-0022-A

Dear Mr. Zahn:

This is in response to your Form PI-1S (Air Quality Standard Permit Registration for Concrete Batch Plants) concerning the renewal and continued operation of the concrete batch plant located at 1521 Erskine Street, Lubbock, Lubbock County. Also, this will acknowledge that your application for the above-referenced renewal is technically complete as of December 17, 2013.

As indicated in Title 30 Texas Administrative Code § 116.604 and § 116.605(d)(1) [30 TAC § 116.604 and § 116.605(d)(1)], and based on our review, Registration Number 71025 is hereby renewed. This standard permit is authorized by the Texas Commission on Environmental Quality (TCEQ) in accordance with 30 TAC Chapter 116. The standard permit for concrete batch plants was amended and became effective on December 21, 2012.

Copies of the standard permit general conditions and air quality standard permit for concrete batch plants with an effective date of December 12, 2012 are enclosed. The facility shall be operated in compliance with all applicable conditions of the claimed standard permit. This registration will be in effect for ten years from the date of approval.

You are reminded that regardless of whether a permit is required, these facilities must be in compliance with all rules and regulations of the TCEQ and of the U.S. Environmental Protection Agency at all times.

If you need further information or have any questions, please contact Mr. Donald D. Nelon at (512) 239-0894 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

Re: Standard Permit Registration Number: 71025

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

Michael Wilson, P.E., Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

MPW/ddn

Enclosures

cc: Mr. Roger Reyna, Environmental Consultant, R2M Engineering, Lubbock
Air Section Manager, Region 2 - Lubbock

Project Number: 202322

Standard Permit General Conditions

The following general conditions are applicable to holders of standard permits, but will not necessarily be specifically stated within the standard permit document.

(1) *Protection of public health and welfare.* The emissions from the facility must comply with all applicable rules and regulations of the commission adopted under the Texas Health and Safety Code, Chapter 382, and with intent of the TCAA, including protection of health and property of the public.

(2) *Standard permit representations.* All representations with regard to construction plans, operating procedures, and maximum emission rates in any registration for a standard permit become conditions upon which the facility or changes thereto, must be constructed and operated. It is unlawful for any person to vary from such representations if the change will affect that person's right to claim a standard permit under this section. Any change in condition such that a person is no longer eligible to claim a standard permit under this section requires proper authorization under Title 30 Texas Administrative Code § 116.110 (30 TAC § 116.110) of this title (relating to Applicability). If the facility remains eligible for a standard permit, the owner or operator of the facility shall notify the executive director of any change in conditions which will result in a change in the method of control of emissions, a change in the character of the emissions, or an increase in the discharge of the various emissions as compared to the representations in the original registration or any previous notification of a change in representations. Notice of changes in representations must be received by the executive director no later than 30 days after the change.

(3) *Standard permit in lieu of permit amendment.* All changes authorized by standard permit to a facility previously permitted under 30 TAC § 116.110 of this title (relating to Applicability) shall be administratively incorporated into that facility's permit at such time as the permit is amended or renewed.

(4) *Construction progress.* Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office not later than 15 working days after occurrence of the event, except where a different time period is specified for a particular standard permit.

(5) *Start-up notification.* The appropriate air program regional office of the commission and any other air pollution control program having jurisdiction shall be notified prior to the commencement of operations of the facilities authorized by the standard permit in such a manner that a representative of the executive director may be present. For phased construction, which may involve a series of units commencing operations at different times, the owner or operator of the facility shall provide separate notification for the commencement of operations for each unit. A particular standard permit may modify start-up notification requirements.

(6) *Sampling requirements.* If sampling of stacks or process vents is required, the standard permit holder shall contact the Office of Air and any other air pollution control program having jurisdiction prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The standard permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant.

(7) *Equivalency of methods.* The standard permit holder shall demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the standard permit. Alternative methods must be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the standard permit.

(8) *Recordkeeping.* A copy of the standard permit along with information and data sufficient to demonstrate applicability of and compliance with the standard permit shall be maintained in a file at the plant site and made available at the request of representatives of the executive director, the U.S. Environmental Protection Agency, or any air pollution control program having jurisdiction. For facilities that normally operate unattended, this information shall be maintained at the nearest staffed location within Texas specified by the standard permit holder in the standard permit registration. This information must include (but is not limited to) production records and operating hours. Additional recordkeeping requirements may be specified in the conditions of the standard permit. Information and data sufficient to demonstrate applicability of and compliance with the standard permit must be retained for at least two years following the date that the information or data is obtained. The copy of the standard permit must be maintained as a permanent record.

(9) *Maintenance of emission control.* The facilities covered by the standard permit may not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. Notification for upsets and maintenance shall be made in accordance with 30 TAC §§ 101.201 and 101.211 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements, Recordkeeping; and Operational Requirements).

(10) *Compliance with rules.* Registration of a standard permit by a standard permit applicant constitutes an acknowledgment and agreement that the holder will comply with all rules, regulations, and orders of the commission issued in conformity with the TCAA and the conditions precedent to the claiming of the standard permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern. Acceptance includes consent to the entrance of commission employees and designated representatives of any air pollution control program having jurisdiction into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the standard permit.

(11) *Distance Limitations.* Distance limitations, setbacks, and buffer zones. Notwithstanding any requirement in any standard permit, if a standard permit for a facility requires a distance, setback, or buffer from other property or structures as a condition of the permit, the determination of whether the distance, setback, or buffer is satisfied shall be made on the basis of conditions existing at the earlier of:

(A) The date new construction, expansion, or modification of a facility begins; or

(B) The date any application or notice of intent is first filed with the commission to obtain approval for the construction or operation of the facility.

Amendments to the Air Quality Standard Permit for Concrete Batch Plants

Effective Date December 21, 2012

(1) Applicability

(A) This air quality standard permit authorizes concrete batch plant facilities that meet all of the conditions listed in sections (1) through (7) and one of sections (8), (9), or (10). If a concrete batch plant operates using sections (8), (9), or (10) of this standard permit and operational changes are proposed that would change the applicable section, the owner or operator shall reregister for the concrete batch plant standard permit prior to operating the change.

(B) This standard permit does not authorize emission increases of any air contaminant that is specifically prohibited by a condition or conditions in any permit issued under Title 30 Texas Administrative Code (30 TAC) Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, at the site.

(C) This standard permit does not relieve the owner or operator from complying with any other applicable provision of the Texas Health and Safety Code (THSC), Texas Water Code, rules of the Texas Commission on Environmental Quality (TCEQ), or any additional state or federal regulations.

(2) Definitions

(A) Auxiliary tank - storage containers used to hold raw materials for use in the batching process not including petroleum products and fuel storage tanks.

(B) Cohesive hard surface - An in-plant road surface preparation including, but not limited to: paving with concrete, asphalt, or other similar surface preparation where the road surface remains intact during vehicle and equipment use and is capable of being cleaned. Cleaning mechanisms may include water washing, sweeping, or vacuuming.

(C) Concrete batch plant - For the concrete batch plant standard permit, it is a plant that consists of a concrete batch facility and associated abatement equipment, including, but not limited to: material storage silos, aggregate storage bins, auxiliary storage tanks, conveyors, weigh hoppers, and a mixer. Concrete batch plants can add water, Portland cement, and aggregates into a delivery truck, or the concrete may be prepared in a central mix drum and transferred to a delivery truck for transport. This

definition does not include operations that meet the requirements of 30 TAC § 106.141, Batch Mixer or 30 TAC § 106.146, Soil Stabilization Plants.

(D) Dust suppressing fencing or other barrier - A manmade obstruction that is at least 12 feet high that is used to prevent fugitive dust from stationary equipment stockpiles, in-plant roads; and traffic areas from leaving the plant property.

(E) Permanent concrete batch plant - For the concrete batch plant standard permit, it is a concrete batch plant that is not a temporary or specialty concrete batch plant.

(F) Related project segments - For plants on a Texas Department of Transportation right-of-way, related project segments are one contract with multiple project locations or one contractor with multiple contracts in which separate project limits are in close proximity to each other. A plant that is sited on the right-of-way is usually within project limits. However, a plant located at an intersection or wider right-of-way outside project limits is acceptable if it can be easily associated with the project.

(G) Right-of-way of a public works project - Any public works project that is associated with a right-of-way. Examples of right-of-way public works projects are public highways and roads; water and sewer pipelines, electrical transmission lines, and other similar works. A facility must be in or contiguous to the right-of-way of the public works project to be exempt from the public notice requirements listed in Texas Health and Safety Code, § 382.056, Notice of Intent to Obtain Permit or Permit Review; Hearing.

(H) Site - The total of all stationary sources located on one or more contiguous or adjacent properties, which are under common control of the same person (or persons under common control).

(I) Specialty concrete batch plant - For the concrete batch plant standard permit, it is a concrete batch plant with a low production concrete mixing plant that manufactures concrete less than or equal to 30 cubic yards per hour (cu yd/hr). These plants are typically dedicated to manufacturing precast concrete products, including but not limited to burial vaults, septic tanks, yard ornaments, concrete block and pipe, etc. This does not include small repair projects using mortar, grout, gunite, or other concrete repair materials.

(J) Stationary internal combustion engine - For the concrete batch plant standard permit, it is any internal combustion engine that remains at a

location for more than 12 consecutive months and is not defined as a nonroad engine according to 40 Code of Federal Regulations (CFR) 89.2, Definitions.

(K) Temporary concrete batch plant - For the concrete batch plant standard permit, it is a concrete batch plant that occupies a designated site for not more than 180 consecutive days or that supplies concrete for a single project (single contract or same contractor for related project segments), but not for other unrelated projects.

(L) Traffic areas - For the concrete batch plant standard permit, it is an area within the concrete batch plant that includes stockpiles and the area where mobile equipment moves or supplies aggregate to the batch plant and trucks supply aggregate and cement.

(3) Administrative Requirements

(A) The owner or operator of any concrete batch plant seeking authorization under this standard permit shall register in accordance with 30 TAC § 116.611, Registration to Use a Standard Permit. Owners or operators shall submit a completed, current form PI-1S Registrations for Air Standard Permit, Table 11, Fabric Filters, Table 20, Concrete Batch Plants, and a Concrete Batch Plant Standard Permit checklist.

(B) Owners or operators shall also comply with 30 TAC § 116.614, Standard Permit Fees, when they are required to complete public notice under section four of this standard permit.

(C) No owner or operator of a concrete batch plant shall begin construction or operation without obtaining written approval from the TCEQ executive director.

(D) The time period in 30 TAC § 116.611(b) (45 days) does not apply to owners or operators registering plants under this standard permit.

(E) Beginning December 21, 2012, all new and modified sources must comply with this standard permit.

(F) Renewals shall comply with this standard permit on the later of:

(i) December 21, 2014; or

(ii) the date the facility's registration is renewed.

(G) Owners or operators of temporary concrete plants seeking registration and those already registered for this standard permit that qualify for relocation under subsection (8)(F) are exempt from public notice requirements in section (4) of this standard permit.

(H) During start of construction, the owner or operator of a plant shall comply with 30 TAC § 116.120(a)(1), Voiding of Permits, and commence construction within 18 months of written approval from the Executive Director.

(I) Owners or operators are not required to submit air dispersion modeling as a part of this concrete batch plant standard permit registration.

(J) Owners or operators shall keep written records on site for a rolling 24-month period. Owners or operators shall make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. Records shall be maintained on-site for the following including, but not limited to:

(i) 30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;

(ii) 30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;

(iii) production rate for each hour and day of operation that demonstrates compliance with subsection (8)(A),(9)(A), or (10)(A) of this standard permit, as applicable;

(iv) all repairs and maintenance of abatement systems;

(v) Material Safety Data Sheets for all additives and other chemicals used at the site;

(vi) road cleaning, application of road dust control, or road maintenance for dust control;

(vii) stockpile dust suppression;

(viii) silo warning device or shut-off system tests;

(ix) quarterly visible emissions observations and any corrective actions required to control excess visible emissions;

(x) demonstration of compliance with subsection (6)(B) of this standard permit; and

(xi) type of fuel used to power engines authorized by this standard permit.

(K) Owners or operators will document and report abatement equipment failure or visible emissions deviations in excess of paragraph (5)(B)(iii) in accordance with 30 TAC Chapter 101, General Air Quality Rules as appropriate.

(4) Public Notice

The owner or operator shall follow the notice requirements in 30 TAC Chapter 39, Public Notice, unless a temporary concrete batch plant is exempted from public notice under 30 TAC § 116.178(b), Relocations and Changes of Location of Portable Facilities.

(5) General Requirements

(A) Owners or operators shall vent all cement/flyash storage silos, weigh hoppers, and auxiliary storage tanks to a fabric/cartridge filter or to a central fabric/cartridge filter system except as allowed by subsection (10)(B).

(B) Owners or operators shall maintain fabric or cartridge filters and collection systems by meeting all the following:

(i) operating them properly with no tears or leaks;

(ii) using filter systems (including any central filter system) designed to meet a minimum control efficiency of at least 99.5 percent at particle sizes of 2.5 microns and smaller;

(iii) meeting a performance standard of no visible emissions exceeding 30 seconds in any six-minute period as determined using United States Environmental Protection Agency (EPA) Test Method (TM) 22; and

(iv) sufficiently illuminating silo filter exhaust systems when cement or fly ash silos are filled during non-daylight hours to enable a determination of compliance with the visible emissions requirement in paragraph (5)(B)(iii) of this standard permit.

(C) When transferring cement/flyash, owners or operators shall:

(i) totally enclose conveying systems to and from storage silos and auxiliary storage tanks, operate them properly, and maintain them with no tears or leaks; and

(ii) maintain the conveying system using a performance standard of no visible emissions exceeding 30 seconds in any six-minute period as determined using EPA TM 22, except during cement and flyash tanker connect and disconnect.

(D) The owner or operator shall install an automatic shut-off or warning device on storage silos.

(i) An automatic shut-off device on the silo shall shut down the loading of the silo or auxiliary storage tank prior to reaching its capacity during loading operations, in order to avoid adversely impacting the pollution abatement equipment or other parts of the loading operation.

(ii) If a warning device is used, it shall alert operators in sufficient time to prevent an adverse impact on the pollution abatement equipment or other parts of the loading operation. Visible warning devices shall be kept free of particulate build-up at all times.

(iii) Silo and auxiliary tank warning devices or shut-off systems shall be tested at least once monthly during operations and records shall be kept indicating test and repair results according to subsection (3)(J) of this standard permit. Silo and auxiliary tank loading and unloading shall not be conducted with inoperative or faulty warning or shut-off devices.

(E) Owners or operators shall control emissions from in-plant roads and traffic areas at all times by:

(i) watering them; or

(ii) treating them with dust-suppressant chemicals as described in the application of aqueous detergents, surfactants, and other cleaning solutions in the de minimis list; or

(iii) covering them with a material such as, (but not limited to), roofing shingles or tire chips and used in combination with (i) or (ii) of this subsection; or

(iv) paving them with a cohesive hard surface that is maintained intact and cleaned.

(F) Owners or operators shall use water, dust-suppressant chemicals, or cover stockpiles, as necessary to minimize dust emissions.

(G) Owners or operators shall immediately clean up spilled materials. To minimize dust emissions, owners or operators shall contain, or dampen spilled materials.

(H) There shall be no visible fugitive emissions leaving the property. Observations for visible emissions shall be performed and recorded quarterly. The visible emissions determination shall be made during

normal plant operations. Observations shall be made on the downwind property line for a minimum of six minutes. If visible emissions are observed, an evaluation must be accomplished in accordance with U.S. Environmental Protection Agency (EPA) Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, TM 22, using the criteria that visible emissions shall not exceed a cumulative 30 seconds in duration in any six-minute period. If visible emissions exceed the Test Method 22 criteria, immediate action shall be taken to eliminate the excessive visible emissions. The corrective action shall be documented within 24 business hours of completion.

(I) The owner or operator shall locate the concrete batch plant operating under this standard permit at least 550 feet from any crushing plant or hot mix asphalt plant. The owner or operator shall measure from the closest point on the concrete batch plant to the closest point on any other facility. If the owner or operator cannot meet this distance, then the owner or operator shall not operate the concrete batch plant at the same time as the rock crusher, concrete crusher, or hot mix asphalt plant.

(J) When operating multiple concrete batch plants on the same site, the owner or operator shall comply with the appropriate site production limits specified in sections (8), (9), or (10) of this standard permit. If engines are being used for electrical power or equipment operations, then the site is limited to a total of 1,000 hp in simultaneous operation. There are no restrictions to engine operations if the engines will be on site for less than 12 consecutive months.

(K) Concrete additives shall not emit volatile organic compounds (VOCs).

(L) Any claim under this standard permit shall comply with:

(i) 30 TAC § 116.604, Duration and Renewal of Registrations to Use Standard Permits;

(ii) 30 TAC § 116.605(d)(I), Standard Permit Amendment and Revocation;

(iii) 30 TAC § 116.614;

(iv) the public notice processes established in THSC, § 382.055, Review and Renewal of Preconstruction Permit;

(v) the public notice processes established in THSC, § 382.056;

(vi) the contested case hearing and public notice requirements established in 30 TAC § 55.152(a)(2), Public Comment Period; and

(vii) the contested case hearing and public notice requirements established in 30 TAC § 55.201(h)(i)(C), Requests for Reconsideration or Contested Case Hearing.

(6) Engines

(A) This standard permit authorizes emissions from a stationary compression ignition internal combustion engine (or combination of engines) of no more than 1000 total horsepower.

(B) Owners or operators of concrete batch plants that include a stationary compression ignition internal combustion engines shall comply with additional applicable engine requirements in 40 CFR 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 63, Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 30 TAC Chapter 117, Control of Air Pollution from Nitrogen Compounds, and any other applicable state or federal regulation.

(C) Engine exhaust stacks shall be a minimum of eight feet tall.

(D) Fuel for the engine shall be liquid fuel with a maximum sulfur content of no more than 0.0015 percent by weight and shall not consist of a blend containing waste oils or solvents.

(7) Planned Maintenance, Startup, and Shutdown (MSS) Activities

This standard permit authorizes operations including planned startup and shutdown emissions. Maintenance activities are not authorized by this standard permit and will need separate authorization, unless the activity can meet the conditions of 30 TAC § 116.119, De Minimis Facilities or Sources.

(8) Additional Requirements for Temporary Concrete Plants

(A) The owner or operator shall limit site production to no more than 300 cubic yards in any one hour and no more than 6,000 cubic yards per day.

(B) The owner or operator shall use a suction shroud or other pickup device at the batch drop point (drum feed for central mix plants) and vent it to a fabric or cartridge filter system operating with a minimum of 5,000 actual cubic feet per minute (acfm) of air.

(C) For truck mix plants, the owner or operator shall shelter the drop point by an intact three-sided curtain, or equivalent dust control technology that extends below the mixer truck-receiving funnel.

(D) The owner or operator shall maintain the following minimum plant buffer distances from any property line, except for temporary concrete plants approved to operate in the right of way of a public works project:

(i) The suction shroud baghouse exhaust shall be at least 100 feet from any property line.

(ii) The owner or operator shall not locate or operate stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) within 50 feet from any property line.

(E) In lieu of meeting the buffer distance requirement for roads and stockpiles in subsection (8)(D) of this standard permit owners or operators shall:

(i) construct dust suppressing fencing or other barriers as a border around roads, other traffic areas and work areas;

(ii) construct these borders to a height of at least 12 feet; and

(iii) contain stockpiles within a three-walled bunker that extends at least two feet above the top of the stockpile.

(F) The appropriate TCEQ regional office may approve, without the need of public notice referenced in section (4) of this standard permit, the relocations of a temporary concrete batch plant that has previously been determined by the commission to be in compliance with the technical requirements of the concrete batch plant standard permit version adopted at registration that provides the information listed under subsection (8)(G) and meets one of the following conditions:

(i) A registered portable facility and associated equipment are moving to a site for support of a public works project in which the proposed site is located in or contiguous to the right-of-way of the public works project; or

(ii) A registered portable facility is moving to a site in which a portable facility has been located at the site at any time during the previous two years and the site was subject to public notice.

(G) For relocations meeting subsection (8)(F) of this standard permit, the owner or operator must submit to the regional office and any local air

pollution control agency having jurisdiction at least 12 business days prior to locating at the site:

(i) The company name, address, company contact, and telephone number;

(ii) The regulated entity number (RN), customer reference number (CN), applicable permit or registration numbers, and if available, the TCEQ account number;

(iii) The location from which the facility is moving (current location);

(iv) A location description of the proposed site (city, county, and exact physical location description);

(v) A scaled plot plan that identifies the location of all equipment and stockpiles, and also indicates that the required distances to the property lines can be met;

(vi) A scaled area map that clearly indicates how the proposed site is contiguous or adjacent to the right-of-way of a public works project (if required);

(vii) The proposed date for start of construction and expected date for start of operation;

(viii) The expected time period at the proposed site;

(ix) The permit or registration number of the portable facility that was located at the proposed site any time during the last two years, and the date the facility was last located there. This information is not necessary if the relocation request is for a public works project that is contiguous or adjacent to the right-of-way of a public works project; and

(x) Proof that the proposed site had accomplished public notice, as required by 30 TAC Chapter 39. This proof is not necessary if the relocation request is for a public works project that is contiguous or adjacent to the right-of-way of a public works project.

(9) Additional Requirements for Permanent Concrete Plants

(A) The owner or operator shall limit site production to no more than 300 cubic yards in any one hour and no more than 6,000 cubic yards per day.

(B) The owner or operator shall install a suction shroud or other pickup device at the batch drop point (drum feed for central mix plants) and vent it to a fabric/cartridge filter system with a minimum of 5,000 acfm.

(C) For truck mix plants, the owner or operator shall shelter the drop point by an intact three-sided curtain, or equivalent dust control technology that extends below the mixer truck-receiving funnel.

(D) The owner or operator shall maintain the following minimum plant buffer distances from any property line:

(i) The suction shroud baghouse exhaust shall be at least 100 feet from any property line;

(ii) The owner or operator shall not locate or operate stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site), within 50 feet from any property line.

(E) In lieu of meeting the buffer distance requirements for roads and stockpiles of paragraph (9)(D)(ii) of this standard permit, the owner or operator shall:

(i) construct dust suppressing fencing or other barriers as a border around roads, other traffic areas, and work areas;

(ii) construct these borders to a height of at least 12 feet; and

(iii) contain stockpiles within a three-walled bunker that extends at least two feet above the top of the stockpile.

(F) The owner or operator shall pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant (including batch truck and material delivery truck roads) with a cohesive hard surface that can be maintained intact and shall be cleaned. All batch trucks and material delivery trucks shall remain on the paved surface when entering, conducting primary function, and leaving the property. The owner or operator shall maintain other traffic areas using the control requirements of subsection(5)(E) of this standard permit.

(10) Additional Requirements for Specialty Concrete Batch Plants

(A) The owner or operator shall limit site production to no more than 30 cubic yards per hour.

(B) As an alternative to the requirement in subsection (5)(A) of this standard permit, the owner or operator may vent the cement/fly ash weigh hopper inside the batch mixer.

(C) The owner or operator shall control dust emissions at the batch mixer feed so that no outdoor visible emissions occur by one of the following:

(i) using a suction shroud or other pickup device delivering air to a fabric or cartridge filter;

(ii) using an enclosed batch mixer feed; or

(iii) conducting the entire mixing operation inside an enclosed process building.

(D) The owner or operator shall not operate vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) within a minimum buffer distance of 25 feet from any property line.

(E) In lieu of meeting the buffer distance requirement for roads and other traffic areas in subsection (10)(D) of this standard permit, owners or operators shall:

(i) construct dust suppressing fencing or other barriers as a border around roads, other traffic areas, and work areas; and

(ii) construct these barriers borders to a height of at least 12 feet.

Concrete Batch Plant Standard Permit Renewal
Technical Review

Company	**Fast Concrete, Inc.**	Permit Number	**71025**
City	**Lubbock**	Project Number	**202322**
County	**Lubbock**	Account Number	**96-0022-A**
Project Type	**Renewal**	Regulated Entity Number	**RN104156286**
Project Reviewer	**Donald D. Nelon**	Customer Reference Number	**CN602552408**
Site Address	**1521 Erskine Street**		

Project Overview

Facility Description:
This is the proposed renewal of a permanent concrete batch plant with a production rate of 190 cubic yards per hour.

Process Description:
Washed sand and gravel (aggregate) are to be delivered by trucks and stockpiled at the facility. The aggregate will be sprinkled with water as needed for dust-control. When needed for production, the aggregate will be moved via a front-end loader to the conveyor that leads to the aggregate bin from where the aggregate will drop into the weigh batcher. After weighing, each batch will drop into the rotating drums of mixer trucks.

Cement will be pneumatically conveyed from delivery tankers into the cement silo(s). Remaining in total enclosure, the cement will then be gravity dropped from the silo into the cement weigh batcher. The weighed cement batch will then be gravity dropped into the rotating drums of mixer trucks. Particulate matter control of cement dust from the silo will be a vent style bag house. At the truck drop point all emissions will be vented to a central dust collector through a suction shroud.

Maintenance activities will be authorized either under permit by rule or claimed under 30 Texas Administrative Code § 116.119, De Minimis Facilities or Sources. Emissions from planned startup and shutdown activities will be authorized by this permit.

Emissions will also be generated during startup and shutdown of the facility. Startup and shutdown emissions are virtually indistinguishable from productions emissions. Although there may be minor emissions associated with startup and shutdown, particulate emission factors used to quantify production emissions are considered to have enough conservatism to include any incidental increases that may be attributed to startup and shutdown.

Deficiencies

Has all required information been received by the TCEQ?	**Yes**
Comments:	**N/A**
Date registration claim complete:	**December 17, 2013**

Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	**December 17, 2013**
Compliance period:	**December 2, 2013 – December 3, 2008**
Site rating & classification:	**0.00 – High**
Company rating & classification:	**0.00 – High**
If the rating is 50<RATING<55, what was the outcome, if any, based on the findings in the formal report:	**N/A**
Has the permit changed on the basis of the compliance history or rating?	**No**

Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement	
39.403	Is Public Notice Required?	**Yes**

Concrete Batch Plant Standard Permit
Source Analysis & Technical Review

Regulated Entity No. RN104156286

Rule Citation	Requirement	
	Comments:	**N/A**
	Date Application Received:	**December 2, 2013**
	Date Administratively Complete:	**December 13, 2013**
	Small Business Source?	**Yes**
	Date Leg Letters mailed:	**December 13, 2013**
39.603	Date Published:	**January 7, 2014**
	Publication Name:	***Lubbock Avalanche Journal***
	Pollutants:	**PM, PM_{10}, $PM_{2.5}$, Road Dust, Aggregate, Cement**
	Date Affidavits/Copies Received:	**January 16, 2014**
	Is bilingual notice required?	**Yes**
	Language:	**Spanish**
	Date Published:	**January 9, 2014**
	Publication Name:	***El Editor***
	Date Affidavits/Copies Received:	**January 16, 2014**
	Date Certification of Sign Posting / Application Availability Received:	**January 30, 2014**
39.604	Public Comments Received?	**No**
	Hearing Requested?	**No**
	Meeting Request?	**No**
	Is 2nd Public Notice required?	**No, standard permits do not require second public notice**

Recommendations

All conditions of Standard Permit satisfied?	**Yes**
Final Action:	**Renew registration**
Comments:	**Last day for public comments January 24, 2014**

Project Reviewer Date — Team Leader/Section Manager/Backup Date

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist
(Revised 12/2012)

The following checklist has been developed so the Texas Commission on Environmental Quality (TCEQ), Air Permits Division (APD) can confirm that the concrete batch plant meets the standard permit requirements. Please read all questions and select YES, NO, N/A, or give specific information for the facility. If the concrete batch plant does not meet all conditions of this standard permit, it will not be allowed to operate under the standard permit and must apply for a case-by-case preconstruction permit as required under Title 30 Texas Administrative Code (TAC) §116.110. Sections 3 through 7 are requirements for all concrete batch plant standard permit applications. Sections 8, 9, and 10 are specific requirements required for either temporary, permanent, or specialty plants.

Facility Type		
Check the facility type authorized ☐ Temporary Concrete Batch Plant (Complete Sections 3-7 and 8) ☒ Permanent Concrete Batch Plant (Complete Sections 3-7 and 9) ☐ Specialty Concrete Batch Plant (Comp Sections 3-7 and 10)		
Condition Number and Description		
(3)	**Administrative Requirements**	
(3)(A)	Are the form PI-1S, Registrations for Air Standard Permit, Table 11, Fabric Filters, Table 20, Concrete Batch Plants attached?	☒ YES ☐ NO
	If applicable, is Table 29 Reciprocating Engines attached?	☐ YES ☒ NO
	Will copies of all information be mailed to the Air Permits Division, the TCEQ regional office, and all applicable local programs?	☒ YES ☐ NO
(3)(B)	Was the $900 fee sent to the TCEQ Revenue Section? (The fee is not required if the facility meets the requirements of being in or adjacent to the right of way of a public works project.)	☒ YES ☐ NO
(3)(C)	Has construction and/or operation begun on the facility? Renewal	☒ YES ☐ NO
(3)(G)	Will this facility qualify for relocation under section (8)(F)? (If yes, the facility will be exempt from public notice requirements in section (4) of this standard permit.)	☐ YES ☒ NO
(3)(H)	Will construction commence within 18 months of written approval from the Executive Director in accordance with 30 TAC § 116.120(a)(1), Voiding of Permits?	☐ YES ☒ NO
(3)(J)	Will records be maintained and kept for a rolling 24 months?	☒ YES ☐ NO
(3)(K)	Will abatement equipment failure or emissions deviations in excess of paragraph (5)(B)(iii) be reported in accordance with 30 TAC Chapter 101, General Air Quality Rules as appropriate?	☒ YES ☐ NO

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist

(4)	**Public Notice**	
(4)	Will the public notice requirements be followed in accordance in 30 TAC Chapter 39, Public Notice?	☒ YES ☐ NO
	Is this a temporary facility that is exempt from public notice under 30 TAC § 116.178(b), Relocations and Changes of Location of Portable Facilities? If Yes, please provide a map indicating where the public works right of way is located and the location of the proposed plant. Also provide the name of the project or Texas Department of Transportation project number.	☐ YES ☒ NO
(5)	**General Requirement**	
(5)(A)	Will all cement/flyash storage silos, weigh hoppers, and auxiliary storage tanks be vented to a fabric/cartridge filter or a central fabric/cartridge filter system?	☒ YES ☐ NO
(5)(B)(i)	Will fabric/cartridge filters and collection systems be operated properly with no tears or leaks?	☒ YES ☐ NO
(5)(B)(ii)	Will filter systems (including any central filter system) be designed to meet a minimum control efficiency of at least 99.5 percent at particle sizes of 2.5 microns and smaller?	☒ YES ☐ NO
(5)(B)(iii)	Will all filter systems meet visible emissions performance standards?	☒ YES ☐ NO
(5)(B)(iv)	Will cement and/or flyash silo filter exhausts be equipped with sufficient illumination to observe visible emissions performance if filled during non-daylight hours?	☒ YES ☐ NO
(5)(C)(i)	Will conveying systems to and from the storage silos be properly operated, remain totally enclosed, and maintained with no tears or leaks?	☒ YES ☐ NO
(5)(C)(ii)	During cement/flyash storage silo filling, except for connecting or disconnecting, will you keep a standard of having no visible emissions for more than 30 seconds in any six-minute period from the conveying system?	☒ YES ☐ NO
(5)(D)	Is there an automatic shut-off or warning device installed on each bulk storage silo?	☒ YES ☐ NO
(5)(D)(i)	If an automatic shut-off device is installed, will it shut down the loading operations on each bulk storage silo or auxiliary storage tank prior to reaching capacity?	☒ YES ☐ NO ☐ N/A

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist

(5)	General Requirement *(continued)*	
(5)(D)(ii)	If a warning device is used, will it alert operators in sufficient time to prevent an adverse impact on the pollution abatement equipment or other parts of the loading operation?	☒ YES ☐ NO ☐N/A
	Do you regularly prevent particle build-up on visible warning devices?	☒ YES ☐ NO ☐N/A
(5)(D)(iii)	Will warning devices or shut-off systems be tested at least monthly during operations and records kept indicating test and repair results in accordance with Section (3)(J) of this standard permit?	☒ YES ☐ NO
(5)(E)	The following methods will be used to control emissions from in-plant roads and traffic areas:	☒ YES ☐ NO
(5)(E)(i)	Watering.	☒ YES ☐ NO
(5)(E)(ii)	Treated with dust-suppressant chemicals (as described in the application of aqueous detergents, surfactants, and other cleaning solutions in the de minimis list).	☐ YES ☒ NO
(5)(E)(iii)	Covered with a material such as, (but not limited to), roofing shingles or tire chips and used in combination with (i) or (ii) above.	☐ YES ☒ NO
(5)(E)(iv)	Paved with a cohesive hard surface that is maintained intact and cleaned.	☒ YES ☐ NO
(5)(F)	Will dust emissions from all stockpiles be minimized at all times by sprinkling with water, dust-suppressant chemicals, or covered?	☒ YES ☐ NO ☐N/A
(5)(G)	Will all material spills be immediately cleaned up and contained or dampened so dust emissions are minimized?	☒ YES ☐ NO ☐N/A
(5)(H)	Will visible emissions leave the property for more than 30 seconds in duration in any six-minute period during normal plant operations as determined using EPA Test Method 22?	☐ YES ☒ NO
	Will quarterly visible emission observations be performed and recorded in accordance with Section (3)(J) of this standard permit?	☒ YES ☐ NO
	If visible emissions exceed Test Method 22 criteria, will immediate corrective action be taken and documented?	☒ YES ☐ NO
(5)(I)	Will the concrete batch plant be located at least 550 feet from any crushing plant or hot mix asphalt plant?	☒ YES ☐ NO
	If no, will the concrete batch plant operate at the same time as the crushing plant or hot mix asphalt plant?	☐ YES ☐ NO ☒N/A

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist

(5)	**General Requirement** *(continued)*	
(5)(D)(ii)	If a warning device is used, will it alert operators in sufficient time to prevent an adverse impact on the pollution abatement equipment or other parts of the loading operation?	☒ YES ☐ NO ☐ N/A
	Do you regularly prevent particle build-up on visible warning devices?	☒ YES ☐ NO ☐ N/A
(5)(D)(iii)	Will warning devices or shut-off systems be tested at least monthly during operations and records kept indicating test and repair results in accordance with Section (3)(J) of this standard permit?	☒ YES ☐ NO
(5)(E)	The following methods will be used to control emissions from in-plant roads and traffic areas:	☒ YES ☐ NO
(5)(E)(i)	Watering.	☒ YES ☐ NO
(5)(E)(ii)	Treated with dust-suppressant chemicals (as described in the application of aqueous detergents, surfactants, and other cleaning solutions in the de minimis list).	☐ YES ☒ NO
(5)(E)(iii)	Covered with a material such as, (but not limited to), roofing shingles or tire chips and used in combination with (i) or (ii) above.	☐ YES ☒ NO
(5)(E)(iv)	Paved with a cohesive hard surface that is maintained intact and cleaned.	☐ YES ☒ NO
(5)(F)	Will dust emissions from all stockpiles be minimized at all times by sprinkling with water, dust-suppressant chemicals, or covered?	☒ YES ☐ NO ☐ N/A
(5)(G)	Will all material spills be immediately cleaned up and contained or dampened so dust emissions are minimized?	☒ YES ☐ NO ☐ N/A
(5)(H)	Will visible emissions leave the property for more than 30 seconds in duration in any six-minute period during normal plant operations as determined using EPA Test Method 22?	☐ YES ☒ NO
	Will quarterly visible emission observations be performed and recorded in accordance with Section (3)(J) of this standard permit?	☒ YES ☐ NO
	If visible emissions exceed Test Method 22 criteria, will immediate corrective action be taken and documented?	☒ YES ☐ NO
(5)(I)	Will the concrete batch plant be located at least 550 feet from any crushing plant or hot mix asphalt plant?	☒ YES ☐ NO
	If no, will the concrete batch plant operate at the same time as the crushing plant or hot mix asphalt plant?	☐ YES ☐ NO ☒ N/A

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist

(5)	**General Requirement *(continued)***	
(5)(J)	Are multiple concrete batch plants being operated on the same site?	☐ YES ☒ NO
	Will site production limits be maintained per Sections (8), (9), or (10)?	☒ YES ☐ NO
(5)(K)	Will any concrete additives emit volatile organic compounds (VOC)?	☐ YES ☒ NO
(6)	**Engines**	
(6)(A)	Will the horsepower (or combined horsepower) of the stationary compression ignition internal combustion engine(s) exceed 1,000 horsepower?	☐ YES ☐ NO ☒N/A
(6)(C)	Will the engine exhaust stack be a minimum of eight feet tall?	☐ YES ☐ NO ☒N/A
(6)(D)	Will fuel for the engine be liquid fuel with a maximum sulfur content of no more than 0.0015 percent by weight and not consist of a blend containing waste oils or solvents?	☐ YES ☐ NO ☒N/A
(7)	**Planned Maintenance, Startup, and Shutdown (MSS) Activities**	
	Will planned maintenance activities receive separate authorization or meet the conditions of 30 TAC § 116.119, De Minimis Facilities or Sources?	☐ YES ☒ NO
(8)	**Additional Requirements for Temporary Concrete Batch Plants**	
(8)(A)	Will the site production rate be limited to 300 cubic yards in any one hour (cy/hr) not to exceed 6,000 cubic yards per day?	☐ YES ☐ NO
(8)(B)	Will the suction shroud be vented to a fabric or cartridge filter system with a minimum of 5,000 actual cubic feet per minute (acfm)?	☐ YES ☐ NO
(8)(C)	Will the truck drop point be sheltered by an intact three-sided curtain or equivalent dust control technology that extends below the mixer truck-receiving funnel?	☐ YES ☐ NO
(8)(D)(i)	Will the suction shroud baghouse exhaust be located at least 100 feet from any property line? *Note: For concrete batch plants that supply concrete for a single public works project, the property line measurements for purposes of compliance with this standard permit shall be made to the outer boundaries of the designated public property, roadway project and associated rights-of-way.*	☐ YES ☐ NO
(8)(D)(ii)	Will all stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) be located or operated at least 50 feet from any property line?	☐ YES ☐ NO ☐N/A

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist

(8)	**Additional Requirements for Temporary Concrete Batch Plants *(continued)***	
(8)(E)(i)	In lieu of meeting the distance requirements in (8)(D) (ii), will the roads and other traffic areas within the buffer distance be bordered by dust suppressing fencing or other barriers along all traffic routes or work areas?	☐ YES ☐ NO ☐N/A
(8)(E)(ii)	Will these borders be constructed to a height of at least 12 feet?	☐ YES ☐ NO ☐N/A
(8)(E)(iii)	Will stockpiles be contained within a three-walled bunker that extends at least two feet above the top of the stockpile?	☐ YES ☐ NO ☐N/A
(8)(F)(i)	Is a registered portable facility moving to a site for support of a public works project in which the proposed site is located in or contiguous to the right-of-way of the public works project?	☐ YES ☐ NO
(8)(F)(ii)	Is a registered portable facility moving to a site in which a portable facility was located at the site at any time during the previous two years and was the site subject to public notice?	☐ YES ☐ NO
(8)(G)	If (8)(F) conditions are met, forward the required information to the appropriate regional office for final decision.	
(9)	**Additional Requirements for Permanent Concrete Batch Plants**	
(9)(A)	Will the site production rate be limited to no more than 300 cubic yards in any one hour, not to exceed 6,000 cubic yards per day?	☒ YES ☐ NO
(9)(B)	Will the suction shroud or other pickup device be installed at the batch drop point (drum feed for central mix plants)?	☒ YES ☐ NO
	Will the suction shroud or other pickup device be vented to a fabric or cartridge filter system with a minimum of 5,000 acfm?	☒ YES ☐ NO
(9)(C)	Will the truck drop point be sheltered by an intact three-sided curtain or equivalent dust control technology that extends below the mixer truck-receiving funnel?	☒ YES ☐ NO
(9)(D)(i)	Will the suction shroud baghouse exhaust be located at least 100 feet from any property line?	☒ YES ☐ NO ☐N/A
(9)(D)(ii)	Will all stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) be located or operated at least 50 feet from any property line?	☒ YES ☐ NO ☐N/A
(9)(E)(i)	In lieu of meeting the distance requirements in (9)(D)(ii), will the roads and other traffic areas within the buffer distance be bordered by dust suppressing fencing or other barriers along all traffic routes or work areas?	☐ YES ☐ NO ☒N/A

Air Quality Standard Permit for Concrete Batch Plants
Registration Checklist

(9)	**Additional Requirements for Permanent Concrete Batch Plants *(continued)***	
(9)(E)(ii)	Will these borders be constructed to a height of at least 12 feet?	☐ YES ☐ NO ☒ N/A
(9)(E)(iii)	Will stockpiles be contained within a three-walled bunker that extends at least two feet above the top of the stockpile?	☒ YES ☐ NO ☐ N/A
(9)(F)	Will all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant (including batch truck and material delivery truck roads) be paved with a cohesive hard surface that can be maintained intact and cleaned?	☒ YES ☐ NO
	Will all batch trucks and material delivery trucks remain on the paved surface when entering, conducting primary function, and leaving the property?	☒ YES ☐ NO
	Will all other traffic areas, except entry and exit roads and main traffic routes, be maintained using the control requirements of subsection (5)(E) of this standard permit.	☒ YES ☐ NO
(10)	**Additional Requirements for Specialty Concrete Batch Plants**	
(10)(A)	Will the site production rate be limited to no more than 30 cubic yards per hour?	☐ YES ☐ NO
(10)(B)	As an alternative to the requirement in subsection (5)(A) of this standard permit, will the cement/fly ash weigh hopper be vented inside the batch mixer?	☐ YES ☐ NO
(10)(C)(i)	Will the dust emissions at the batch mixer be controlled using a suction shroud or other pickup device delivering air to a fabric or cartridge filter?	☐ YES ☐ NO ☐ N/A
(10)(C)(ii)	Will the dust emissions at the batch mixer be controlled using an enclosed batch mixer feed?	☐ YES ☐ NO ☐ N/A
(10)(C)(iii)	Will the dust emissions at the batch mixer be controlled by conducting the entire mixing operation inside an enclosed process building?	☐ YES ☐ NO ☐ N/A
(10)(D)	Will all vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) be located or operated at least 25 feet from any property line?	☐ YES ☐ NO ☐ N/A
(10)(E)(i)	In lieu of meeting the distance requirements in (10)(D), will the roads and other traffic areas within the buffer distance be bordered by dust suppressing fencing or other barriers along all traffic routes or work areas?	☐ YES ☐ NO ☐ N/A
(10)(E)(ii)	Will these borders be constructed to a height of at least 12 feet?	☐ YES ☐ NO ☐ N/A

Texas Commission on Environmental Quality
Form PI-1S
Registrations for Air Standard Permit
(Page 1)
(Revised 09/2013)

I. Registrant Information		
A. Is a TCEQ Core Data Form (TCEQ Form No. 10400) attached? Core Data Form required for Standard Permits 6004, 6006, 6007, 6008, and 6013.		☒ YES ☐ NO
Customer Reference Number (CN): **CN602552408** /		
Regulated Entity Number (RN): **RN104156286** /		
B. Company or Other Legal Customer Name (must be same as Core Data "Customer"): **Fast Concrete, Inc.** /		
Company Official Contact Name: **Mr. Ronnie Zahn**		
Title: **President**		
Mailing Address: **6608 MLK Blvd**		
City: **Lubbock**	State: **TX**	ZIP Code: **79404**
Phone No.: **(806) 748-1877**	Fax No.: **(806) 748-6060**	E-mail Address: **zahnpaving@pgrb.com**
C. Technical Contact Name: **Mr. Roger Reyna**		
Title and Company: **Environmental Consultant, R2M Engineering, LLC**		
Mailing Address: **5012 50th Street, Suite 204**		
City: **Lubbock**	State: **TX**	ZIP Code: **79414**
Phone No.: **(806) 783-9944**	Fax No.: **(806) 783-9966**	E-mail Address: **rreyna@R2Meng.com**
D. Facility Location Information (Street Address): **1521 Erskine Street** √		
If no street address, provide clear driving directions to the site in writing:		
City: **Lubbock** √	County: **Lubbock** √	ZIP Code: **79403** √
Latitude (nearest second): **33°36'23" N** √	Longitude (nearest second): **-101°51'07" W** √	
II. Facility and Site Information		
A. Name and Type of Facility:		☒ Permanent ☐ Temporary
B. Type of Action: ☐ Initial Application ☒ Renewal ☐ Change to Registration ☐ Registration No.: 71025 (SAF) ☐ Expiration Date:		
C. List the Standard Permit Claimed: **6004**		
Description: **Concrete Batch Plants**		

DEC 02 2013
APIRT

202322
71025

Texas Commission on Environmental Quality
Registrations for Air Standard Permit
PI-1S
(Page 2)

II. Facility and Site Information *(continued)*	
D. Concrete Batch Plant Standard Permit *(Check one)* ☐ Central Mix ☒ Ready Mix ☐ Specialty Mix ☐ Enhanced Controls for Concrete Batch Plants	
E. Proposed Start of Construction: **N/A- Existing**	Length of Time at the Site: **N/A**
F. Is there a previous Standard Exemption or Permit by Rule for the facilities in this registration? *(Attach details regarding changes)*	☐ YES ☒ NO
If "YES," list Permit No.:	
G. Are there any other facilities at this site which are authorized by an air Standard Permit?	☐ YES ☒ NO
If "YES," list Permit No.:	
H. Are there any other air preconstruction permits at this site?	☐ YES ☒ NO
If "YES," list Permit No.:	
Are there any other air preconstruction permits at this site that would be directly associated with this project?	☐ YES ☒ NO
If "YES," list Permit No.:	
I. TCEQ Account Identification Number (if known): **960022A**	
J. Is this facility located at a site which is required to obtain a federal operating permit pursuant to 30 TAC Chapter 122?	☐ YES ☒ NO ☐ To Be Determined
K. Identify the requirements of 30 TAC Chapter 122 that will be triggered if this Form PI-1S application is approved. ☐ Application for an FOP ☐ FOP Significant Revision ☐ FOP Minor ☐ Operational Flexibility/Off-Permit Notification ☐ Streamlined Revision for GOP ☐ To Be Determined ☒ None	
L. Identify the type(s) issued and/or FOP application(s) submitted/pending for the site. *(check all that apply)* ☐ SOP ☐ GOP ☐ GOP Application/Revision Application: Submitted or Under APD Review ☐ SOP Application Review Application: Submitted or Under APD Review ☒ N/A	

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Texas Commission on Environmental Quality
Registrations for Air Standard Permit
PI-1S
(Page 3)

III. Fee Information		
A. Is a copy of the check or money order attached?		☒ YES ☐ NO
Check/Money Order/Transaction Number: **14698**		
Company name on Check: **Commercial Concrete Company**		
Fee Amount: **$900.00**		
IV. Public Notice *(If Applicable)*		
A. Is the plant located at a site contiguous or adjacent to the public works project?		☐ YES ☒ NO
B. Name of Public Place: **Lubbock County Courthouse**		
Physical Address: **904 Broadway Street** ✓		
City: **Lubbock** ✓	County: **Lubbock** ✓	
C. Small Business Classification:		☒ YES ☐ NO ✓
D. Concrete batch plants with enhanced controls, permanent rock crushers, and animal carcass incinerators shall place a copy of the technically complete application at the appropriate TCEQ regional office only.		
E. Please furnish the names of the state legislators who represent the area where the facility site is located:		
State Senator: **Robert Duncan, District 28** ✓		
State Representative: **Robert Frullo, District 84** ✓		
F. For Concrete Batch Plants, name of the County Judge for this facility site:		
County Judge: **Tom Head** ✓		
Mailing Address: **P.O. Box 10536** ✓		
City: **Lubbock** ✓	State: **TX** ✓	ZIP Code: **79408** ✓
G. For Concrete Batch Plants, is the facility located in a municipality and/or extraterritorial jurisdiction of a municipality?		☒ YES ☐ NO
If "YES," list the name(s) of the Presiding Officer(s) for the municipality and/or extraterritorial jurisdiction:		
Presiding Officer(s): **Glen Robertson** ✓		
Title: **Mayor** ✓		
Mailing Address: **P. O. Box 2000** ✓		
City: **Lubbock** ✓	State: **TX** ✓	ZIP Code: **79457** ✓

DEC 02 2013
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Texas Commission on Environmental Quality
Registration for Air Standard Permit
Form PI-1S
(Page 4)

V.	**Technical Information Including State and Federal Regulatory Requirements Registrants must be in compliance with all applicable state and federal regulations and standards to claim a Standard Permit.**	
A.	Is confidential information submitted and properly marked with this registration?	☐ YES ☒ NO
B.	Is a process flow diagram and a process description attached?	☒ YES ☐ NO
C.	Is a plot plan attached?	☒ YES ☐ NO
D.	Are emissions data and calculations for this claim attached?	☐ YES ☒ NO
E.	Is information attached showing how the general requirements and applicability (30 TAC 116.610 and 116.615) are met?	☒ YES ☐ NO
F.	Is information attached showing how the specific requirements are met?	☒ YES ☐ NO

VI. Delinquent Fees and Penalties

This form **will not be processed** until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ is paid in accordance with the Delinquent Fee and Penalty Protocol. For more information regarding Delinquent Fees and Penalties, go to the TCEQ Web site at: www.tceq.texas.gov/agency/delin/index.html.

VII. Signature Requirements

The signature below indicates that I have knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief. I further state that to the best of my knowledge and belief, the project for which application is made will not in any way violate any provision of the Texas Water Code (TWC), Chapter 7, Texas Clean Air Act (TCAA), as amended, or any of the air quality rules and regulations of the Texas Commission on Environmental Quality or any local governmental ordinance or resolution enacted pursuant to the TCAA. I further state that I have read and understand TWC 7.177 and 7.183, which defines ***Criminal Offenses*** for certain violations, including intentionally or knowingly making or causing to be made false material statements or representations in this application, and TWC 7.187, pertaining to ***Criminal Penalties***.

Name: **Lana Zahn**
Print Full Name

Signature: Lana Zahn
Original Signature Required

Date: 11-26-2013

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R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
www.R2Meng.com
5012 50th Street, Suite 204 Lubbock, TX 79414 P: (806) 783-9944 F: (806) 783-9966

DEC 0 2 2013
APIRT

November 27, 2013

Texas Commission on Environmental Quality
Air Permit Initial Review Team, MC-161
P.O. Box 13087
Austin, TX 78711-3087

By Certified Mail #:
70101870000216641381

Re: New Source Review Air Standard Permit Renewal Application

Fast Concrete, Inc.
1521 Erskine Street
Lubbock, TX 79403
Lubbock County
RN: 104156286
CN: 602552408

AIR PERMITS DIVISION
DEC 02 2013
RECEIVED

To Whom It May Concern:

Please find enclosed the original NSR permit renewal application and a copy of the same (both include a copy of the application fee). Copies have also been forwarded on this date to the appropriate TCEQ regional office, TCEQ Financial (with original application fee check).

While we believe this application is complete as submitted, please feel free to contact us at your convenience should additional documentation be required or if questions should arise. We look forward to hearing from you and wish to thank you in advance for your review of the same.

Sincerely,

Roger Reyna
Environmental Consultant for Fast Concrete, Inc.

cc: Financial Division, MC-214, TCEQ, by Certified Mail # 70101870000216641398
Regional Director, Region #2, TCEQ, by Certified Mail # 70123460000002394148
Mr. Ronnie Zahn, President, Fast Concrete, Inc.
File

Questions or Comments:
pep@tceq.texas.gov

Search Results for TCEQ Commissioners' Integrated Database

Note: Any document type in activity action, filing, or comment letter, etc. appearing as a hyperlink has a copy of the document(s) viewable in PDF. (Help with PDF). See Glossary of Terms. for clarification of terms used.

For more information, about this permit application or the permitting process, please call the Public Education Program, toll free, at 1-800-687-4040.

Return to search form.
|1-1|

Report Results 1 of 1

Applicant/Respondent Name, TCEQ Customer Number: FAST CONCRETE INC, CN602552408	**Status:** ACTIVE **Item Type:** RENEWAL
Regulated Entity Name, Regulated Entity Number: COMMERCIAL CONCRETE, RN104156286	
TCEQ Docket Num: **SOAH Docket Num:** **County, TCEQ Region:** LUBBOCK, REGION 02 - LUBBOCK **Doc. Type:** STANDPERM	**Program:** AIRNSR **Permit Number:** 71025 **Program:** AIRNSR **Permit Number:** 960022A

Protestant Information
Note: Allow up to five or more business days after the end of the comment period for comments or hearing requests to be included in this total.

Comments Received: 0 **Hearing Requests Received:** 0 **Public Meetings Received:** 0

13 Activity Actions found. Display all Activity Actions

Activity Action List:

Date	Document Type	Action
01/30/2014	AVAILABILITY VERIFICATIO	RECEIVED
01/30/2014	BILINGUAL VERIFICATION	RECEIVED
01/27/2014	COMMENT PERIOD	END
01/16/2014	BILINGUAL TEARSHEET	RECEIVED
01/16/2014	NEWSPAPER TEARSHEET	RECEIVED

|1-1|
Return to search form.

Last Modified Thu, 24 Sep 2009
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R2M ENGINEERING
ENVIRONMENTAL, SAFETY & ENGINEERING CONSULTANTS
5012 50TH Street, Suite 204 - Lubbock, TX 79414 - (806) 783-9944 - Fax: (806) 783-9966

COPY

January 28, 2014

TCEQ
Office of the Chief Clerk MC-105
Attn: Notice Team
P.O. Box 13087
Austin, TX 78711-3087

By Certified Mail #
70123460000002393820

Re: Fast Concrete, Inc.
6608 MLK Blvd.
Lubbock, TX 79404-6010
Concrete Batch Plant
Lubbock, Lubbock County
Air Quality Permit Number 71025
CN 602552408 RN 104156286
Public Notice Verification Form

AIR PERMITS DIVISION
JAN 30 2014
RECEIVED

Dear Sir or Madam:

Please find attached a copy of the Verification Form for the above captioned source.

Please feel free to contact me at your convenience, should you have any questions or require any additional information.

Respectfully,

Colleen Hall
Public Notice Specialist

Attachments

cc: Mr. Ronnie Zahn, President, Fast Concrete, Inc.
Ms. Bonnie Evridge, Air Permits Division, TCEQ, MC-163
By certified mail # 70123460000002393813
Air Permits (6PD-R), Region 6, U.S. Environmental Protection Agency
By certified mail # 70123460000002393806
Air Section Manager, TCEQ, Region 2
By certified mail # 70123460000002393790
Mr. Roger Reyna, Executive Vice President, R2M Engineering, LLC

Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

Applicant Name: **Fast Concrete, Inc.**		
Site or Facility Name: **Concrete Batch Plant**		
TCEQ Account Number (if applicable):	Permit Number: **71025**	
Regulated Entity Number (RN): **104156286**	Customer Number (CN): **602552408**	
All applicants must **complete all applicable** portions of this form. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk **within 10 business days after the end of the designated comment period**. For more information regarding public notice, refer to the instructions in the public notice package.		
Alternative Language Checklist		
I have contacted the appropriate school district.		☒ Yes ☐ No
School District: **Lubbock ISD**	Phone Number: **(806) 766-1047**	
Person Contacted: **Denise Mattson**	Date: **11/18/2013**	
Is a bilingual education program (BEP) required by the Texas Education Code in the district?		☒ Yes ☐ No
If answer is "NO," skip to first question in verification box on next page. *(Note: A BEP is different from "English as a Second Language" (ESL) program; and Elementary/Middle schools that only offer ESL will not trigger notice in an alternative language.)*		
Notice in an alternative language is required if a BEP **is required** in the District, and **one** of the following conditions is met:		
1. students in the elementary or middle school nearest the facility are enrolled in a program at that school;		☐ Yes ☒ No
2. students from the elementary or middle school nearest the facility attend a BEP at another location; or		☒ Yes ☐ No
3. the school district that otherwise would be required to provide a BEP has been granted an exception from the requirements to provide the program, as provided for in 19 Texas Administrative Code 89.1207(a).		☐ Yes ☒ No
If the answer is "NO" to **1, 2, and 3 above**, then alternative language notice **is not required.**		
The name of the elementary school nearest to the proposed or existing facility is:		
Guadalupe Elementary School		
The name of the middle school nearest to the proposed or existing facility is:		
Cavazos Middle School		
The following language(s) is/are utilized in the bilingual program:		
Spanish		
If notice in an alternative language is required, then applicants must publish alternative language notice(s) and post alternative language sign(s), as outlined in the *Instructions for Public Notice* and certify compliance with those requirements on this form.		

Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

Applicant Name: **Fast Concrete, Inc.**	
Site or Facility Name: **Concrete Batch Plant**	
TCEQ Account Number (if applicable):	Permit Number: **71025**
Regulated Entity Number (RN): **104156286**	Customer Number (CN): **602552408**
For more information regarding public notice, refer to the instructions in the public notice package.	

Alternative Language Verification

1. A BEP is required by the Texas Education Code in the area addressed by this permit application and is subject to alternative language public notice requirements. **If "NO," skip 2 through 6 and complete signature, title, date, and name of applicant.**	☒ Yes ☐ No
2. The applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located).	☒ Yes ☐ No
3. A newspaper or publication **could not be found** in any of the alternative language(s) in which notice is required.	☐ Yes ☒ No
4. The publishers of the **newspaper listed below refused to publish the notice** as requested, **and** another newspaper or publication in the same language and of general circulation **could not be found** in the municipality or county in which the facility is located (or proposed to be located).	☐ Yes ☐ No ☒ N/A
Newspaper:	Language:
5. Proof of publication of the newspaper **alternative language** notice(s) and the requested affidavits have been sent to the TCEQ.	☒ Yes ☐ No
6. Alternative language signs were posted as required by the TCEQ.	☒ Yes ☐ No

This form must be signed and dated by a designated representative acting on behalf of the applicant <u>after the end</u> of the designated comment period. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk **within 10 business days <u>after the end</u> of the designated comment period.** The TCEQ will not accept this form if submitted prior to that date.

Verified by *(signature)*: Colleen Hall	
Applicant: **Colleen Hall**	
Title: **Public Notice Specialist**	Date: **1/28/2014**

Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

Applicant Name: **Fast Concrete, Inc.**	
Site or Facility Name: **Concrete Batch Plant**	
TCEQ Account Number (if applicable):	Permit Number: **71025**
Regulated Entity Number (RN): **104156286**	Customer Number (CN): **602552408**
For more information regarding public notice, refer to the instructions in the public notice package.	
New Source Review Permit Notice Verification (Complete this section, if applicable)	
Proof of publication of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ.	☒ Yes ☐ No
Notice of Receipt of Application and Intent to Obtain Permit (1st Notice):	
Required signs (for 1st notice) were posted in accordance with the regulations and instructions of the TCEQ.	☒ Yes ☐ No
A copy of the administratively complete air quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.	☒ Yes ☐ No
The public place indicated below provides public access to the internet (for PSD, nonattainment, or FCAA 112(g) Permit).	☒ Yes ☐ No ☐ N/A
Notice of Application and Preliminary Decision (2nd Notice, if applicable):	
A copy of the complete air quality application (including any subsequent revisions to the application), executive director's preliminary decision (which includes the draft permit), the preliminary determination summary and air quality analysis (if applicable), are available for review and copying at the public place indicated below from the first day after newspaper publication, and will remain available until either: (1) the TCEQ acts on the application; or (2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing	☐ Yes ☐ No
Name of Public Place: **Lubbock County Courthouse**	
Address of Public Place: **904 Broadway**	
City: **Lubbock** / State: **TX** / ZIP Code: **79401**	
This form must be signed and dated by a designated representative acting on behalf of the applicant after the end of the designated comment period. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk **within 10 business days after the end of the designated comment period.** The TCEQ will not accept this form if submitted prior to that date.	
Verified by *(signature)*: Colleen Hall	
Applicant: **Colleen Hall**	
Title: **Public Notice Specialist**	Date: **1/28/2014**

R2M ENGINEERING
ENVIRONMENTAL, SAFETY & ENGINEERING CONSULTANTS
5012 50TH Street, Suite 204 - Lubbock, TX 79414 - (806) 783-9944 - Fax: (806) 783-9966

COPY

January 14, 2014

TCEQ
Office of the Chief Clerk MC-105
Attn: Notice Team
P.O. Box 13087
Austin, TX 78711-3087

By Certified Mail #
70123460000002393356

AIR PERMITS DIVISION
JAN 16 2014
RECEIVED

Re: Fast Concrete, Inc.
6608 MLK Blvd.
Lubbock, TX 79404-6010
Concrete Batch Plant
Lubbock, Lubbock County
Air Quality Permit Number 71025
CN 602552408 RN 104156286
Public Notice Newspaper Publications and Affidavits

Dear Sir or Madam:

Please find attached a copy of the English and Alternative Language Publication Affidavits and newspaper clippings for the above captioned source.

Please feel free to contact me at your convenience, should you have any questions or require any additional information.

Respectfully,

Colleen Hall

Colleen Hall
Public Notice Specialist

Attachments

cc: Mr. Ronnie Zahn, President, Fast Concrete, Inc.
Ms. Bonnie Evridge, Air Permits Division, TCEQ, MC-163
By certified mail # 70123460000002393585
Air Permits (6PD-R), Region 6, U.S. Environmental Protection Agency
By certified mail # 70123460000002393578
Air Section Manager, TCEQ, Region 2
By certified mail # 70123460000002393561
Mr. Roger Reyna, Executive Vice President, R2M Engineering, LLC

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Fast Concrete, Inc.

Permit No.: 71025

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF Lubbock §

Before me, the undersigned authority, on this day personally appeared

Sarah Rankin, who being by me duly sworn,
(name of person representing newspaper)

deposes and says that (s)he is the Director of Classified Advertising
(title of person representing newspaper)

of the Lubbock Avalanche Journal; that said newspaper is generally circulated
(name of newspaper)

in Lubbock, Texas;
*(the **municipality or nearest municipality** (not county) to the location of the facility or the proposed facility)*

that the enclosed notice was published in said newspaper on the following date(s):

January 7, 2014 3x10 legal display

Sarah Rankin
(newspaper representative's signature)

Subscribed and sworn to before me this the 7 day of January, 20 14,

to certify which witness my hand and seal of office.

Melissa Keller
Notary Public in and for the State of Texas

(Seal)

MELISSA KELLER
Notary Public, State of Texas
My Commission Expires 08-28-2017

Melissa Keller
Print or Type Name of Notary Public

8-28-17
My Commission Expires

history is in the lowest classification under applicable compliance history requirements and if the hearing request is based on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission may only grant a hearing on those issues raised during the public comment period and not withdrawn.

A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; and (6) a description of how you use the property which may be impacted by the facility. If the request is made by a group or association, the one or more members who have standing to request a hearing and the interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 15 days following this notice to the Office of the Chief Clerk at the address below.

If any requests for a contested case hearing are timely filed, the executive director will forward the application and any requests for a contested case hearing to the Commissioners for their consideration at a scheduled Commission meeting. Unless the application is directly referred to a contested case hearing, the executive director will mail the response to comments along with notification of Commission meeting to everyone who submitted comments or is on the mailing list for this application. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact relating to relevant and material air quality concerns raised during the comment period. Issues such as property values, noise, traffic safety, and zoning are outside of the Commission's jurisdiction to consider in this proceeding.

MAILING LIST. In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices for this specific application mailed by the Office of the Chief Clerk by sending a written request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call the Public Education Program toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Fast Concrete, Inc., 6608 Martin Luther King Boulevard, Lubbock, Texas 79404-6010 or by calling Mr. Roger Reyna, R2M Engineering, LLC at (806) 783-9944.

Notice Issuance Date: December 13, 2013



FIND MONEY SAVING COUPONS EVERY SUNDAY IN THE

LUBBOCK A-J

WANTED:
Part Time M- F 5:30a-8:30a
Direct Care Staff for group home for individuals with developmental disabilities. Serious inquiries only.
Please apply at:
Calab Inc.,
5313 B 50th St.

CLINICAL DIRECTOR

FT Position, Levelland, TX
Must be Licenced.
LPC, LMFT, LMSW.
Please send Resumes to:
apply@childrenhp.org

Clubs/Restaurant/Food Service 611

Clubs/Restaurant/Food Service 611

Steak'n Shake franchise is currently hiring for a new store opening. We are looking for Kitchen and Front of the house staff and are offering flexible schedules. We are looking for people who want to grow within their positions and help us open more stores in West Texas and Eastern New Mexico. Our new store is located on Milwaukee Ave. but all you need to do is go online to www.pleaseapplyonline.com/snsfiverivers (powered by Snagajob).
Apply for your chance to work at a great job, and the ability to work with great people like yourself.
If you are ready for a fun and challenging career, Apply to Steak'n Shake today!
Steak'n Shake is a equal opportunity employer

General Help 619

General Help 619

Golden Spread Electric Cooperative, Inc.
A "Touchstone Energy" Cooperative

Golden Spread Electric Cooperative, Inc.
Golden Spread Electric Cooperative, Inc. located in Amarillo, TX, is a tax-exempt, consumer-owned public utility, organized to provide low cost, reliable electric service for its rural distribution cooperative members.

NERC Compliance Manager

Required Education, Knowledge & Experience
B.S. Electrical Engineering, Business, or related field.
A Legal degree is preferred by not required. Extensive experience in regulated markets. Knowledge of regulations, policies, standards, and procedures of ERCOT, TRE, SPP, SPPRE, NERC, and FERC, and other entities and agencies regulating the electric industry. Excellent communication skills.
Excellent organizational and analytical skills. Ability to self-motivate, working independently and as part of a team. Ability to reduce complex issues into clear and concise language, including analysis of complex policy and regulatory issues. Ability to estimate budgetary requirements and effectively manage expenditures within budgetary constraints. Skill in innovative decision making and problem solving. Skill in leadership, including the ability to motivate, train and give performance feedback.

In addition, we offer an attractive compensation/benefits package. To view more about this position and to apply please visit http://gsec.iapplicants.com. This position is open until January 17, 2014.
Equal Opportunity Employer. We provide a drug-free work environment.

Medical/Dental 631

Medical/Dental 631

LUBBOCK HEALTH CARE CENTER

We are looking for qualified individuals for the following positions:

***Director of Nursing:** Must have DON exp.
***Maintenance Manager:** Must have LTC exp.
***Med Aides:** Wknd doubles.
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Trades/Manufacturing 649

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Professional/Non-Degreed 642

Professional/Non-Degreed 642

Realtors

3108 100th, 3/2/2, Townhome
Appl., Cooper ISD $147,000

3212 69th
Custom renovation 3/2/2, two living areas, hardwoods/ceramic $186,000

2312 38th, 2-1, Cent H/A, Hardwoods, $36,000

3407 69th Dr., 3-2-2 + Office, 2 living areas, formal dining $172,500

2415 33rd $224,900
PENDING
Monthly income $3,625

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Sales/Marketing 645

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN AIR QUALITY STANDARD PERMIT REGISTRATION RENEWAL

AIR QUALITY REGISTRATION NO. 71025

APPLICATION Fast Concrete, Inc. has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Registration No. 71025, for an Air Quality Standard Permit for Concrete Batch Plants, which would authorize continued operation of a concrete batch plant located at 1521 Erskine Street, Lubbock, Lubbock County, Texas 79403. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=33.606388&lng=-101.851944&zoom=13&type=r. The existing facility is authorized to emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2 5 microns or less.

This application was submitted to the TCEQ on December 2, 2013. The application will be available for viewing and copying at the TCEQ central office, the TCEQ Lubbock regional office, and the Lubbock County Courthouse, 904 Broadway Street, Lubbock, Lubbock County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review in the Lubbock regional office of the TCEQ.

The executive director has determined the application is administratively complete and will conduct a technical review of the application. Information in the application indicates that this permit renewal would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted. The TCEQ may act on this application without seeking further public comment or providing an opportunity for a contested case hearing if certain criteria are met.

PUBLIC COMMENT You may submit public comments, or a request for a contested case hearing to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. The deadline to submit public comments is 15 days after the final newspaper notice is published. After the deadline for public comments, the executive director will prepare a response to all relevant and material, or significant public comments. Issues such as property values, noise, traffic safety, and zoning are outside of the TCEQ's jurisdiction to consider in the permit process.

After the technical review is complete the executive director will consider the comments and prepare a response to all relevant and material, or significant public comments. If only comments are received, the response to comments, along with the executive director's decision on the application, will then be mailed to everyone who submitted public comments or who is on the mailing list for this application, unless the application is directly referred to a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING You may request a contested case hearing. The applicant or the executive director may also request that the application be directly referred to a contested case hearing after technical review of the application. A contested case hearing is a legal proceeding similar to a civil trial in state district court. Unless a written request for a contested case hearing is filed within 15 days from this notice, the executive director may act on the application. If no hearing request is received within this 15 day period, no further opportunity for hearing will be provided. According to the Texas Clean Air Act § 382 056(o) a contested case hearing may only be granted if the applicant's compliance history is in the lowest classification under applicable compliance history requirements and if the hearing request is based on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission may only grant a hearing on those issues raised during the public comment period and not withdrawn.

A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; and (6) a description of how you use the property which may be impacted by the facility. If the request is made by a group or association, the one or more members who have standing to request a hearing and the interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 15 days following this notice to the Office of the Chief Clerk at the address below.

If any requests for a contested case hearing are timely filed, the executive director will forward the

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Fast Learner & Punctual.

Supplement your income delivering the newspaper for the *Lubbock Avalanche-Journal*. Most of our carriers have full time jobs and use the newspaper routes as extra income. Newspaper carrier needed for **MULESHOE**. Must have dependable transportation. Call **HENRY** at **766-8771.**

Find The Home of Your Dreams In Saturday's Real Estate Section
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Supplement your income delivering the newspaper for the *Lubbock Avalanche-Journal*. Most of our carriers have full time jobs and use the newspaper routes as extra income. Newspaper carrier needed for **PLAINS**. Must have dependable transportation. Call **HENRY** at **766-8771.**

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Part Time M- F 5:30a-8:30a
Direct Care Staff for group home for individuals with developmental disabilities. Serious inquiries only.
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Professional/ Degreed 641

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*Will be responsible for writing feature articles for advertisers, including interviewing and editing.
*Good communication and customer service skills essential in working with advertising clients and fellow staff.
*Previous writing/newspaper experience helpful. Lay-out or design experience a plus.
*Computer and scanner experience necessary.
*Must be capable of working in a deadline driven environment
*College degree preferred.
Send resume and references to:
hr@lubbockonline.com
EOE

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Must be Licenced.
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Steak 'n Shake franchise is currently hiring for a new store opening. We are looking for Kitchen and Front of the house staff and are offering flexible schedules. We are looking for people who want to grow within their positions and help us open more stores in West Texas and Eastern New Mexico. Our new store is located on Milwaukee Ave. but all you need to do is go online to www.pleaseapplyonline.com/snsfiverivers

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SPORTS CLERK
The Lubbock Avalanche-Journal is looking for a part-time sports clerk. The clerk will gather sports results from calls, email, other sources and pull it together into stories and stats for digital and print products. Spelling, math, people skills and multitasking are important. Send resume to hr@lubbockonline.com.

Sales/Marketing 645

Full Time Sales
Integrity Building Components is Now Hiring!
M-F 7:30 to 5:30 & some Saturdays 7:30-12. Knowledge of steel building components a plus but not required.
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Trades/ Manufacturing 649

Now Hiring: Diesel Mechanics
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Appl., Cooper ISD $147,000
3212 69th
Custom renovation 3/2/2, two living areas, hardwoods/ceramic $186,000
2312 38th, 2-1, Cent H/A, Hardwoods, $36,000
3407 69th Dr., 3-2-2 + Office, 2 living areas, formal dining $172,500
2415 33rd, $124,900
PENDING
Monthly Income $3,625
794-7471 or 773-8002

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Reed Fiberglass, Inc.

Permit No.: 115189

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF Lubbock §

Before me, the undersigned authority, on this day personally appeared

Olga Aguero, who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the Publisher of the
(title of person representing newspaper)

El Editor that said newspaper or publication is generally circulated
(name of newspaper)

in Lubbock, Texas;
*(the **municipality or the same county** as the location of the facility or the proposed facility)*

that the enclosed notice was published in said newspaper or publication on the following date(s):

Thursday, Jan. 9, 2014.

Olga Aguero
(newspaper or publication representative's signature)

Subscribed and sworn to before me this the 9 day of January, 20 14,

to certify which witness my hand and seal of office.

(Seal) MARY ELLEN PEREZ
Notary Public, State of Texas
My Commission Expires
December 21, 2015

Mary Ellen Perez
Notary Public in and for the State of Texas

MARY Ellen Perez
Print or Type Name of Notary Public

12/21/15
My Commission Expires

Gary C. Lawrence Joins Centi
Executive Vice President, Busin



[Lubbock, Texas] Centennial Bank Chairman J. David Williams announces today the recent employment and election of Gary C. Lawrence to the position of Executive Vice President of Business Development and Advisory Director to the Board. In that role, Lawrence will lead the growth and development of the Bank in the Lubbock market while providing community leadership and support.

Lawrence joins Centennial Bank with 38 years of executive leadership experience in banking.

He currently serves as CEO of Gold Properties, LLC in Lubbock and held the same title with the Lubbock Economic Development Alliance from 2003 to 2010. Lawrence has led six other banks as CEO over the course of his career.

His community involvement in Lubbock is equally as extensive as his resume, serving as Chairman for civic organizations including the Lubbock Arts Festival, Covenant Health Systems, Goals for Lubbock, the Lubbock Chamber of Commerce Capital Campaign and a seat on the executive committee of the Ranching Heritage Association at Texas Tech University.

"We're committed to Lubbock

Cortes de inmigración al bord

Las cortes de inmigración no tienen los suficientes jueces ni el personal de oficina que necesitan.

Esa insuficiencia crónica, que ha empeorado justamente en los años en que más casos han entrado al sistema, está llevando el mismo a un nivel de crisis que está "a punto de explotar", afirmó Dana Leigh Marks, presidenta de la Asociación Nacional

unos 885 días para que un caso con méritos reciba "alivio" o resolución final.

"Es muy difícil hacer este trabajo cuando no tienes el tiempo para dedicar a cada caso o los recursos que otros jueces tienen", dijo Marks. "Tengo aproximadamente 2,500 casos pendientes y cuando alguien quiere una cita en mi corte, tienen que esperar nueve meses en este momento.

Comisión de Calidad Ambiental del Estado de Texas

AVISO DE RECEPCIÓN DE SOLICITUD E INTENCIÓN DE OBTENER RENOVACIÓN DE PERMISO ATMOSFÉRICO

PERMISO NÚM. 71025

SOLICITUD Fast Concrete, Inc. ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ por sus siglas en ingles) renovación del Permiso Num. 71025 de Calidad Atmosférica el cual autorizaría la operación continua de una Planta de Lotes de Concreto ubicada en 1521 Erskine Street, Lubbock, Lubbock Condado, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=33.606388&lng=-101.851944&zoom=13&type=r. La planta existente tiene la autorización de emitir los siguientes contaminantes atmosféricos: material particulado incluyendo (pero no limitado a) agregados, cemento, polvo de caminos y partículas menores a 10 micrómetros o menos y 2.5 micrómetros o menos de diámetro.

Esta solicitud se le presentó a *TCEQ* el 2 de diciembre de 2013. La solicitud estárán disponibles para ser revisados y copiados en la Oficina Central de TCEQ, para revisarla y sacarle copia, en la oficina regional de TCEQ en Lubbock, y 904 Broadway Street, Lubbock, Lubbock Condado, Texas empezando el primer dia de la publication de este aviso. El expediente de cumplimiento de la planta, si existe alguno, esta disponible para su revisión en la oficina regional de TCEQ en Lubbock.

El director ejecutivo de *TCEQ* ha determinado que la solicitud está administrativamente completa y llevará a cabo una revisión técnica de la solicitud. La información que se incluye en la solicitud indica que esta renovación del permiso no resultaría en un aumento de emisiones permisibles y no resultaría en la emisión de un contaminante atmosférico que no hubiera emitido anteriormente. ***TCEQ* puede actuar en esta solicitud sin buscar comentarios públicos adicionales o dar la oportunidad para una audiencia de caso impugnado si se cumple con ciertos criterios.**

COMENTARIOS PÚBLICOS Usted puede presentar comentarios públicos, o solicitar una audiencia de caso impugnado a la Oficina del Funcionario Jefe al domicilio a continuación. *TCEQ* tomará en cuenta todos los comentarios públicos en la decisión final de la solicitud. **La fecha límite para presentar comentarios públicos es 15 días después de que se publique el aviso en el periódico.** Después de la fecha límite para comentarios públicos, el director ejecutivo preparará una respuesta para todos los comentarios públicos pertinentes y materiales o importantes. Cuestiones tales como el valor de la propiedad, ruido, seguridad de tráfico y zonificación se encuentran fuera de la jurisdicción de *TCEQ* para abordar en el proceso del permiso. Valor de la propiedad, ruido, seguridad de tráfico y zonificación se encuentran fuera de la jurisdicción de *TCEQ* para abordar en el proceso del permiso

unos 885 días para que un caso con méritos reciba "alivio" o resolución final.

"Es muy difícil hacer este trabajo cuando no tienes el tiempo para dedicar a cada caso o los recursos que otros jueces tienen", dijo Marks. "Tengo aproximadamente 2,500 casos pendientes y cuando alguien quiere una cita en mi corte, tienen que esperar nueve meses en este momento. Ahora mismo estoy poniendo casos en el calendario de 2017".

Los jueces tampoco tienen suficiente ayuda. "Deberíamos tener a dos [secretarios] por cada juez y sin embargo, no es así. Yo comparto un solo clerk con otros 3 jueces", dijo.

Las consecuencias de esta situación incluyen el nivel de estrés de los jueces . Los jueces de inmigración tienen "el nivel de estrés de los guardias de prisiones y de doctores de emergen-

oreza Rubio propone ag

los gobiernos estatales fondos para administrar programas sociales.

Según su oficina, estados como Kentucky, Mississippi y Utah pueden servir de modelo de cómo reducir la dependencia de los programas de asistencia pública, ya que cuentan con programas de desempleo que ponen en el énfasis en la educación y capacitación de los trabajadores.

Rubio dijo que presentará un proyecto de ley con su propuesta en las próximas semanas.

El senador republicano también propondrá eliminar el actual crédito tributario para familias de escasos recursos, conocido por su sigla en inglés EITC ("earned income tax credit"), con un verdadero incentivo federal para la clase trabajadora.

Rubio explicó que se opone a un aumento al salario mínimo federal de $7.25 a $10.10 la hora – una idea popular entre la Casa Blanca, los demócratas, y grupos progresistas afines - porque considera que eso es una medida que a largo plazo no ayuda a la gente a salir defini-

no resultaría en la emisión de un contaminante atmosférico que no hubiera emitido anteriormente. ***TCEQ* puede actuar en esta solicitud sin buscar comentarios públicos adicionales o dar la oportunidad para una audiencia de caso impugnado si se cumple con ciertos criterios.**

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Después de que se concluya la revisión técnica de la solicitud, el director ejecutivo tomará en cuenta los comentarios y preparará una respuesta para todos los comentarios públicos pertinentes y materiales o significativos. Si solo se reciben comentarios, la respuesta a los comentarios, junto con la decisión del director ejecutivo con respecto a la solicitud se enviaran por correo a todas aquellas personas que presentaron comentarios públicos o que se encuentran en la lista de correos para esta solicitud, a no ser que la solicitud se refiera directamente a una audiencia de caso impugnado.

OPORTUNIDAD PARA UNA AUDIENCIA DE CASO IMPUGNADO Usted puede solicitar una audiencia de caso impugnado. El solicitante o el director ejecutivo también pueden presentar una petición para que la solicitud haga referencia directamente a una audiencia de caso impugnado después de la revisión técnica de la solicitud. Una audiencia de caso impugnado es un proceso legal similar a un juicio civil en el tribunal de distrito del estado. A menos que se presente una solicitud para una audiencia de caso impugnado dentro de 15 días de esta notificación, el director ejecutivo puede autorizar la solicitud. **Si no se recibe una solicitud para audiencia dentro de 15 días, no se dará otra oportunidad para una audiencia.** De acuerdo a la Ley del Aire Limpio del Estado de Texas § 382.056(o) solo se puede conceder una audiencia de caso impugnado si el historial de cumplimiento del solicitante se encuentra en la clasificación mas baja de acuerdo a los requisitos de historial de cumplimiento que aplican y si la petición para audiencia está basada en cuestiones debatibles de hecho que son pertinentes y materiales para la decisión de la Comisión con respecto a la solicitud. Además, la Comisión solo concederá una audiencia sobre cuestiones que se presenten durante el período de comentarios públicos y no se retiran.

Una persona que puede estar afectada por contaminantes de emisiones atmosféricas de una planta tiene derecho a solicitar una audiencia. Si se solicita una audiencia de caso impugnado, debe presentar lo siguiente: (1) su nombre (o para un grupo o asociación, un representante oficial), dirección, número de teléfono y número de facsímile si lo tiene; (2) el nombre del solicitante y número de permiso; (3) la declaración "[yo/nosotros] solicito una audiencia de un caso impugnado"; (4) una descripción específica de como se vería adversamente afectado por la solicitud y emisiones atmosféricas de la planta de manera que no es común para el publico en general; (5) la ubicación y distancia de su propiedad con relación a la planta; y (6) una Descripción de como emplea la propiedad la cual puede ser impactada por la planta. Si la petición la hace un grupo o asociación, el miembro o miembros que tienen derecho a solicitar una audiencia y los intereses que el grupo o la asociación busca proteger, también se deben identificar. También puede presentar los ajustes que propone hacer a la solicitud/permiso que pueden satisfacer sus preocupaciones. Las peticiones para una audiencia de caso impugnado se deben presentar por escrito dentro de 15 día después de aviso, a la Oficina del Funcionario Jefe a la dirección a continuación.

Si se registra oportunamente una petición para audiencia de caso impugnado, el director ejecutivo enviará la solicitud y cualquier petición para una audiencia de caso impugnado a los comisionados de *TCEQ* para su consideración durante la reunión programada de la Comisión. Excepto si la solicitud se refiere directamente a una audiencia de caso impugnado, el director ejecutivo enviará por correo la respuesta a los comentarios junto con la notificación de la reunión de la Comisión a todas aquella personas que hayan hecho comentarios o si se encuentran en la lista de correspondencia para esta solicitud. **Si se concede la audiencia, el tema de la audiencia estará limitado a casos debatibles de hecho relacionados a intereses pertinentes y materiales de calidad atmosférica que se hayan presentado durante el período de comentarios.** Cuestiones

los gobiernos estatales fondos para administrar programas sociales.

Según su oficina, estados como Kentucky, Mississippi y Utah pueden servir de modelo de cómo reducir la dependencia de los programas de asistencia pública, ya que cuentan con programas de desempleo que ponen en el énfasis en la educación y capacitación de los trabajadores.

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Rubio explicó que se opone a un aumento al salario mínimo federal de $7.25 a $10.10 la hora – una idea popular entre la Casa Blanca, los demócratas, y grupos progresistas afines - porque considera que eso es una medida que a largo plazo no ayuda a la gente a salir definitivamente de la pobreza.

Asimismo, Rubio promueve alternativas a los subsidios de desempleo, repitiendo su idea de que la burocracia federal solo ha alentado la dependencia en los programas de asistencia pública.

cumplimiento del solicitante se encuentra en la clasificación mas baja de acuerdo a los requisitos de historial de cumplimiento que aplican y si la petición para audiencia está basada en cuestiones debatibles de hecho que son pertinentes y materiales para la decisión de la Comisión con respecto a la solicitud. Además, la Comisión solo concederá una audiencia sobre cuestiones que se presenten durante el período de comentarios públicos y no se retiran.

Una persona que puede estar afectada por contaminantes de emisiones atmosféricas de una planta tiene derecho a solicitar una audiencia. Si se solicita una audiencia de caso impugnado, debe presentar lo siguiente: (1) su nombre (o para un grupo o asociación, un representante oficial), dirección, número de teléfono y número de facsímile si lo tiene; (2) el nombre del solicitante y número de permiso; (3) la declaración "[yo/nosotros] solicito una audiencia de un caso impugnado"; (4) una descripción específica de como se vería adversamente afectado por la solicitud y emisiones atmosféricas de la planta de manera que no es común para el publico en general; (5) la ubicación y distancia de su propiedad con relación a la planta; y (6) una Descripción de como emplea la propiedad la cual puede ser impactada por la planta. Si la petición la hace un grupo o asociación, el miembro o miembros que tienen derecho a solicitar una audiencia y los intereses que el grupo o la asociación busca proteger, también se deben identificar. También puede presentar los ajustes que propone hacer a la solicitud/permiso que pueden satisfacer sus preocupaciones. Las peticiones para una audiencia de caso impugnado se deben presentar por escrito dentro de 15 día después de aviso, a la Oficina del Funcionario Jefe a la dirección a continuación.

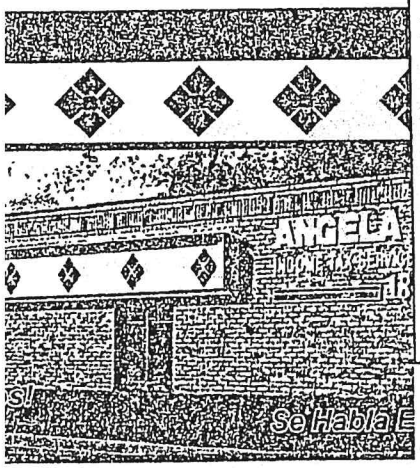
Si se registra oportunamente una petición para audiencia de caso impugnado, el director ejecutivo enviará la solicitud y cualquier petición para una audiencia de caso impugnado a los comisionados de *TCEQ* para su consideración durante la reunión programada de la Comisión. Excepto si la solicitud se refiere directamente a una audiencia de caso impugnado, el director ejecutivo enviará por correo la respuesta a los comentarios junto con la notificación de la reunión de la Comisión a todas aquella personas que hayan hecho comentarios o si se encuentran en la lista de correspondencia para esta solicitud. **Si se concede la audiencia, el tema de la audiencia estará limitado a casos debatibles de hecho relacionados a intereses pertinentes y materiales de calidad atmosférica que se hayan presentado durante el período de comentarios.** Cuestiones tales como valor de la propiedad, ruido, seguridad de tráfico y zonificación no están dentro de la jurisdicción de la Comisión para abordarse en este proceso judicial.

LISTA DE CORRESPONDENCIA Aparte de presentar comentarios públicos, puede solicitar que lo / la incluyan en la lista de correos para recibir en el futuro avisos públicos para esta solicitud específica que envía por correo la Oficina del Funcionario Jefe enviando una petición por escrito a la Oficina del Funcionario Jefe de *TCEQ* a la dirección a continuación.

INFORMACIÓN Los comentarios públicos o peticiones para una reunión pública o audiencia de caso impugnado se debe presentar a la Oficina del Funcionario Jefe, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, o por el Internet al www.tceq.texas.gov/about/comments.html. Para mayor información acerca de esta solicitud para permiso o el proceso para permisos, favor de llamar a la Oficina de Asistencia al Público, al 1-800-687-4040. Si requiere información general de *TCEQ* dirigirse al portal electrónico www.tceq.texas.gov/.

Se puede obtener información adicional de Fast Concrete, Inc., 6608 Martin Luther King Boulevard, Lubbock, TX 79407-6010 o al llamar Mr. Roger Reyna en el (806) 783-9944.

Fecha de Expedición: el 13 de diciembre de 2013



WWW.ELEDITOR.COM

Don Nelon

From: Roger Reyna <rreyna@R2Meng.com>
Sent: Monday, January 06, 2014 8:44 AM
To: Don Nelon
Cc: Jessica Mendez; Colleen Hall; David Moreno; John Rantz
Subject: RE: Fast Concrete, Inc. renewal application for 71025

Don

The ads are set to publish this week. As soon as we get everything in order we will send you the required affidavits and tear sheets.

Thanks,
Roger Reyna
Executive Vice President
Environmental & Safety

R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
(formerly Benton & Associates)
Texas Registered Engineering Firm F-9992
5012 50th St., Suite 204
Lubbock, TX 79414
Phone: (806) 783-9944
Fax: (806) 783-9966
www.R2Meng.com

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From: Don Nelon [mailto:don.nelon@tceq.texas.gov]
Sent: Monday, January 06, 2014 8:10 AM
To: Roger Reyna
Subject: Fast Concrete, Inc. renewal application for 71025

Roger,

Has the public notice been published yet? We have not received the affidavits or newspaper tear sheets yet.

Don Nelon

Mech Ag/Const Team
Tel: 512-239-0894
Fax: 512-239-7130

Don Nelon

From: Don Nelon
Sent: Monday, January 06, 2014 8:10 AM
To: Roger Reyna (rreyna@R2Meng.com)
Subject: Fast Concrete, Inc. renewal application for 71025

Roger,

Has the public notice been published yet? We have not received the affidavits or newspaper tear sheets yet.

Don Nelon
Mech Ag/Const Team
Tel: 512-239-0894
Fax: 512-239-7130

tNET Resources for TCEQ Employees

Program Area Search

Compliance History						
RE Name:	COMMERCIAL CONCRETE			RN:	RN104156286	
Classification:	HIGH	Rating:		0	Publication Date:	Nov 15, 2013
Customer Name	Fast Concrete, Inc.			CN:	CN602552408	
Classification:	HIGH	Rating:		0	Publication Date:	Nov 15, 2013
Repeat Violator Ind:	NO					

Compliance History Start: 08/31/2013 End: 09/01/2008 Submit

1-0 of 0 Enforcement Action Records

Enforcement Actions				
Type	Effective Date	Citation/Requirement Provision	Abbv. Description	Violation Classification (Trk No)

0 convictions returned

Criminal Convictions					
Conviction Date	Number of		Violations		
	Felonies	Misdemeanors	Citation/Requirement Provision	Abbv. Description	Classification (Trk No)

0 events returned

Chronic Excessive Emissions Events			
Start Date	Status Code	Status Date	Track Number

1-1 of 1 Investigation Records

Investigations		
Investigation Start Date	Type	Investigation Status Date
Dec 15, 2009	Compliance Investigation	Dec 16, 2009

1-0 of 0 Notice of Violation Records

Notice of Violations					
NOV Date	Status Code	Citation	Allegation	Classification (Trk No)	Self-Report

1-0 of 0 Environmental Audit Records

Environmental Audits				
Notice of Audit Date	Disclosure Of Violation			
	DOV Date	Violations		
		Classification	Citation/Requirement Provision	Abbv. Description

0 systems returned

Environmental Management Systems			
Type	Tier	Certification Date	Implementation Date

0 assessments returned

Voluntary On-Site Compliance Assessments		
Start Date	Status Code	Status Date

0 programs returned

Voluntary Pollution Reduction Programs

Name	Level	Start Date of Participation

0 early compliance actions returned

Early Compliance	
Date	Description

[redacted]

For questions or comments regarding this T-Net page contact: Central Registry
This site was last modified: August 27, 2010

Don Nelon

From: Roger Reyna <rreyna@R2Meng.com>
Sent: Monday, December 16, 2013 3:11 PM
To: Don Nelon
Subject: RE: Fast Concrete, Inc. CBP Standard Permit Renewal
Attachments: Revised Page-Fast Concrete.pdf

Thanks for catching that. I have attached the revised page.

Roger

From: Don Nelon [mailto:don.nelon@tceq.texas.gov]
Sent: Monday, December 16, 2013 12:12 PM
To: Roger Reyna
Subject: Fast Concrete, Inc. CBP Standard Permit Renewal

Roger,

Item (5)(E)(iv) is currently marked "no", because this is a permanent facility this response should be marked "yes".

Don Nelon
Mech Ag/Const Team
Tel: 512-239-0894
Fax: 512-239-7130

Don Nelon

From: Don Nelon
Sent: Monday, December 16, 2013 12:12 PM
To: Roger Reyna (rreyna@R2Meng.com)
Subject: Fast Concrete, Inc. CBP Standard Permit Renewal

Roger,

Item (5)(E)(iv) is currently marked "no", because this is a permanent facility this response should be marked "yes".

Don Nelon
Mech Ag/Const Team
Tel: 512-239-0894
Fax: 512-239-7130

Shelia Glaspie-Felix

From:	Shelia Glaspie-Felix
Sent:	Friday, December 13, 2013 9:57 AM
To:	OCC-NSR; 'R6AirPermits@EPA.gov'; 'Zahnpaving@pgrb.com'; 'rreyna@r2meng.com'
Cc:	RFCAIR2
Subject:	RENEWAL, Fast Concrete, Inc., 71025, 202322
Attachments:	PN1 PROJ202322 PRMT71025.docx

Please see Public Notice attached.

For TCEQ Use Only

Permit Application Routing and Summary Sheet
Air Permits

This sheet should accompany all notices to be processed by the office of the chief clerk on the left side of the file folder.

Name of applicant: Fast Concrete, Inc.	
Facility/ Site name: Fast Concrete Batch Plant	
TCEQ permit number: 71025	
Application received date: December 2, 2013	
Customer reference number: CN602552408	
Regulated entity number: RN104156286	
Account Number: 96-0022-A	
County: Lubbock	**Region:** 2
Local program 1:	**Local program 2:**
Permit type: Concrete Batch Plant Standard Permit Renewal Application	
Internal program routing	
Tech. team leader: Bonnie Evridge	**Phone no.** (512) 239-5222
APIRT team leader: Johnny Bowers	**Date:** 12/13/2013
Administratively reviewed by: Shelia Glaspie-Felix	**Phone no. (512) 239-1210**
Administratively complete date: 12/13/2013	
Public viewing location must have internet access: ☐ **Yes** ☒ **No**	
Is 2nd public notice required (15- day comment period): ☐ **Yes** ☒ **No**	
***801 applies**	

For TCEQ Use Only

Applicant and Contact Information

This sheet should accompany all notices to be processed by the office of the chief clerk on the right side of the file folder.

Applicant's main contact and address to be shown on permit:	
Name/Title: Ronnie Zahn, President	
Company: Fast Concrete, Inc.	
Street/Road: 6608 Martin Luther King Boulevard	
City/State/Zip: Lubbock, Texas 79404-6010	
Telephone: (806) 748-1877	**Fax:** (806) 748-6060
Applicant's technical representative/ consultant:	
Name/Title: Roger Reyna, Environmental Consultant	
Company: R2M Engineering, LLC	
Street/Road: 5012 50th Street, Suite 204	
City/State/Zip: Lubbock, Texas 79414-3426	
Phone: (806) 783-9944	**Fax:** (806) 783-9966
Person responsible for publishing notice:	
Name/Title: Ronnie Zahn, President	
Company: Fast Concrete, Inc.	
Street/Road: 6608 Martin Luther King Boulevard	
City/State/Zip: Lubbock, Texas 79404-6010	
Telephone: (806) 748-1877	**Fax:** (806) 748-6060

Shelia Glaspie-Felix

From: Roger Reyna <rreyna@R2Meng.com>
Sent: Thursday, December 12, 2013 3:59 PM
To: Shelia Glaspie-Felix
Cc: zahnpaving@pgrb.com
Subject: RE: Public Notice Draft - Fast Concrete, Inc. - Permit #71025

Shelia

I apologize for the delay but we have reviewed the proposed public notice language and accept that language as written.

Thank You & Happy Holidays.

Roger Reyna
Executive Vice President
Environmental & Safety

R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
(formerly Benton & Associates)
Texas Registered Engineering Firm F-9992
5012 50th St., Suite 204
Lubbock, TX 79414
Phone: (806) 783-9944
Fax: (806) 783-9966
www.R2Meng.com

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From: Shelia Glaspie-Felix [mailto:shelia.glaspie-felix@tceq.texas.gov]
Sent: Monday, December 09, 2013 9:56 AM
To: Roger Reyna
Cc: zahnpaving@pgrb.com
Subject: Public Notice Draft - Fast Concrete, Inc. - Permit #71025

We have attached a draft portion of the Notice of Receipt of Application and Intent to Obtain a Permit, which contains the information relevant to your application. The public notice is a legally approved document and only the items listed below are subject to approval/correction. If draft approval is not received within 2 working days, the notice package will be filed with the Chief Clerks' office "As Is". Please review the following information carefully and provide us with any corrections as soon as possible:

* facility address or driving directions to the facility
* contaminants list
* **hyperlink for the map to facility - please confirm the map shows the general vicinity of the facility**
* public viewing place (must be in the same county as the facility and may be required to have internet access)
* for renewal applications, check all previous permitting actions to make sure they are listed in example A
* contact person and contact information
* big or small business status (If your answers on your application indicate that you qualify as a small business, you will not receive Example B with your draft or final package)

If you determine that you must meet the alternative language notice requirements, you are responsible for ensuring that the publication in the alternative language is complete and accurate in that language. Spanish notice templates are available through the Air Permits Division Web site at www.tceq.state.tx.us/permitting/air/nav/air_publicnotice.html. All italic notes should be replaced with the corresponding Spanish translations for the specific application and published in the alternative language publication.

A delinquent fee/penalty check will be performed before declaring your application administratively complete. Please do not publish until your application has been declared administratively complete or you may be required to re-publish. Once declared administratively complete you will receive an email containing an administratively complete letter and public notice package. Then we will file the original notice package with the Chief Clerk for mailing.

Please reply to send approval via e-mail.

Your prompt assistance is appreciated.

Is alternative language required? Yes_____ No_____
(Please answer the questions attached for bilingual verification).

Language(s):_____

Please reply to send approval via e-mail.

Your prompt assistance is appreciated.

EASY STEPS TO DETERMINE IF YOU WILL REQUIRE A BILINGUAL PUBLIC NOTICE

Public notice rules require you to determine whether a bilingual notice publication is required.

Please call the school district and ask to speak with the bilingual/ESL coordinator with the names of the nearest elementary and middle schools and obtain the following information to determine if a bilingual language notice is required:

1. Is a Bilingual education program required by the Texas Education Code at the nearest Elementary or Middle School to the facility or proposed facility? (If yes, please answer questions in section 2)

- ☐ Yes
- ☐ No

2. a. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?

- ☐ Yes
- ☐ No

2. b. Do the students at these schools attend a bilingual education program at another location?

- ☐ Yes
- ☐ No

2. c. Would the school be required to provide a bilingual education program but the school has an approved exception out of this requirement under 19 TAC _89.1207(a).

- ☐ Yes
- ☐ No

If you answer yes to either 2.a., 2.b., or 2.c. bilingual notice is required. Which language is required by the bilingual program?

Name of Language: _____

Complete instructions on publishing the bilingual notice and posting signs will be available in your full public notice package. This is just to determine if the notice will be needed.

Shelia Glaspie-Felix

From: Shelia Glaspie-Felix
Sent: Monday, December 09, 2013 9:56 AM
To: 'rreyna@r2meng.com'
Cc: 'zahnpaving@pgrb.com'
Subject: Public Notice Draft - Fast Concrete, Inc. - Permit #71025
Attachments: PN1 PROJ202322 PRMT71025 draft.docx

We have attached a draft portion of the Notice of Receipt of Application and Intent to Obtain a Permit, which contains information relevant to your application. The public notice is a legally approved document and only the items listed below are subject to approval/correction. If draft approval is not received within 2 working days, the notice package will be filed with the Chief Clerks' office "As Is". Please review the following information carefully and provide us with any corrections as soon as possible:

* facility address or driving directions to the facility
* contaminants list
* **hyperlink for the map to facility - please confirm the map shows the general vicinity of the facility**
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* for renewal applications, check all previous permitting actions to make sure they are listed in example A
* contact person and contact information
* big or small business status (If your answers on your application indicate that you qualify as a small business, you will not receive Example B with your draft or final package)

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1. Is a Bilingual education program required by the Texas Education Code at the nearest Elementary or Middle School to the facility or proposed facility? (If yes, please answer questions in section 2)

- ☐ Yes
- ☐ No

2. a. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?

- ☐ Yes
- ☐ No

2. b. Do the students at these schools attend a bilingual education program at another location?

- ☐ Yes
- ☐ No

2. c. Would the school be required to provide a bilingual education program but the school has an approved exception out of this requirement under 19 TAC §89.1207(a).

- ☐ Yes
- ☐ No

If you answer yes to either 2.a., 2.b., or 2.c. bilingual notice is required. Which language is required by the bilingual program?

Name of Language: _____

Complete instructions on publishing the bilingual notice and posting signs will be available in your full public notice package. This is just to determine if the notice will be needed.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

EXAMPLE A

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN AIR QUALITY STANDARD PERMIT REGISTRATION RENEWAL

AIR QUALITY REGISTRATION NO. 71025

APPLICATION Fast Concrete, Inc. has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Registration No. 71025, for an Air Quality Standard Permit for Concrete Batch Plants, which would authorize continued operation of a concrete batch plant located at 1521 Erskine Street, Lubbock, Lubbock County, Texas 79403. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=33.606388&lng=-101.851944&zoom=13&type=r. The existing facility is authorized to emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on December 2, 2018. The application will be available for viewing and copying at the TCEQ central office, the TCEQ Lubbock regional office, and the Lubbock County Courthouse, 904 Broadway Street, Lubbock, Lubbock County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review in the Lubbock regional office of the TCEQ.

The executive director has determined the application is administratively complete and will conduct a technical review of the application. Information in the application indicates that this permit renewal would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted. **The TCEQ may act on this application without seeking further public comment or providing an opportunity for a contested case hearing if certain criteria are met.**

PUBLIC COMMENT You may submit public comments, or a request for a contested case hearing to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. **The deadline to submit public comments is 15 days after the final newspaper notice is published.** After the deadline for public comments, the executive director will prepare a response to all relevant and material, or significant public comments. Issues such as property values, noise, traffic safety, and zoning are outside of the TCEQ's jurisdiction to consider in the permit process.

After the technical review is complete the executive director will consider the comments and prepare a response to all relevant and material, or significant public comments. If only comments are received, the response to comments, along with the executive director's decision on the application, will then be mailed to everyone who submitted public comments or who is on the mailing list for this application, unless the application is directly referred to a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING You may request a contested case hearing. The applicant or the executive director may also request that the application be directly referred to a contested case hearing after technical review of the application. A contested case hearing is a legal proceeding similar to a civil trial in state district court. Unless a written request for a contested case hearing is filed within 15 days

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from this notice, the executive director may act on the application. **If no hearing request is received within this 15-day period, no further opportunity for hearing will be provided.** According to the Texas Clean Air Act § 382.056(o) a contested case hearing may only be granted if the applicant's compliance history is in the lowest classification under applicable compliance history requirements and if the hearing request is based on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission may only grant a hearing on those issues raised during the public comment period and not withdrawn.

A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; and (6) a description of how you use the property which may be impacted by the facility. If the request is made by a group or association, the one or more members who have standing to request a hearing and the interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 15 days following this notice to the Office of the Chief Clerk at the address below.

If any requests for a contested case hearing are timely filed, the executive director will forward the application and any requests for a contested case hearing to the Commissioners for their consideration at a scheduled Commission meeting. Unless the application is directly referred to a contested case hearing, the executive director will mail the response to comments along with notification of Commission meeting to everyone who submitted comments or is on the mailing list for this application. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact relating to relevant and material air quality concerns raised during the comment period.** Issues such as property values, noise, traffic safety, and zoning are outside of the Commission's jurisdiction to consider in this proceeding.

MAILING LIST In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices for this specific application mailed by the Office of the Chief Clerk by sending a written request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call the Public Education Program toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Fast Concrete, Inc., 6608 Martin Luther King Boulevard, Lubbock, Texas 79404-6010 or by calling Mr. Roger Reyna, R2M Engineering, LLC at (806) 783-9944.

Notice Issuance Date:

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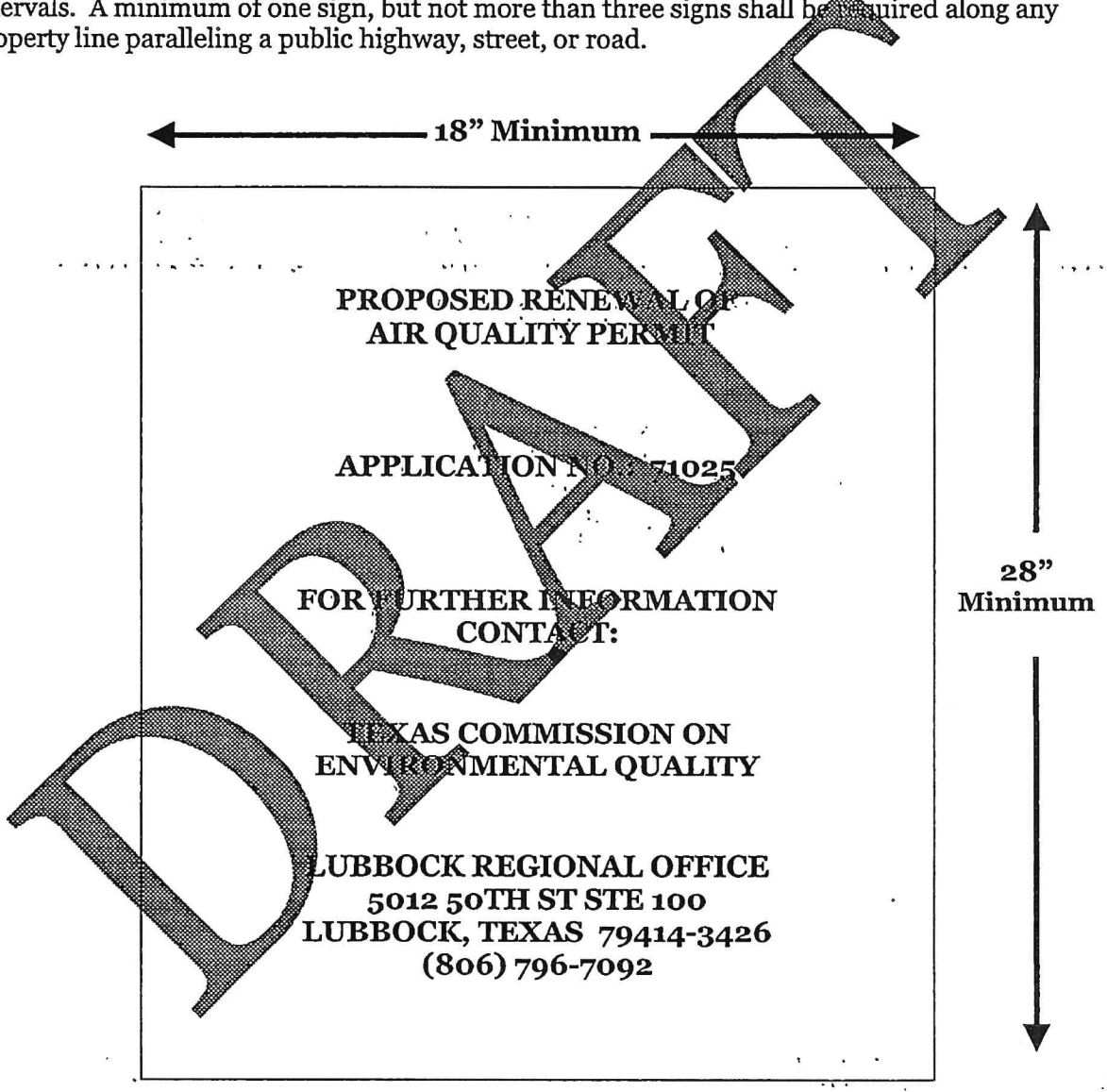
Example C

Sign Posting

Sign(s) must be in place on day of publication of first newspaper notice **and must remain in place and be legible during that designated comment period (15 days). It is recommended that the signs remain in place until 30 days after the last newspaper publication of the second notice** (either English or alternate language notice, whichever is later). Note - The information shown is an example only. It is your responsibility to verify that the appropriate information pertaining to your application is accurate. Each sign placed at the site must be located within 10 feet of each (every) property line paralleling a public highway, street or road. Signs must be visible from the street and spaced at not more than 1,500-foot intervals. A minimum of one sign, but not more than three signs shall be required along any property line paralleling a public highway, street, or road.



DRAFT

Sign(s) must be placed at whatever height above the ground is necessary for sign(s) to be 100% visible from the street.

WHITE BACKGROUND WITH BLACK LETTERS

All lettering must be no less than 1-1/2 inch block printed capitals.

Get to Google faster. Update your default search engine. Sure No thanks ×

lubbock county court house

Sign in

Web Images Maps Shopping More Search tools

About 215 000 results (0 26 seconds)

Lubbock County, Texas / Homepage
www.co.lubbock.tx.us/
The official government website of **Lubbock County, Texas**. ... **Lubbock County** Bans Certain Fireworks. No jurors are needed for: Jury will resume on Monday, ...

- **District Clerk** — District Clerk. dc. Barbara Sucsy. District Clerk. Lubbock County ...
- **Justice of the Peace** — Events Calendar. You are here: Home \ Departments \ Justice of ...
- **County Clerk** — Pinion. Kelly Pinion County Clerk. Lubbock County Clerk 904 ...
- **Lubbock County Courts** — Judiciary. County Clerk806-775-1630. County Courts806-775 ...
- **Jury Information** — The right to a jury trial is one of the fundamental guarantees of the ...
- **Departments** — ... Number: 806-775-1000; Staff Directory. You are here: Home ...

More results from lubbock.tx.us »

Lubbock County District Judges
www.co.lubbock.tx.us
Google+ page
904 Broadway St
Lubbock
(806) 775-1086

Lubbock County Criminal Attorney
www.co.lubbock.tx.us
Google+ page
904 Broadway St
Lubbock
(806) 775-1044

Lubbock County District Courts
www.co.lubbock.tx.us
Google+ page
904 Broadway St
Lubbock
(806) 775-1000

See results for lubbock county court house on a map »

Lubbock County, Texas - Wikipedia, the free encyclopedia
en.wikipedia.org/wiki/Lubbock_County,_Texas
The first **Lubbock County Courthouse** was used from 1891-1916. The second **Lubbock County Courthouse** remained open until 1968, though a third courthouse ...

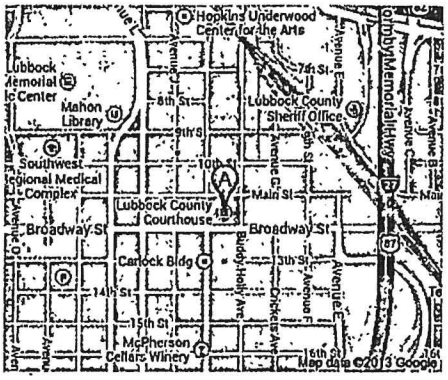
Lubbock County Courthouse in Lubbock | Government in Lubbock ...
local.yahoo.com › Lubbock › Government & Community › General
Find **Lubbock County Courthouse** in Lubbock with Address, Phone number from Yahoo US Local. Includes **Lubbock County Courthouse** Reviews, maps ...

Court House in Lubbock, Texas with Reviews & Ratings - YP.com
www.yellowpages.com › Lubbock, TX
15 listings of Justice Courts in Lubbock on YP.com. Find reviews ... Showing results for **court house**. Want results for ... **Lubbock County** Adult Drug Court.

City of Lubbock - Municipal Court - Home
www.mylubbock.us/departmental-websites/departments/...court/home
Mission Statement: It is the responsibility of this department to bring to a satisfactory conclusion a legal process that begins with the enactment of State laws and ...

Lubbock County Criminal Court - TX - CountyCriminal.com
lubbock.countycriminal.com/court-records-search/TX
County Criminal Logo. Select a State; County Court in Texas; Lubbock County Texas Court house Details ... Website: **Lubbock County Courthouse** Website.

Lubbock County Courthouse, Lubbock Texas.
www.texasescapes.com/.../LubbockTexas/Lubbock-County-Courthouse....
Lubbock County Courthouse, Lubbock, Texas: history, travel, images, forum, books and hotels.

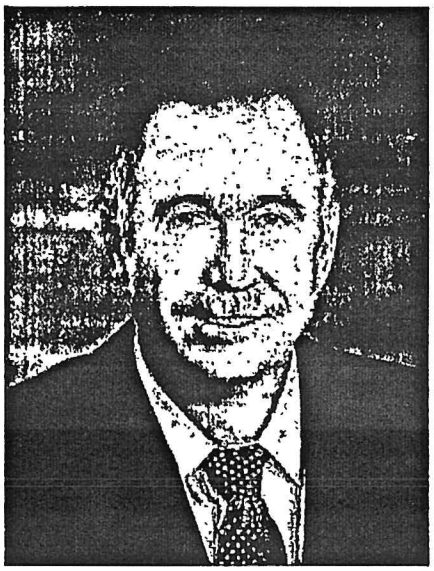


Map for **lubbock county court house**

Searches related to **lubbock county court house**

- lubbock county courthouse number
- lubbock county courthouse jobs
- lubbock county courthouse records
- lubbock county courthouse divorce
- harris county courthouse lubbock
- lubbock county clerk
- lubbock county courthouse holidays
- lubbock county municipal court

Welcome from City Mayor



On behalf of the Lubbock City Council and the citizens of Lubbock, I am pleased to welcome you to the friendliest city in the United States.

Our West Texas hospitality is just one reason people come to visit and live in Lubbock. Our gorgeous sunsets, stable economy, excellent educational opportunities, and world-class medical facilities are just a few of the others.

It's easy to see why we take pride in Lubbock. We're the Music Crossroads of Texas and home to the Buddy Holly Center, some of the state's best wineries, Texas Tech University, and other cultural, recreational, educational, and entertainment venues.

Whether you're here for a day or a lifetime, I invite you to see and take part in all that Lubbock has to offer!

Goals for the Next 2 Years

- No net fee increases in next year's budget. For any fee that requires an increase, I want to see an offsetting reduction in another fee.
- Have open and honest discussions about what should be a tax, and what should be a fee, and set policy guidelines for these and other budgetary priorities for staff.
- Take a hard look at every city department's budget to find areas that we can cut without a loss of needed services. After talking to hundreds of taxpayers, I can tell you that they do not believe that the city is operating as efficiently as it can. If they are right, we need to fix it. If we find the city is operating as lean as possible, then our job is to prove it.
- Work with our state and national leaders to fight new regulatory mandates and protect our natural resources. Businesses are drowning in regulation and I believe it is our job to constantly be diligent in our attempt to be heard at the state and federal levels.
- Create a plan that reduces all of our current routine maintenance debt to zero in five years.
- Make our city decision-making process more transparent. Everyone pays lip service to transparency, but with the council's help, I want to make it a reality. I would like to see all city council meetings move to nighttime meetings so that more citizens may participate. I would like to see more boards hold their meetings on the city's television network. I would like to see our city's website upgraded and made more user-friendly, allowing for citizen's input through the site. And I want to have more in-depth debate on the issues held in public rather than private meetings.

Glen Robertson
Mayor

Mayor's Biography

Family Life

Glen Robertson was born and raised in Lubbock, Texas. He graduated from Monterey High School in 1976 and attended Texas Tech University from 1976-1978. He is now 53 years old and married to Karen Robertson. Glen has three sons: Jason and his wife Lacey, Jeremy and his wife Amanda, Jared and his wife Elizabeth, one stepson, Kirby Phillips, and six grandchildren.

Contact Mayor

By Mail:	By E-Mail:	By Phone:
Mayor Glen Robertson City of Lubbock P.O. Box 2000 Lubbock, Texas 79457	GRobertson@mylubbock.us	(806) 775-3000

Contact Us

Honorable Tom Head, Judge
Lubbock County Courthouse
904 Broadway, Suite 101
Lubbock, TX 79401

- Telephone Number: 806-775-1087
- Facsimile Number: 806-775-7950
- Email Us
- Staff Directory
- Department Hours: Hours of Operation: 8:00 AM-5:00 PM
  Closed from 12:00 PM to 1:00 PM
  Monday - Friday (usually in the office at 7:00 AM)

In This Department

- County Judge
- County Commissioner, Precinct 1
- County Commissioner, Precinct 2
- County Commissioner, Precinct 3
- County Commissioner, Precinct 4
- Function and Duties of the Commissioner's Court

County Judge



Honorable Tom Head

Lubbock County Courthouse
904 Broadway, Suite 101
Lubbock, TX 79401

General County Administration as provided by law, including:

- Director of Emergency Management
- Prepare County budget for approval by the County Commissioners
- Preside over Commissioners Court
- Conducts mental competency hearings and other mental health related duties prescribed by law
- Serve on Juvenile Board, SPAG Board, Bail Bond Board, and others
- Refuse or issue alcohol beverage permits
- Responsibilities associated of holding elections
- Give notice of public hearings
- May conduct Marriage Ceremonies

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Disclaimer Email the Webmaster

Who Represents Me?
Districts By Address

U.S. Senators|U.S. Representatives|State Senators|State Representatives|SBOE

* indicates address is located near a district boundary. The county voter registration office maintains official precinct information, including the districts for each precinct; contact your local voter registrar for verification.

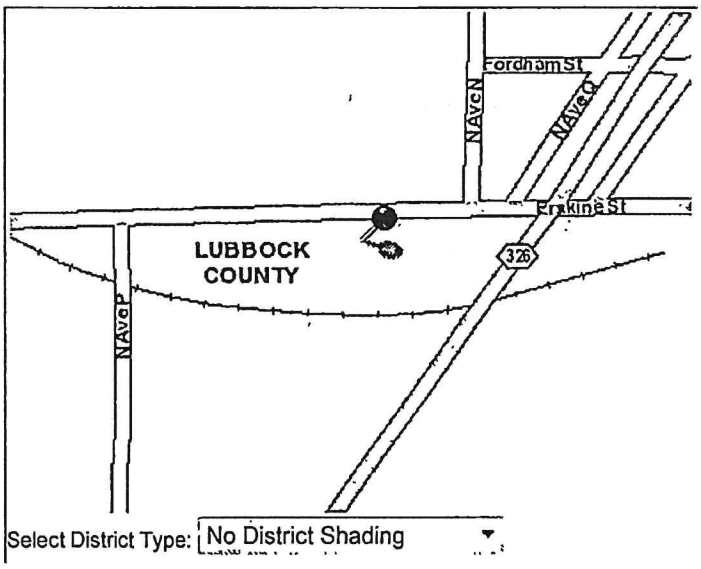
1521 Erskine St
Lubbock, TX
79403-3213
Lubbock

Texas U.S. Senators

U.S. Senators represent the entire state. Texas' current U.S. Senators are Senator John Cornyn and Senator Ted Cruz. See their websites for current contact information.

Texas U.S. Representative

Congressional District 19--Congressman Randy Neugebauer
Texas Congressional Member Websites



Texas State Senator

Texas State Senate District 28--Senator Robert L. Duncan
Capitol Office: CAP 3E.18
Capitol Phone: (512) 463-0128
Capitol Address: P.O. Box 12068, Capitol Station
Austin, TX 78711
District Address: 1500 Broadway, Suite 902
Lubbock TX 79401
Phone: (806) 762-1122
State District Offices

Texas State Representatives *

Texas State House District 84--Representative John M. Frullo
Capitol Office: EXT E2.608
Capitol Phone: (512) 463-0676
Capitol Address: P.O. Box 2910
Austin, TX 78768
District Address: 4601 50th St., Ste. 216
Lubbock TX 79414
Phone: (806) 763-2366

Texas State House Districts for the 2014 Elections *

Texas State House District 84

Texas State Board of Education Member

Texas State SBOE District 15--Mr. Marty Rowley
State Board of Education Member Websites

TCEQ Core Data Form

(Revised 09/2007)

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission *(If other is checked please describe in space provided)*

☐ New Permit, Registration or Authorization *(Core Data Form should be submitted with the program application)*

☒ Renewal *(Core Data Form should be submitted with the renewal form)* ☐ Other

2. Attachments **Describe Any Attachments:** *(ex. Title V Application, Waste Transporter Application, etc.)*

☒ Yes ☐ No — **Standard Permit Renewal Application**

3. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	**4. Regulated Entity Reference Number** *(if issued)*
CN 602552408		**RN** 104156286

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy) 6/6/2010

6. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check only one of the following:*

☐ Owner ☐ Operator ☒ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other: _____

7. General Customer Information

☐ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State) ☒ No Change**

If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.

8. Type of Customer	☒ Corporation	☐ Individual	☐ Sole Proprietorship- D.B.A
☐ City Government	☐ County Government	☐ Federal	☐ State Government
☐ Other Government	☐ General Partnership	☐ Limited Partnership	☐ Other: _____

9. Customer Legal Name *(If an individual, print last name first: ex: Doe, John)* — *If new Customer, enter previous Customer below* — *End Date:*

Fast Concrete, Inc.

DEC 02 2013
APIRT

10. Mailing Address: 6608 MLK Blvd

City	Lubbock	State	TX	ZIP	79404	ZIP + 4	6010

11. Country Mailing Information *(if outside USA)*

12. E-Mail Address *(if applicable)*

13. Telephone Number	**14. Extension or Code**	**15. Fax Number** *(if applicable)*
(806) 748-1877		(806) 748-6060

16. Federal Tax ID *(9 digits)*	**17. TX State Franchise Tax ID** *(11 digits)*	**18. DUNS Number** *(if applicable)*	**19. TX SOS Filing Number** *(if applicable)*
752906553	17529065538		159253100

20. Number of Employees

☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

21. Independently Owned and Operated?

☒ Yes ☐ No

SECTION III: Regulated Entity Information

22. General Regulated Entity Information *(If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)*

☐ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information ☒ No Change** *(See below)*

****If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.**

23. Regulated Entity Name *(name of the site where the regulated action is taking place)*

Fast Concrete, Inc.

24. Street Address of the Regulated Entity: *(No P.O. Boxes)*	1521 Erskine Ave							
	City	Lubbock	State	TX	ZIP	79403	ZIP + 4	3213
25. Mailing Address:	6608 MLK Blvd							
	City	Lubbock	State	TX	ZIP	79404	ZIP + 4	6010

26. E-Mail Address: zahnpaving@pgrb.com

27. Telephone Number	28. Extension or Code	29. Fax Number *(if applicable)*
(806) 748-1877		(806) 748-6060

30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)	33. Secondary NAICS Code (5 or 6 digits)
3273		327320	

34. What is the Primary Business of this entity? *(Please do not repeat the SIC or NAICS description.)*

Ready-mixed concrete

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:

36. Nearest City	County	State	Nearest ZIP Code
Lubbock	Lubbock	TX	79403

37. Latitude (N) In Decimal:	33.605556		38. Longitude (W) In Decimal:	-101.8525	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
33	36	20	-101	51	09

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Industrial Hazardous Waste	☐ Municipal Solid Waste
☐ New Source Review – Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS	☐ Sludge
☒ Stormwater	☐ Title V – Air	☐ Tires	☐ Used Oil	☐ Utilities
TXG111252				
☐ Voluntary Cleanup	☐ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

DEC 02 2013
APIRT

SECTION IV: Preparer Information

40. Name:	Roger Reyna		41. Title:	Environmental Consultant
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address	
(806) 783-9944		(806) 783-9966	rreyna@R2Meng.com	

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	Fast Concrete, Inc.	Job Title:	Corporate Secretary	
Name*(In Print)* :	Lana Zahn		Phone:	(806) 748-1877
Signature:	Lana Zahn		Date:	11-26-2013

DEC 02 2013
APIRT

DEC 0 2 2013
APIRT

November
2013

TCEQ

Standard Permit 71025 Renewal Application

Source Facility
Fast Concrete, Inc.
1521 Erskine Street
Lubbock, Texas 79403

Concrete Batch Plant
Lubbock County
Permit # 71025

Company
Fast Concrete, Inc.
6608 MLK Blvd
Lubbock, Texas 79404

Prepared By:

R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
(formerly Benton & Associates)

Texas Registered Engineering Firm F9992

5012 50th Street, Suite 204
Lubbock, TX 79414
(806) 783-9944
(806) 783-9966 fax
www.R2Meng.com

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Section 1

Introductory Narrative

Introductory Narrative

Fast Concrete, Inc.'s concrete batch plant, located in Lubbock County, is an existing source currently authorized under state Standard Permit #71025.

An application for the Permit 71025 was submitted to the TCEQ in 2004, and the permit action was completed. A change of ownership revision was submitted and completed in 2010.

Permit 71025 is set to expire on May 27, 2014, but the facility wishes to renew the permit as well as its associated conditions and maximum allowable emissions. Fast Concrete, Inc. has contracted with R2M Engineering to complete and submit the following application for the renewal of Permit 71025.

A standard permit renewal application is hereby attached for your review. Should any additional information be required or any questions arise from this application, please address the same to:

Mr. Roger Reyna
R2M Engineering
5012 50th Street, Suite 204
Lubbock, TX 79414
(806) 783-9944 / (806) 783-9966 fax
Email: rreyna@R2Meng.com

Roger Reyna	**Environmental Consultant**
Printed Name of Agent or Preparer	*Title*
Signature	11/26/13 *Date*

Section 2

Application Information

Permit Application Certification

"I have personally reviewed and I am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief."

Lana Zahn	**Corporate Secretary**
Printed Name of Applicant	*Title*
Lana Zahn	11-26-2013
Signature	*Date*

**(a) For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;*

**(b) For a partnership: by a general partner or the proprietor. Any of the above persons may designate a duly authorized representative to sign for them. The representative may either be a particular individual or a particular named position. If an authorized representative is appointed, the authorization must be put in writing by the responsible signatory and submitted to the director. Any change in an authorized individual or an authorized position must be made in writing and submitted to the director.*

**(c) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).*

Any of the above persons may designate a duly authorized representative to sign for them. The representative may either be a particular individual or a particular named position. If an authorized representative is appointed, the authorization must be put in writing by the responsible signatory and submitted to the director. Any change in an authorized individual or an authorized position must be made in writing and submitted to the director.

Professional Engineer Certification

"I, David Moreno, a registered professional engineer in the State of Texas, certify that the attached permit application was prepared by me or by my agent based on information provided by Fast Concrete, Inc."

David Moreno, P.E.
Printed Name of Professional Engineer

Signature

99391 — *License No.*

11/26/2013 — *Date*



Professional Engineer Seal

R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY

Environmental, Safety & Engineering Consultants

Texas Registered Engineering Firm F9992

Section 3

Fee Information

TEXAS SECRETARY of STATE
JOHN STEEN

UCC | Business Organizations | Trademarks | Notary | Account | Help/Fees | Briefcase | Logout

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	159253100	**Entity Type:**	Domestic For-Profit Corporation
Original Date of Filing:	July 27, 2000	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	17529065538	**FEIN:**	
Duration:	Perpetual		

Name: FAST CONCRETE, INC.
Address: 6608 MLK BLVD
LUBBOCK, TX 79404 USA

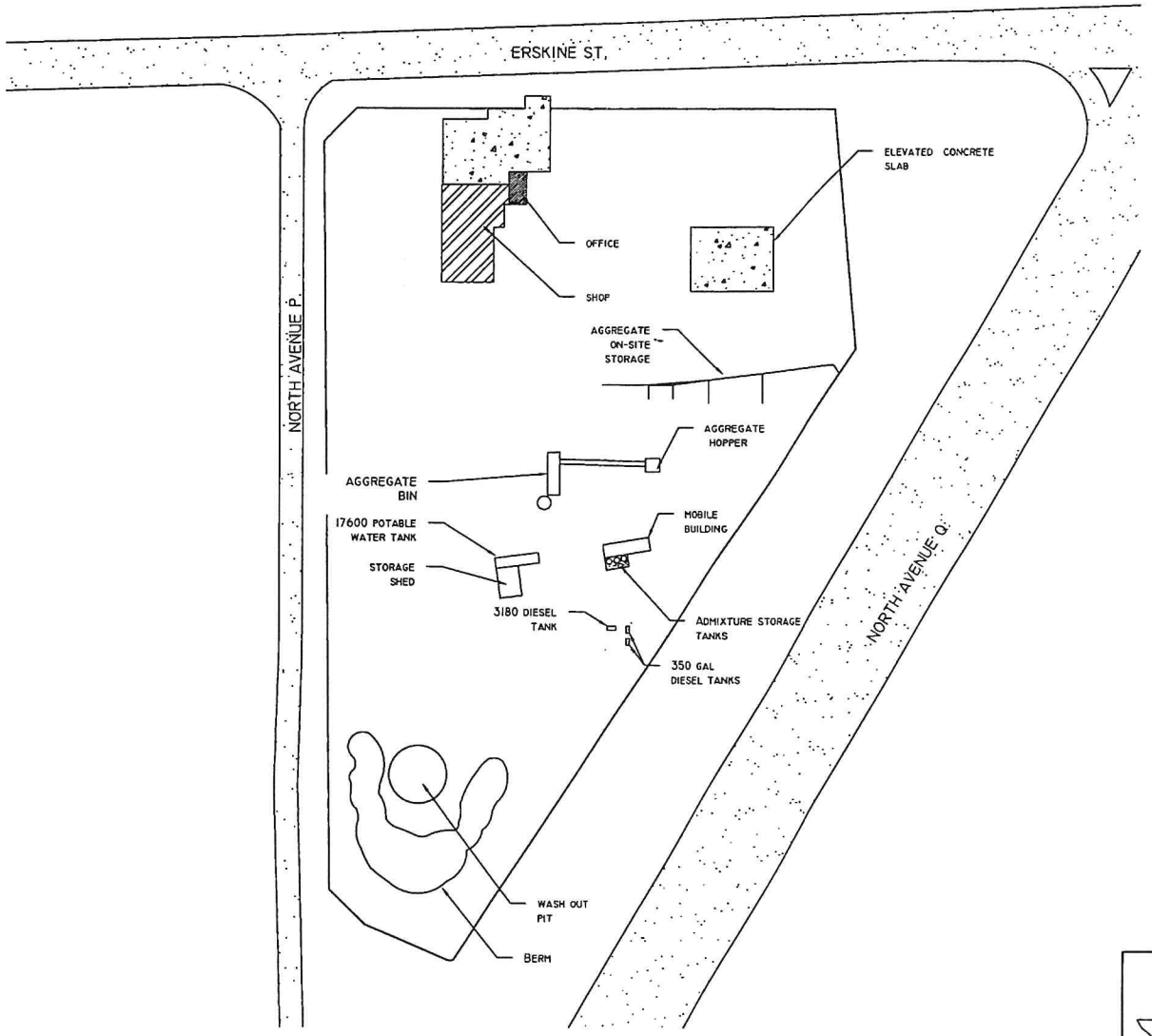
REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES

Name	Address	Inactive Date
Ronnie Zahn	705 E. 66TH STREET Lubbock, TX 79404 USA	

Order | Return to Search

Section 4

Facility Layout



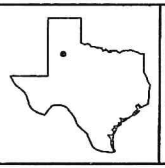
N

FACILITY

PROPERTY LINES

0 50 FT. 100 FT.
SCALE

SITE PLAN



R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
Environmental, Safety, & Engineering Consultants
5012 50th Ste. 204 Phone: 806-783-9441
Lubbock, TX 79414 Fax: 806-783-9446

COMPANY: FAST CONCRETE, INC.
PROJECT: STANDARD PERMIT RENEWAL
TITLE: SITE PLAN
LOCATION: LUBBOCK, TX
DATE: NOVEMBER 2013

Section 5

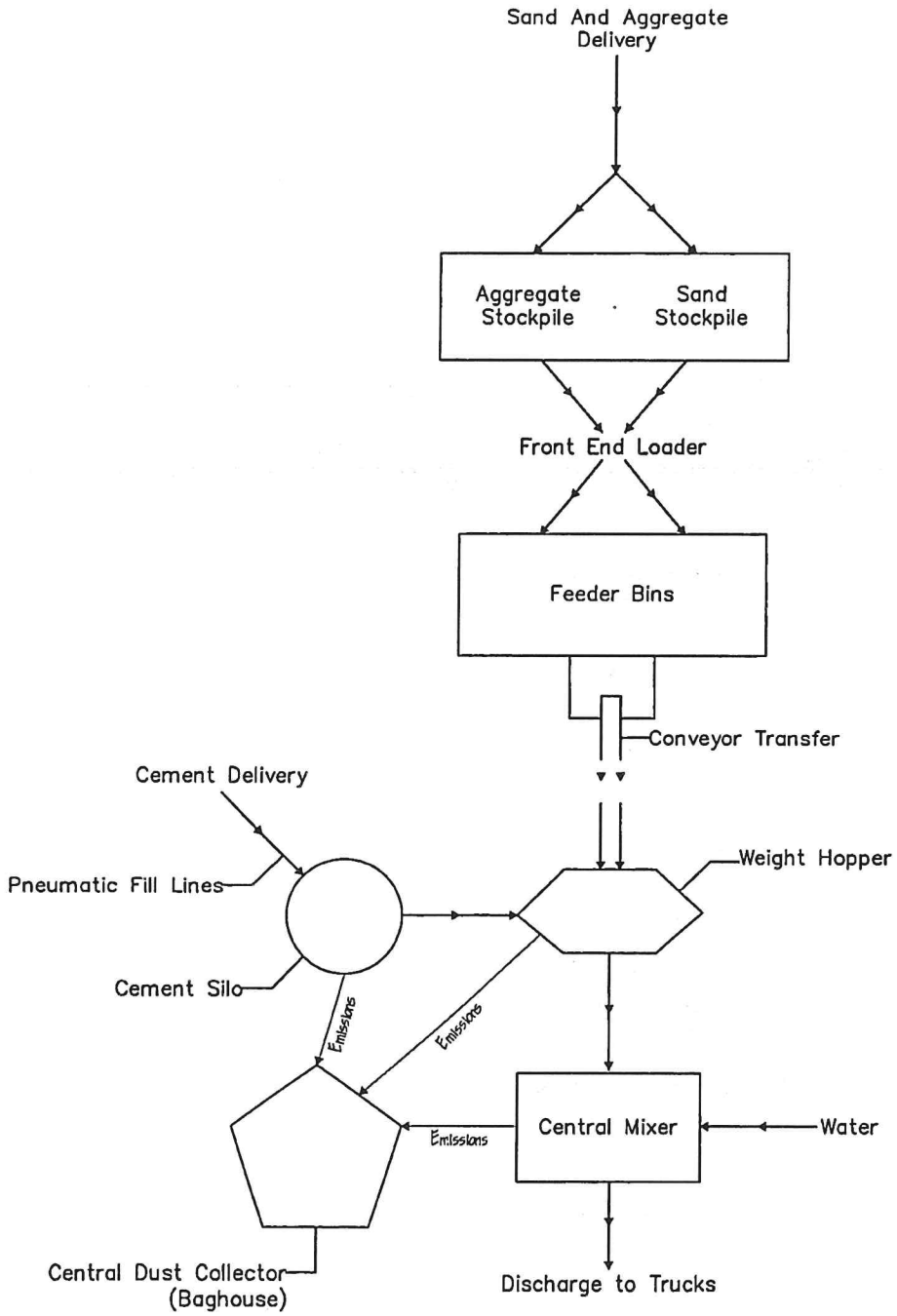
Process Information

Concrete Batching Process Description

Concrete is composed essentially of water, cement, sand (fine aggregate), and coarse aggregate. Coarse aggregate may consist of gravel, crushed stone, or iron blast furnace slag. Some specialty aggregate products could be either heavyweight aggregate (of barite, magnetite, limonite, iron, or steel) or lightweight aggregate (with sintered clay, shale, diatomaceous shale, perlite, vermiculite, slag pumice, cinders, or sintered fly ash). Supplementary cementatious materials, also called mineral admixtures or pozzolan minerals may be added to make the concrete properties. Typical examples are natural pozzolans, fly ash, ground granulated blast-furnace slag, and silica fume, which can be used individually with blended cement or in different combinations. Concrete batching plants store, convey, measure, and discharge these constituents into trucks for transport to a job site. In some cases, concrete is prepared at a building construction site or for the manufacture of concrete products such as pipes and prefabricated construction parts.

The raw materials are delivered to the plant by truck. The cement is then transferred to an elevated storage silo pneumatically. The sand and coarse aggregate are transferred to elevated feed bins by a front end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material that are specified per job. This is a permanent ready-mix concrete batch plant and will employ active measures, such as the baghouse and associated filters, to control air emissions. Primary roads will be watered to control dust.

At this plant, sand, aggregate, cement, and water are all gravity fed from the weigh hopper into the plant mixer. The concrete is mixed in the plant mixer then wet and discharged into the transport trucks. The trucks then transport the fresh concrete to the job site where the concrete is to be placed.



PROCESS FLOW DIAGRAM



R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
Environmental, Safety, & Engineering Consultants
5012 50th Ste, 204 Lubbock, TX 79414
Phone: 806-783-9944 Fax: 806-783-9966

COMPANY: FAST CONCRETE, INC.
PROJECT: STANDARD PERMIT RENEWAL
TITLE: PROCESS FLOW DIAGRAM
LOCATION: LUBBOCK, TX
DATE: NOVEMBER 2013

Section 6

Emissions Data

Maintenance, Startup, and Shutdown of Facilities (MSS)

We have been informed by APD staff that all permits are required to authorize maintenance, startup, and shutdown emissions by January of 2013. The above referenced facility is a concrete batch, rock (or concrete) crushing or hot mix asphalt plant operation, and emissions from these operations are no higher during startup and shutdown than they are during normal operation.

For this reason, we believe the permit can be altered to add the standard startup and shutdown language for this type of operation. Furthermore, we believe the emissions generated from our planned maintenance activities will be de minimis or be authorized by an existing PBR. No planned maintenance emissions need to be authorized by the permit.

Texas Commission on Environmental Quality
Table 20
Concrete Batch Plants
(Revised 05/2013)

The following table is designed to help you confirm that you meet the requirements of Title 30 Texas Administrative Code Chapter 116. Tables, checklists, and guidance documents pertaining to air quality permits are available from the Texas Commission on Environmental Quality Air Permits Division website at http://www.tceq.texas.gov/permitting/air/air_permits.html.

Please Complete the Following				
Company Name: **Fast Concrete, Inc.**				
Plant identification or name: **Concrete Batch Plant**				
Type of plant:	☒ Permanent	☐ Temporary	☐ Specialty Mix	
Type of batching that will be accomplished	☒ Wet (Rotary Mix Truck)	☐ Dry	☐ Central Mix	
Maximum production rates:	**190** cubic yards/hour		**592,800** cubic yards/year	
Maximum operations:	**10** hours/day	**6** days/week	**52** weeks/year	**3120** hour/year
Does the facility operate at night?			☐ YES	☒ NO
Is a completed table 11 "Fabric Filters," submitted with this application for each fabric filer?			☒ YES	☐ NO
Silo Information:				
How many silos will this plant have? **2**				
What is the volume of each silo (cubic feet)? **660 BBL ft³, 440 BBL ft³**				
Explain the method of loading silo(s): **pneumatic**				
Is each silo equipped with overload warning device?			☒ YES	☐ NO
What type of abatement device will be used on silo vent(s)? **Filter baghouses**				
How will the batch drop to truck or central mixer be controlled to prevent dust emissions? ☒ Suction shroud with exhaust air to central fabric filter *(If checked, attach a completed Table 11, "Fabric Filters.")* ☐ Flexible discharge spouts with water fog ring *(If checked, attach design drawing.)* ☐ Other type of abatement device *(If checked, explain in detail and attach design-drawing.)*				
What is the distance from the water fog ring or central bag house stack to the nearest property line (ft.): **> 200 ft.**				
How will the cement weigh hopper be vented? ☐ Cement Fly Ash Silo Fabric Filter *(If checked, attach a completed Table 11, "Fabric Filters.")* ☒ Central Fabric Filter *(If checked, attach a completed Table 11, "Fabric Filters.")* ☐ Other *(Please indicate)*				

Texas Commission on Environmental Quality
Table 20
Concrete Batch Plants

The following table is designed to help you confirm that you meet the requirements of Title 30 Texas Administrative Code Chapter 116. Tables, checklists, and guidance documents pertaining to air quality permits are available from the Texas Commission on Environmental Quality Air Permits Division website at http://www.tceq.texas.gov/permitting/air/air_permits.html.

Please Complete the Following *(continued)*			
Will the sand and aggregate be washed prior to delivery at your facility?			☒ YES ☐ NO
What is the number of acres or square feet which will be covered by aggregate stockpiles?			
0.5 acres or			square feet
Water sprays will be used at the following locations:			
☒ Stockpiles	☒ Aggregate Bin Outlets	☐ Convey or Transfer Points	☐ Screens
How will plant roads be treated to prevent dust emissions?			
☐ Paved and Cleaned *(asphalt or concrete)*	☐ Chemical Sprayed	☒ Water Sprinkled	☒ Gravel
☐ Paved and Vacuumed			
Is there a generator or engine on site?			☐ YES ☒ NO
[**Note:** *If "YES," complete generator information below and submit a completed Table 29 entitled, "Reciprocating Engines."*]			
Generator Information			
Make and model:			
Maximum rated horsepower :			
Fuel type:			
Percentage of sulfur content:			
Annual hours of operation:			
Distance to nearest property line (feet):			
NO_x rating *(specify in units)*:			
Fabric Filter			
Fabric filter name or EPN: **McNeilus (Donaldson) MBV-4**			
Manufacturer's represented efficiency (%): **99.99 %**			
Micron level(s) evaluated:			

Texas Commission on Environmental Quality
Table 11
Fabric Filters
(Revised 07/2003)

Tables, checklists, and guidance documents pertaining to air quality permits are available from the Texas Commission on Environmental Quality (TCEQ) Air Permits Division (APD) Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

1. Emission Point No.: **600 BBL Main Silo(Cement)**			Name (from process flow diagram): **McNeilus (Donaldson) Silo Filter**		
2. Manufacturer No.:			Model No.: **MBV-4**		
3. Name of Source(s) or Equipment being Controlled: **Cement Silo**					
4. Type of Particulate Controlled: **Cement Dust**					
5. Gas Stream Characteristics Below:					
Design Maximum	**Average Expected Flow Rate (acfm)**	**Gas Stream Temperature (°F)**	**Particulate Grain Loading (grain/scf)**		
1800	**100**	**ambient**	Inlet: **< 1000**	Outlet: **< 0.01**	
Pressure Drop (inches of H_2O)	**Water Vapor Content of Effluent Stream (lb water/lb dry air)**		**Fan Requirements**		
Not Stated	**ambient**		hp: **N/A**	ft^3/min.: **N/A**	

6. Particulate Distribution (By Weight) Below:

Micron Range	Inlet %	Outlet %
0.0-0.5		
0.5-1.0		
1.0-5.0		**Less than 1%**
5-10		
10-20		
over 20		

7. Filter Characteristics Below:

Filtering Velocity ($acfm/ft^2$ of Cloth)	Bag Diameter (inches)	Bag Length (feet)	Total Number of Bags
3.8	**12.75 inches**	**2.2 feet**	**4**

8. Bag Rows Will Be:	☐ Staggered ☒ Straight
9. Will Walkways Be Provided Between Banks Of Bags?	☐ YES ☒ NO
10 Filtering Material: **synthetic fiber**	
11. Describe Bag Cleaning Method and Cycle: **shaker as required**	
12. Capital Installed Cost: **$ N/A**	Annual Operating Cost: **$ 2,500.00**

Note: Attach the details regarding the principle of operation and an assembly drawing (front and top view) of the abatement device drawn to scale clearly showing the design, size and shape.
If the device has bypasses, safety valves, etc., include in the drawing and specify when such bypasses are to be used under what conditions.

Texas Commission on Environmental Quality
Table 11
Fabric Filters
(Revised 07/2003)

Tables, checklists, and guidance documents pertaining to air quality permits are available from the Texas Commission on Environmental Quality (TCEQ) Air Permits Division (APD) Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

1.	Emission Point No.: **Batcher Vent**		Name (from process flow diagram): **McNeilus Batcher Filter**		
2.	Manufacturer No.:		Model No.: **MBV-1**		
3.	Name of Source(s) or Equipment being Controlled: **Cement batcher**				
4.	Type of Particulate Controlled: **Cement Dust**				
5.	Gas Stream Characteristics Below:				

Design Maximum	Average Expected Flow Rate (acfm)	Gas Stream Temperature (°F)	Particulate Grain Loading (grain/scf)	
64	60	ambient	Inlet: < 1000	Outlet: < 0.01
Pressure Drop (inches of H_2O)	**Water Vapor Content of Effluent Stream (lb water/lb dry air)**		**Fan Requirements**	
Not Stated	ambient		hp: (passive)	ft^3/min.: (passive)

6. Particulate Distribution (By Weight) Below:

Micron Range	Inlet %	Outlet %
0.0-0.5	Not Stated	Not Stated
0.5-1.0	Not Stated	Not Stated
1.0-5.0	Not Stated	Not Stated
5-10	Not Stated	Not Stated
10-20	Not Stated	Not Stated
over 20	Not Stated	Not Stated

7. Filter Characteristics Below:

Filtering Velocity (acfm/ft^2 of Cloth)	Bag Diameter (inches)	Bag Length (feet)	Total Number of Bags
1.5	7.875 inches	1.3 feet	1

8.	Bag Rows Will Be:	☐ Staggered ☒ Straight
9.	Will Walkways Be Provided Between Banks Of Bags?	☐ YES ☒ NO
10	Filtering Material: **synthetic fiber**	
11.	Describe Bag Cleaning Method and Cycle: **shaker as required**	
12.	Capital Installed Cost: **$ N/A**	Annual Operating Cost: **$ 1,200.00**

Note: Attach the details regarding the principle of operation and an assembly drawing (front and top view) of the abatement device drawn to scale clearly showing the design, size and shape.
If the device has bypasses, safety valves, etc., include in the drawing and specify when such bypasses are to be used under what conditions.

Texas Commission on Environmental Quality
Table 11
Fabric Filters
(Revised 07/2003)

Tables, checklists, and guidance documents pertaining to air quality permits are available from the Texas Commission on Environmental Quality (TCEQ) Air Permits Division (APD) Web site at www.tceq.state.tx.us/nav/permits/air_permits.html.

1.	Emission Point No.: **Central Dust Collector**	Name (from process flow diagram): **McNeilus**		
2.	Manufacturer No.: **ELPC8000**	Model No.: **ELPC8000**		
3.	Name of Source(s) or Equipment being Controlled: **Drop Points**			
4.	Type of Particulate Controlled: **Concrete ingredients, cement/aggregate/sand**			
5.	Gas Stream Characteristics Below:			

Design Maximum	Average Expected Flow Rate (acfm)	Gas Stream Temperature (^{0}F)	Particulate Grain Loading (grain/scf)	
8000	**7000**	**ambient**	Inlet: **< 10**	Outlet: **< 0.01**
Pressure Drop (inches of H_2O)	**Water Vapor Content of Effluent Stream (lb water/lb dry air)**		**Fan Requirements**	
Not Stated			hp: **Not Stated**	ft^3/min.: **8000**

6. Particulate Distribution (By Weight) Below:

Micron Range	Inlet %	Outlet %
0.0-0.5	**Not Stated**	**Not Stated**
0.5-1.0		
1.0-5.0		
5-10		
10-20		
over 20		

7. Filter Characteristics Below:

Filtering Velocity (acfm/ft^2 of Cloth)	Bag Diameter (inches)	Bag Length (feet)	Total Number of Bags
8.3	**19.5 envelope**	**4.9 feet**	**30**

8.	Bag Rows Will Be:	☒ Staggered ☐ Straight
9.	Will Walkways Be Provided Between Banks Of Bags?	☐ YES ☒ NO
10	Filtering Material: **Singled polyester**	
11.	Describe Bag Cleaning Method and Cycle: **Reverse Pulse AirJet as required**	
12.	Capital Installed Cost: **$ N/A**	Annual Operating Cost: **$ 3,000.00**

Note: Attach the details regarding the principle of operation and an assembly drawing (front and top view) of the abatement device drawn to scale clearly showing the design, size and shape. *If the device has bypasses, safety valves, etc., include in the drawing and specify when such bypasses are to be used under what conditions.*

Section 7: Attachment 1

Renewal Notification

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 18, 2013

MR RONNIE ZAHN
PRESIDENT
FAST CONCRETE INC
6608 MLK BLVD
LUBBOCK TX 79404-6010

Re: Standard Permit Registration Renewal Notification

Dear Mr. Zahn:

Section 382.055 of the Texas Clean Air Act, Texas Health and Safety Code, Chapter 382, and Title 30 Texas Administrative Code (30 TAC) § 116.604, require all standard permit registrations issued by the Texas Commission on Environmental Quality to be reviewed for renewal every 10 years. This letter is to notify you that the referenced registration is scheduled for review. Please apply for review of your registration renewal no later than November 28, 2013 using the application form available at the Web address below. Failure to submit your application by this date will result in automatic expiration of this registration.

Company Name - Fast Concrete, Inc.
Customer Reference No. - CN602552408
Regulated Entity No. - RN104156286
Registration No. - 71025
Registration Expiration Date - May 27, 2014
Account Number(s) - 960022A

If Standard Permit Registration Number 71025 is no longer needed (i.e.; permit consolidation, plant dismantled or shutdown, etc.) then complete a void request worksheet (Form No. 20569). The void request worksheet can be faxed to the Air Permits Initial Review Team at (512) 239-7130. Please furnish all information as indicated in the forms and instructions. You may download the void request worksheet and the required forms for the Standard Permit Registration renewal referenced below at:

www.tceq.texas.gov/search_forms.html.

Registration for Air Standard Permit Form PI-1S (Form No. 10370)
TCEQ Core Data (Form No. 10400)

A fee based on the schedule indicated in 30 TAC § 116.614 must be submitted with this application. Upon receipt of your application, a determination will be made based on the number and type of emission points, emission rate and type of air contaminant, as to the need for you to furnish atmospheric dispersion modeling to determine the impact of emissions on the surrounding area.

Mr. Ronnie Zahn
Page 2
July 18, 2013

Re: Standard Permit Registration Renewal Notification

Any application submitted by a person/entity who is delinquent on a fee and/or penalty will not be declared administratively complete until the fees/penalties are paid and/or current. Similarly, final action will be withheld by the agency on an application if it is discovered after the application is considered administratively complete that the owner/entity who submitted the application is delinquent on fees and/or penalties until such time as the fees/penalties are paid and/or current. You may visit the agency Web site for additional information at www.tceq.texas.gov/agency/delin/index.html.

If we may be of any assistance to you in this matter, you may contact the staff of the Air Permits Initial Review Team or you may contact me at (512) 239-1250.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division
Texas Commission on Environmental Quality

JDB/mg

cc: TCEQ Regional Air Quality Manager, Region 2
TCEQ Air Permits Initial Review Team (MC-161)
TCEQ File Room (MC-198)

Section 7: Attachment 2

Standard Permit 71025

Standard Permit General Conditions

The following general conditions are applicable to holders of standard permits, but will not necessarily be specifically stated within the standard permit document.

(1) Protection of public health and welfare. The emissions from the facility must comply with all applicable rules and regulations of the commission adopted under the Texas Health and Safety Code, Chapter 382, and with intent of the TCAA, including protection of health and property of the public.

(2) Standard permit representations. All representations with regard to construction plans, operating procedures, and maximum emission rates in any registration for a standard permit become conditions upon which the facility or changes thereto, must be constructed and operated. It is unlawful for any person to vary from such representations if the change will affect that person's right to claim a standard permit under this section. Any change in condition such that a person is no longer eligible to claim a standard permit under this section requires proper authorization under Title 30 Texas Administrative Code § 116.110 (30 TAC § 116.110) of this title (relating to Applicability). If the facility remains eligible for a standard permit, the owner or operator of the facility shall notify the executive director of any change in conditions which will result in a change in the method of control of emissions, a change in the character of the emissions, or an increase in the discharge of the various emissions as compared to the representations in the original registration or any previous notification of a change in representations. Notice of changes in representations must be received by the executive director no later than 30 days after the change.

(3) Standard permit in lieu of permit amendment. All changes authorized by standard permit to a facility previously permitted under 30 TAC § 116.110 of this title (relating to Applicability) shall be administratively incorporated into that facility's permit at such time as the permit is amended or renewed.

(4) Construction progress. Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office not later than 15 working days after occurrence of the event, except where a different time period is specified for a particular standard permit.

(5) Start-up notification. The appropriate air program regional office of the commission and any other air pollution control program having jurisdiction shall be notified prior to the commencement of operations of the facilities authorized by the standard permit in such a manner that a representative of the executive director may be present. For phased construction, which may involve a series of units commencing operations at different times, the owner or operator of the facility shall provide separate notification for the commencement of operations for each unit. A particular standard permit may modify start-up notification requirements.

(6) Sampling requirements. If sampling of stacks or process vents is required, the standard permit holder shall contact the Office of Permitting, Remediation, and Registration and any other air pollution control program having jurisdiction prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The standard permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant.

(7) Equivalency of methods. The standard permit holder shall demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the standard permit. Alternative methods must be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the standard permit.

(8) Recordkeeping. A copy of the standard permit along with information and data sufficient to demonstrate applicability of and compliance with the standard permit shall be maintained in a file at the plant site and made available at the request of representatives of the executive director, the EPA, or any air pollution control program having jurisdiction. For facilities that normally operate unattended, this information shall be maintained at the nearest staffed location within Texas specified by the standard permit holder in the standard permit registration. This information must include, but is not limited to, production records and operating hours. Additional recordkeeping requirements may be specified in the conditions of the standard permit. Information and data sufficient to demonstrate applicability of and compliance with the standard permit must be retained for at least two years following the date that the information or data is obtained. The copy of the standard permit must be maintained as a permanent record.

(9) Maintenance of emission control. The facilities covered by the standard permit may not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. Notification for upsets and maintenance shall be made in accordance with 30 TAC §§ 101.6 and 101.7 of this title (relating to Upset Reporting and Recordkeeping Requirements; and Maintenance, Startup and Shutdown Reporting, Recordkeeping, and Operational Requirements).

(10) Compliance with rules. Registration of a standard permit by a standard permit applicant constitutes an acknowledgment and agreement that the holder will comply with all rules, regulations, and orders of the commission issued in conformity with the TCAA and the conditions precedent to the claiming of the standard permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern. Acceptance includes consent to the entrance of commission employees and designated representatives of any air pollution control program having jurisdiction into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the standard permit.

Air Quality Standard Permit for Concrete Batch Plants

Standard Permit No. 4

Effective Date July 10, 2003

This air quality standard permit authorizes concrete batch plant facilities which meet all of the conditions listed in paragraphs (1) through (3) and one of paragraphs (4), (5) or (6). If a standard permit registration is based on paragraphs (4), (5), or (6) and changes are proposed which change the paragraph under which the facility will be constructed and operate, the concrete batch plant must reapply for a new standard permit.

(1) Administrative Requirements

(A) Any concrete batch plant authorized under this standard permit shall be registered in accordance with Title 30 Texas Administrative Code § 116.611 (30TAC § 116.611), Registration to use a Standard Permit. Owners or operators shall submit a completed Form PI-1S-CBP entitled "Air Quality Standard permit Registration for Concrete Batch Plants," Table 20 entitled, "Concrete Batch Plants," and a Concrete Batch Plant Standard Permit checklist. Facilities which meet the conditions of this standard permit do not have to meet the emissions and distance limitations listed in 30 TAC § 116.610(a)(1), Applicability.

(B) Applications shall also comply with 30 TAC § 116.614 "Standard Permit Fees" when the registration is required to complete public notification under paragraph two of this standard permit.

(C) No owner or operator of a concrete batch plant shall begin construction and/or operation without obtaining written approval from the Texas Commission on Environmental Quality (TCEQ), Executive Director. The time period in 30 TAC § 116.611(b) (45 days) does not apply to facilities registering under this permit. Those facilities which are not required to comply with the public notification requirements of paragraph two should receive approval within 45 days after receipt of the registration request by the TCEQ Executive Director. Start of construction of any facility registered under this standard permit shall comply with 30 TAC § 116.115 (b)(2)(A) and commence within 18 months of written approval from the TCEQ.

(D) Any concrete batch plant which has registered but not constructed or filed a registration request for a permit by rule filed under 30 TAC §§ 106.201, 106.202, or 106.203 [relating to Permanent and Temporary Concrete Batch Plants (Previously SE 71); Temporary Concrete Batch Plants (Previously SE 93); and Specialty Batch Plants (Previously SE 117)] prior to the effective date of this permit will be processed under those rules.

(E) Applicants are not required to submit air dispersion modeling as a part of any concrete batch plant standard permit application.

(F) Records shall be maintained on-site for the following:

(i) production rates for each hour of operation which demonstrate compliance with the most applicable of paragraphs (4)(A), (5)(B) and (C), or (6)(C) and (D); and

(ii) production and other records as required by 30 TAC §§ 101.6 - 101.7 and by (1)(F)(i) of this standard permit shall be kept for lesser of either the most recent rolling 24-month period or the duration of operation at a given site.

(2) Public Notice

Unless the facility is to be a temporary concrete plant, as defined in paragraph five of this permit, which is located in, or contiguous to, the right-of-way of a public works project, public notice must be conducted. Notification must follow the requirements in 30 TAC Chapter 39, Subchapters H and K. In addition, sign posting must be performed following the requirements of 30 TAC § 39.604. The signs shall be headed by the words "PROPOSED AIR QUALITY STANDARD PERMIT."

(3) General Requirements

(A) All cement/flyash storage silos and weigh hoppers shall be equipped with a fabric or cartridge filter or vented to a fabric or cartridge filter system.

(B) Fabric filters and collection systems shall meet all of the following:

(i) any fabric or cartridge filter, any fabric or cartridge filter system, and any suction shroud shall be maintained and operated properly with no tears or leaks;

(ii) all filter systems (including any central filter system) shall be designed to meet at least 0.01 outlet grain loading (grains/dry standard cubic foot);

(iii) all filter systems, mixer loading, and batch truck loading emissions control devices shall meet a performance standard of no visible emissions exceeding 30 seconds in any six-minute period as determined using U.S. Environmental Protection Agency (EPA) Test Method (TM) 22; and

(iv) when cement or flyash silos are filled during non-daylight hours, the silo filter system exhaust shall be sufficiently illuminated to enable a determination of compliance with the visible emissions requirement in (3)(B)(iii) of this permit.

(C) Conveying systems for the transfer of cement/flyash shall meet all of the following:

(i) conveying systems to and from the storage silos shall be totally enclosed, operated properly, and maintained with no tears or leaks; and

(ii) these systems, except during cement/flyash tanker connect and disconnect, shall meet a performance standard of no visible emissions exceeding 30 seconds in any six-minute period as determined using EPA TM 22.

(D) A warning device shall be installed on each bulk storage silo. This device shall alert operators in sufficient time prior to the silo reaching capacity during loading operations, so that the loading operation can be stopped prior to filling to such a level as to potentially adversely impact the pollution abatement equipment. Any filling of the silo resulting in failure of the abatement system, or visible emissions in excess of paragraph (3)(B)(iii) of this standard permit, must be documented and reported following the requirements of 30 TAC § 101.6 or 101.7, as appropriate.

(E) Dust emissions from all in-plant roads and traffic areas associated with the operation of the concrete batch plant must be minimized at all times by at least one of the following methods:

(i) covered with a material such as, but not limited to, roofing shingles or tire chips (when used in combination with (ii) or (iii) of this subsection);

(ii) treated with dust-suppressant chemicals;

(iii) watered; or

(iv) paved with a cohesive hard surface that is maintained intact and cleaned.

(F) All stockpiles shall be sprinkled with water, dust-suppressant chemicals, or covered, as necessary, to minimize dust emissions.

(G) Spillage of materials used in the batch shall be immediately cleaned up and contained or dampened so that dust emissions are minimized.

(4) Additional Requirements for Concrete Batch and Specialty Batch Concrete, Mortar, Grout Mixing, or Pre-cast Concrete Products Plants

(A) Site production shall not exceed 30 cubic yards per hour.

(B) As an alternative to the requirement in paragraph (3)(A) of this section, the cement/flyash weigh hopper may be vented inside the batch mixer.

(C) Dust emissions at the batch mixer feed shall be controlled by one of the following:

(i) a spray device which eliminates visible emissions;

(ii) a pickup device delivering air to a fabric or cartridge filter;

(iii) an enclosed batch mixer feed such that no visible emissions occur; or

(iv) conducting the entire mixing operation inside the enclosed process building such that no visible emissions from the building occur during mixing activities.

(D) Except for incidental traffic, vehicles used for the operation of the concrete batch plant may not be operated within 25 feet of any property line, except for entrance and exit to the site. In lieu of meeting this distance requirement, roads and other traffic areas must be bordered by dust preventive fencing or other barrier along all traffic routes or work areas within the 25-foot specified buffer area. These borders shall be constructed to a height of at least 12 feet.

(5) Additional Requirements for Temporary Concrete Plants

For the purposes of this section, a temporary concrete plant is one that occupies a designated site for not more than 180 consecutive days or supplies concrete for a single project (single contract or same contractor for related project segments), but not other unrelated projects.

(A) Site production shall be limited to no more than 300 cubic yards per hour.

(B) Dust control at the truck drop or mixing point shall comply with one of the following:

(i) Facilities which occupy a site for less than 180 consecutive days and have production rates less than 200 cy/hr may load rotary mix trucks through a discharge spout equipped with a water fog ring having low-velocity fog nozzles spaced to create a continuous fog curtain that minimizes dust emissions. If a water fog ring is used at the truck drop point, the visible emissions limitations (and associated compliance determination methods) of subsection (3)(B)(3) and (4) must be met.

(ii) All other facilities must use a suction shroud and fabric filter /cartridge filter system. The suction shroud or other pickup device shall be installed at the batch drop point (drum feed for central mix plants) and vented to a fabric or cartridge filter system with a minimum of 4,000 actual cubic feet per minute of air and must meet subsection (3)(B).

(C) All of the following applicable distance limitations must be met. For concrete batch plants which supply concrete for a single public works project, the "property line" measurements for purposes of compliance with this standard permit and 30 TAC § 111.155 shall be made to the outer boundaries of the designated public property, roadway project and associated rights-of-way.

(i) The suction shroud baghouse exhaust or truck drop point shall be located at least 100 feet from any property line.

(ii) For those facilities with a water fog ring, the truck drop point shall be a minimum of 300 feet from the nearest non-industrial receptor.

(iii) Stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) may not be located or operated, respectively, within the following specified distances from any property line:

(iv) for those facilities with production rates less than or equal to 200 cubic yards per hour, at least 25 feet; and

(v) for those facilities with production rates more than 200 and less than or equal to 300 cubic yards per hour, at least 50 feet.

(D) In lieu of meeting the distance requirements for roads and stockpiles of (5)(C)(iii), the following may be followed:

(i) roads and other traffic areas within the buffer distance must be bordered by dust suppressing fencing or other barrier along all traffic routes or work areas. These borders shall be constructed to a height of at least twelve (12) feet; and

(ii) stockpiles within this buffer distance must be contained within a three-walled bunker which extends at least two (2) feet above the top of the stockpile.

(E) The owner or operator of a temporary concrete plant that has previously been determined by the commission to be in compliance with the technical requirements of the standard permit in effect at the time of registration, which supplies concrete to a public works project and is located in or contiguous to the right of way of that public works project may, in lieu of the registration requirement in subsection(1)(A) of this standard permit, register by notifying the appropriate TCEQ regional office and any local air pollution control agency having jurisdiction in writing at least 30 calendar days prior to locating at the site. The notification shall include the owner and, if applicable, the operator's name, address, and phone number as well as the physical description of the site, scaled plot plan of site with location of equipment authorized by this standard permit, concrete plant serial number, account number or regulated entity number, expected hours of operation, expected date of arrival on site and expected date to vacate the site, a completed Table

20, and a Concrete Batch Plant Standard Permit Checklist. Temporary concrete plants that do not supply concrete to a public works project must apply for a new registration under subsection (1)(A) of this standard permit in order to relocate at a new site.

(6) Additional Requirements for Other Concrete Plants

(A) Site production shall be limited to no more than 300 cubic yard per hour.

(B) A suction shroud or other pickup device shall be installed at the batch drop point (drum feed for central mix plants) and vented to a fabric or cartridge filter system with a minimum of 4,000 actual cubic feet per minute of air.

(C) All entry and exit roads and main traffic routes associated with the operation of the concrete batch plant (including batch truck and material delivery truck roads) shall be paved with a cohesive hard surface that can be maintained intact and shall be cleaned. All batch trucks and material delivery trucks shall remain on paved surface when entering, conducting primary function, and leaving the property. Other traffic areas must comply with the control requirements of paragraph (3)(E).

(D) The following distance limitations must be met:

(i) the suction shroud baghouse exhaust shall be at least 100 feet from any property line;

(ii) stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) may not be located or operated, respectively, within the following specified distances from any property line:

(iii) for those facilities with production rates less than or equal to 200 cubic yards per hour, at least 25 feet; and

(iv) for those facilities with production rates more than 200 and less than or equal to 300 cubic yards per hour, at least 50 feet.

(E) In lieu of meeting the distance requirements for roads and stockpiles of (5)(C)(ii), the following may be followed:

(i) roads and other traffic areas within the buffer distance must be bordered by dust suppressing fencing or other barrier along all traffic routes or work areas. These borders shall be constructed to a height of at least 12 feet; and

(ii) stockpiles within this buffer distance must be contained within a three-walled bunker which extends at least two feet above the top of the stockpile.

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:41 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Ex_24-07-16_PIA Triple C.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:33 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75247

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Exhibit Timeline of Events
Attachment Ex_24-07-16_PIA Triple C.pdf

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

July 16, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition Request for Triple C Concrete Information

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following information related to Triple C Concrete ("Triple C") in the possession of the Texas Commission on Environmental Quality ("TCEQ"). Triple C is filing a registration under an Air Quality Standard Permit for Concrete Batch Plants. If this request is unclear, please contact me using the information in my signature block below for clarification. For your convenience, this is the information we have for Triple C:

- Customer Reference Number: **CN604580019**;
- Regulated Entity Number: **RN111965935**; and
- Air Quality Registration Number: **176227L001**.

A. Information Requested

Please send me the following information.

1) We believe that Triple C is operating currently. Please provide all records related to their current permits or authorizations that allow them to legally operate. This should include all the conditions of those permits and authorizations. If Triple C claims to be authorized by a permit by rule, please include records identifying the applicable permit by rule and any other records they must submit to fulfill those requirements.

2) Triple C was subject to an enforcement action decided on May 6, 2020 (DOCKET NO. 2019-0959-AIR-E). Please provide all records related to Triple C's compliance with the terms of this enforcement action including, but not limited to, certifications of compliance, payment records, or any other records related to satisfying the terms of this enforcement action.

3) Please provide the signed "TCEQ Public Notice Verification Form" for the air quality registration number 176227L001.

4) Please provide any other records for the air quality registration number 176227L001 created since July 1, 2024.

B. Request for waiver of costs

NELC is a membership-based not-for-profit group serving low-income neighborhoods in eastern and northern Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing

this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost will be greater than $40.00.

C. Nature of Public Information

According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[1] Because state law requires Triple C to write, produce, collect, assemble or maintain these records for TCEQ and TCEQ has a right of access to the records, these records are public information. TCEQ must exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

[1] TEX. GOV'T CODE § 552.002(a)

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, October 9, 2025 3:30 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: 2025-10-09_NELC-RFR-FINAL.pdf

H
RFR

From: hammondw@lanwt.org
Sent: Thursday, October 9, 2025 2:28 PM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1250 W. Mockingbird Ln 550
Dallas, TX 75208

PHONE: 2142432583

FAX:

COMMENTS: October 9, 2025 Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html Ms. Laurie Gharis, Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, TX 78711-3087 RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227

Request for Reconsideration of the Executive Director's Decision and Response to Comments; and Request for a Contested Case Hearing Dear Ms. Gharis: On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing. All contact to NELC on this matter should be directed to their counsel at LANWT, listed below. Respectfully submitted, /s/Adam Pirtle /s/Michael Bates /s/Wendi Hammond Adam Pirtle Michael Bates Wendi Hammond Staff Attorney Staff Attorney Staff Attorney (806) 696-3601 (469) 917-5970 Ext. 8902 (214) 243-2583 pirtlea@lanwt.org batesm@lanwt.org hammondw@lanwt.org 1001 Main Street, Suite 501 400 S. Zang Blvd., Ste. 1420 400 S. Zang Blvd., Ste. 1420 Lubbock, TX 79401 Dallas, TX 75208 Dallas, TX 75208 Fax: (817) 736-1602 Fax: (817) 736-1602 Fax: (817) 732-1602 cc: Certificate of Service

1001 Main Street, Suite 501
Lubbock, TX 79401
806-696-3601

Legal Aid of NorthWest Texas

October 9, 2025

Via eFile: www.tceq.texas.gov/agency/decisions/cc/comments.html
Ms. Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, TX 78711-3087

RE: Triple C Concrete of Lubbock, Ltd's Application for Standard Permit for Concrete Batch Plant Registration No. 176227
Request for Reconsideration of the Executive Director's Decision and Response to Comments; and
Request for a Contested Case Hearing

Dear Ms. Gharis:

On behalf of its client, North and East Lubbock Coalition ("NELC"), Legal Aid of NorthWest Texas ("LANWT") submits in the above named and numbered matter the following Request for Reconsideration of the Executive Director's Response to Comments, and Request for a Contested Case Hearing.

All contact to NELC on this matter should be directed to their counsel at LANWT, listed below.

Respectfully submitted,

/s/Adam Pirtle
Adam Pirtle
Staff Attorney
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pirtlea@lanwt.org

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Dallas, TX 75208
Fax: (817) 732-1602

cc: Certificate of Service

TCEQ AIR QUALITY STANDARD PERMIT FOR CONCRETE BATCH PLANTS
REGISTRATION NUMBER 176227

APPLICATION BY	§	**BEFORE THE**
TRIPLE C CONCRETE OF LUBBOCK, LTD	§	**TEXAS COMMISSION ON**
CONCRETE BATCH PLANT	§	
LUBBOCK, LUBBOCK COUNTY	§	**ENVIRONMENTAL QUALITY**

REQUEST FOR RECONSIDERATION OF
THE EXECUTIVE DIRECTOR'S DECISION AND RESPONSE TO COMMENTS
AND REQUEST FOR A CONTESTED CASE HEARING

Through its counsel at Legal Aid of NorthWest Texas (LANWT), the North and East Lubbock Coalition ("NELC") files this Request for Reconsideration of the Executive Director's Decision and Response to Comments and Request for a Contested Case Hearing regarding the Executive Director's preliminary decision to issue Applicant Triple C Concrete of Lubbock, Ltd ("Applicant" or "Triple C") a TCEQ Air Quality Standard Permit for Concrete Batch Plants, Registration No. 176227. The reasons are set forth below.

I. BACKGROUND

The North and East Lubbock Coalition provides as an attachment a comprehensive Timeline of Events[1] because the procedural and factual background for this matter requires the inclusion of all related evidentiary events and reasons explaining why Triple C filed this permit application, the actions Triple C did and did not take after filing its application, how Triple C and TCEQ's actions negatively impacted the public participation process, and how the protectiveness of TCEQ's standard permit for a concrete batch plant ("CBP") has been undermined resulting in inadequate protection of public health and safety as well as the environment.

The type of permit Triple C seeks authorizes construction of a new facility, despite the reality that a batch plant already exists (and has operated) on the site. The history of the CBP operations on Triple C's site dates back to 2004. On May 21, 2014, Triple C notified TCEQ that it was now the owner and operator of this site operating under Standard Permit for Concrete Batch Plant, Registration 71025 ("SPCBP 71025"). As the current owner and operator, TCEQ notified Triple C on January 6, 2023, that its SPCBP 71025 would expire on February 10, 2024.

Despite having over a year of notice of SPCBP 71025's expiration, Triple C did absolutely nothing to renew or otherwise lawfully continue operating after the February 10, 2024 deadline. As a result, SPCBP 71025 expired. Moreover, Triple C failed to take any action for almost an additional three months after its permit expired.

[1] See, Exhibit Timeline of Events and its attached exhibits, which is incorporated by reference for the entirety of this NELC's Request for Reconsideration of the Executive Director's Response to Comments and Request for Contested Case Hearing.

Finally, on April 30, 2024, Triple C filed with TCEQ Triple C's expedited application for Standard Permit for Concrete Batch Plant, Registration 176227 (SPCBP 176227). However, Triple C only took this action after TCEQ once again notified Triple C on March 15, 2024, that Triple C's SPCBP 71025 had already expired.

Meanwhile, Triple C knowingly and defiantly continued to operate *illegally*, without a valid permit, even while Triple C published its required TCEQ notices for its now pending application for SPCBP 176227.

Unfortunately for the surrounding community, TCEQ failed to timely follow up on its notice to Triple C regarding its expired SPCBP 71025. If TCEQ had done its due diligence, the agency would have easily determined that Triple C blatantly and illegally continued to operate.

Eventually, community involvement finally exposed Triple C's illegal operation. On August 1, 2024, NELC filed a complaint with TCEQ about Triple C operating without a permit. After TCEQ investigated NELC's complaint on August 5, 2024,[2] Triple C finally ceased operating illegally on or around August 6, 2024, almost six months after knowing its SPCBP 71025 had expired. [3] Additionally, because of NELC's complaint, TCEQ issued Agreed Order, Docket No. 2024-1699-AIR-E, which as of today's date is still currently pending.[4] This enforcement action has inexcusably languished at TCEQ for almost a year without any additional action since October 21, 2024.

Triple C knowingly operating illegally for almost 6 months is not the only violation by Triple C at this facility. Throughout Triple C's ownership and operation of this CBP, Triple C committed several other violations.

For example, on May 5, 2020, TCEQ entered signed Agreed Order, Docket No. 2019-0959-AIR-E (resulting from TCEQ investigations on April 29, 2019 and May 7, 2019) regarding the following failures of Triple C:

1) Failure to submit an initial notification with TCEQ no later than 24 hours after the discovery of an emissions event that occurred on April 2, 2019. The notification was due by April 3, 2019, but was not submitted;
2) Failure to prevent unauthorized emissions because Triple C released approximately 5,555 pounds of cement dust from the baghouse, during an emissions event that occurred on April 2, 2019 and lasted five minutes. TCEQ determined that Triple C's emissions event could have been avoided by better operational and maintenance practices;

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[2] See, attached Exhibit Timeline of Events and its attached Ex_2024-08-05_TCEQ-InvestigationReport-2008932.pdf

[3] This date is according to Triple C's Representative admitting that Triple C operated without a permit from February 10, 2024, to at least August 6, 2024. See, NELC's Public Comment on October 28, 2024, submitted recording of the informal portion of the Public Meeting held on October 28, 2025. Statement by Aslyn Henry, Triple C's Representative.

[4] TCEQ Commissioner's Integrated Database for TCEQ Docket No. 2019-0959-AIR-E, which as of October 9, 2025, states a TCEQ document number request and issuance on October 21, 2024, as the last activity action on the matter. See, Exhibit Timeline of Events and its attached Ex_2025-10-09_Printout-TCEQintegratedDatabase.pdf

3) Failure to maintain written records on-site for a rolling 24-month period because on May 7, 2019, Triple C did not provide records for the road cleaning, application of road dust control or road maintenance for dust control; stockpile dust suppression; and monthly silo alarm tests;
4) Failure to conduct quarterly visible emissions observations because Triple C did not conduct quarterly visible emissions observations downwind on the property line from the second quarter of 2017 through the first quarter of 2019—a full 2 years of recordkeeping violations;
5) Failure to construct borders to a height of at least 12 feet because TCEQ staff observed stockpiles and operational roads at the Plant that did not meet the minimum buffer distance of 50 feet from any property line, and the dust suppressing fencing that was constructed ranged in height from six to 12 feet; and
6) Failure to pave all entry and exit roads and main traffic routes associated with the operation of the Plant with a cohesive hard surface that can be maintained and cleaned, because TCEQ staff observed that the west entry/exit road and the batch truck roads within the Plant were composed of caliche and were not paved with a cohesive surface.[5]

On June 26, 2020, the Agreed Order for Docket No. 2019-0959-AIR-E required Triple C to submit written certification to TCEQ that includes detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. However, Triple C apparently ignored this deadline as well because almost two years and 4 months later, on October 19, 2022, TCEQ issued another violation to Triple C for failure to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface.[6]

Further, on March 27, 2023, a TCEQ investigation again found Triple C failed to pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface that can be maintained intact and cleaned. In this investigation, TCEQ staff documented that the route to the washout basin was not paved, and the surfaces that were paved could not be verified as intact and were not cleaned.[7] On April 14, 2023, TCEQ issued a notice of enforcement ("NOE") for this violation, which resulted in TCEQ signing Agreed Order for Docket No. 2023-0980-AIR-E on August 26, 2025.[8]

Despite TCEQ issuing the agreed order in 2020 and its 2023 investigation, Triple C has still not fixed many of the cited problems. Through community involvement and oversight, *not* TCEQ's investigation or oversight, it appears Triple C has ***once again*** ignored its legal requirements. For example, Agreed Order for Docket No. 2023-0980-AIR-E contained a deadline of September 25, 2025, for Triple C to have implemented measures designed to ensure all entry and exit roads and main traffic routes associated with the operation of the facility are paved with a cohesive hard surface that can be maintained intact and cleaned.[9] In this filing, NELC provides further documentation that as of October 8, 2025, Triple C still fails to meet the requirements of 30 TEX. ADMIN. CODE §§ 116.115(c) & 116.615(2), Standard Permit Registration No. 71025, Amendments

[5] See, Exhibit Timeline of Events and its attached Ex_2020-05-12_AgreedOrder 2019-0959-AIR-E.pdf
[6] See, Exhibit Timeline of Events and its attached Ex_2024-12-12_TCEQ-InvestigationReport-AIR NSR_176227-SiteReview.pdf
[7] See, Exhibit Timeline of Events and its attached Ex_2025-08-26_AgreedOrder_2023-0980-AIR-E.pdf
[8] See, Exhibit Timeline of Events and its attached Ex_2025-08-26_AgreedOrder_2023-0980-AIR-E.pdf
[9] See, Exhibit Timeline of Events and its attached Ex_2025-08-26_AgreedOrder_2023-0980-AIR-E.pdf

to the Air Quality Standard Permit for Concrete Batch Plants No. (9)(F), and TEX. HEALTH & SAFETY CODE § 382.085(b).[10] In addition, Triple C's existing site currently fails to meet numerous requirements of the Standard Concrete Batch Plant permit and requires significant improvements to qualify for the requested standard permit.

Based on the foregoing, Triple C has sufficiently demonstrated either: 1) at worst—a knowingly blatant disregard for the applicable law and numerous warnings to safely operate its concrete batch plant; or 2) at best—a dangerously ignorant inability to understand its basic legal requirements to operate in a safe manner that would be protective of the public's health and safety and the environment. The Executive Director's ("ED") failure to grasp the consequences of Triple C's blatant disregard and/or dangerous ignorance not only endangers the public health and safety, but also further undermines TCEQ's already dwindling credibility with the public.

Inexplicably, the ED refuses to take a hard look at the overwhelming evidence of Triple C's repeated failures. This can only be because TCEQ repeatedly failed in its statutory duty to protect the public from illegal operations at this location. As a result, TCEQ failed to have an accurate compliance record for this location within the five years before Triple C submitted its application, as required for the permit review process, after finally being caught unlawfully operating.

Furthermore, on August 1, 2024, NELC informed TCEQ that the Carmona-Harrison Elementary School is located less than 2,400 feet away from the Triple C facility but was not included in Triple C's permit application. This omission again demonstrates Triple C's blatant disregard of the law or its inability to comply with the most basic of permitting requirements. After NELC, *not TCEQ*, caught the error, TCEQ required Triple C to revise and update its application. But after countless comments from NELC and the public about Carmona Harrison's proximity to Triple C and TCEQ's acknowledgment that the school is indeed within 2,400 feet, it is still an open question whether TCEQ is considering the school's proximity to Triple C in its assessment of facility's permit application and investigations of the facility. On December 12, 2024, TCEQ conducted an "in-house assessment" in response to a Request for Comments ("RFC") Project Number 378226 of Triple C's facility. Inexplicably, TCEQ's assessment still failed to properly identify that Carmona-Harrison Elementary School is located less than 2,400 feet away from Triple C.

Meanwhile, during the public participation process, NELC continually submitted and updated TCEQ with available evidence of Triple C's long history of major violations even though TCEQ already had a right of access to all of this evidence. NELC also attempted to obtain access to additional public evidence available only onsite at Triple C's facility, but TCEQ repeatedly refused to provide the public with access or even review the evidence itself.

II. REQUEST FOR RECONSIDERATION

In accordance with 30 TEX. ADMIN. CODE § 201(e), the North and East Lubbock Coalition files this Request for Reconsideration ("RFR") of the Executive Director's decision and response to comments.[11] Title 30 TEX. ADMIN. CODE § 55.156 requires the ED to respond to all material issues

[10] See, Exhibit Timeline of Events and its attached Ex_2025-10-09_AffidavitOfPenelopeRodriguez

[11] 30 TAC § 55.201(e)(stating any person may file a request for reconsideration of the executive director's decision, which must contain the name, address, daytime telephone number, and, where possible, fax number of the person

raised in public comment. For the reasons enumerated in the following paragraphs, the ED failed to respond to all material issues raised in public comments. All of the evidence and issues raised in the above Background section are incorporated by reference as examples of supporting evidence for NELC's arguments for Reconsideration of the Executive Director's Response to comments as provided below.

NELC'S Arguments for Reconsideration of ED's Response 1:

The ED's response completely fails to address specific issues raised by NELC. For example, the ED completely fails to address NELC's concerns about Triple C's concrete batch plant being located within 550 feet of a rock or concrete crusher operated by Hard 8 Materials, aka DC Caliche (RN110278835), which has an active permit for a portable concrete crusher. The ED provided absolutely no explanation about NELC's questions regarding the implications of Section (5)(I) of the CPB standard permit and Triple C's incorrect interpretation provided during the public meeting on October 28, 2024.

The ED's decisions concerning this facility create an unlawful process that invalidates the protectiveness of its Standard Concrete Batch Plant permit because TCEQ's decisions pertaining to Triple C to date create a compliance loophole that has allowed and will continue to allow Applicant to operate under the standard permit essentially unchecked by both TCEQ and the public.

For example, the Executive Director's permit application review process relies on Triple C's biased and false assertions while ignoring the evidence provided by the public that demonstrates Triple C's actual past, current, and potential future non-compliance merely because Triple C *may* be subject to enforcement action if Triple C fails to comply with the representations made in its application. However, TCEQ's past enforcement actions and recent investigations of Triple C failed to thoroughly ensure Triple C's actual past, current and potential future compliance with all standard permit statutory and regulatory requirements.

Furthermore, TCEQ's recent investigations of Triple C established that the ED refused to thoroughly review Triple C's legally required on-site records that would demonstrate: 1) whether Triple C's facility is legally in compliance, and 2) how long or to what extent Triple C's facility has been noncompliant. Meanwhile, TCEQ repeatedly denies the public access to Triple C's on-site records that the standard permit legally requires for demonstrating whether Triple C's facility is legally in compliance.

Because Triple C's facility has already been constructed, Triple C must modify its existing facility. This distinction is relevant to the consideration of this application because the ED apparently refuses to take into consideration NELC's evidence that Triple C's site is currently non-compliant. Thus, the ED's preliminary decision and related response to comments fail to consider or address the site's current state of severe noncompliance. By ignoring the evidence from the public and NELC, the ED response fails to properly address and determine whether the facility's emissions

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who files the request). See, the contact information provided in the cover letter and below the signatures of legal counsel for NELC.

"will contravene the intent of this chapter, including protection of the public's health and physical property."[12]

TCEQ has a statutory duty to determine and ensure relevant requirements have and will be met. Triple C's own biased judgment or false assertions cannot substitute for proper and thorough evaluation of whether Triple C's statutory obligations have been met. This is especially true when TCEQ is presented with evidence that directly contradicts Triple C's assertions, which NELC provided.

Therefore, the ED's overall decisions to date concerning this application would cause further harm to human health and the environment; deprive the public of their right to meaningful public participation; deprive affected persons their ability to protect their property, health, and safety; and unlawfully creates a rule of general applicability that does not meet the standards of state and federal law, including the Clean Air Act.

NELC'S Arguments for Reconsideration of ED's Response 2:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 2 and are incorporated by reference. Additionally, ED's Response 2 completely fails to address the evidence NELC provided that the Applicant's border fencing is not 12 feet tall around the traffic and work areas that 50 feet from the property line and that Triple C falsely claimed that all fences within 50 feet of the property line are 12 feet tall. ED's response also completely fails to address the issue raise by NELC about the implications of 30 TAC §60.2(d)(1)(D) on Applicant's apparent and continual misrepresentations in the application as well as Triple C's assertions during the public meeting.

NELC'S Arguments for Reconsideration of ED's Response 3:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 3 and are incorporated by reference. Additionally, NELC is unsure which public comment is being addressed by the ED's general response provided by Response 3; therefore, NELC requests that the ED provides additional information.

NELC'S Arguments for Reconsideration of ED's Response 4:

The arguments NELC raised above for Reconsideration of the ED's Response1 also apply to the ED's Response 4 and are incorporated by reference. Additionally, the ED's Response 4 completely fails to address NELC's issues raised during the public comment period. Although the ED attempts to summarize NELC's previously provided evidence and comments as nonjurisdictional issues for TCEQ, NELC provided extensive amounts of specific evidence as well as raised valid and material issues directly related to statutorily required considerations by TCEQ prior to issuing any air permit authorizing the emission of pollutants.

Far from being a nonjurisdictional issue, TCEQ is required by law to evaluate the issue of Triple C's proximity to Carmona Harrison Elementary School. Section 382.052 of the Texas Health and

[12] Texas Health & Safety Code § 382.0518(b)(2).

Safety Code requires that the commission, "consider possible adverse short-term or long-term side effects of air contaminants or nuisance odors from the facility on the individuals attending the school facilities." TCEQ's response in Response 4 as well as all the other responses provide no insight into how TCEQ complied with its obligations under this statute. This is of particular importance in this case because Triple C falsely certified in its initial application that there were no schools within 3,000 feet when Carmona Harrison was less than 2,400 feet away. In its public comment, NELC specifically asks the ED the following: "We ask the Executive Director to explain how the Commission has performed the evaluation required by Section 382.052 in its response to comments." The ED did not answer this question in Response 4, or in any other responses, but this critical question must be answered to ensure that nearby school children are protected.

The accuracy of the ED's response in Response 4 is further cast into doubt because it cites a December 12, 2024 site review of Triple C conducted by TCEQ's Lubbock Regional Office which contained inaccurate information. Specifically, the site review stated that there were no schools within 3,000 feet of Triple C. This failure to identify the presence of Carmona-Harrison Elementary School is remarkably troubling because Triple C's failure to identify the school in its initial application was a major focal point of NELC's and the public's comments and criticisms about Triple C. It is also an ominous indication that TCEQ has ***still*** not adequately evaluated the effect of Triple C's operations on the children attending Carmona-Harrison Elementary School in violation of its statutory duties. The December 12, 2024 site review is attached to our Timeline of Events.

NELC'S Arguments for Reconsideration of ED's Response 5:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 5 and are incorporated by reference. Additionally, the ED's Response 5 completely fails to address NELC's issues raised during the public comment period. Texas Health and Safety Code § 382.0518 requires TCEQ to review Triple C's compliance history as well as information provided by the public during the public comment process. However, the ED's response completely fails to address the evidence provided by and legal issues raised by NELC.

NELC'S Arguments for Reconsideration of ED's Response 6:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 6 and are incorporated by reference. Additionally, the ED's Response 6 completely fails to address NELC's issues raised during the public comment period. Furthermore, the information NELC provided in the Background section above clearly demonstrates a breakdown in TCEQ's handling of complaints, violations, and enforcements.

NELC'S Arguments for Reconsideration of ED's Response 7:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 6 and are incorporated by reference. Additionally, the ED's Response 7 completely fails to address NELC's issues raised during the public comment period.

The ED's response is a conclusory statement without any explanation. It completely failed to respond to the specific questions provided by NELC, including, but not limited to:

1) Did the ED take into account the violation resulting in the May 6, 2020 Agreed Order and Triple C's subsequent false certification into account when issuing the preliminary decision?
2) Did the ED give the application additional scrutiny for the Applicant's failure to comply with the May 6, 2020 Ordering Provisions?
3) How did the Commission determine that Triple C had remedied this violation?
4) Why did the Notice of Violation, dated October 19, 2022, not trigger the Commission to bring action against Triple C for failure to comply with the May 6, 2020 Agreed Order?
5) What does it say about TCEQ's permitting process if this permit is granted?
6) NELC's request for an explanation of how this preliminary decision compliance review was conducted and whether it included a review of the May 6th Agreed Order and associated violations and the October 19th Notice of Violation, and whether any other violations were considered.

Furthermore, on August 1, 2024, NELC submitted environmental complaint to TCEQ indicating that it had reason to believe that Triple C was operating without a permit citing 30 TAC § 60.2(d)(1)(B) which states that "operating without required authorization" is a major violation.[13] As a result, Agreed Order, Docket No. 2024-1699-AIR-E, is currently pending due to Investigation No. 2008932.[14]

ED failed to properly review and classify Triple C's recurring violations, some of which led to Triple C's pending enforcement action, TCEQ Docket No. 2024-1699-AIR-E, against Triple C. By failing to consider all of the evidence provided by NELC when reviewing Triple C's application, the ED failed to meet statutory duties under Texas Water Code Section 5.754(i), Texas Health and Safety Code Section 382.0518, and Ch. 30, Sections 60.1(b), 60.2, 60.3, and 55.156 of the Texas Administrative Code.

For example, TCEQ erred by failing to request, and subsequently review, crucial operational and compliance documents related to Triple C's unauthorized operation, including Triple C's onsite records. TCEQ also actively prevented the public from exercising their right to meaningful public participation by refusing to provide access to Triple C's onsite records for review when validly requested to do so. This failure undermined the purpose of Chapter 30 of the Texas Administrative Code, Section 60.2(d)(1)(B) which requires TCEQ to classify "operating without required authorization or using a facility that does not possess required authorization" as a major violation. A site that has had a major violation documented on at least three occasions in the preceding five-year period is a repeat violator.[15]

NELC provided evidence, and Triple C's representative admitted to operating without a valid permit for at least 6 months—of which every day of illegal operation should be considered a separate violation by TCEQ. This level of non-compliance can result in a classification as an

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[13] See, Exhibit Timeline of Events and its attached Ex_2024-08-01_Request for Investigation_Triple C.pdf
[14] See, Exhibit Timeline of Events and its attached Ex_2024-12-12_TCEQ-InvestigationReport-AIR NSR_176227-SiteReview.pdf
[15] 30 TAC § 60.2.

"unsatisfactory performer" and this classification must be reviewed as a part of the permit application as to whether it should be accepted or denied.[16] Section 60.3(a)(3)(E) requires the commission to "deny an application for permit . . . when the person has an unacceptable compliance history based on violations constituting a recurring pattern of conduct that demonstrates a consistent disregard for the regulatory process, including a failure to make timely and substantial attempts to correct the violation(s)." The ED violated this statute by failing to deny this permit based on Triple C's recurring pattern of conduct that demonstrated a consistent disregard for the regulatory process. The law does not allow the ED to blindly ignore persistent violations, especially when NELC has diligently provided TCEQ with additional evidence of major violations.

It is undisputed that TCEQ failed to request, and subsequently review, crucial operational and compliance documents related to Triple C's unauthorized operation, including Triple C's onsite records. TCEQ also failed to disclose these public documents when requested to do so through valid Public Information Act requests. Major violations, moderate violations, repeat violator status, and other compliance history issues are meant to be established based on days of operation, the exact number of days of Triple C's illegal operation is critical to determining the sufficiency of TCEQ's compliance history review and if Triple C fails the permitting standard. Without these documents, both the TCEQ and the public are unable to conduct a full review of Triple C's permit and compliance history.

NELC'S Arguments for Reconsideration of ED's Response 11:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 11 and are incorporated by reference. Furthermore, the ED's response completely fails to address NELC's specific comments about TECQ's improper interpretation of the TPIA which has prevented NELC and members of the public from properly evaluating this permit application.

As a complaint-driven organization, TCEQ depends on the public to monitor regulated entities for compliance with the law, which has been demonstrated as especially necessary in this matter. In this matter, TCEQ failed to request, and subsequently review, crucial operational and compliance documents related to Triple C's unauthorized operation, including Triple C's onsite records. TCEQ also failed to disclose these public documents when requested to do so through valid Public Information Act requests. Without these documents, both TCEQ and the public are unable to conduct a full review of Triple C's permit and compliance history. Onsite records provide direct evidence of Applicant's failures under the standards of Texas statutes such as Texas Water Code § 5.754(i), Texas Health and Safety Code § 382.0518(c)-(d), and 30 Texas Administrative Code § 60.3(a)(3)(E).

Furthermore, the ED's response completely fails to address controversial positions taken during the public meeting by TCEQ's local staff that because Triple C unlawfully operated from February 10, 2024, to at least August 6, 2024, that it did not need to maintain any records pursuant to the CBP Standard Permit requirements. The real-world application of such a controversial interpretation would result in absolving Triple C from breaking the law.

[16] Id.

NELC'S Arguments for Reconsideration to ED's Response 12:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 12 and are incorporated by reference. Furthermore, the ED's response completely fails to address NELC's specific comments regarding incomplete and inaccurate application information.

NELC'S Arguments for Reconsideration of ED's Response 13:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 13 and are incorporated by reference. Furthermore, the ED's response completely fails to address NELC's specific comments.

Under the ED's process of review, any statement made on an application must be taken as true even if there is ample evidence to the contrary. While this process of review certainly expedites TCEQ permitting, it fails TCEQ's charge of protecting human health and the environment. Taking an applicant's assertions as irrefutable fact does not adequately protect human health and the environment, especially when ample evidence to the contrary has been provided. The ED's position of rubberstamping any application, like this one, in which the applicant claims compliance with all applicable rules and regulations sets a dangerous precedent for environmental quality and human health. This is especially true in this case, where Triple C is demonstrably incapable of consistent compliance.

Further, the ED's justification that TCEQ must grant permits whose applications demonstrate compliance with all applicable rules is blatantly false. TCEQ has authority to deny permits for many reasons, including compliance history. TCEQ has full authority to deny, suspend, or revoke permits based on compliance history. Further, TCEQ can impose "any additional oversight necessary to improve environmental compliance" in light of an applicant's compliance history.[17] The ED's decision to grant this permit without adequate review is arbitrary, but to grant this permit without any additional oversight or compliance mechanism and to pretend that TCEQ lacks authority to deny the permit or impose additional oversight conditions is incomprehensible. For these reasons, the Executive Director's decision must be reconsidered.

NELC'S Arguments for Reconsideration of ED's Response 14:

The arguments NELC raised above for Reconsideration of the ED's Response 1 also apply to the ED's Response 14 and are incorporated by reference. Furthermore, the ED's response completely fails to address NELC's specific comments.

NELC'S Arguments for Reconsideration of ED's Response 15:

NELC provided TCEQ with specific questions based on evidence provided that the Applicant has made several false certifications to the Commission throughout the application process and in the past such as : 1) How can the Commission ensure that all of the information the Applicant

[17] 30 TAC § 60.3(a)(2).

has provided is factually accurate? 2) How can the Commission grant a permit to an Applicant who has a history providing false certifications? Furthermore, NELC specifically requested an explanation of how the Applicant's past and present false statements were weighed in the ED's decision to grant preliminary approval. However, the ED's response completely fails to address these issues.

III. CONCLUSION, REQUEST FOR CONTESTED CASE HEARING, AND PRAYER

The North and East Lubbock Coalition (NELC) urges the Commissioners to deny Triple C's application based on the information provided.

Additionally, NELC requests that the Commissioners remand this matter back to the Executive Director with instructions to supplement its general responses by directly answering the specific questions and issues raised by NELC during the public comment period.

Furthermore, NELC once again reiterates its request for a contested case hearing based on the information presented in this and previous filings, which also includes a list of relevant and material issues raised that should be referred to the State Office of Administrative Hearings.

Respectfully submitted,

Adam Pirtle	/s/ Michael Bates	Wendi Hammond
Staff Attorney	Staff Attorney	Staff Attorney
(806) 696-3601	(469) 917-5970 Ext. 8902	(214) 243-2583
pirtlea@lanwt.org	batesm@lanwt.org	hammondw@lanwt.org
1001 Main Street, Suite 501	400 S. Zang Blvd., Ste. 1420	400 S. Zang Blvd., Ste. 1420
Lubbock, TX 79401	Dallas, TX 75208	Dallas, TX 75208
Fax: (817) 736-1602	Fax: (817) 736-1602	Fax: (817) 732-1602

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, November 1, 2024 4:56 PM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: CvrLtr and Exhibit 6 - Emails Between Adam Pirtle and Sara Coley.pdf

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") , we submit Exhibit 6: Emails Between Adam Pirtle and Sara Coley to today's filed: 1. a supplement to our request for a contested case hearing; and 2. supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

November 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Supplemental Public Comments and Supplemental Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of our client, the North and East Lubbock Coalition ("NELC")[1], we submit Exhibit 6: Emails Between Adam Pirtle and Sara Coley to today's filed:

1. a supplement to our request for a contested case hearing; and
2. supplemental public comments

regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Thank you for considering our requests and comments.

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401

[1] NELC is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

Phone: (806) 696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

Wendi Hammond
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Dallas, Texas 75208
Phone: (469) 917-5970, ext.8903
Email: hammondw@lanwt.org
Fax: (817) 736-1602

Enc: Please note that the following exhibits will be attached as separate documents using TCEQ's electronic system. A document with all exhibits and higher resolution photographs is available at this link:

Exhibits:
1) Affidavit of Dora Cortez, October 30, 2024
2) Affidavit of Mark Oualline, October 31, 2024
3) NELC TPIA Request for Triple C Operational Records
4) Email from Leigh Flores
5) Investigation Report #2008932
6) Emails Between Adam Pirtle and Sara Coley

Adam Pirtle

From: Sara Coley <sara.coley@tceq.texas.gov>
Sent: Monday, October 7, 2024 5:03 PM
To: Adam Pirtle
Cc: Jason Lindeman; Hailey Clark
Subject: RE: Additional Evidence for Investigation No. 427691, Triple C Concrete

Hi Adam,

If you have the report, you will notice the RN used (RN111965935) is different than the RN under which the plant was previously authorized (RN104156286). We are working with Air Permits and TCEQ Central Registry to get the 2 RNs merged so that compliance history can be maintained. In the interim, I did enter the complaint investigation under the new RN/Standard Permit Registration No., which is why no prior alleged violations were identified when the Compliance History report was run. I have also been in contact with the Enforcement division regarding this matter, so they are aware there were prior enforcement actions for the regulated entity.

Please let me know if you have any other questions.

Best,

Sara Coley
Environmental Investigator
TCEQ Region 2 Lubbock Office
Email: sara.coley@tceq.texas.gov
Phone: 806-796-7092 | Fax: 806-796-7107
5012 50th Street, Ste 100, Lubbock, TX 79414-3426

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Monday, October 7, 2024 4:44 PM
To: Sara Coley <sara.coley@tceq.texas.gov>
Subject: RE: Additional Evidence for Investigation No. 427691, Triple C Concrete

Hi Sara,

I noticed that page 3 of the Triple C Investigation Report says that there were no prior enforcement issues at Triple C. Is this limited to the last five years?

TCEQ did assess a penalty against Triple C in 2020 for an incident that occurred in the summer of 2019. https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/Agendas/2020/05-06-2020/0959AIR.pdf

Thanks,
Adam

Adam Pirtle
Staff Attorney
Community Revitalization Project

Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

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Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

From: Sara Coley <sara.coley@tceq.texas.gov>
Sent: Monday, October 7, 2024 2:57 PM
To: Adam Pirtle <pirtlea@lanwt.org>
Cc: Hailey Clark <Hailey.Clark@Tceq.Texas.Gov>; Ann Hudson <ann.hudson@tceq.texas.gov>
Subject: RE: Additional Evidence for Investigation No. 427691, Triple C Concrete

Hi Adam,

I have spoken with Dora, she called the office a couple of weeks ago, so I hope I clarified to her what activity at the site would be considered unauthorized from the TCEQ's jurisdiction.

The letter went out on October 4 to the address you provided. You should receive it shortly. Just a heads up, the investigation did contain some PII so we were unable to include a copy of the investigation report in the letter, but I did include information on how to obtain a copy (which I believe you are already familiar with).

Best,

Sara Coley
Environmental Investigator
TCEQ Region 2 Lubbock Office
Email: sara.coley@tceq.texas.gov
Phone: 806-796-7092 | Fax 806-796-7107
5012 50th Street, Ste 100, Lubbock, TX 79414-3426

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Friday, October 4, 2024 3:34 PM
To: Sara Coley <sara.coley@tceq.texas.gov>
Cc: Hailey Clark <Hailey.Clark@Tceq.Texas.Gov>; Ann Hudson <ann.hudson@tceq.texas.gov>
Subject: RE: Additional Evidence for Investigation No. 427691, Triple C Concrete

Sara,

Thank you for your email. I am sorry the videos were not useful to you. I am happy to connect you with Dora Cortez so you may speak with her regarding what she witnessed.

When do you intend to send the letter of findings? Will you please send the letter to:

Adam Pirtle
Legal Aid of NorthWest Texas
1001 Main Street, Suite 502
Lubbock, TX 79401

Respectfully,
Adam

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

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From: Sara Coley <sara.coley@tceq.texas.gov>
Sent: Friday, October 4, 2024 2:51 PM
To: Adam Pirtle <pirtlea@lanwt.org>
Cc: Hailey Clark <Hailey.Clark@Tceq.Texas.Gov>; Ann Hudson <ann.hudson@tceq.texas.gov>
Subject: RE: Additional Evidence for Investigation No. 427691, Triple C Concrete

Good Afternoon Adam,

Please find attached a CCE Acknowledgement Letter documenting our receipt of the CCE you submitted in the email below.

I have reviewed the videos submitted and based on what was observed in the video, neither I could confirm alleged violations of TCEQ rules. Therefore, the submitted CCE was not used in support of an alleged violation. I have completed my investigation and you will be receiving an official letter containing information regarding the findings

of my investigation. The CCE provided electronically on August 19, 2024, has been deleted from agency storage devices in accordance with the TCEQ policy on Citizens Collected Evidence.

Best regards,

Sara Coley
Environmental Investigator
TCEQ Region 2 Lubbock Office
Email: sara.coley@tceq.texas.gov
Phone: 806-796-7092 | Fax: 806-796-7107
5012 50th Street, Ste 100, Lubbock, TX 79414-3426

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Monday, August 19, 2024 11:10 AM
To: Sara Coley <sara.coley@tceq.texas.gov>
Subject: Additional Evidence for Investigation No. 427691, Triple C Concrete

Ms. Coley,

Please see the attached affidavit of Dora Cortez testifying to dates on which she witnessed and has evidence of Triple C Concrete operating.

For your convenience, the videos referenced in the affidavit are available here:

- Video taken on July 31, 2024, at approximately 3:15 p.m.: https://drive.google.com/file/d/17ny7Q4kpbRQwJLbecNUr5y3BfzhS4HqF/view?usp=sharing

- Video taken on August 8, 2024, at approximately 2:17 p.m.: https://drive.google.com/file/d/1E8LlcT514C1-rKhz30NvaRdUIXx0iOqr/view?usp=sharing

Please let me know if you need anything else.

Thank you,

Adam

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

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Vincent Redondo

From:	PUBCOMMENT-OCC
Sent:	Friday, November 1, 2024 4:56 PM
To:	PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject:	FW: Public comment on Permit Number 176227
Attachments:	CvrLtr and Exhibit 5 - Investigation Report No. 2008932.pdf

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") , we submit Exhibit 5: Investigation Report #2008932 to today's filed: 1. a supplement to our request for a contested case hearing; and 2. supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

November 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Supplemental Public Comments and Supplemental Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of our client, the North and East Lubbock Coalition ("NELC")[1], we submit Exhibit 5: Investigation Report #2008932 to today's filed:

1. a supplement to our request for a contested case hearing; and
2. supplemental public comments

regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Thank you for considering our requests and comments.

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401

[1] NELC is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

Phone: (806) 696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

Wendi Hammond
Staff Attorney
Legal Aid of NorthWest Texas
400 S. Zang Blvd., Ste. 1420
Dallas, Texas 75208
Phone: (469) 917-5970, ext.8903
Email: hammondw@lanwt.org
Fax: (817) 736-1602

Enc: Please note that the following exhibits will be attached as separate documents using TCEQ's electronic system. A document with all exhibits and higher resolution photographs is available at this link:

Exhibits:
1) Affidavit of Dora Cortez, October 30, 2024
2) Affidavit of Mark Oualline, October 31, 2024
3) NELC TPIA Request for Triple C Operational Records
4) Email from Leigh Flores
5) Investigation Report #2008932
6) Emails Between Adam Pirtle and Sara Coley

AIR CP_11196593[illegible]_CP ACONF_20240805_Investigation_2008932_

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019

Regulated Entity Name: TRIPLE C CONCRETE OF LUBBOCK
Regulated Entity Number: RN111965935

Investigation # 2008932

Investigator: SARA COLEY

Conducted: 08/05/2024 -- 08/05/2024

Program(s): AIR NEW SOURCE PERMITS

Investigation Type: Compliance Investigation

Additional ID(s) 176227

Incident Numbers
427691

Site Classification STANDARD PERMIT

SIC Code: 3273
NAIC Code: 327320

Location:

Address: 1521 ERSKINE ST,
LUBBOCK, TX , 79403

Local Unit: REGION 02 - LUBBOCK

Activity Type(s AIR MNSR - MINOR SOURCE NEW SOURCE REVIEW
AIRCOMPL - AIR CMPL - AIR COMPLAINT INV

Principal(s):

Role	Name
RESPONDENT	TRIPLE C CONCRETE OF LUBBOCK LTD

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514
REGULATED ENTITY MAIL CONTACT	CORPORATE SECRETARY	KARLA COLQUETT	Phone Fax	(806) 762-3227 (806) 762-6514
PARTICIPATED IN	PLANT MANAGER	JR MOJICA	Work	(806) 745-1111
REGULATED ENTITY CONTACT	PLANT MANAGER	JR MOJICA	Work	(806) 745-1111

Other Staff Member(s):

Role	Name
QA Reviewer	ASHLEY TORREZ
Supervisor	HAILEY CLARK

Associated Check List

Checklist Name	Unit Name
AIR EQUIPMENT	Triple C
AIR COMPLAINT INVESTIGATION	Triple C
AIR GENERIC INVESTIGATION (10 ITEMS)	Triple C

Investigation Comments:

INTRODUCTION
On August 1, 2024, the Texas Commission on Environmental Quality (TCEQ) received a complaint alleging Triple C Concrete of Lubbock, the Regulated Entity (RE), a concrete batch plant, was operating without authorization via the online complaint form. On August 5, 2024, the Region 2 Lubbock Office received a second complaint via phone call with the same allegation. The RE is owned and operated by Triple C Concrete of Lubbock, LTD, the Customer. The site is located at 1521 Erskine Street, Lubbock, Lubbock County, Texas. Incident No. 427691 was created (Attachment 1) and assigned to Sara Coley, Environmental Investigator, on August 5, 2023. Coley received contact information for the first complainant on August 9, 2024, and called them the same day to provide the incident number and explain the complaint process. Coley spoke with the second complainant on August 5 and 7, 2024, providing the incident number and status of their complaint.

Daily Narrative
On August 5, 2024, Coley traveled to the area of the complaint, arriving at 1110 hours. Coley parked in Comencheria Lake Park on Avenue P to the west of the RE and measured the meteorological conditions with a Kestrel 5000 Environmental Meter and conducted a visible emissions survey until 1120 hours. The temperature was 85 degrees Fahrenheit, with southwest winds at 0-5 miles per hour. Coley did not observe any visible emissions from the site.

At 1123 hours, Coley parked along the west side of Avenue Q, across from the plant entrance. Coley observed a truck being washed out and then parking under the drop point of the plant. Coley did not observe the truck being loaded at this time. Coley then proceeded to the weigh house and spoke with JR Mojica, Plant Manager. He stated they had been operating that morning sending out loaded trucks and asked Coley to call Karla Colquett, Corporate Secretary, to discuss the status of the permit and any alleged violations.

Coley called Colquett the same day, to inform her of the alleged violation for operating without authorization and she asked Coley to reach out to their consultant, Roger Reyna, Managing Member with R2M Engineering. Coley called R2M Engineering and requested a call back from Reyna. Reyna called Coley on August 6, 2024, and informed Coley he would reach out to TCEQ Air Permits Division (APD) regarding the status of the permit. Coley did not receive any additional information from Reyna about the permit status.

On August 19, 2024, Coley received Citizens Collected Evidence (CCE) in the form of 2 videos. Neither video appeared to capture unauthorized activity, so the CCE was not used in support of this investigation.

The concrete batch plant operated by the Customer at this location was authorized previously under RN104156286 and Standard Permit Registration No. 71025. This registration expired on February 10, 2024 (Attachment 2). See Violation Track Number (VTN) 893743. This is an Enforcement Initiation Criteria (EIC) Revision 17, Category A2.b. An application for the Air Quality Standard Permit for Concrete Batch Plants was submitted by R2M Engineering on behalf of the Customer on April 30, 2024.

Exit Interview
On August 5, 2024, Coley called Colquett and informed her of the alleged violation and that operations at the plant were not authorized until the pending permit was approved by the TCEQ APD. On August 10, 2024, Coley emailed an Exit Interview Form (EIF) to Colquett (Attachment 3).

GENERAL FACILITY AND PROCESS INFORMATION
The Customer is a valid business as verified by the Texas Secretary of State database (Attachment 4).

Process Description
This is a permanent ready-mix concrete batch plant. Raw materials are delivered to the plant by truck to stockpiles. The cement is pneumatically transferred to an elevated storage silo. Sand and coarse aggregate are transferred to elevated feed bins by a front-end loader. From these elevated bins, the constituents are fed by gravity and conveyors to weigh hoppers, which combine the proper amounts of each material specified per job. The concrete is mixed in the plant mixer and water is added then discharged into the transport trucks. The site will employ active measures, such as the baghouse to control air emissions and primary roads will be watered to control dust.

BACKGROUND
The Customer has a "Satisfactory" compliance history rating and the RE has an "Unclassified" compliance history rating (Attachment 5).

Agreed Orders, Court Orders, and other Compliance Agreements
There are no such orders for the RE.

Prior Enforcement Issues
There are no prior enforcement issues for the RE.

Complaints
No other complaints have been received regarding this RE in the past 2 years.

ADDITIONAL INFORMATION
An NOE letter was sent to the Customer in October of 2024. A "Request for Assistance" letter was sent to the complainants in October 2024.

Additional Issue
There are no additional issues.

NOE Date: 10/4/2024

OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track Number: 893743 **Compliance Due Date: To Be Determined**

Violation Start Date: 8/5/2024

30 TAC Chapter 116.110(a)
5C THSC Chapter 382.0518(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 2008932 Comment Date: 09/27/2024

Failure to obtain authorization prior to operating a source of air contaminants.

On August 5, 2024, the investigator observed a batch truck being washed out at the site. The investigator spoke with the plant manager who stated they had been batching loads at the site and had loaded trucks with concrete that morning.

Recommended Corrective Action: As required by 30 Texas Administrative Code (TAC) 116.110(a), any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain authorization. Provide written documentation to the TCEQ demonstrating operations at the site have ceased and will not resume until

authorization is obtained.

Signed Dana Coley **Date** 10/4/2024
Environmental Investigator

Signed Hailey Clark **Date** 10/4/2024
Supervisor

Attachments: (in order of final report submittal)

X Enforcement Action Request (EAR)
X Letter to Facility (specify type) : NOE
Investigation Report
___Sample Analysis Results
___Manifests
___Notice of Registration
___Maps, Plans, Sketches
___Photographs
___Correspondence from the facility
X Other (specify) :
See List of Attached Files

List of Attached files
Att 1_Triple C_Complaint Report.pdf
Att 2_Letter of expiration on prior authorization.pdf
Att 3_EIF and email.pdf
Att 4_Triple C_SOS.pdf
Att 5_Triple C_Compliance History.pdf

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

CERTIFIED MAIL # 70180680000021460942
RETURN RECEIPT REQUESTED

Ms. Karla Colquett, Corporate Secretary
Triple C Concrete of Lubbock
2008 East 50th Street
Lubbock, Texas 79404-4044

Re: Notice of Enforcement for Complaint and Minor New Source Review Investigation at: Triple C Concrete of Lubbock, 1521 Erskine Street, Lubbock, Lubbock County, Texas
Regulated Entity No.: 111965935

Dear Ms. Colquett:

On August 5, 2024, Ms. Sara Coley of the Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for the air quality program. During this investigation, a certain outstanding alleged violation was documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at https://www.tceq.texas.gov for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Lubbock Region Office at (806) 796-7092 or the Central Office Publications Ordering Team at 512-239-0028.

One or more of the violations documented during the subject investigation includes unauthorized activity and you are hereby advised that continued operation is not authorized.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. We encourage you to immediately begin taking actions to address the outstanding alleged violation.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violation documented in this notice has been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Air Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Ms. Coley in the Lubbock Region Office at 806-796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Region 2 Lubbock Office
Texas Commission on Environmental Quality

JKL/SKC/ah

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

TRIPLE C CONCRETE OF LUBBOCK
Investigation # 2008932

1521 ERSKINE ST
Investigation Date: 08/05/2024

LUBBOCK, LUBBOCK COUNTY, TX 79403

Additional ID(s): 176227

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 893743 **Compliance Due Date: To Be Determined**

30 TAC Chapter 116.110(a)
5C THSC Chapter 382.0518(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 2008932 Comment Date: 09/19/2024

Failure to obtain authorization prior to operating a source of air contaminants.

On August 5, 2024, the investigator observed a batch truck being washed out at the site. The investigator spoke with the plant manager who stated they had been batching loads at the site and had loaded trucks with concrete that morning.

Recommended Corrective Action: As required by 30 Texas Administrative Code (TAC) 116.110(a), any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain authorization. Provide written documentation to the TCEQ demonstrating operations at the site have ceased and will not resume until authorization is obtained.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

Re: Investigation Request at:
Triple C Concrete of Lubbock, located at 1521 Erskine, Lubbock, Lubbock County, TexasRN104156286, Investigation No.:2008935, Incident No.: 427691

The Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office has completed a final investigation in response to your concern regarding unauthorized operations at the above-referenced facility. The complaint investigation report contains confidential information, as such you will need to submit a Public Information Request to obtain a copy of the investigation report. For information about how to submit a Public Information Request go to: https://www.tceq.texas.gov/agency/data/records-services/reqinfo.html.

To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 427691, you may refer to our website: https://www.tceq.texas.gov/compliance/complaints.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Sara Coley in the Lubbock Region Office at (806) 796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Lubbock Region 2 Office

JKL/SKC/ah

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 4, 2024

Re: Investigation Request at:
Triple C Concrete of Lubbock, located at 1521 Erskine, Lubbock, Lubbock County, Texas
RN104156286, Investigation No.:2008935, Incident No.: 427691

The Texas Commission on Environmental Quality (TCEQ) Region 2 Lubbock Office has completed a final investigation in response to your concern regarding unauthorized operations at the above-referenced facility. The complaint investigation report contains confidential information, as such you will need to submit a Public Information Request to obtain a copy of the investigation report. For information about how to submit a Public Information Request go to: https://www.tceq.texas.gov/agency/data/records-services/reqinfo.html.

To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 427691, you may refer to our website: https://www.tceq.texas.gov/compliance/complaints.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Ms. Sara Coley in the Lubbock Region Office at (806) 796-7092.

Sincerely,

for Jason Lindeman
Section Manager
Lubbock Region 2 Office

JKL/SKC/ah

printed on recycled paper using soy-based ink

TCEQ Complaint Report

09/26/2024
2:06:38PM

Incident No: 427691
Media Type: AIR
Start Date: Unknown
Received Date: 08/01/2024
Method :

Staff Member: SCOLEY
Status: Closed
Status Date: 08/26/2024
Priority: Within 30 Calendar Days

Regulated Entity: TRIPLE C CONCRETE OF LUBBOCK

RN111965935

Address: 1521 ERSKINE ST
LUBBOCK, LUBBOCK County, TX 79403
Physical Location:

Responsible Party: TRIPLE C CONCRETE OF LUBBOCK LTD
Address: 2008 E 50TH ST, LUBBOCK, TX 79404
E-Mail:

Title:

Number Complaining: 2
Frequency: CURRENT
Alleged Source: TRIPLE C CONCRETE OF LUBBOCK

Program Group: AIR QUALITY - HIGH LEVEL

Nature: DUST
Effect: ENVIRONMENTAL

Initial Problem

On August 1, 2024, a complainant contacted the Texas Commission on Environmental Quality (TCEQ) through the online complaint system. The complaint was forwarded to the TCEQ Region 2 Lubbock Office via email the same day. The complainant was concerned about a dust issue in Lubbock County.

Action Taken

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Closure Comments

More information will be available upon approval of the investigation report.

Investigation Number: 2008932

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 15, 2024

MRS KARLA COLQUETTE
CORPORATE SECRETARY
TRIPLE C CONCRETE OF LUBBOCK LTD
2008 E 50TH ST
LUBBOCK TX 79404-4044

Re: Renewal of Standard Permit Registration
Permit Number: 71025
Company Name: Triple C Concrete Of Lubbock, Ltd
Customer Number: CN604580019
Regulated Entity Number: RN104156286

Dear Mrs. Colquette:

We have reviewed our records for Registration Number 71025 for the Commercial Concrete located in Lubbock County, Texas. During the review, we noticed that a renewal notification letter dated January 6, 2023 was provided to Triple C Concrete Of Lubbock, Ltd, informing you of the expiration date of February 10, 2024. Because no renewal application was received by the expiration date, the registration automatically expired. You will need to submit an application for a new registration. To obtain a copy of the Form PI-1S with instructions, please visit the Texas Commission on Environmental Quality (TCEQ) Web site at:

www.tceq.texas.gov/permitting/air/forms/newsourcereview/nsr_sp_forms.html

Please feel free to contact the staff of the Air Permits Initial Review Team at (512)239-1250 if you have any questions or need further assistance.

Sincerely,

Johnny D. Bowers, Team Leader
Air Permits Initial Review Team
Air Permits Division

cc: Air Section Manager, Region 2 - Lubbock

Cc: R2APDmail@tceq.texas.gov
Subject: Expiration Notification of Registration 71025
Attachments: 1-DefExp(71025)-4113E.pdf

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

From: Roger Reyna
Sent: Friday, March 15, 2024 10:05 AM
To: Steven Piper
Cc: R2APDMail
Subject: RE: Expiration Notification of Registration 71025

Hello Steven.

We are receipt of the correspondence. Can we petition your assistance. Can you provide information on the renewal notification(s). When it was sent, delivery method and any possible confirmation of receipts.

Thank you in advance for your assistance.

Roger Reyna
Triple C Consultant.

From: Steven Piper <Steven.Piper@tceq.texas.gov>
Sent: Friday, March 15, 2024 9:06 AM
To: Roger Reyna
Cc: R2APDMail <R2APDMail@tceq.texas.gov>
Subject: Expiration Notification of Registration 71025

Mrs. Colquette,

The attached expiration letter contains information about an expired authorization. Please reply to this email to confirm receipt of the expiration letter. A reply confirmation will improve efficiency and prevent a hard copy of the letter from having to be sent by certified mail.

Should you have any questions, please call 512-239-1250 and ask for a member of the Air Permits Initial Review Team (APIRT) or via email at apirt@tceq.texas.gov.

Thank you!

TCEQ ID: 4113E

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	Triple C Concrete of Lubbock				TCEQ Add. ID No. RN No. (optional)	RN11195935	
Investigation Type	CMPL	Contact Made In-House (Y/N)	Y	Purpose of Investigation	Complaint		
Regulated Entity Contact	Karla Colquett			Telephone No.	806-762-3227	Date Contacted	8/10/2024
Title	Corporate Secretary			Fax No.		Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations.* Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request: identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe.
No.	Type[1]	Rule Citation (if known)	Description of Issue
1	AV	30 TAC 116.115(c)	Operating a concrete batch plant located at 1521 Erskine, Lubbock, Texas, without authorization from the TCEQ.

[1]Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	■ Yes	☐ No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	■ Yes	☐ No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Sara Coley	8/10/2024		
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Optional)	Date

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

From:
To: Sara Coley
Subject: RE: Erskine Plant EIF
Date: Monday, August 12, 2024 4:21:04 PM
Attachments: image001.png

Sara
Thank you for reaching out. As you know R2M Engineering handles this for us. I was not aware that we couldn't be running. Triple C is a small woman owned plant and just trying to stay in business and compete with all of these large corporate owned companies. I appreciate any suggestions that you can offer.
Thank you for your time
Karla Colquett

From: Sara Coley <sara.coley@tceq.texas.gov>
Sent: Saturday, August 10, 2024 1:02 PM
To: '
Subject: Erskine Plant EIF

Hi Karla,
I am just following up on our conversation on Aug 5 with the Exit Interview Form document containing the alleged violation and citations for operating without authorization for Triple C Concrete of Lubbock located at 1521 Erskine, in Lubbock. As we discussed, Triple C does not have a current active authorization to operate the plant since the permit application has not been approved by the TCEQ Air Permits Division, since Triple C Concrete of Lubbock LTD did have prior knowledge authorization to operate a concrete batch plant is required, this alleged violation will be referred to the TCEQ Enforcement Division. Please call or email if you have any questions.
Best,

Sara Coley
Environmental Investigator
TCEQ Region 2 Lubbock Office
Email: sara.coley@tceq.texas.gov
Phone: 806-796-7092 | Fax: 806-796-7107
5012 50th Street, Ste 100, Lubbock, TX 79414-3426

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801951014	**Entity Type:**	Domestic Limited Partnership (LP)
Original Date of Filing:	March 12, 2014	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32053446053	**FEIN:**	
Duration:	Perpetual		

Name: TRIPLE C CONCRETE OF LUBBOCK, LTD
Address: 2008 East 50th Street
Lubbock, TX 79404 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Name	Address	Inactive Date
Karla Colquett	2008 E 50th Street Lubbock, TX 79404 USA	

Order | Return to Search

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

Compliance History Report

Compliance History Report for CN604580019, RN111965935, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN604580019, Triple C Concrete Of Lubbock, Ltd **Classification:** SATISFACTORY **Rating:** 9.10

Regulated Entity: RN111965935, TRIPLE C CONCRETE OF LUBBOCK **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 4 **Repeat Violator:** NO

CH Group: 10 - Cement and Concrete Product Manufacturing

Location: 1521 ERSKINE ST LUBBOCK, TX 79403-3213, LUBBOCK COUNTY

TCEQ Region: REGION 02 - LUBBOCK

ID Number(s):
AIR NEW SOURCE PERMITS REGISTRATION 176227

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: September 19, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 01, 2019 to August 31, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Sara Coley **Phone:** (806) 796-7092

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? NO
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, November 1, 2024 4:56 PM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: CvrLtr and Exhibit 4 - Email from Leigh Flores.pdf

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:19 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") submit Exhibit 4: Email from Leigh Flores to today's filed: 1. a supplement to our request for a contested case hearing; and 2. supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, November 1, 2024 4:57 PM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: CvrLtr and Exhibit 2 - Affidavit of Mark Oualline, October 31, 2024.pdf

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

FIRST NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") , I submit Exhibit 2: Affidavit of Mark Oualline, October 31, 2024, to today's filed: 1. a supplement to our request for a contested case hearing; and 2. supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

November 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Supplemental Public Comments and Supplemental Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of our client, the North and East Lubbock Coalition ("NELC")[1], we submit:

1. a supplement to our request for a contested case hearing; and
2. supplemental public comments

regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227. The supplement to our request for a contested case hearing and our additional public comments incorporate by reference and in no way supersede the requests and comments NELC previously submitted through legal counsel with the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") or those comments submitted by NELC members. For your convenience, our August 1, 2024, submission with attachments is available here: https://drive.google.com/file/d/1Bv7dU-62-mEQPaQgssIHaZ-Uw_7pkp-n/view?usp=sharing.

The North and East Lubbock Coalition reiterates its opposition to the application of Triple C and urges TCEQ to deny Triple C's registration. Please direct all communication with NELC and its members through legal counsel. Our contact information is in our signature blocks below.

[1] NELC is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

I. The Public Meeting on October 28, 2024

NELC previously requested a public meeting on behalf of its members and the residents of the neighborhoods it represents. As of October 22, 2024, 63 individuals had requested a public meeting. NELC wishes to thank TCEQ for granting this request because of the significant and substantial public interest. The public meeting was held on October 28, 2024, in Lubbock, Texas. NELC submitted an audio recording of the informal session of the meeting as a public comment at the meeting. The recording is also available at the Google Drive link here: https://drive.google.com/file/d/1rUa4AmmhccUJvev0ptZBWajnFHF-GKC0/view?usp=sharing. We will reference this recording throughout this document.

II. Supplement to Request for a Contested Case Hearing

NELC requests a contested case hearing on behalf of its members.

A group has standing to request a contested case hearing if:

- the interests the group seeks to protect are germane to its purpose;
- one or more or the group's members actually reside or recreate within 440 yards of the proposed plant[2];
- one or more members of the group are adversely affected by the application and air emissions from the facility in a way not common to the general public; and
- neither the claim asserted nor the relief requested requires the participation of the organization's individual members in the case.

NELC meets these requirements.

A. NELC's mission and purpose is germane

First, NELC's mission and purpose is germane to this matter. NELC's mission includes protecting "North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses." NELC has worked toward this goal since it was formed two years ago. On July 14, 2023, NELC filed a complaint with the Department of Housing and Urban Development and other federal agencies about the City of Lubbock's racist zoning system that disproportionately concentrates industrial zoning in and around majority-Hispanic and -Black neighborhoods.[3] Even before they formed the organization, individuals members like Dora Cortez, Natalie Miller, and Billie Russell have worked in their own capacities to protect their neighborhoods from pollution for many years. Therefore, requesting a contested case hearing in this matter is germane to NELC's purpose.

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[2] The EPA has urged TCEQ to consider contested case hearing requests from those who recreate within 440 yards of a proposed plant. See: *Letter to Mr. Cory Chisum of TCEQ from Cynthia Kaleri of EPA Region 6*, July 22, 2024. This was included in our August 1 filing.

[3] North and East Lubbock Coalition Complaint (July 14, 2023), https://drive.google.com/file/d/1wlQVZnXOiPl2fK1OczEkbWZmR8nJs1Aw/view?usp=sharing.

B. NELC members actually reside or recreate within 440 yards of Triple C

Second, individual NELC members actually reside in permanent residents within 440 yards of Triple C including:

Elex Trevino Jr.
221 N. Avenue P
Lubbock, Texas 79401

Connie Aguilar
219 N. Avenue P
Lubbock, Texas 79401

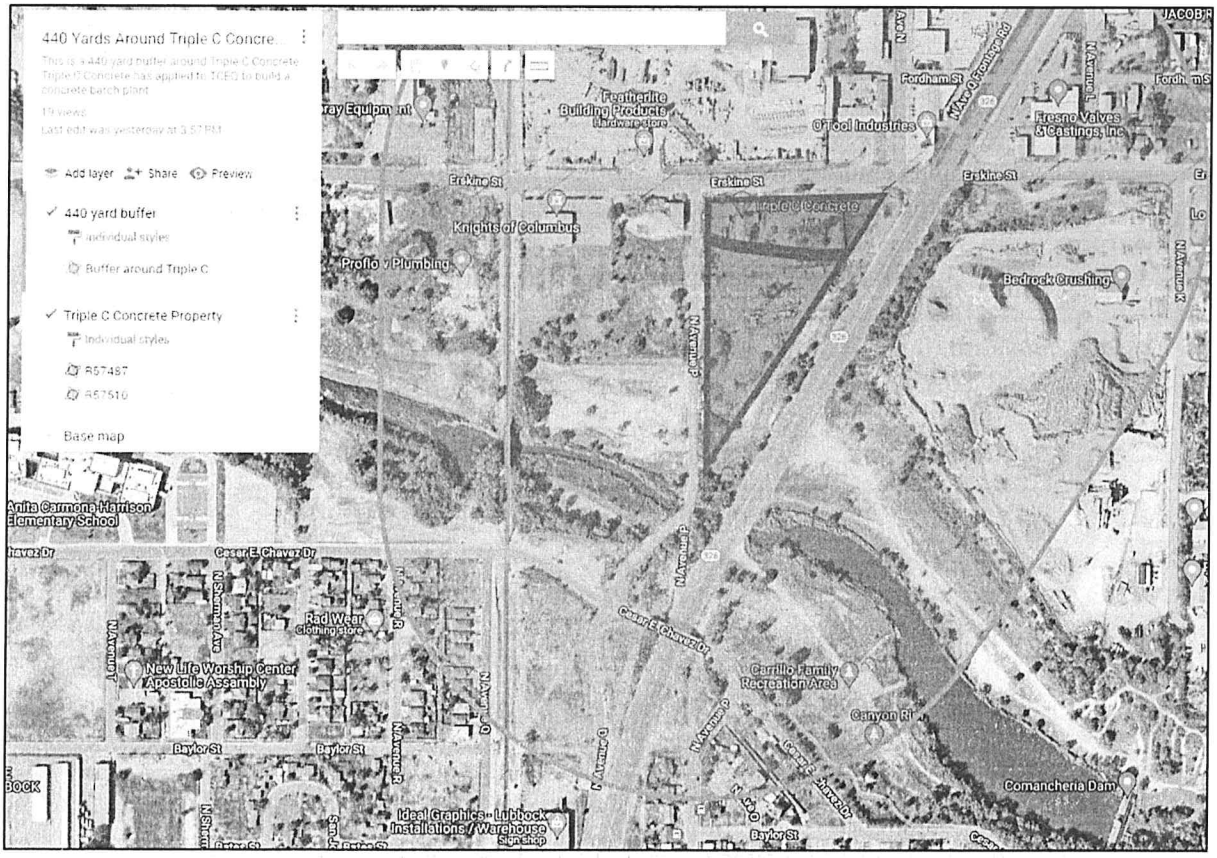

Figure 1: 440 yards from Triple C property line

The map above shows 440 yards from Triple C's property line using property line data from the Lubbock County Central Appraisal District ("LCAD").[4] This matches the property information submitted in Triple C's updated application dated October 1, 2024 ("October Application" or "application"). For a digital version of this map, see:
https://www.google.com/maps/d/edit?mid=1VSrcQpSe3Vk-

[4] To view Triple C's property line, see: Lubbock Central Appraisal District, Triple C Concrete of Lubbock, LTD, Property ID R57487, https://gis.bisclient.com/lubbockcad/index.html?find=R57487.

zzSJo1aPwv7ArAD4_iI&usp=sharing. Both Mr. Elex Trevino's and Ms. Aguilar's homes on Avenue P are visible on this map and within 440 yards of Triple C. They are affected persons pursuant to Section 382.058 of the Texas Health and Safety Code.

The Environmental Protection Agency Region 6 office recently urged TCEQ to consider requests for contested case hearings from individuals who recreate in public green spaces within 440 yards of a concrete batch plant.[5] Several NELC members recreate in the Carillo Family Recreation Area and the Canyon Lake Trail system including:

Raul Trevino
216 Avenue K
Lubbock, Texas 79401

Fabian Mata
211 N. Avenue M
Lubbock, Texas 79401

Mr. Rual Trevino walks several times a week on the trail that goes through the Carrillo Family Recreation Area and along Cesar E. Chavez Drive. Mr. Mata walks his dog every day along a similar route through the Carrillo Family Recreation Area. As seen in the map above, their walking path is clearly within 440 yards of Triple C. Other members of NELC and other community members use the park and the trail system daily to picnic, exercise, walk dogs, and enjoy being in nature. In light of the EPA's admonishment and common sense, TCEQ should consider Mr. Rual Trevino and others like him affected persons.

C. Members of NELC are adversely affected by the application and air emissions from the facility in a way not common to the general public

Third, members of NELC, including Mr. Elex Trevino Jr., Ms. Aguilar, Mr. Rual Trevino, and Mr. Mata, are adversely affected by the application and air emissions from the facility in a way not common to the general public. NELC members live and recreate, and their children or grandchildren go to school, in the immediate area around and downwind of Applicant's concrete batch plant. NELC members will be harmed by an increase of air pollutants from Applicant's proposed emissions which include, but may not be limited to, particulate matter (PM), particulate matter with diameters of 10 microns or less (PM10), and particulate matter of 2.5 microns of less (PM2.5). Particulate matter is a dangerous pollutant made up of microscopic solids or liquid droplets so small they can be inhaled and penetrate the lungs and even enter the bloodstream, causing serious and long-lasting health problems. [6]

Aside from living close to Triple C Concrete, NELC's members and neighborhood residents use the Carrillo Family Recreation Area and the Canyon Lakes trail system, which are within 440 yards of the facility, for outdoor recreation activities and exercise (see the map above). Further, elementary school children from the Mahon and Guadalupe neighborhoods attend school at the

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[5] *Letter to Mr. Cory Chisum of TCEQ from Cynthia Kaleri of EPA Region 6*, July 22, 2024 (Attachment 6).
[6] U.S. EPA, Particulate Matter (PM) Basics, available at: https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#:~:text=PM%20stands%20for%20particulate%20matter,seen%20with%20the%20naked%20eye.

nearby Carmona-Harrison Elementary School. Carmona-Harrison is less than 2,400 feet from Triple C Concrete. The Applicant falsely certified in their original application submitted on April 30, 2024 ("April Application"), that no schools were within 3,000 feet of the facility.

Because they live so close to Triple C or recreate around it, Mr. Elex Trevino Jr., Ms. Aguilar, Mr. Rual Trevino, and Mr. Mata will be especially impacted by the proposed concrete batch plant in a way not common to the general public. They are concerned that their health may be adversely impacted by the pollutants from the concrete batch plant. They are also concerned that their aesthetic enjoyment of their property and surrounding recreation areas will be adversely affected. This includes adverse effects to these individuals' health and general enjoyment of the outdoors when they use the Canyon Lake trails, the Carrillo Family Recreation Area, or simply walking or running in their neighborhoods.

Mr. Alex Trevino Jr, who resides at 221 N. Avenue P, loves to be outside and recreate in his front and backyard. He often spends his weekends playing with his children in the backyard and hosting family cookouts using his outdoor grill. He also keeps a clean and neat yard and performs yardwork outside. Ms. Aguilar, who resides at 219 N. Avenue P, uses her yard to feed and play with her dogs. She also walks in the neighborhood to visit with neighbors.

NELC's members are already surrounded by industrial pollution. Across the 326 Spur from Triple C is a large concrete crushing facility called Hard 8 Materials located at 501 N. Avenue K, Lubbock, TX 79403. Another concrete batch plant, PB Materials, is located next to Hard 8 Materials at 401 N. Avenue K, Lubbock, TX 79403. Other nearby industries include, but are not limited to, Gandy's Dairies, Ergon Asphalt and Emulsions, Inc., Wilbert Funeral Services, and W&W AFCO Steel. All of these sources cause and contribute to the degradation of air quality, human health, and safety in the Guadalupe and Mahon neighborhoods. In 2007, an ammonia leak at Gandy's Dairies required 125 people to evacuate.[7] Along with Triple C Concrete, these air pollution sources impact NELC members' enjoyment and use of their property and local recreational areas like the Carrillo Family Recreation Area. Allowing for an increase of pollution in this small area will further endanger the health and safety of NELC members and neighborhood residents.

D. Neither the claim asserted, nor the relief requested requires the participation of the organization's individual members in the case

Fourth, neither the claim asserted, nor the relief requested requires the participation of the organization's individual members in the case. NELC and the organization's members identified as affected persons have the raise the same concerns as well as the same relevant and material disputed issues of facts in the submitted public comments and for a contested case hearing and for consideration and response by the ED's response to comments.

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[7] Nicole C. Brambila, Mapping the hazards: 4,200 Lubbock students go to schools near dangerous chemicals, LUBB. AVALANCHE-JOURNAL (May 7, 2014), https://www.lubbockonline.com/story/news/local/2014/05/17/mapping-hazards-4200-lubbock-students-go-school-near-dangerous-chemicals/15040941007/.

For the foregoing reasons, NELC has standing to request a contested case hearing in this matter. Ms. Dora Cortez is the North Lubbock Director for NELC. She lives at 217 Avenue O, Lubbock, TX 79401. Please communicate with Ms. Cortez and NELC through counsel. Our contact information, including a daytime phone number, is listed above and in our signature blocks below.

III. Relevant and Material Disputed Issues for Contested Case Hearing Raised During the Public Comment Period

Again, NELC and the organization's members identified as affected persons have the raise the same concerns as well as the same relevant and material disputed issues of facts in the submitted public comments and for a contested case hearing and for consideration and response by the ED's response to comments. The following relevant and material disputed issues should be referred to the State Office of Administrative Hearings for a contested case hearing:

- Whether the information provided by the Applicant concerning the April and October applications is factually accurate;

- Whether the Commission has properly determined the facility's impacts on Carmona-Harrison Elementary School as required by §382.052 of the Texas Health and Safety Code;

- Whether the Applicant continued to operate without authorization after its permit expired on February 10, 2024;

- Whether the Executive Director (ED) adequately considered that the Applicant continued to operate after its permit expired on February 10, 2024, when granting preliminary approval for the application;

- Whether the Executive Director has adequately reviewed the Applicant's compliance history in light of the plant having two separate registration numbers ("RNs") – the plant having two RN numbers complicated the compliance review during an investigation of an environmental complaint and was not resolved by the time the Executive Director issued preliminary approval as evidenced by report for Investigation # 2008932 and discussed below;

- Whether the Applicant's failure to timely renew its permit allowed it to escape being evaluated for major compliance violations the Commission found after an investigation resulting from an unauthorized emissions event on April 2, 2019 – the matter was investigated in the following months and subject to an Agreed Order dated May 6, 2020[8];

[8] In the Matter of an Enforcement Action Concerning Triple C Concrete of Lubbock, LTD, Docket No. 2019-0959-AIR-E, Texas Commission on Environmental Quality, May 6, 2020, https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/Agendas/2020/05-06-2020/0959AIR.pdf. This entire document is incorporated into the record by reference.

- Whether the Applicant currently has dust suppressing fencing or other equivalent barriers of at least 12 feet installed arounds roads, other traffic areas, and work areas that are within 50 feet of the property line pursuant to Sections (8)(h) and (I) of the Standard Permit for Concrete Batch Plants ("CBP Standard Permit");

- Whether the Executive Director has adequately considered that the Applicant never resolved or remedied violations it certified to TCEQ that it would remedy within 30 days following the Agreed Order of May 6, 2020[9];

- Whether the Applicant's concrete batch plant is within 550 feet of a rock or concrete crusher operated by Hard 8 Materials aka DC Caliche (RN110278835) whose site lies with 550 feet of the Applicant's concrete batch plant and who has an active permit for a portable concrete crusher;

- Whether Section (5)(I) of the CBP Standard Permit requires that the 550 feet measurement for proximity to a crushing plant be taken from the stockpiles or other areas within "traffic areas" that, pursuant to Section (2)(N) of the CBP Standard Permit, are "within the concrete batch plant" if those areas are closer to a concrete crusher than another point within the concrete batch plant;

- Whether the "baghouse" is the correct point to start the 550 feet measurement for proximity to a crushing plant pursuant to Section (5)(I) of the CBP Standard Permit as alleged by the Applicant;

- Whether the area surrounding the stockpile at Triple C is a "main traffic route associated with the operation of the concrete batch plant," and thus needs to be paved pursuant to Section (8)(K) of the CBP Standard Permit;

- Whether the Executive Director reviewed the Applicant's operational records before granting preliminary approval despite the Applicant's failure to keep operational records in the past and its numerous false statements or misrepresentations in several sworn certifications to the Commission;

- Whether the Commission has had knowledge of continuing violations at the Applicant's concrete batch plant and allowed them to continue;

- Whether the Commission denied the public adequate opportunity to review the proposed permit and the material conditions associated with it when it rejected NELC's request under the Texas Public Information Act for Triple C's operation records, which the Commission has a lawful right of access to obtain from the Applicant;

- Whether the Applicant failed to comply with federal and state public notice requirements;

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[9] Id.

- Whether the application and proposed standard permit registration fail to protect the public health, welfare, property, and the environment;

- Whether the emissions from the proposed facility will have adverse impacts on the public's health, welfare, property, and the environment;

- Whether the application fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations, and policies;

- Whether Executive Director's preliminary decision fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations, and policies;

- Whether the standard permit fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations, and policies;

- Whether the proposed emissions are reasonable considering the degree of injury and interference with the public's health and physical property;

- Whether the proposed emissions are reasonable considering the source's lack of social and economic value;

- Whether the proposed emissions are reasonable considering the non-priority of location of the area involved;

- Whether the proposed emissions are reasonable considering the technical practicability and economic reasonableness of further reducing or eliminating the proposed emissions;

- Whether the proposed activity will cause nuisance conditions in violation of 30 TAC § 101.4;

- Whether the permit conditions are adequate to protect against nuisance conditions;

- Whether the proposed activity will create visible emissions at the property line;

- Whether the facility fails to provide maintenance at entry and exit road;

- Whether the permit conditions are adequate to protect against visible emissions at the property line;

- Whether the proposed activity will cause or contribute to any exceedance of NAAQS for PM_{10} and $PM_{2.5}$;

- Whether the permit conditions are adequate to protect against causing or contributing to exceedances of NAAQS for PM_{10} and $PM_{2.5}$;
- Whether the proposed activity will utilize Best Available Control Technology (BACT);
- Whether the modeling conducted to support the application and the CBP Standard Permit, including the proposed activity air dispersion modeling, is inadequate or flawed – for example, the modeling does not consider that Lubbock, Texas has higher average windspeeds than other areas of the State;
- Whether there are insufficient air monitoring requirements in the draft permit;
- Whether the proposed activity will threaten the health and safety of nearby residents; and
- Whether the draft permit fails to account for other potential air contaminants resulting from the proposed activity.

Examples of the deficiencies and problems with Applicant's concrete batch plant and its application to operate are provided below in the Public Comment section. These examples are in addition to, and in no way should be construed to limit in any way the above identified relevant and material disputed issues to be addressed in a contested case hearing.

The Commission should deny the Applicant's application to operate a concrete batch plant under a standard permit registration.

IV. Public Comments

Again, NELC and the organization's members identified as affected persons have the raise the same concerns as well as the same relevant and material disputed issues of facts in the submitted public comments and for a contested case hearing and for consideration and response by the ED's response to comments.

The public comments in this section expand upon the previously discussed "relevant and material disputed issues for a contested case hearing raised during the public comment period" by providing additional details and examples. **These examples are in addition to, and should not be construed to limit, the previously identified "relevant and material disputed issues" that TCEQ and the Applicant should address at a public meeting, in the Executive Director's Response to Comments, and at a contested case hearing.**

NELC requests that TCEQ responds to the following comments regarding the Application and the Applicant's relevant activities.

A. The Applicant has made several false certifications to the Commission throughout this application process and in the past. With this history, how can the Commission ensure that all of the information the Applicant has provided is factually accurate?

How can the Commission grant a permit to an Applicant who has a history providing false certifications to TCEQ?

The Applicant has made several false certifications to TCEQ and the public throughout the application process and throughout its operational history. As noted in other comments, the Applicant's April Application misrepresented the distance of the facility to Carmona Harrison Elementary School. Carmona Harrison was less than 2,400 feet from Triple C, but Triple C certified that there were no schools within 3,000 feet. The Applicant also previously misrepresented the distance of the roads and traffic areas from the property line claiming that they were all at least 50 feet away. Although TCEQ forced Triple C to correct these misrepresentations after the public pointed them out in previous public comments, falsehoods remain in the Applicant's most current application to which the Executive Director has given preliminary approval. We will detail these falsehoods in following comments. We also chronicle the Applicant's history of providing false information and false certifications to the Commission, seemingly without consequence. We request the Executive Director provide a detailed explanation of how the Applicant's compliance history was analyzed including past violations. We also request an explanation of how the Applicant's past and present false statements were weighed in the decision to grant preliminary approval,

B. The Applicant's border fencing is not 12 feet tall around traffic and work areas that are 50 feet from the property line – it appears the plant manager misrepresented this fact at the public meeting.

In its October Application and at the public meeting on October 28, 2024, the Applicant continued to misrepresent the height of its border fencing claiming that it was 12 feet tall around traffic and work areas that are within 50 feet of the property line. [10] See the excerpt from the application below:

8(I)(i)	In lieu of meeting the distance requirements for roads of subsection (8)(H) of this standard permit, will the owner or operator construct and maintain in good working order dust suppressing fencing or other equivalent barriers as a border around roads, other traffic areas, and work areas?	Yes	Input for Section 8(I)(i)-(ii) is optional if 8H is met
8(I)(ii)	Will the border be constructed to a height of at least 12 feet?	Yes	This requirement is required

Figure 2: Excerpt from page 55 of October Application

Figure 3 below is screenshot from the City of Lubbock's Parcel Viewer-Public App.[11] We used the App's rule tool to measure a line from a high traffic road to the property line. This distance is 20.4 feet. As demonstrated by Figures 4 and 5, large sections of fencing within 20 feet of high traffic roads are about 6 feet tall, not 12 feet as they are required to be by Sections 8(H) and (I) of the CBP Standard Permit.

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[10] Triple C Concrete of Lubbock, LTD., TCEQ Standard Permit Application, October 1, 2024, at 55. https://drive.google.com/drive/folders/1AOkgUmqIINLufPg1fPenBAc8rhe14YSZ. We often refer to this as the "October Application" throughout this document.

[11] City of Lubbock, *Parcel Viewer-Public App* (Last Accessed October 24, 2024). https://ewebmap.ci.lubbock.tx.us/Parcelviewer/.

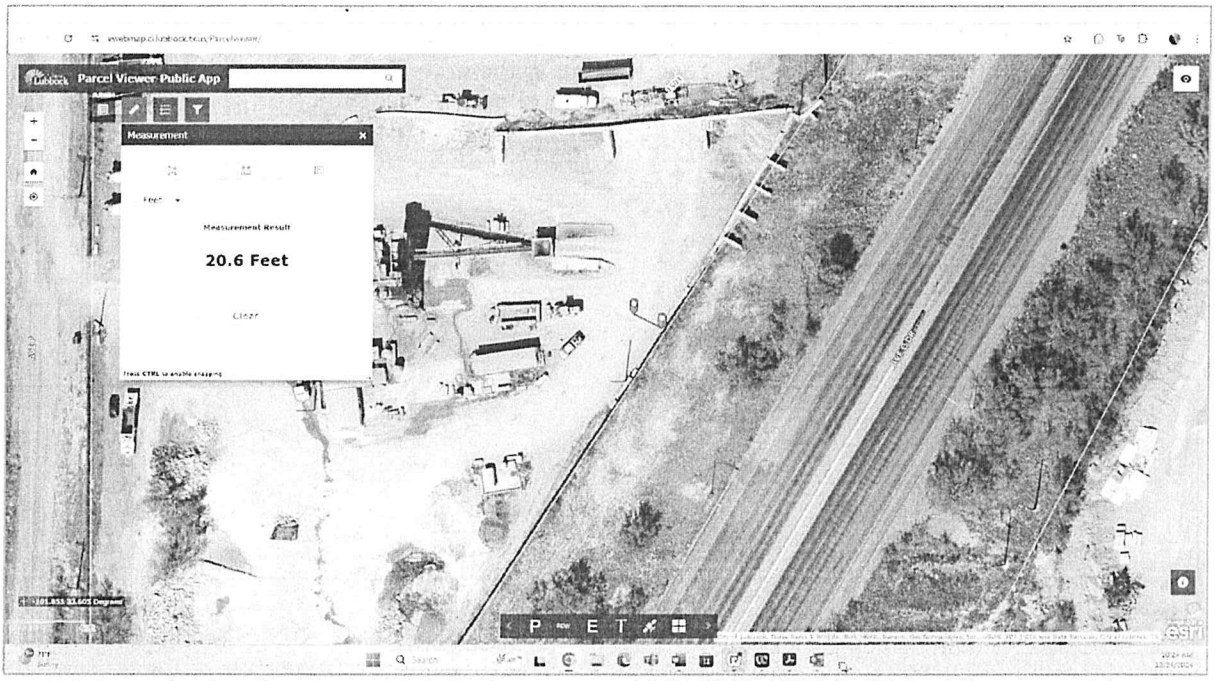

Figure 3: Screenshot from City of Lubbock Parcel Viewer-Public App

At the public meeting, Dora Cortez asked the manager of Triple C how tall the fences were that were next to roads that were within 50 feet of the property line. Triple C's manager responded: **"Those are twelve…twelve foot – it goes down the property line."**[12] This is categorically false. Although there is a small section of concrete barriers next to the stockpiles which are 12 feet tall, large sections of fencing within 50 feet of high traffic roads and areas are only 6 feet tall as shown in Figure 4 (also Exhibit 1) to the right.[13] In Figure 4, Dora Cortez took a picture of Adam Pirtle, who is 6'8" tall, next to Triple C's fence line. Pirtle is standing a few feet northeast of the blue line shown in Figure 3. Figure 5 (also Exhibit 2) on the following page was taken by Mark

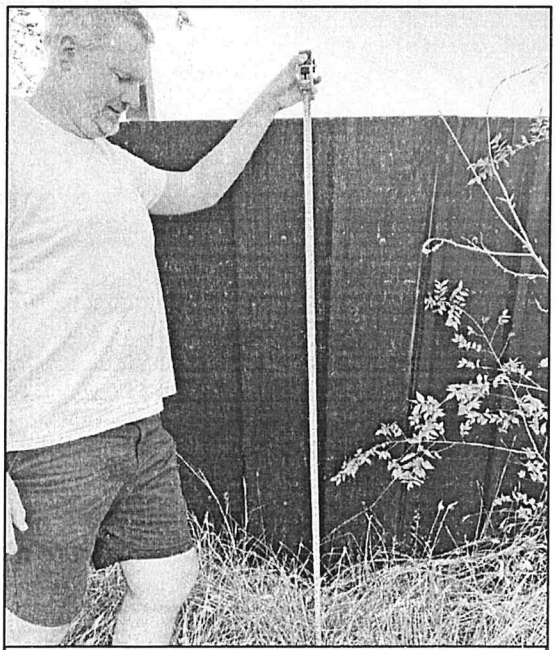

Figure 4: Photo taken by Ms. Dora Cortez on 10/21/24 at 6:43 p.m. outside Triple C Concrete. This fence is about 6 feet tall. This fence is less than 50 feet from a traffic area.

[12] Recording of TCEQ Public Meeting by Wendi Hammond, Timestamp: 22.22 (October 28, 2024) https://drive.google.com/drive/folders/1kwq1G5yGvT_PoGrfucjYDqn5qRYD2B0o?usp=sharing.

[13] Dora Cortez photographed the image in Figure 4 on the evening of October 21, 2024. Ms. Cortez swore to the veracity of this photograph in an affidavit, attached as Exhibit 1.

Oualline.[14] Mr. Oualline took the photograph from approximately where Pirtle stood in Figure 4. Mr. Oualline's photograph shows that a road leading to the hopper is just beyond the fence line. It also shows that the ramp to the hopper is not paved with a cohesive, hard surface as it should be under Section 8(K) of the standard permit.

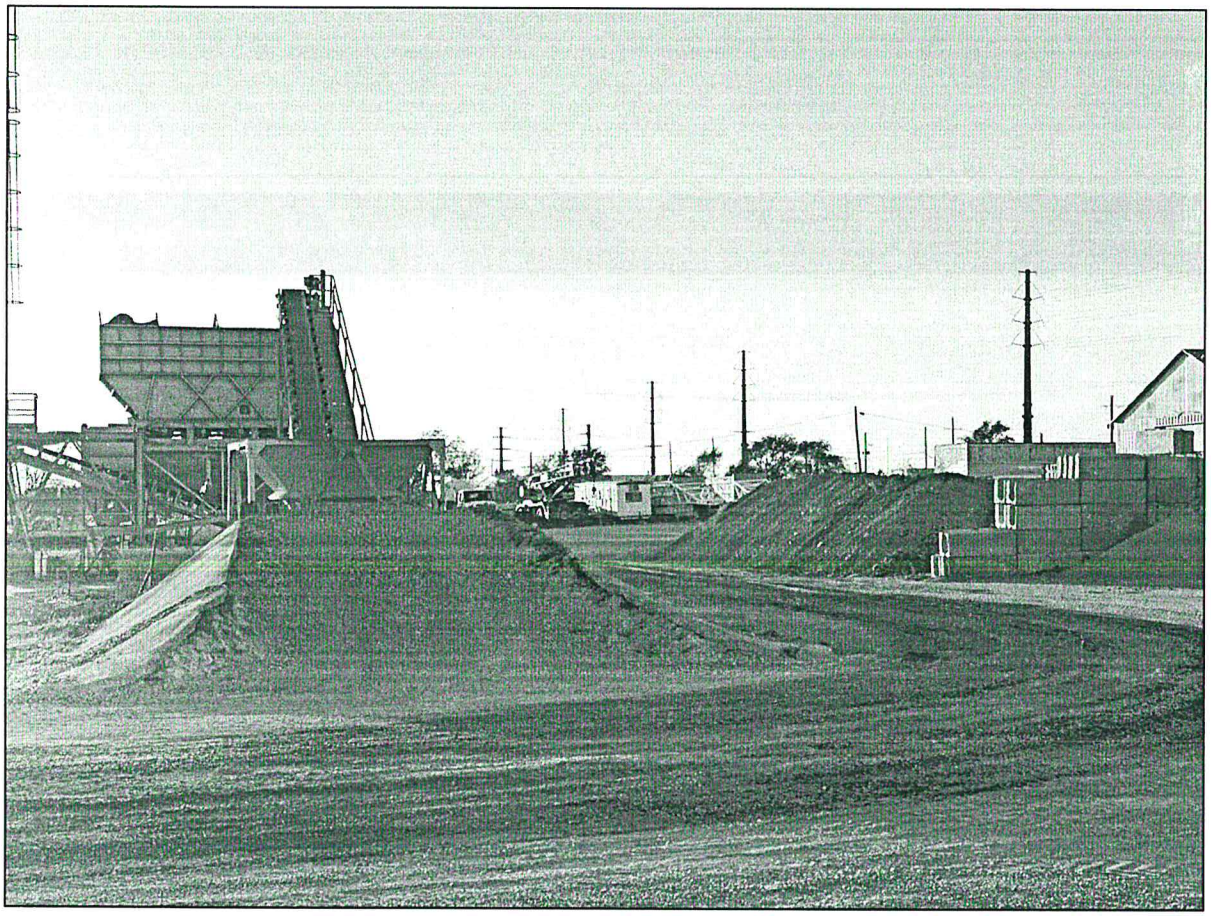

Figure 5: Photo taken by Mark Oualline on October 23, 2024, at 6:40 p.m.

Based on these pictures, we believe that the plant manager misrepresented the facts at the public meeting. It's readily apparent when visiting the site that the fences next to traffic and work areas are not 12 feet tall. As someone who works on site, the plant manager has direct knowledge of this. Although the plant manager was not under oath at the public meeting, one of the certifications the Applicant made in applications contained a warning that that deliberate misrepresentations could be met with criminal penalties. Falsification of data, documents, or reports is classified as major violation under 30 TAC §60.2(d)(1)(D). If TCEQ determines that the Applicant deliberately falsified additional information affirmed as true in its application, TCEQ must issue a major violation finding for each falsification. TCEQ must also consider these potential violations and the Applicant's compliance history before granting final approval to this Application.

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[14] Mark Oualline photographed the image in Figure 5 on the evening of October 23, 2024. Mr. Oualline swore to the veracity of this photograph in an affidavit, attached as Exhibit 2.

C. Triple C has already been cited twice in the past by TCEQ for failing to construct borders to a height of 12 feet. It has not fixed the problem, despite certifying that it would in 30 days following an Agreed Order issued on May 6, 2020. Did the Executive Director take this violation and subsequent false certification into account when issuing the preliminary decision? Did the Executive Director give the application additional scrutiny for the Applicant's failure to comply with the Ordering Provisions? How did the Commission determine that Triple C had remedied this violation?

On April 2, 2024, then Councilman Juan Chadis filmed an emissions event at Triple C Concrete. Because the silo was overfilled during loading, Triple C released approximately 5,555 pounds of cement dust from the baghouse into the atmosphere.[15] Along with other violations, TCEQ found that Triple C:

> *"Failed to construct borders to a height of at least 12 feet, in violation of 30 TEX. ADMIN. CODE§§ 116.115(c) and 116.615(2), Standard Permit Registration No. 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants, SC No. (9)(E)(ii), and TEX. HEALTH & SAFE1Y CODE§ 382.085(b).* ***Specifically, TCEQ staff observed stockpiles and operational roads at the Plant that did not meet the minimum buffer distance of 50 feet from any property line, and the dust suppressing fencing that was constructed ranged in height from six to 12 feet."***[16]

Karla Colquett signed a certification[17] dated March 4, 2020, in the Agreed Order that she would, among other things, "Construct the dust suppressing fencing or other barriers as a border around roads, other traffic areas, and work areas to a height of at least 12 feet" within 30 days after the Order's effective date.[18] It is evident from Figure 4 above that Triple C never remedied this violation and that Ms. Colquett falsely certified to TCEQ.

We do not know if TCEQ ever penalized Triple C for failing to build 12-foot fencing or barrier. We also do not know if the Executive Director has taken the Applicant's failure to comply with the Agreed Order in the issuance of the preliminary decision. **According to the Agreed Order, failure to comply with the Ordering Provision can result in several negative consequences, including "greater scrutiny of any permit applications submitted."** Did the Executive Director subject this application to this greater scrutiny? If so, how did this additional scrutiny impact the analysis? Did the Commission believe that Triple C had remedied this violation? If so, how did the Commission make this determination?

If the Executive Director did not give the application additional scrutiny when granting preliminary approval, we ask that the ED reevaluate that decision.

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[15] *In the Matter of an Enforcement Action Concerning Triple C Concrete of Lubbock, LTD,* Docket No. 2019-0959-AIR-E, Texas Commission on Environmental Quality, May 6, 2020, https://www14.tceq.texas.gov/epic/CIO/index.cfm?fuseaction=search.download&AGY_DKT_NUM_TXT=2019-0959-AIR-E. The order is available for download at: https://tinyurl.com/TripleCAgreedOrder. This entire Agreed Order is incorporated by reference.

[16] Id. at 3. (emphasis added).

[17] Id. at 7.

[18] Id. at 4.

D. Evidence NELC presented to TCEQ on August 1, 2024, Triple C shows that Triple C did not comply with another Ordering Provision of the May 6 Agreed Order: paving main traffic route associated with the operation of the concrete batch plant with a cohesive hard surface.

The Agreed Order also found that Triple C failed to have all entry and exit roads and main traffic routes paved with a cohesive hard surface.[19] It ordered Triple C to "pave the entry/ exit road and the main traffic routes associated with the operation of the Plant with a cohesive hard surface that can be maintained and cleaned."[20] NELC presented evidence in its comments filed on August 1, 2024, that Triple C had never honored this Ordering Provision. The evidence included the following images:

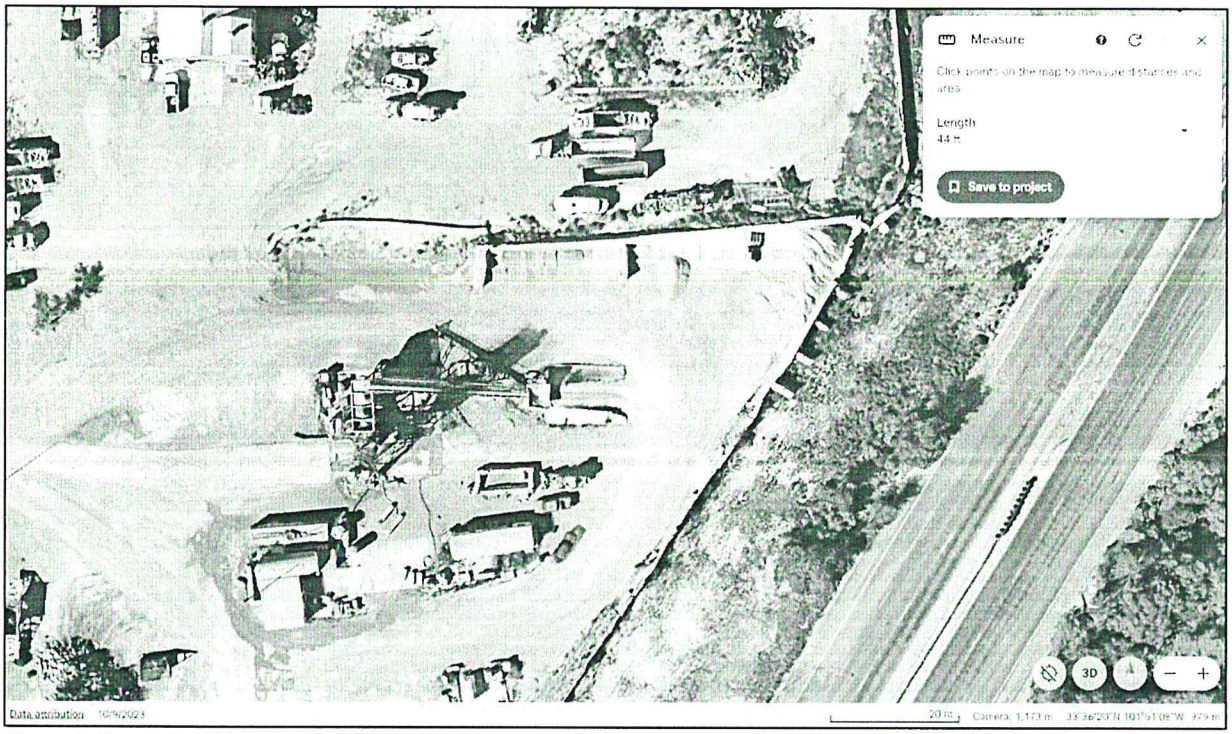

Figure 6: Google Earth map of stockpiles and surroundings at Triple C. Data Attribution 10/9/2023

Figure 6 above is a satellite image from Google Earth taken on October 9, 2023. It shows that the circular road surrounding the baghouse, silo and hopper is unpaved.

Figure 7 below is a photo taken by Penelope Rodriguez on July 1, 2024, at 3:29 p.m. It shows that the road leading to the stockpiles is unpaved. Ms. Rodiguez signed an affidavit swearing to the veracity of the picture which is already filed with TCEQ as part of this permit application's public comment process.

[19] Id. at 3.
[20] Id. at 4.

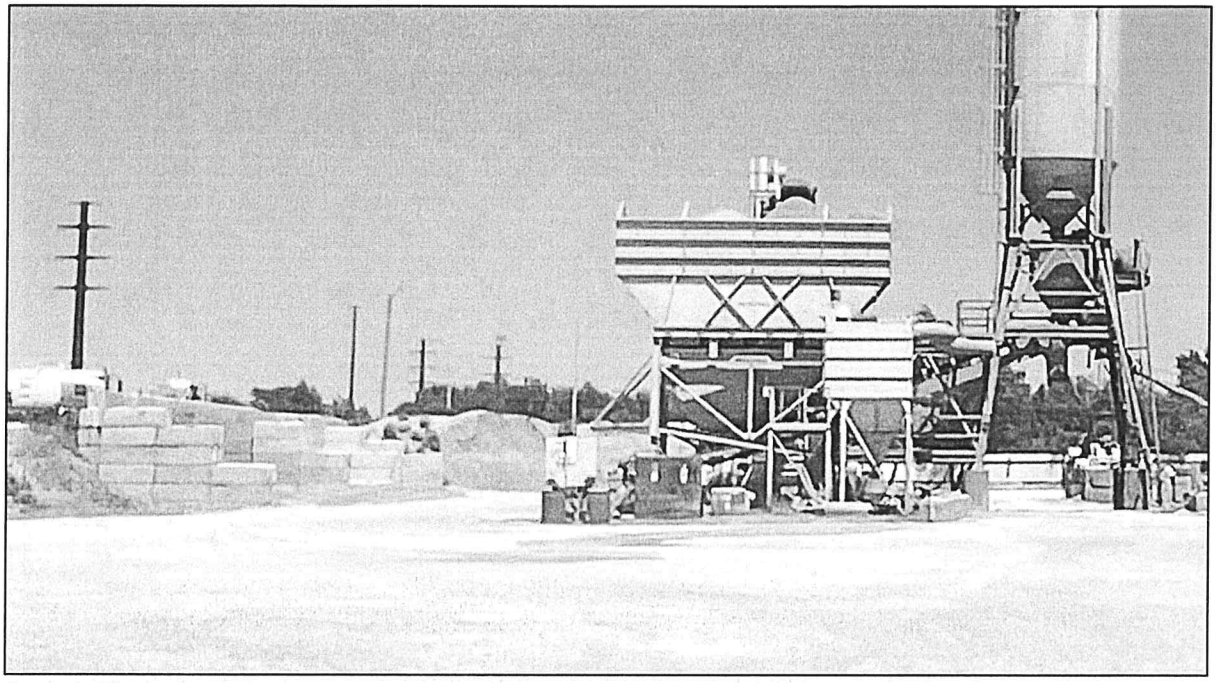

Figure 7: Photo of stockpiles taken 7/1/24 at 3:29 p.m. by Penelope Rodriguez

Figure 8 below is a photo taken on October 21, 2024, by Dora Cortez. It shows that the Applicant has finally attempted to remedy this violation.[21] The photo shows that the Applicant has applied a black asphalt-like substance to the circular road surrounding the hopper, silo, and baghouse. It is unclear both from the photograph and from visiting the site if this material is a cohesive, hard surface that can be maintained and cleaned. Figure 8 also shows that the ground under the stockpiles is not paved. The area surrounding the stockpiles is a high traffic route and should be paved pursuant to Section (8)(K) of the CBP Standard Permit. It is unclear if material delivery trucks can remain on the "paved" surface when delivering material to the stockpiles.

Figure 9, also below, is a photograph taken by Dora Cortez on the same day as Figure 8. [22] It shows that there are tire tracks in the asphalt-like substance and that parts of the road are jutting out and not smooth. This indicates that the road may not be hard and cohesive and is more difficult to clean than the concrete paving on Triple C's entry and exit road.

Even if the effort to pave the road is satisfactory to the Commission, our evidence shows paving did not take place until after July 1, 2024. This is more than four years after May 6, 2020, when Triple C certified that it would pave all main traffic routes in the Agreed Order. We can only conclude that the Applicant falsely certified when it agreed to complete this condition. We also have evidence that TCEQ had knowledge that the Applicant had not paved main traffic routes in 2022. TCEQ compliance records show an active Notice of Violation dated October 19, 2022, for failure to pave roads with a cohesive hard surface.[23]

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[21] Ms. Cortez swore to the veracity of this photograph in an affidavit, attached as Exhibit 1,
[22] Id.
[23] Triple C Notice of Violation (October 19, 2022)
https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.novdetail&addn_id=407408652004042&re_id=392408632004042.

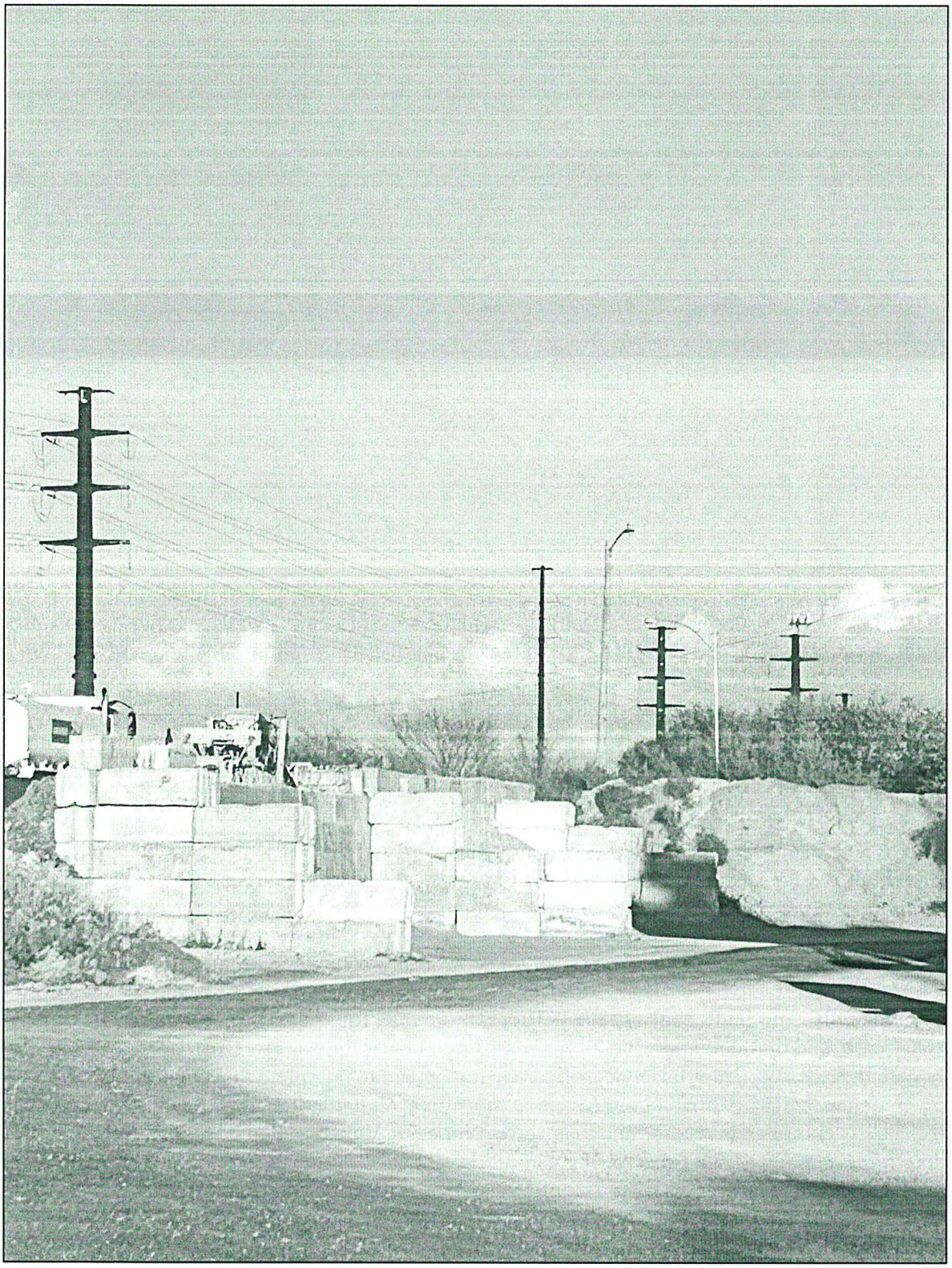

Figure 8: Photo taken by Dora Cortez at Triple C Concrete, October 21 at about 6:28 p.m.

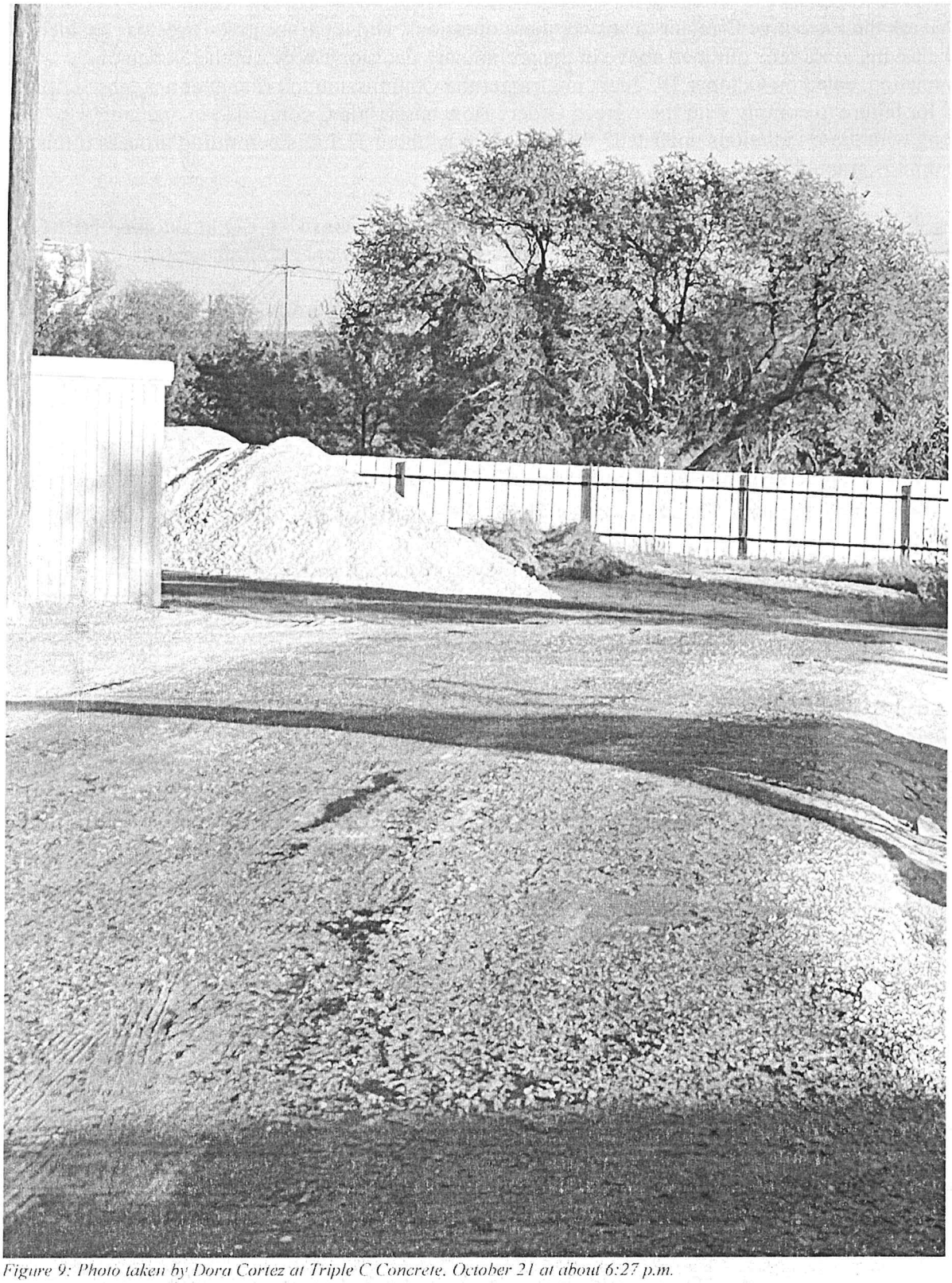

Figure 9: Photo taken by Dora Cortez at Triple C Concrete. October 21 at about 6:27 p.m.

We ask the Executive Director to answer these questions. Did the Executive Director consider the paving violations outlined above in the preliminary decision? Why did the Notice of Violation, dated on October 19, 2022, not trigger the Commission to bring action against Triple C for failure to comply with the Agreed Order? How has Triple C continued to operate for so long with these violations unabated? What does it say about TCEQ's permitting process if this permit is granted?

E. The public cannot properly evaluate this permit because TCEQ has denied NELC's Texas Public Information Act request for Triple C's operational records.

TCEQ prevented the public from truly and fully evaluating this permit application by denying records to which it is entitled.

In the May 6 Agreed Order, TCEQ determined that Triple C had failed to follow the CPB Standard Permit's recordkeeping requirements including:

- Failure to keep records of quarterly emissions observations; and
- Failure to maintain records of dust suppression activities like watering on stockpiles.[24]

Because Triple C previously failed to keep these records in the past, NELC requested Triple C's most recent operational records from TCEQ through the Texas Public Information Act ("TPIA") on August 1, 2024. NELC's TPIA request is attached as Exhibit 3. TCEQ's decision to deny NELC's TPIA request contradicts the plain language of the operable law.

Under Section (3)(J) of the CPB Standard Permit, owners or operators of concrete batch plants are required to make certain operation records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful "right of access" to these records. According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[25] Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. Nonetheless, TCEQ refused to collect these records from Triple C to provide responsive information for NELC's TPIA request. TCEQ's rationale for denying the public its rightful records is in an email from Leigh Flores dated August 12, 2024, and attached as Exhibit 4.

In this case, TCEQ's improper interpretation of the TPIA has prevented NELC and members of the public from properly evaluating this permit application. As a complaint-driven organization, TCEQ depends on the public to monitor regulated entities for compliance with the law. This is evident in this very case – TCEQ granted preliminary approval to Triple C's first application even though there was an obvious error about Carmona Harrison Elementary. Without the public pointing out that the elementary school was within 3,000 feet, it's likely the application would have sailed through with the error uncorrected and the danger to the school unanalyzed. The

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[24] *In the Matter of an Enforcement Action Concerning Triple C Concrete of Lubbock, LTD,* at 3.
[25] TEX. GOV'T CODE § 552.002(a)

compliance problems outlined above, like the inadequate border fence that remains unabated, further illustrate that TCEQ does not actively monitor facilities for compliance. To gather the evidence presented in this document and in other public comments, members of the public like Ms. Cortez and Mr. Mata had to trek through rocky fields of tall grass and weeds and avoid a guard dog that could enter the public street from a gap underneath Triple C's fence. And while it's difficult enough for the public to see there are visible compliance problems with a facility, it's next to impossible for the public to determine if a facility is complying with recordkeeping requirements or performing required maintenance. Most facilities simply won't hand over their records to the public if they don't have to. If TCEQ is going to shift the burden of policing for compliance to the public, its refusal to use its statutory power to request Triple C's records is not only a failure to adhere to the Public Information Act and the Clean Air Act, it's also a dereliction of its duty to the public.

Even more disheartening is the Commission's position that because Triple C unlawfully operated from February 10, 2024, to at least August 5, 2024, it did not need to maintain records pursuant to the CPB Standard Permit.[26] This position gives a windfall to Triple C for breaking the law.

The Commission may not approve this permit until the public has had the opportunity to fully evaluate Triple C's compliance with its maintenance and recordkeeping requirements.

F. TCEQ has not adequately evaluated the effects of the facility on Carmona-Harrison Elementary School as required by Section 382.052 of the Texas Health and Safety Code

Section 382.052 of the Texas Health and Safety Code requires that the commission, "consider possible adverse short-term or long-term side effects of air contaminants or nuisance odors from the facility on the individuals attending the school facilities." In the Form PI-1S-CPB that Triple C submitted to TCEQ with its April Application, the Applicant falsely certified on page 5 that there were no schools located within 3,000 feet of the site boundary.[27] Although the Applicant corrected this error in its October Application, NELC is concerned by the Commission's responses to questions at the public meeting held on October 28, 2024, about this issue. We allege that the Commission has not adequately evaluated the side effects of air contaminants or nuisance odors on the elementary aged students attending Carmona Harrison despite the Texas Legislature's insistence that it does. It is well known that children are more likely to be affected by particle pollution exposure than other groups.[28] Thus, Section 382.052 requires a special analysis separate from the protectiveness review conducted within the CBP Standard Permit. We ask the Executive Director to explain how the Commission has performed the evaluation required by Section 382.052 in its response to comments.

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[26] Recording of TCEQ Public Meeting by Wendi Hammond, Timestamp: 46.14 (October 28, 2024) https://drive.google.com/drive/folders/1kwq1G5yGvT_PoGrfucjYDqn5qRYD2B0o?usp=sharing.

[27] Texas Commission on Environmental Quality, PI-1S-CBP for Triple C Concrete submitted with its April Application (Received from TCEQ on 7/24/2024).

[28] Environmental Protection Agency, *Health and Environmental Effects of Particulate Matter*, (Last Updated July 16, 2024), https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm.

G. Triple C operated without a valid authorization from February 5, 2024, to at least August 5, 2024 – this is a major violation under Chapter 30 of the Texas Administrative Code

Triple C's previous permit registration, Registration No. 71025, expired on February 10, 2024. Triple C continued to operate after the permit expired. "[O]perating without required authorization" is classified as a major violation under 30 TAC §60.2(d)(1)(B). A site with three or more documented major violations is a repeat violator.[29] This level of non-compliance can result in TCEQ classifying a facility as an "unsatisfactory performer."[30] TCEQ is required to review compliance history when it is determining whether to grant or deny a permit application.[31]

NELC filed an environmental complaint with TCEQ on August 1, 2024. TCEQ visited the site on August 5, 2024. Investigator Sara Coley filed a report for Investigation # 2008932. The full complaint packet is attached as Exhibit 5. In the resulting investigation, Ms. Coley issued one Notice of Violation for "Failure to obtain authorization prior to operating a source of air permits." The Violation Start Date is listed as August 5, 2024. NELC disputes this start date for the violation. Triple C had notice that its permit lapsed and also had knowledge that it could not lawfully operate without a permit. TCEQ provided a renewal notification letter to Triple C Concrete and emailed separate correspondence to Triple C's consultants on March 15, 2024, which Triple C consultant Roger Reyna received, notifying Triple C of the permit lapse. In the permit application, Triple C requested that its application be expedited so that it could quote "resume operations." Using the term "resuming" implies that operations stopped, but they did not. Because of Triple C's history of skirting the rules, we urge the Enforcement Division to find separate violations for each day they operated unlawfully as allowed by law.

Even though this case is still pending before enforcement, the Executive Director must evaluate the failure of Triple C to renew its permit and its choice to continue operating unlawfully in her decision to issue a permit. Again, the evidence raised in the these public comments warrant denial; therefore, we ask the Executive Director to explain how these violations factored into the decision to give preliminary approval to the application.

H. It is unclear whether the Commission conducted an adequate compliance review when evaluating this application because this Applicant has two different RNs. If the compliance review did not consider past violations, the preliminary decision must be reevaluated.

In Ms. Coley's investigation report of Investigation # 2008932, the compliance report she conducted left out the Agreed Order from May 6, 2020, and the Notice of Violation from October 19, 2022, mentioned above.[32] When Adam Pirtle asks why this was, Ms. Coley explained the following in an email (attached as Exhibit 6) dated October 7, 2024:

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[29] 30 TAC §60.3
[30] Id.
[31] Id.
[32] See Exhibit 5.

> *"If you have the [investigation]report, you will notice the RN used (RN111965935) is different than the RN under which the plant was previously authorized (RN104156286). We are working with Air Permits and TCEQ Central Registry to get the 2 RNs merged so that compliance history can be maintained. In the interim, I did enter the complaint investigation under the new RN/Standard Permit Registration No., which is why no prior alleged violations were identified when the Compliance History report was run."*

If the compliance review for the preliminary decision was conducted in the same manner as it was for Investigation # 2008932, then the preliminary decision was wrongly decided. We ask for an explanation of how the preliminary decision compliance review was conducted, whether it includes a review of the May 6th Agreed Order and associated violations and the October 19th Notice of Violation, and whether any other violations were considered.

I. The Applicant's concrete batch plant may be within 550 feet of a rock or concrete crusher operated by Hard 8 Materials aka DC Caliche (RN110278835). Hard 8 Materials' site lies with 550 feet of the Applicant's concrete batch plant and has an active permit for a portable concrete crusher.

On its permit application, the Applicant stated that it was greater than 550 feet from any crushing plant or hot mix asphalt plant.[33] See Figure 10 below:

(5)(I)	What is the distance from the concrete batch plant to any crushing plant or hot mix asphalt plant? (feet)	>550ft	N/A

Figure 10: Selection from October Application

Triple C has not done enough to adequately certify that its concrete batch plant is more than 550 feet away from a concrete crusher. Hard 8 Materials aka DC Caliche (RN110278835) ("Hard 8") has an active permit for a concrete crusher.[34] Hard 8's permit was originally owned by Bedrock Crushing, but Bedrock Crushing left the site in 2023. The site lies within 550 feet of the Applicant's concrete batch plant and has an active permit for a portable concrete crusher. Bedrock Crushing's original application showed the proposed location of the crusher.[35] As seen in Figure 11, Bedrock Crushing's application did not consider the location of Triple C Concrete when locating the concrete crusher.

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[33] Triple C Concrete of Lubbock, LTD., TCEQ Standard Permit Application, October 1, 2024, at 52. https://drive.google.com/drive/folders/1AOkgUmqIINLufPg1fPenBAc8rhe14YSZ.

[34] Texas Commission on Environmental Quality, Air Source Review (NSR) Change of Ownership for Portable Crushing Plant, DC Caliche (February 24, 2023) https://www2.tceq.texas.gov/airperm/index.cfm?fuseaction=airpermits.project_report&proj_id=353979&addn_num_txt=150784.

[35] Bedrock Crushing, Application for New Air Quality Standard Permit for Permanent Rock/Concrete Crusher (February 21, 2018) https://records.tceq.texas.gov/cs/idcplg?IdcService=TCEQ_EXTERNAL_SEARCH_GET_FILE&dID=3742778&Rendition=Web.

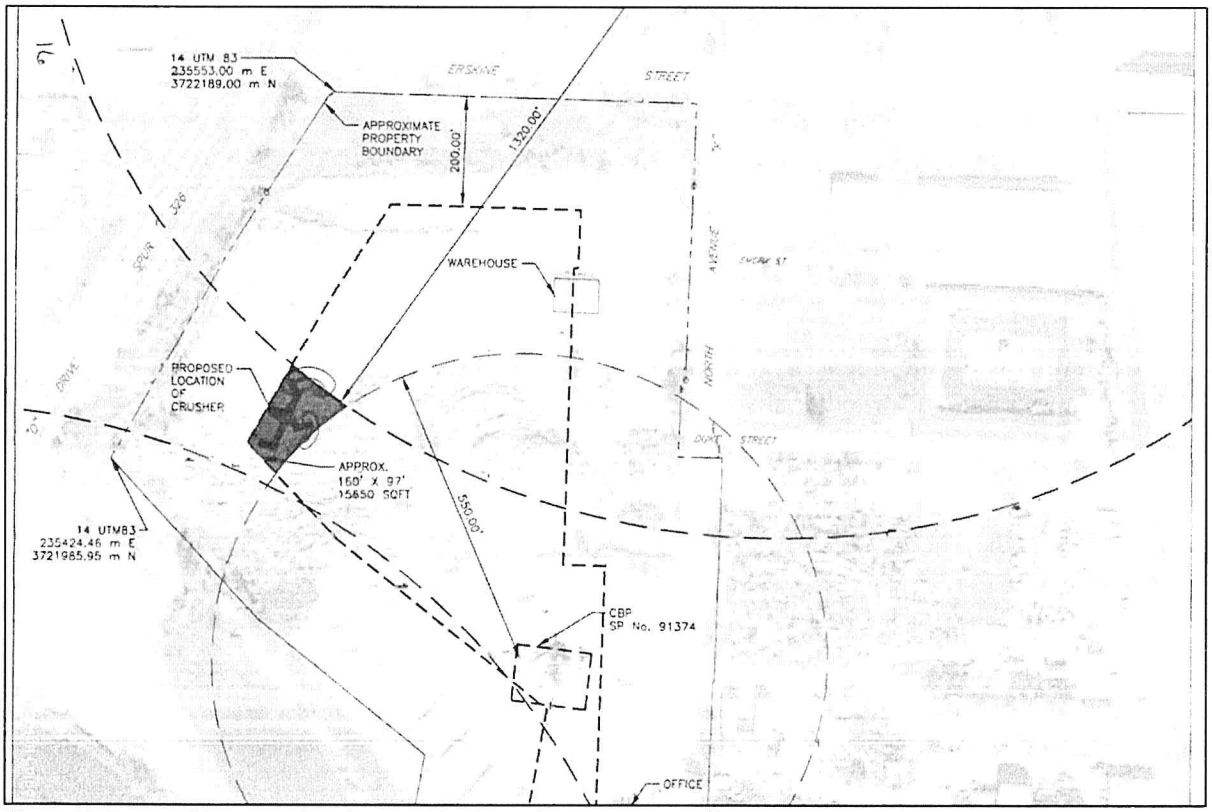

Figure 11: Proposed location of crusher in Bedrock Crushing's application.[36]

Despite the active permit for the concrete crusher on a neighboring property, Triple C's application provides no evidence that its concrete batch plant is farther than 550 feet away. We also have evidence that Triple C's consultants made their determination based on a wrong interpretation of the CPB Standard Permit. When asked how they determined that there was not crusher within 550 feet of Triple C, Ms. Aslyn Henry said that "that measurement is done from the baghouse."[37] This is incorrect. Pursuant to Section (5)(I) of the CPB Standard Permit, "[t]he owner or operator shall measure from the closest point on the ***concrete batch plant*** to the closest point on any other facility."

This means that Triple C should have taken the measurement from the closest point to Hard 8, not the baghouse. Our analysis indicates that at the very least this measurement must be taken from the traffic areas that are part of Triple C's concrete batch plant. Pursuant to Section (2)(N) of the CPB standard permit, traffic areas are considered within and part of the concrete batch plant:

> "Traffic areas - For the concrete batch plant standard permit, **it is <u>an area within the concrete batch plant</u> that includes stockpiles and the area where mobile equipment**

[3636] Id. at 26.

[37] Recording of TCEQ Public Meeting by Wendi Hammond, Timestamp: 52.00 (October 28, 2024) https://drive.google.com/drive/folders/1kwq1G5yGvT_PoGrfucjYDqn5qRYD2B0o?usp=sharing.

moves or supplies aggregate to the batch plant and trucks supply aggregate and cement."[38]

Thus, the 550-foot measurement from the concrete batch plant should be taken from a traffic area or a stockpile if a point within those areas is the closest point to a nearby crusher. Our analysis in Figure 12 below indicates that the Triple C may be within 550 feet of Hard 8's portable crusher. The blue polygon is an estimate of the traffic area within Triple C's concrete batch plant and the red polygon is a 550-foot buffer from that area.

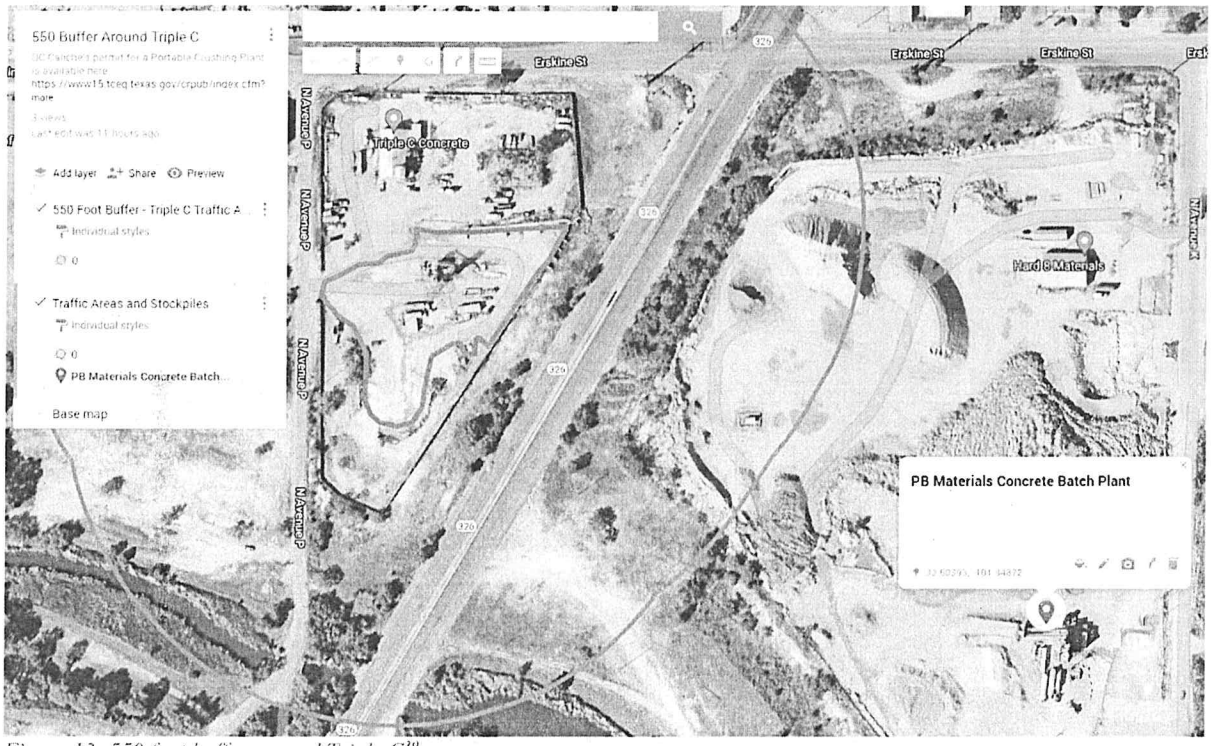

Figure 12. 550 foot buffer around Triple C[39]

In Figure 12, the 550-foot buffer appears to encompass the proposed site of the crusher in Figure 11. Considering this evidence and Ms. Henry's incorrect statement about the measurement being taken from the baghouse, the Applicant must present more evidence that Hard 8's crusher is not within 550 feet of Triple C before this application may be approved.

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[38] *See also: Complete Standard Permit Issuance Package for Effective Date December 21, 2012,* https://www.tceq.texas.gov/assets/public/permitting/air/NewSourceReview/Mechanical/cbpsp-finalpreamble.pdf. Page 6 of this document explains that the 550 limit was added "to reduce the potential for cumulative effects from both plants operating simultaneously and to be protective of the PM2.5 and PM10 NAAQS based on the results of the modeling. The distance requirement also helps to maintain consistency with other standard permits." Thus TCEQ adopted this change to expand the protectiveness of the standard permit. The operative language remained the same in the most recent updates to the permit.

[39] The full map is available at: https://www.google.com/maps/d/edit?mid=13Vny6rxUSubbXCpVL3GCJrGt0J1wza4&usp=sharing

J. Conclusion

The North and East Lubbock Coalition urges TCEQ to deny the application based on the information already available. We reiterate our request for a contested case hearing based on the information presented in this and previous filings.

Thank you for considering our requests and comments.

Respectfully submitted,

Adam Pirtle
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Fax: (817) 736-1602

Enc: Please note that the following exhibits will be attached as separate documents using TCEQ's electronic system. A document with all exhibits and higher resolution photographs is available at this link:

Exhibits:

1) Affidavit of Dora Cortez, October 30, 2024
2) Affidavit of Mark Oualline, October 31, 2024
3) NELC TPIA Request for Triple C Operational Records
4) Email from Leigh Flores
5) Investigation Report #2008932
6) Emails Between Adam Pirtle and Sara Coley

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

November 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Supplemental Public Comments and Supplemental Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of our client, the North and East Lubbock Coalition ("NELC")[1], we submit Exhibit 2: Affidavit of Mark Oualline, October 31, 2024, to today's filed:

1. a supplement to our request for a contested case hearing; and
2. supplemental public comments

regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Thank you for considering our requests and comments.

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401

[1] NELC is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

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AFFIDAVIT OF MARK OUALLINE

STATE OF TEXAS §
§
COUNTY OF LUBBOCK §

Before me, the undersigned authority, on this day personally appeared MARK OUALLINE who swore or affirmed to tell the truth, and stated as follows:

1. My name is MARK OUALLINE. I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I am over the age of twenty-one years old and am competent to testify to the matters set forth in this Affidavit. I swear that the testimony and evidence as follows is true and correct to the best of my knowledge.

2. I reside at 6204 78th Street, Lubbock, Texas, 79424.

3. I hereby certify that on October 23, 2024, I photographed the images included in the following pages at Triple C Concrete, LTD, located at 1521 Erskine Street in Lubbock, Texas, 79403.

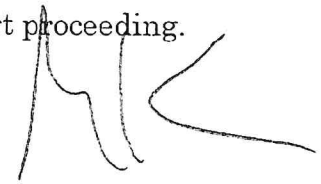
4. I hereby certify I photographed the events depicted with my phone camera.

5. I hereby certify that the date and time listed below each photograph below accurately reflects the date and time when I took each photograph.

6. I have initialed each page including a photograph in this affidavit to certify that I did take these photographs at the listed location at the stated date and time.

7. The affidavit and evidence submitted with it may be used for a hearing or any court proceeding.

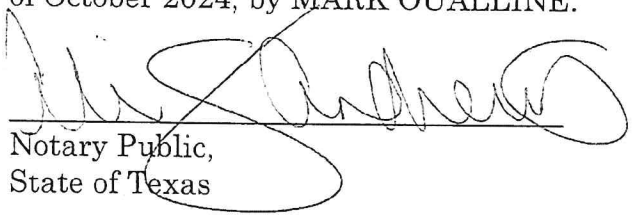
Signed,



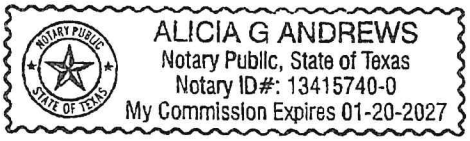
MARK OUALLINE
6204 78th Street
Lubbock, Texas, 79424

State of Texas
County of Lubbock

SWORN to and SUBSCRIBED before me, the undersigned authority, on the 31st day of October 2024, by MARK OUALLINE.



Notary Public,
State of Texas



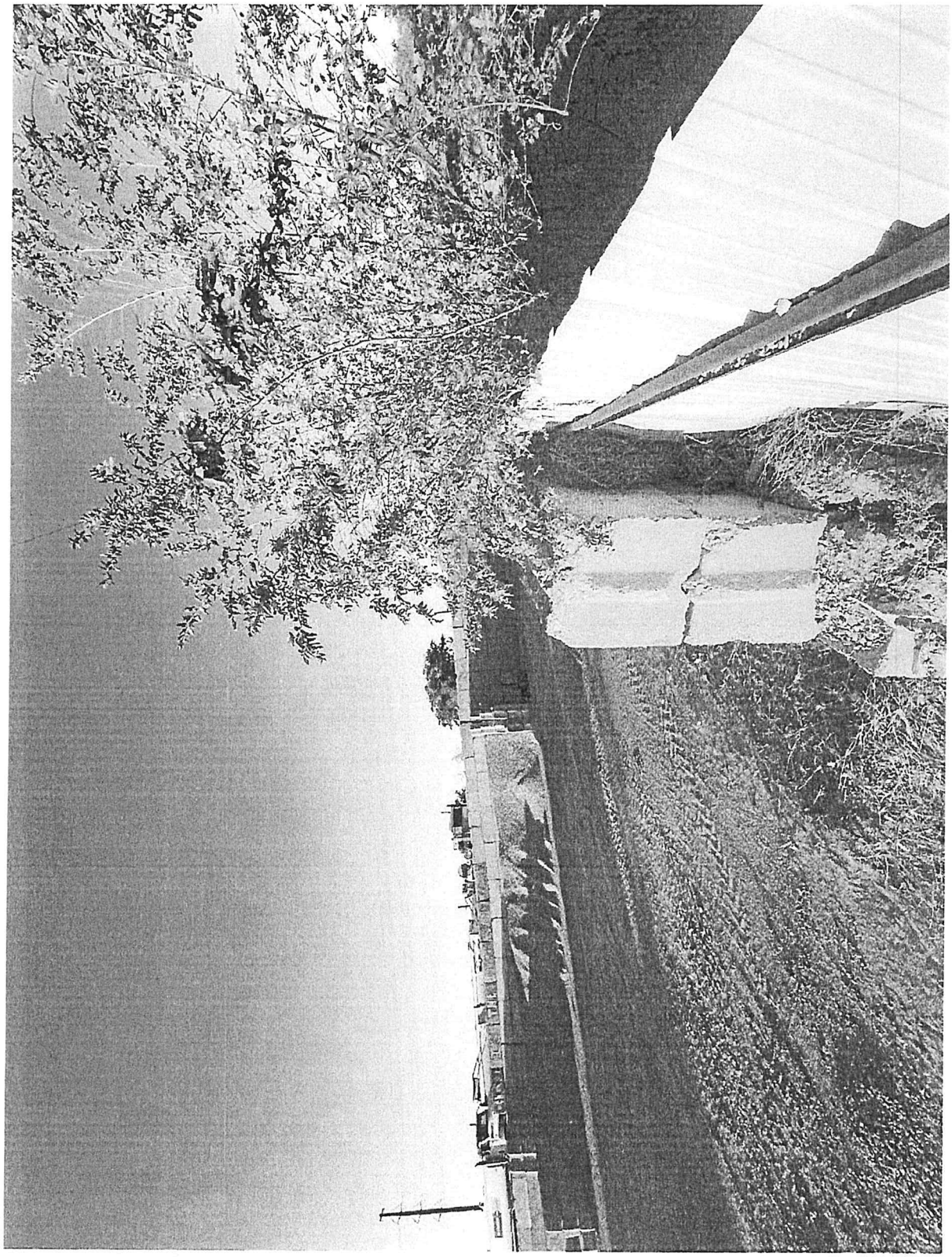
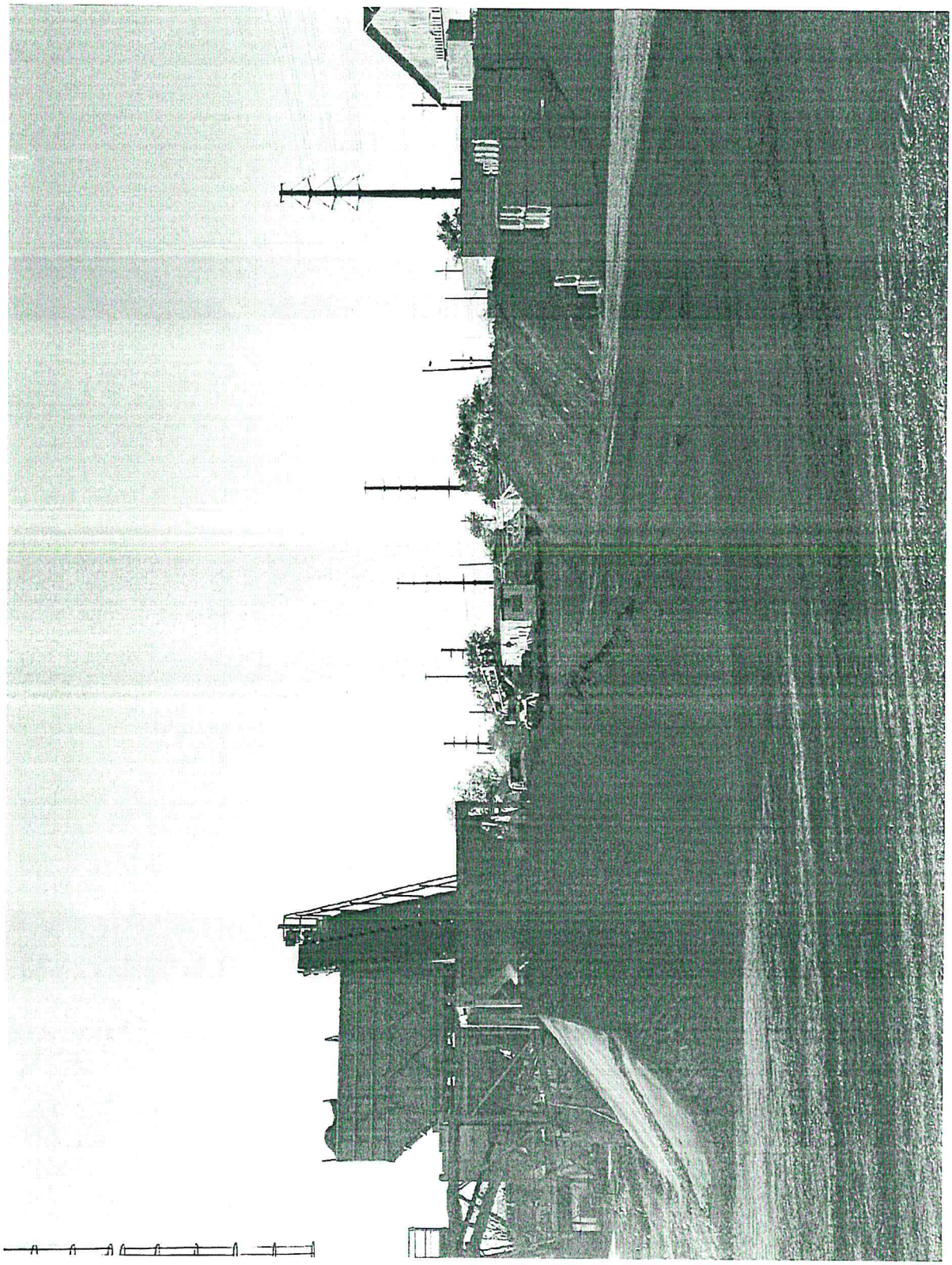


Photo taken by Mark Oualline at Triple C Concrete, October 23 at about 6:40 p.m.



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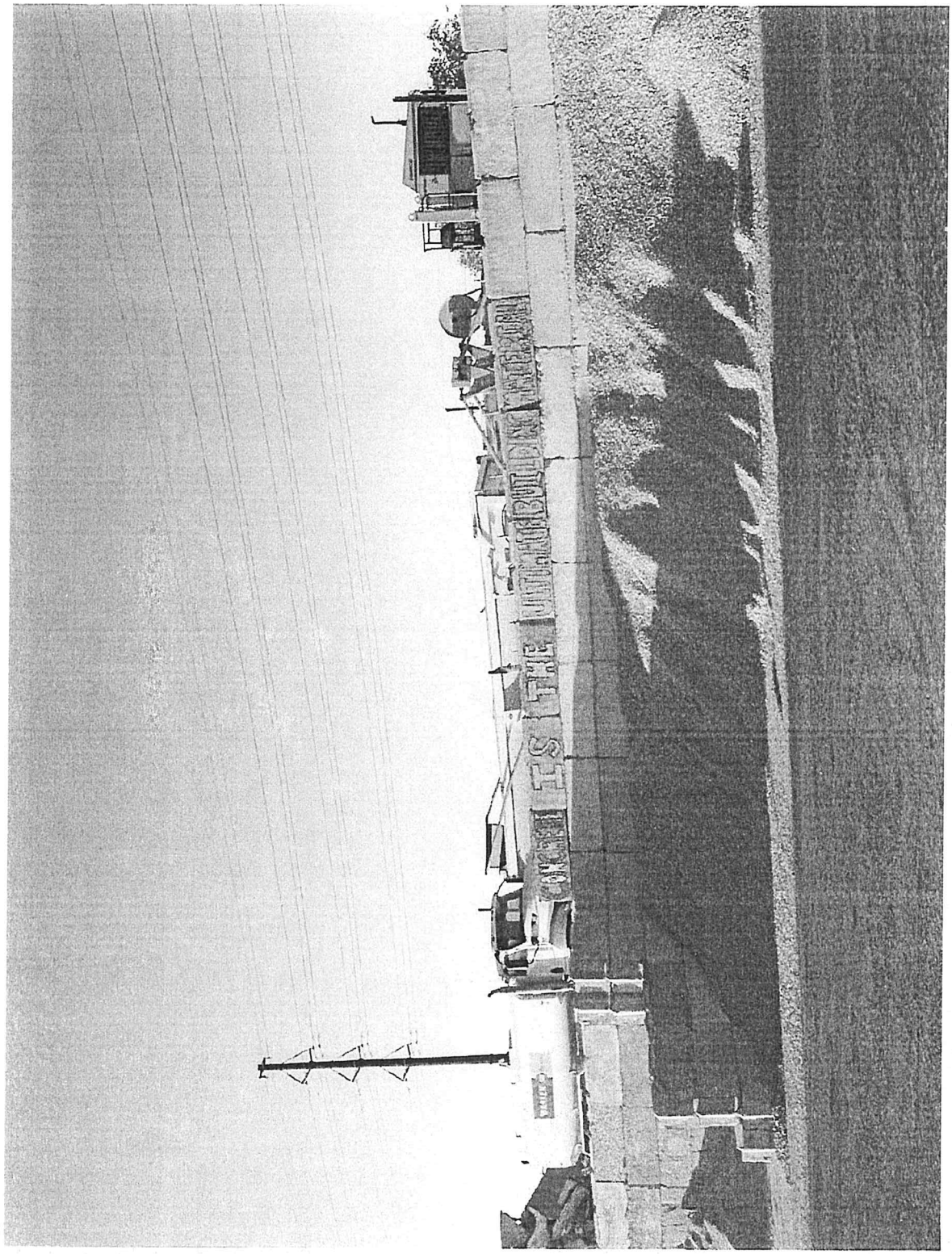

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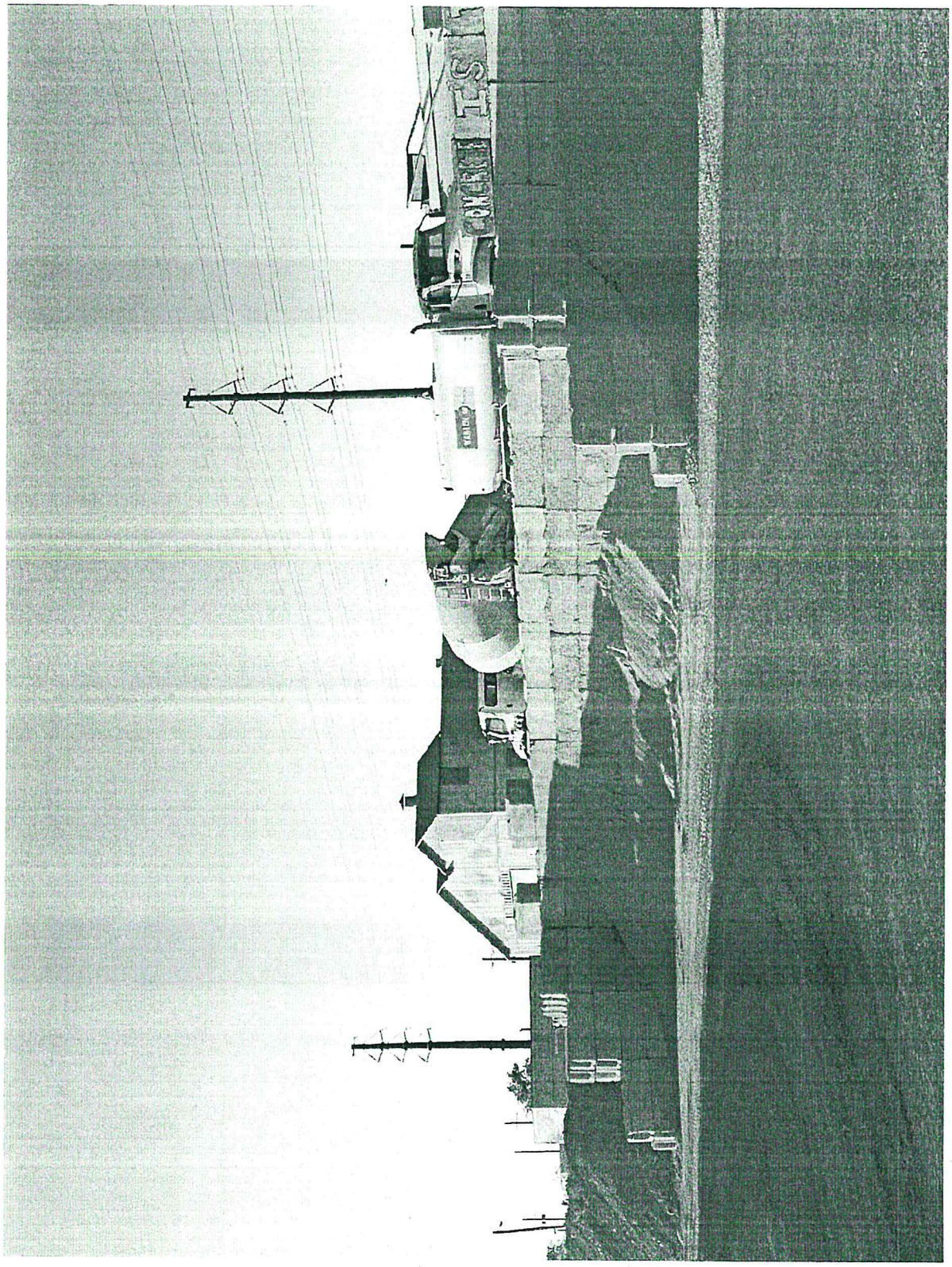
CONCRETE

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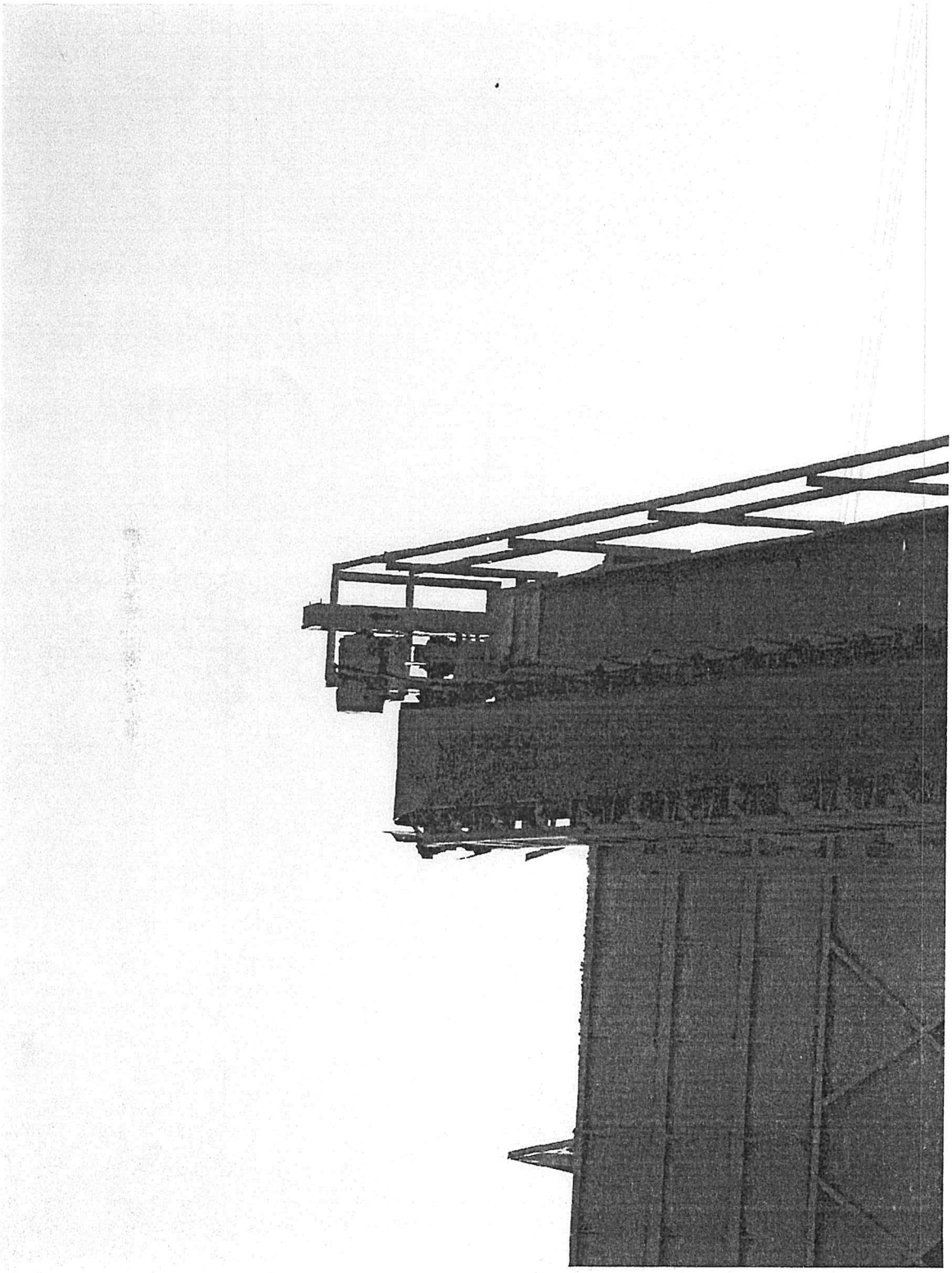

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Adam Pirtle

From: Adam Pirtle
Sent: Monday, August 12, 2024 5:30 PM
To: 24-1581632@lanwt.legalserver.org
Subject: FW: TCEQ Public Information Request 96078

From: AirPIR <AirPir@tceq.texas.gov>
Sent: Monday, August 12, 2024 1:11 PM
To: Adam Pirtle <pirtlea@lanwt.org>; Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: RE: TCEQ Public Information Request 96078

Good afternoon,

After discussing with our Legal Office about your concerns for PIR 24-96078, please see below:

> A Public Information Act request can only encompass public information in existence at the time the request was made, and governmental bodies are not obligated to prepare new information in response to a request. Private third-party records are only considered public information if they are "created by, transmitted to, received by, or maintained by . . . *a person or entity performing official business or a governmental function on behalf of a governmental body*. . . ." Tex. Gov't Code § 552.002(a-1). Regulated entities that are required to maintain certain records to demonstrate permitting compliance are not performing TCEQ business or governmental functions when doing so. *See* Open Records Decision No. 462 (1987).

As Triple C Concrete of Lubbock does not maintain the requested information in the role of an agent acting on behalf of TCEQ, and TCEQ has not acquired this information from Triple C Concrete of Lubbock through 30 Tex. Admin. Code § 106.8(c), TCEQ has no additional information to provide that is responsive to your request.
Please let me know if you have any further questions.

Thanks,

LEIGH FLORES
TEAM LEADER
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AIR PERMITS DIVISION
BUSINESS SUPPORT SECTION MC-163
PO BOX 13087
AUSTIN, TEXAS 78711-3087
512-239-0361
leigh.flores@tceq.texas.gov

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Friday, August 9, 2024 5:46 PM
To: Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: RE: TCEQ Public Information Request 96078

Good afternoon, Ms. Moreno:

On August 1, 2024, I requested Triple C Concrete's operating logs and other records it was required to keep onsite as a condition of the standard permit from January 1, 2023, to the date of the request. For your convenience, I have duplicated that portion of the request below my signature and attached the original request receipt.

In the records you provided in response to my request, I did not find any records that Triple C maintained onsite as required by the standard permit and other law. Did TCEQ attempt to request these documents from Triple C Concrete to fulfill this request?

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. TCEQ has a lawful right of access to these records. Under the Texas Public Information Act, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information." TEX. GOV'T CODE § 552.002(a). Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ needed to exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you,
Adam

Request excerpt:
"We request the written records that Triple C is required to keep on-site pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. Specifically, we request the records maintained on-site for the following including:

- *30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;*
- *30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;*
- *production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;*
- *all repairs and maintenance of abatement systems and other dust suppression controls;*
- *Material Safety Data Sheets for all additives and other chemicals used at the site;*
- *road cleaning, application of road dust control, or road maintenance for dust control;*
- *stockpile dust suppression;*
- *monthly silo warning device or shut-off system tests;*

- *quarterly visible emissions observations and any corrective actions required to control excess visible emissions;*
- *demonstration of compliance with subsection (6)(B) of this standard permit;*
- *type of fuel used to power engines authorized by this standard permit; and*
- *demonstration of compliance with subsection (5)(L) of this standard permit.*

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records."

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

This message, as well as any attached document, contains information from the law firm of Legal Aid of NorthWest Texas that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

From: Deanna Moreno <Deanna.Moreno@tceq.texas.gov>
Sent: Friday, August 9, 2024 11:28 AM
To: Adam Pirtle <pirtlea@lanwt.org>
Cc: AirPIR <AirPir@tceq.texas.gov>
Subject: TCEQ Public Information Request 96078

Good morning,

Attached please find our response to your Public Information Request (PIR) to Texas Commission on Environmental Quality. This PIR is now closed.

Please contact me with any questions regarding this request.

Thank you, and have a great day!

Deanna Moreno
Permit Support Specialist II
Air Permit Division, MC 163
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
(P) 512-239-0701
deanna.moreno@tceq.texas.gov

---

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, November 1, 2024 4:55 PM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: CvrLtr and Exhibit 3 - NELC TPIA Request for Triple C Operational Records.pdf

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") , we submit Exhibit 3: NELC TPIA Request for Triple C Operational Records to today's filed: 1. a supplement to our request for a contested case hearing; and 2. supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

November 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Supplemental Public Comments and Supplemental Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of our client, the North and East Lubbock Coalition ("NELC")[1], we submit Exhibit 3: NELC TPIA Request for Triple C Operational Records to today's filed:

1. a supplement to our request for a contested case hearing; and
2. supplemental public comments

regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Thank you for considering our requests and comments.

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401

[1] NELC is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

Phone: (806) 696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602



Wendi Hammond
Staff Attorney
Legal Aid of NorthWest Texas
400 S. Zang Blvd., Ste. 1420
Dallas, Texas 75208
Phone: (469) 917-5970, ext.8903
Email: hammondw@lanwt.org
Fax: (817) 736-1602

Enc: Please note that the following exhibits will be attached as separate documents using TCEQ's electronic system. A document with all exhibits and higher resolution photographs is available at this link:

Exhibits:

1) Affidavit of Dora Cortez, October 30, 2024
2) Affidavit of Mark Oualline, October 31, 2024
3) NELC TPIA Request for Triple C Operational Records
4) Email from Leigh Flores
5) Investigation Report #2008932
6) Emails Between Adam Pirtle and Sara Coley

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 1, 2024

Via Email: *openrecs@tceq.texas.gov*

Public Information Officer, MC 197
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: North and East Lubbock Coalition request under the Texas Public Information Act for records of Triple C Concrete of Lubbock, LTD, RN111965935

Dear Public Information Officer:

Pursuant to the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, and on behalf of my client, the North and East Lubbock Coalition ("NELC"), I respectfully request the following from the Texas Commission on Environmental Quality ("TCEQ"). If this request is unclear, please contact me using the information in my signature block below for clarification.

Information requested

This request involves **Triple C Concrete of Lubbock, LTD, ("Triple C") located at 1521 Erskine Street, Lubbock, Texas 79403.** The RN number is RN111965935. We request the following for the period starting on January 1, 2023, to the date of this of this letter.

We request the written records that Triple C is required to keep on-site pursuant to recordkeeping requirements of Section (3)(J) of the Air Quality Standard Permit for Concrete Batch Plants[1] and relevant sections of the Texas Administrative Code. Specifically, we request the records maintained on-site for the following including:

- 30 TAC § 101.201, Emissions Event Reporting and Recordkeeping Requirements;
- 30 TAC § 101.211, Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements;
- production rates for hourly and annual operations that demonstrate compliance with the tables in subsection (8)(A) or the production limitations in subsection (9)(A) of this standard permit, as applicable;
- all repairs and maintenance of abatement systems and other dust suppression controls;
- Material Safety Data Sheets for all additives and other chemicals used at the site;
- road cleaning, application of road dust control, or road maintenance for dust control;
- stockpile dust suppression;
- monthly silo warning device or shut-off system tests;
- quarterly visible emissions observations and any corrective actions required to control excess visible emissions;
- demonstration of compliance with subsection (6)(B) of this standard permit;

[1] Texas Commission on Environmental Quality, Air Quality Standard Permit for Concrete Batch Plants (Effective January 24, 2024) https://www.tceq.texas.gov/downloads/permitting/air/nsr/nsr-stakeholders/22033-oth-nr-cbpsp-stdpmt.pdf. (Please also provide the records Triple C was required to keep under the previous iteration of the standard permit.

- type of fuel used to power engines authorized by this standard permit; and
- demonstration of compliance with subsection (5)(L) of this standard permit.

Under the standard permit and other law, owners or operators are required to make these records available at the request of TCEQ personnel or any air pollution control program having jurisdiction. In other words, TCEQ has a lawful right of access to these records.

B. Confidential information requested

We request all records and information responsive to this request including confidential information. If TCEQ believes that certain responsive information is confidential, please contact me to discuss this further.

C. Request for waiver of costs

NELC is a membership-based, Texas non-profit corporation serving neighborhoods in the north and east sides of Lubbock. The information NELC requests is in the public interest. Further, NELC will share any information received from this request without charge. Therefore, NELC asks for a waiver of all fees for producing this information pursuant to Section 552.267 of the Texas Government Code. Should TCEQ not grant a waiver, please provide me with a cost estimate before producing this material if the cost estimate is greater than $40.00.

D. Public information includes records that TCEQ has a lawful right to obtain

According to the TPIA, public information includes "information that is written, produced, collected, assembled, or maintained" for a governmental body that "has a right of access to the information."[2] Because state law requires Triple C to write, produce, collect, assemble or maintain the requested records for TCEQ and because TCEQ has a right of access to the records, these records are public information. TCEQ must exercise its right of access to obtain this public information from Triple C to comply with this request.

Thank you for your assistance in this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

[2] TEX. GOV'T CODE § 552.002(a)

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, November 1, 2024 4:55 PM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 176227
Attachments: CvrLtr and Exhibit 1 - Affidavit of Dora Cortez, October 30, 2024.pdf

From: hammondw@lanwt.org <hammondw@lanwt.org>
Sent: Friday, November 1, 2024 4:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME COMMERCIAL CONCRETE

RN NUMBER: RN104156286

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Wendi Hammond

EMAIL: hammondw@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD 1420
DALLAS TX 75208-6600

PHONE: 2142432583

FAX:

COMMENTS: Dear Ms. Gharis: On behalf of our client, the North and East Lubbock Coalition ("NELC") , we submit Exhibit 1: Affidavit of Dora Cortez, October 30, 2024 to today's filed: 1. a supplement to our request for a contested case hearing; and 2. supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

November 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Supplemental Public Comments and Supplemental Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of our client, the North and East Lubbock Coalition ("NELC")[1], we submit Exhibit 1: Affidavit of Dora Cortez, October 30, 2024 to today's filed:

1. a supplement to our request for a contested case hearing; and
2. supplemental public comments

regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227.

Thank you for considering our requests and comments.

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401

[1] NELC is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

Phone: (806) 696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

Wendi Hammond
Staff Attorney
Legal Aid of NorthWest Texas
400 S. Zang Blvd., Ste. 1420
Dallas, Texas 75208
Phone: (469) 917-5970, ext.8903
Email: hammondw@lanwt.org
Fax: (817) 736-1602

Enc: Please note that the following exhibits will be attached as separate documents using TCEQ's electronic system. A document with all exhibits and higher resolution photographs is available at this link:

Exhibits:

1) Affidavit of Dora Cortez, October 30, 2024
2) Affidavit of Mark Oualline, October 31, 2024
3) NELC TPIA Request for Triple C Operational Records
4) Email from Leigh Flores
5) Investigation Report #2008932
6) Emails Between Adam Pirtle and Sara Coley

AFFIDAVIT OF DORA CORTEZ

STATE OF TEXAS §
§
COUNTY OF LUBBOCK §

Before me, the undersigned authority, on this day personally appeared DORA CORTEZ, who swore or affirmed to tell the truth, and stated as follows:

1. My name is DORA CORTEZ. I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I am over the age of twenty-one years old and am competent to testify to the matters set forth in this Affidavit. I swear that the testimony and evidence as follows is true and correct to the best of my knowledge.

2. I am a member of the organization called the North and East Lubbock Coalition ("NELC").

3. I reside at 217 N. Avenue O, Lubbock, Texas, 79401.

4. I hereby certify that on October 21, 2024, I photographed the images included in the following pages at Triple C Concrete, LLC, located at 1521 Erskine Street in Lubbock, Texas, 79403.

5. I hereby certify I witnessed the events depicted and photographed them with my phone camera.

6. I hereby certify that the date and time listed below each photograph below accurately reflects the date and time when I took each photograph.

7. I have initialed each page including a photograph in this affidavit to certify that I did take these photographs at the listed location at the stated date and time.

8. The affidavit and evidence submitted with it may be used for a hearing or any court proceeding.

Signed,

DORA CORTEZ
217 Avenue O
Lubbock, Texas 79401

State of Texas
County of Lubbock

SWORN to and SUBSCRIBED before me, the undersigned authority, on the 30th day of October 2024, by DORA CORTEZ.

Notary Public,
State of Texas

PENELOPE ANN RODRIGUEZ
Notary Public, State of Texas
Notary ID#: 135082238
My Commission Expires 09-10-2028

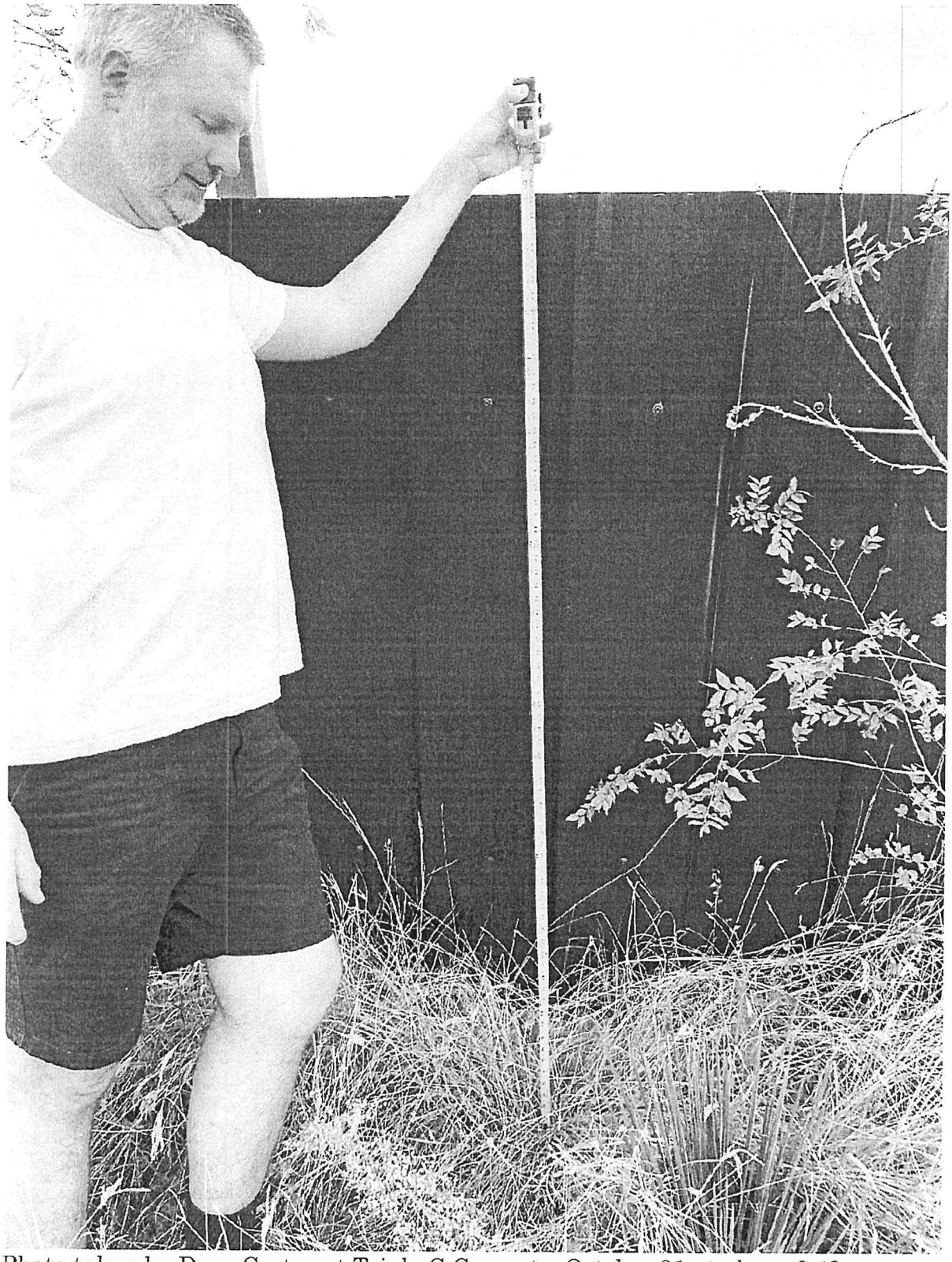


Photo taken by Dora Cortez at Triple C Concrete, October 21 at about 6:43 p.m.



Photo taken by Dora Cortez at Triple C Concrete, October 21 at about 6:27 p.m.

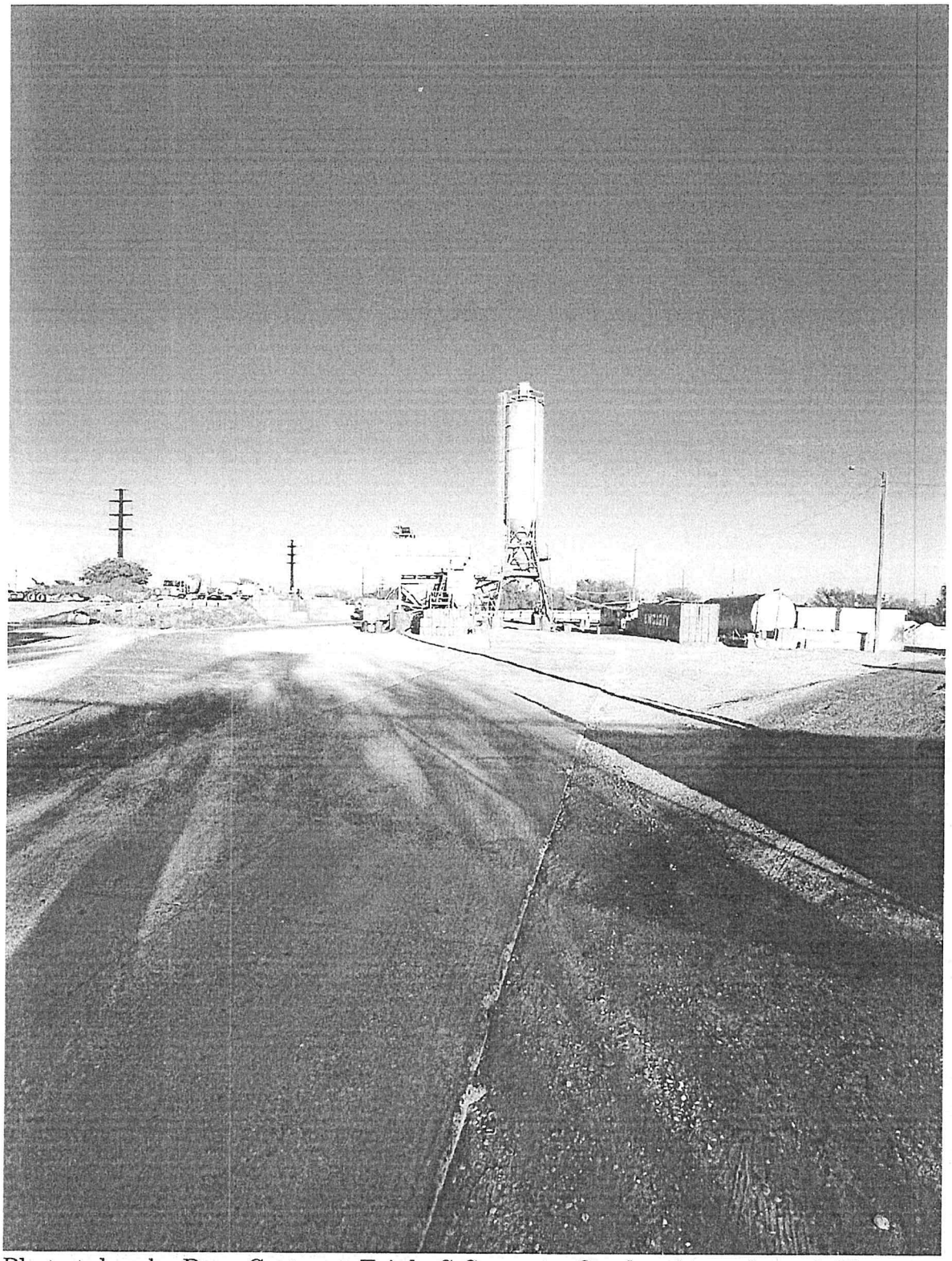


Photo taken by Dora Cortez at Triple C Concrete, October 21 at about 6:27 p.m.

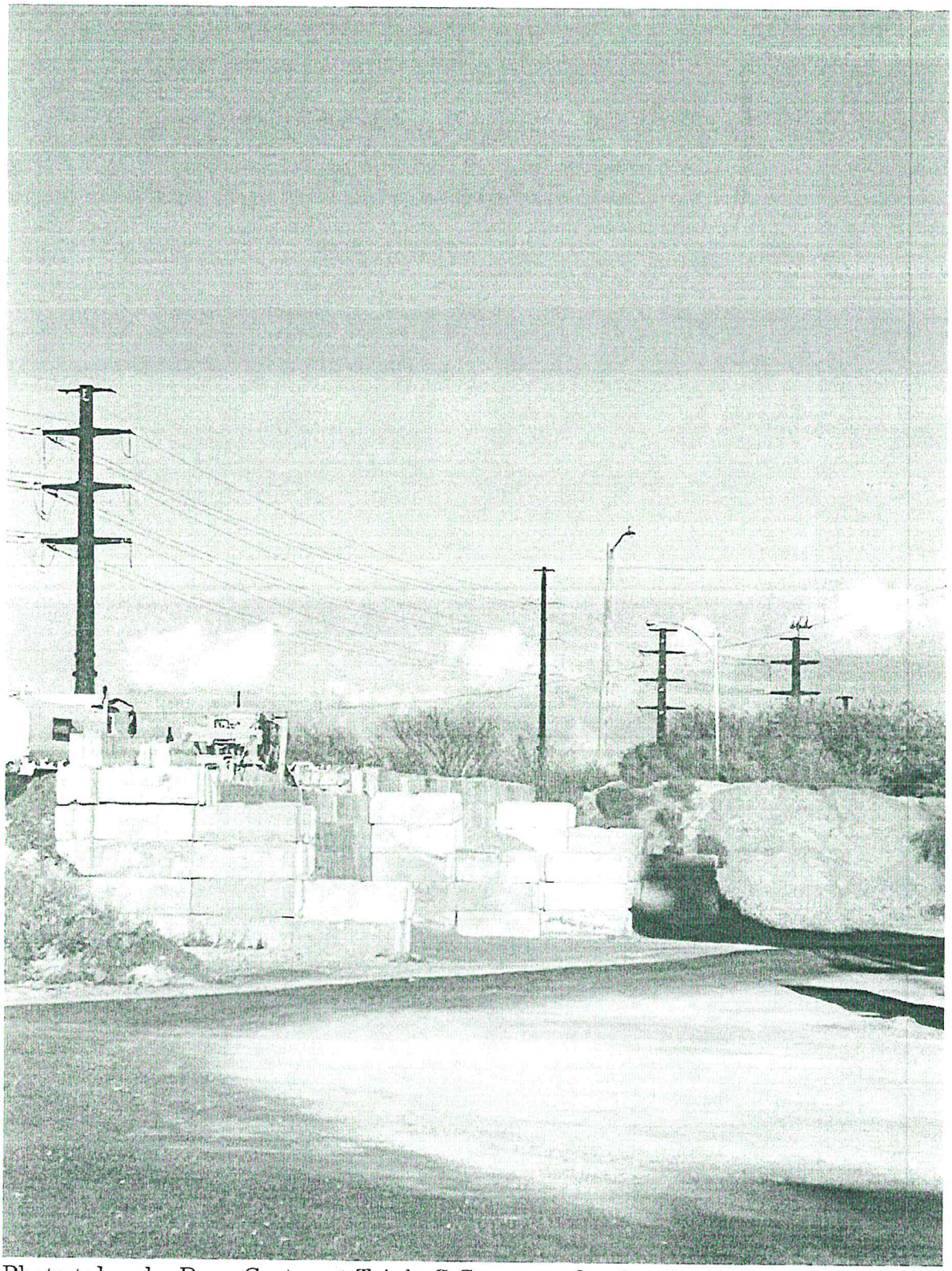


Photo taken by Dora Cortez at Triple C Concrete, October 21 at about 6:28 p.m.

(4)

TCEQ Registration Form
October 28, 2024

Triple C Concrete of Lubbock, Ltd
Proposed Registration No. 176227

PLEASE PRINT

Name: Wendi Hammond

Mailing Address: 400 S. Zang Blvd #1420

Physical Address (if different): _____

City/State: Dallas TX **Zip:** 75208

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: hammondw@lanwt.org

Phone Number: (214) 243-2583

- Are you here today representing a municipality, legislator, agency, or group? ☑ Yes ☐ No

  If yes, which one? North and East Lubbock Coalition

☑ **Please add me to the mailing list.**

☑ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☑ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:37 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 6 - EPA Letter to Cory Chism1.pdf

H

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 1:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: North and East Lubbock Coalition Attachment 6: EPA Letter to Cory Chism This is an attachment to the comment submitted by the North and East Lubbock Coalition.

REGION 6
DALLAS, TX 75270

July 22, 2024

Mr. Cory Chism, Director
Office of Air
Texas Commission on Environmental Quality (MC 122)
Post Office Box 13087
Austin, Texas 78711-3087

Re: Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 171636 for Texas Star Ready Mix, LLC in Dallas County, Texas.

Dear Mr. Chism:

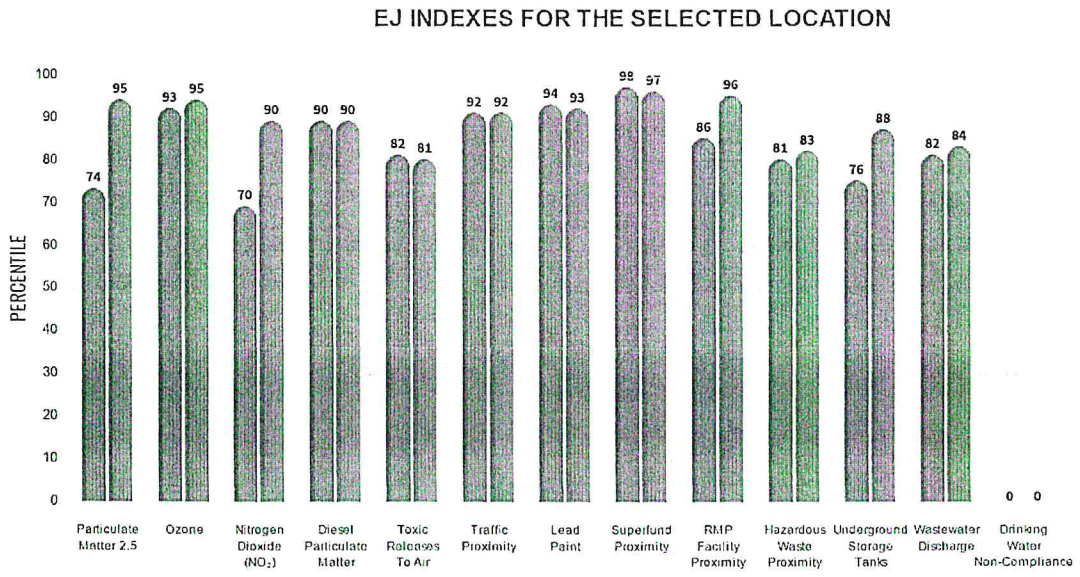
As part of the U.S. Environmental Protection Agency (EPA) Region 6's oversight responsibilities, I am writing to express concerns with the above-referenced permitting application currently before the Texas Commission on Environmental Quality (TCEQ). As discussed more fully below, EPA Region 6's concerns primarily relate to Texas Star Ready Mix, LLC Concrete Batch Plant's (CBP) ability to meet or satisfy the siting and setback requirements for the air quality standard permit authorization sought by this permitting action.

It is our understanding that the Texas Star Ready Mix facility has been operating at its current location since July 27, 1980, and has changed ownership multiple times. The facility was operating as a concrete batch plant improperly under a Permit by Rule (PBR) for Bulk Mineral Handling (30 TAC 106.144). On September 12, 2022, the City of Dallas Local Air Program conducted an investigation and found Texas Star Ready Mix to be in non-compliance and a notice of violation was forwarded to TCEQ. TCEQ conducted an investigation on August 29, 2023, and found that Texas Star Ready Mix was still operating after being told to cease operations. An Agreed Order was issued on July 17, 2024, resulting in penalties to Texas Star Ready Mix. Texas Star Ready Mix applied for authorization under the Concrete Batch Plant Standard Permit (CBPSP) on January 30, 2023, and the notice of that application was published on March 17, 2023.

EPA Region 6 has been conducting a Cumulative Impact Assessment (CIA) on concrete batch plants in Dallas County. The Texas Star Ready Mix facility was included in the CIA and we conducted air modeling for the facility as part of our evaluation. The project lead for the CIA drove to the Texas Star Ready Mix facility to observe it from the road on multiple occasions. These drive-by observations were made while conducting other sampling, testing, and community outreach in the Joppa community where the facility is located. These drive-by observations were also conducted to verify the information obtained through google earth images and our review of the Texas Star Ready Mix permit application files.

EPA Region 6 has some fundamental issues with the potential issuance of the concrete batch plant standard permit to Texas Star Ready Mix. As it currently stands, the facility does not appear to meet all the requirements of the standard permit. For example, aggregate loading, which may involve the utilization of vehicles for the operation of the concrete batch plant (as contemplated in 2024 CBPSP condition 8.H), appears to occur within 50 feet of the properly line.[1] In lieu of the applicable 50-foot setback requirement, the facility does not appear to utilize dust suppressing fencing or other equivalent barriers at a height of at least 12 feet as identified in 2024 CBPSP condition 8.I. In addition, the suction shroud fabric/cartridge filter exhaust and storage silos appear to be located less than 100 feet from the property line. From the west property line to east property line, the site is approximately 300 ft wide. Theoretically, equipment could be moved within the existing property to meet the 100ft setback distance requirement. However, it appears that Texas Star Ready Mix would need to do a considerable amount of work at the site in order to move the equipment to a location in compliance with the 2024 CBPSP. The property appears to be routinely inundated with large amounts of standing water, as documented during each visit by the CIA project lead. In one instance the entire site was under water with multiple trucks in water to the tops of their tires.

EPA Region 6 has conducted an analysis using EPA's EJScreen to assess key demographic and environmental indicators within a five-kilometer radius of the Texas Star Ready Mix CBP. This analysis shows a total population of approximately 55,266 residents within a five-kilometer radius of the facility, 32% have less than a high school education, 68% are low income (per capita income is $17,269), and 21% are persons with disabilities. Upon review of the EJScreen EJ Indices, which combine certain demographic indicators with 13 environmental indicators, the results show that twelve of the 13 EJ Indices in this three-kilometer area exceed the 70th percentile in the state of Texas, nine exceed the 80th percentile, and five of the 13 EJ Indices exceed the 90th percentile in the State of Texas.



The Region 6 cumulative impact assessment team found that the Trinity River corridor near the Texas Star Ready Mix facility is a popular recreation destination for the community of Joppa. Many community members use the extensive walking trails (which connect to the Trinity River Audubon

[1] *See* Permit No. 171636 (Project 353038), Initial Application, WCC Content ID Number 7140070 (December 31, 2000).

Center) and fish in Little Lemmon Lake and Lemmon Lake that are part of the Joppa Preserve. We understand that there is only one individual that lives within the 440-yard distance of Texas Star Ready Mix that is used to determine affected person status in concrete batch plant contested case hearing requests. We would strongly encourage the TCEQ to take into consideration the fact that although many may not live within 440 yards of the facility, many community members may routinely be impacted by recreating in the green spaces that are within that distance of the Texas Star Ready Mix facility.

EPA Region 6 requests that, prior to issuance, TCEQ ensure via an inspection of the facility that the existing equipment, stockpiles, and vehicle operating areas satisfy the setback and/or barrier requirements as stipulated in the CBPSP. In addition, EPA requests that TCEQ disclose whether the applicant is seeking coverage under the 2021 or 2024 version of the CBPSP. TCEQ may need to consider possible denial of this permit application and request that the applicant reapply once they can meet the requirements of the concrete batch plant standard permit or obtain a case-by-case NSR permit. If TCEQ decides to issue the concrete batch plant standard permit to Texas Star Ready Mix, then we strongly encourage TCEQ to consider all requests it received from the community for a contested case hearing. EPA welcomes TCEQ's partnership in this important effort because of the environmental conditions already facing this community, and the potential for disproportionate impacts are of concern.

We remain committed to working with the TCEQ to ensure that the final permit is consistent with applicable new source review requirements, the EPA-approved Texas air permitting program, and all requirements of federal law. This includes raising concerns about public comment opportunities that don't appear to reach the actual community where the facility will be located or those residing in close proximity to the facility. If you have questions or wish to discuss this further, please feel free to contact me or your staff may reach out to Aimee Wilson, Texas Permit Coordinator at (214) 665-7596. Thank you for your cooperation.

Sincerely,

CYNTHIA KALERI

Digitally signed by CYNTHIA KALERI
Date: 2024.07.22 13:15:54 -05'00'

Cynthia Kaleri
Section Supervisor, Air Permits Section

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Thursday, August 1, 2024 4:29 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227L001
Attachments: NELC Comment for Proposed Registration No. 176227L001.pdf

PM
H

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 12:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: MR Adam R. Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: The attached document contains the public meeting request, request for contested case hearing, and public comments of the North and East Lubbock Coalition related to TRIPLE C CONCRETE OF LUBBOCK, TCEQ Permit No.: 176227L001. Separate documents will be attached.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

August 1, 2024

Via Electronic submission: www14.tceq.texas.gov/epic/eComment/
Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Request for Public Meeting, Public Comments, and Request for a Contested Case Hearing on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of my client, the North and East Lubbock Coalition, we submit: 1) a request for a public meeting; 2) a request for a contested case hearing; and 3) public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001.

The North and East Lubbock Coalition opposes the application of Triple C and urges the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") to deny Triple C's registration for the reasons set forth below including its incomplete and incorrect application and its history of disregarding the rules that protect the public. I ask that all communication with the North and East Lubbock Coalition and its members be through legal counsel. My contact information is:

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 502
Lubbock, Texas 79401
Phone: (806)696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

The North and East Lubbock Coalition ("NELC") is a not-for-profit, community-based membership organization of citizens living in or having strong ties to North and East Lubbock neighborhoods. The neighborhoods NELC represents include, but are not limited to, Arnett Benson, Jackson, Mahon, and Guadalupe in North Lubbock and Clayton Carter, Chatman Hill, Dunbar-Manhattan Heights, Parkway-Cherry Point, and Yellow House Canyon in East Lubbock. NELC's purpose is to educate residents living in these neighborhoods about environmental and

community concerns and to advocate for residents' overall health, safety, and wellbeing. NELC seeks to protect North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses.

I. Request for Public Meeting

The North and East Lubbock Coalition requests a public meeting on behalf of its members and the residents of the neighborhoods it represents. There is a substantial and significant public interest in the application; therefore, TCEQ should grant this request. Attached below are the requests of 49 individual community members for a public meeting that NELC collected in the last 30 days (Attachment 1). TCEQ's decision about the permit application will directly affect many of these community members. Almost all these residents live in the Guadalupe or Mahon neighborhoods, some living within 440 yards of the Applicant's facility or just beyond. Neighborhood residents also use the nearby parks, the Carrillo Family Recreation Area, and the Canyon Lakes trail system, for recreation activities and exercise. Because of the volume of requests from the public and because these requesters are adjacent to Triple C, there is substantial and significant public interest in having a public meeting. Therefore, TCEQ should grant this request.

The public also deserves to get answers from the Applicant about its previous history of noncompliance with environmental rules and the serious deficiencies in the application which call into question the Applicant's credibility. In 2020, the TCEQ fined Triple C for emitting excessive dust on April 2, 2019.[1] As part of the enforcement action, TCEQ required the Applicant to undertake several measures to come into compliance with the requirements of the standard permit. The public needs an opportunity to question the Applicant about their efforts to both come into and remain in compliance. Further, NELC requests a public meeting to ask the Applicant fundamental questions on the record about obvious factual errors on its application. For example, on the PI-1S-CBP registration form Triple C submitted to TCEQ for this application, the **Applicant certified that there were no schools within 3,000 feet** of the site boundary.[2] **This is false.** Triple C Concrete is less than 2,400 feet from Carmona-Harrison Elementary School. Carmona-Harrison is not a small campus; it is a "super" school that allowed for the consolidation of three separate Lubbock ISD campuses.[3] The campus is clearly visible within the 3,000-foot boundary on the map Applicant submitted with its application.[4] This obvious factual error gives the community reason to doubt the accuracy of every other answer on the application. The Applicant's failure to follow the public notification requirements further

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[1] In the Matter of an Enforcement Action Concerning Triple C Concrete of Lubbock, LTD, Docket No. 2019-0959-AIR-E, Texas Commission on Environmental Quality, May 6, 2020, https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/Agendas/2020/05-06-2020/0959AIR.pdf.

[2] Triple Co Concrete PI-1S Registrations for Air Standard Permit – Concrete Batch Plant, pg. 5, https://drive.google.com/file/d/1DrFDSt1MVlJkBJhIPKzI0uPcjZmsrWlP/view?usp=sharing. Triple C's entire application is incorporated by reference.

[3] See: https://www.lubbockisd.org/o/carmonaharrison/page/history.

[4] The Applicant also signed a certification in the application that all the information within was true to the best of their knowledge and belief and that they understood that intentionally or knowingly making false statements is a criminal offense subject to criminal penalties.

damages it credibility. Although we will cover this failure in more detail below, the Applicant, as of July 30, 2024, had not placed signs on the property notifying the public of its application as required by Texas law.[5] As of July 30, 2024, the Applicant had not posted notices nor left a copy of the application at the Lubbock County Courthouse, despite the statement in the July 1, 2024, edition of the Lubbock Avalanche Journal that this would be done.[6] Because the credibility of the Applicant has been called into question, the public must have the opportunity to question Triple C about the application and its operation on the record at a public meeting hosted by TCEQ.

II. Request for a Contested Case Hearing

NELC requests a contested case hearing on behalf of its members.

A group has standing to request a contested case hearing if:

- the interests the group seeks to protect are germane to its purpose;
- one or more or the group's members actually reside or recreate within 440 yards of the proposed plant[7];
- one or more members of the group are adversely affected by the application and air emissions from the facility in a way not common to the general public; and
- neither the claim asserted nor the relief requested requires the participation of the organization's individual members in the case.

NELC meets these requirements.

A. NELC's mission and purpose is germane

First, NELC's mission and purpose is germane to this matter. NELC's mission includes protecting "North and East Lubbock neighborhoods from harm to health, property value, economic development, and quality of life caused by pollution and other nuisances from neighboring industrial uses." NELC has worked toward this goal since it was formed two years ago. On July 14, 2023, NELC filed a complaint with the Department of Housing and Urban Development and other federal agencies about the City of Lubbock's racist zoning system that disproportionately concentrates industrial zoning in and around majority-Hispanic and -Black neighborhoods.[8] Even before they formed the organization, individuals members like Dora Cortez, Natalie Miller, and Billie Russell have worked in their own capacities to protect their neighborhoods from pollution for many years. Therefore, requesting a contested case hearing in this matter is germane to NELC's purpose.

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[5] 30 TAC §39.604. TCEQ also mailed instructions to the Applicant about public notification requirements, including sign posting requirements, on June 20, 2024.

[6] Texas Public Notices, https://www.lubbockonline.com/public-notices/notice/07/01/2024/texas-commission-on-environmental-2024-07-01-lubbock-avalanche-journal-texas-1906e06536f.

[7] The EPA has urged TCEQ to consider contested case hearing requests from those who recreate within 440 yards of a proposed plant. See: *Letter to Mr. Cory Chisum of TCEQ from Cynthia Kaleri of EPA Region 6*, July 22, 2024 (Attachment 6).

[8] North and East Lubbock Coalition Complaint (July 14, 2023), https://drive.google.com/file/d/1wlQVZnXOiPl2fKIOczEkbWZmR8nJs1Aw/view?usp=sharing.

B. NELC members actually reside or recreate within 440 yards of Triple C

Second, individual NELC members actually reside within 440 yards of Triple C including:

Connie Aguilar
219 N. Avenue P
Lubbock, Texas 79401



Figure 1: 440 yards from Triple C property line

The map above shows 440 yards from Triple C's property line using property line data from the Lubbock County Central Appraisal District ("LCAD").[9] LCAD records contradict the map of the property line that the Applicant provided to TCEQ. For a digital version of this map, see: https://www.google.com/maps/d/edit?mid=1VSrcQpSe3Vk-zzSJo1aPwv7ArAD4_i1&usp=sharing. Ms. Aguilar's home on Avenue P is visible on this map and within 440 yards of Triple C.

The Environmental Protection Agency Region 6 office recently urged TCEQ to consider requests for contested case hearings from individuals who recreate in public green spaces within 440

[9] To view Triple C's property line, see: Lubbock Central Appraisal District, Triple C Concrete of Lubbock, LTD, Property ID R57487, https://gis.bisclient.com/lubbockcad/index.html?find=R57487.

yards of a concrete batch plant.[10] Several NELC members recreate in the Carillo Family Recreation Area and the Canyon Lake Trail system including:

Raul Trevino
216 Avenue K
Lubbock, Texas 79401

Fabian Mata
211 N. Avenue M
Lubbock, Texas 79401

Mr. Trevino walks several times a week on the trail that goes through the Carrillo Family Recreation Area and along Cesar E. Chavez Drive. Mr. Mata walks his dog every day along a similar route through the Carrillo Family Recreation Area. As seen in the map above, their walking path is clearly within 440 yards of Triple C. Other members of NELC and other community members use the park and the trail system daily to picnic, exercise, walk dogs, and enjoy being in nature. In light of the EPA's admonishment and common sense, TCEQ should consider Mr. Trevino and others like him affected persons.

C. Members of NELC are adversely affected by the application and air emissions from the facility in a way not common to the general public

Third, members of NELC, including Ms. Aguilar, Mr. Trevino, and Mr. Mata, are adversely affected by the application and air emissions from the facility in a way not common to the general public. NELC members live and recreate, and their children or grandchildren go to school, in the immediate area around and downwind of Applicant's concrete batch plant. NELC members will be harmed by an increase of air pollutants from Applicant's proposed emissions which include, but may not be limited to, particulate matter (PM), particulate matter with diameters of 10 microns or less (PM10), and particulate matter of 2.5 microns of less (PM2.5). Particulate matter is a dangerous pollutant made up of microscopic solids or liquid droplets so small they can be inhaled and penetrate the lungs and even enter the bloodstream, causing serious and long-lasting health problems. [11]

Aside from living close to Triple C Concrete, NELC's members and neighborhood residents use the Carrillo Family Recreation Area and the Canyon Lakes trail system, which are within 440 yards of the facility, for outdoor recreation activities and exercise (see the map above). Further, elementary school children from the Mahon and Guadalupe neighborhoods attend school at the nearby Carmona-Harrison Elementary School. Carmona-Harrison is less than 2,400 feet from Triple C Concrete. As noted above, the Applicant falsely certified that no schools were within 3,000 feet of the facility.

Because they live so close to the facility or recreate around it, Ms. Aguilar, Mr. Trevino, and Mr. Mata will be especially impacted by the proposed concrete batch plant in a way not common to

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[10] *Letter to Mr. Cory Chisum of TCEQ from Cynthia Kaleri of EPA Region 6*, July 22, 2024 (Attachment 6).
[11] U.S. EPA, Particulate Matter (PM) Basics, available at: https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#:~:text=PM%20stands%20for%20particulate%20matter,seen%20with%20the%20naked%20eye.

the general public. They are concerned that their health may be adversely impacted by the pollutants from the concrete batch plant. They are also concerned that their aesthetic enjoyment of their property and surrounding recreation areas will be adversely affected. This includes adverse effects to these individuals' health and general enjoyment of the outdoors when they use the Canyon Lake trails, the Carrillo Family Recreation Area, or simply walking or running in their neighborhoods.

NELC's members are already surrounded by industrial pollution. Across the 326 Spur from Triple C are other large concrete crushing facilities including Bedrock Crushing and PB Materials. Other nearby industries include, but are not limited to, Gandy's Dairies, Ergon Asphalt and Emulsions, Inc., Wilbert Funeral Services, and W&W AFCO Steel. All of these sources cause and contribute to the degradation of air quality, human health, and safety in the Guadalupe and Mahon neighborhoods. In 2007, an ammonia leak at Gandy's Dairies required 125 people to evacuate.[12] Along with Triple C Concrete, these air pollution sources impact NELC members' enjoyment and use of their property and local recreational areas like the Carrillo Family Recreation Area. Allowing for an increase of pollution in this small area will further endanger the health and safety of NELC members and neighborhood residents.

D. Neither the claim asserted, nor the relief requested requires the participation of the organization's individual members in the case

Fourth, neither the claim asserted, nor the relief requested requires the participation of the organization's individual members in the case.

For the foregoing reasons, NELC has standing to request a contested case hearing in this matter. Ms. Dora Cortez is the North Lubbock Director for NELC. She lives at 217 Avenue O, Lubbock, TX 79401. Please communicate with Ms. Cortez and NELC through counsel. My contact information, including a daytime phone number, is listed above and in my signature block.

III. Relevant and Material Disputed Issues for Contested Case Hearing Raised During the Public Comment Period

The following relevant and material disputed issues should be referred to the State Office of Administrative Hearings for a contested case hearing:

- Whether the Applicant failed to comply with federal and state public notice requirements;
- Whether the information provided by the Applicant in the application is factually accurate;

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[12] Nicole C. Brambila, Mapping the hazards: 4,200 Lubbock students go to schools near dangerous chemicals, LUBB. AVALANCHE-JOURNAL (May 7, 2014), https://www.lubbockonline.com/story/news/local/2014/05/17/mapping-hazards-4200-lubbock-students-go-school-near-dangerous-chemicals/15040941007/.

- Whether the Commission has properly determined the facility's impacts on Carmona-Harrison Elementary School as required by §382.052 of the Texas Health and Safety Code;

- Whether the Applicant has continued to operate after its permit expired on February 10, 2024;

- Whether the application and proposed standard permit registration fail to protect the public health, welfare, property, and the environment;

- Whether the emissions from the proposed facility will have adverse impacts on the public's health, welfare, property, and the environment;

- Whether the application fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations, and policies;

- Whether Executive Director's preliminary decision fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations, and policies;

- Whether the standard permit fails to include the requisite information necessary to determine compliance with applicable federal and state air control statutes, regulations, and policies;

- Whether the proposed emissions are reasonable considering the degree of injury and interference with the public's health and physical property;

- Whether the proposed emissions are reasonable considering the source's lack of social and economic value;

- Whether the proposed emissions are reasonable considering the non-priority of location of the area involved;

- Whether the proposed emissions are reasonable considering the technical practicability and economic reasonableness of further reducing or eliminating the proposed emissions;

- Whether the proposed activity will cause nuisance conditions in violation of 30 TAC § 101.4;

- Whether the permit conditions are adequate to protect against nuisance conditions;

- Whether the proposed activity will create visible emissions at the property line;

- Whether the facility fails to provide maintenance at entry and exit road;

- Whether the permit conditions are adequate to protect against visible emissions at the property line;
- Whether the proposed activity will cause or contribute to any exceedance of NAAQS for PM_{10} and $PM_{2.5}$;
- Whether the permit conditions are adequate to protect against causing or contributing to exceedances of NAAQS for PM_{10} and $PM_{2.5}$;
- Whether the proposed activity will utilize Best Available Control Technology (BACT);
- Whether the modeling conducted to support the application, including the proposed activity air dispersion modeling, is inadequate or flawed;
- Whether there are insufficient air monitoring requirements in the draft permit;
- Whether the proposed facility is a de minimis facility or source under 30 TAC §116.119;
- Whether the proposed activity will threaten the health and safety of nearby residents; and
- Whether the draft permit fails to account for other potential air contaminants resulting from the proposed activity.

Examples of the deficiencies and problems with Applicant's concrete batch plant and its application to operate are provided below in the Public Comment section. These examples are in addition to, and in no way should be construed to limit in any way the above identified relevant and material disputed issues to be addressed at a public meeting and contested case hearing.

The Commission should deny the Applicant's application to operate a concrete batch plant under a standard permit registration.

IV. Public Comments

The public comments in this section expand upon the previously discussed "relevant and material disputed issues for a contested case hearing raised during the public comment period" by providing additional details and examples. **These examples are in addition to, and should not be construed to limit, the previously identified "relevant and material disputed issues" that TCEQ and the Applicant should address at a public meeting, in the Executive Director's Response to Comments, and at a contested case hearing.**

NELC requests that TCEQ responds to the following comments regarding the Application and the Applicant's relevant activities.

A. Applicant failed to provide proper public notice

Triple C did not follow the public notice requirements.

First, Triple C did not post notification nor leave the Application in the public place where the newspaper notice said it would be located. 30 TAC § 39.405(g) and (g)(1) requires an applicant to "make a copy of the application available for review and copying at a public place in the county in which the facility is located." This notice "must be available for review and copying beginning on the first day of newspaper publication." As of July 30, 2024, Applicant had not posted notice nor left a copy of the Application at the Lubbock County Courthouse as stated would be done in the newspaper notices. I have attached evidence to support this allegation. Attachment 2 is the affidavit of Penelope Rodriguez – it contains her sworn testimony that, as of July 30, 2024, the Application was not posted at the Lubbock County Courthouse and that the County Clerk's office had not received a notice nor an application from the Applicant. Attachment 3 contains photographs of the notice bulletin boards at the Lubbock County Courthouse taken by Ms. Rodriguez between July 1, 2024, and July 30, 2024.

Second, as of July 30, 2024, Triple C posted no signs in English or Spanish around the property notifying the public of the permit application as required by 30 TAC § 39.604. The affidavit of Penelope Rodriguez in Attachment 2 also contains sworn testimony to this fact. Attachment 4 contains photographs of the fence line of the Triple C Concrete property taken by Ms. Rodriguez between July 1, 2024, and July 30, 2024.

Third, NELC alleges that Triple C did not perform the newspaper notice correctly. 30 TAC §39.603(e)(2) required the Applicant to do the following:

> *"(2) Another notice with a total size of at least six column inches, with a vertical dimension of at least three inches and a horizontal dimension of at least two column widths, or a size of at least 12 square inches, must be published in a prominent location elsewhere in the same issue of the newspaper. This notice must contain the following information:*
> *(A) permit application or registration number;*
> *(B) company name;*
> *(C) type of facility;*
> *(D) description of the location of the facility; and*
> *(E) a note that additional information is in the public notice section of the same issue."*

The tear sheet provided to TCEQ, attached as Attachment 5, provides no evidence that this second notice was published in the Avalanche Journal as required under 30 TAC §39.603(e)(2).

All these failures are fatal to the Application. TCEQ must deny Applicant's request, or in the alternative, TCEQ must require Applicant to fully comply with all public notice requirements and republish notices to provide the public its lawful opportunity to review a complete application and provide meaningful and informed comments.

If Triple C cannot follow these public notification requirements, the public has reason to believe that Triple C also may not follow the requirements meant to protect public health and safety.

B. Triple C falsely certified that no school was within 3,000 feet of the property; TCEQ has not evaluated the effects of the facility on Carmona-Harrison Elementary School as required by Section 382.052 of the Texas Health and Safety Code.

In the Form PI-1S-CPB that Triple C submitted to TCEQ, it certified on page 5 that there were no schools located within 3,000 feet of the site boundary.[13] See the excerpt below.

Are there any schools located within 3,000 feet of the site boundary?	No
C. Type of Plant	
Type of plant	Permanent

Version 6.0 Page 5

Figure 2: Excerpt from Form PI-1S-CPB relating to school proximity

This certification is false. As shown by the Google Earth map below, Carmona-Harrison Elementary School is less than 2,400 feet from the property. Further, the school's campus is clearly visible in the map that Triple C provided to TCEQ in its application. NELC finds it genuinely concerning that the Applicant made this false certification and that TCEQ gave preliminary approval to this application with such a glaring error.

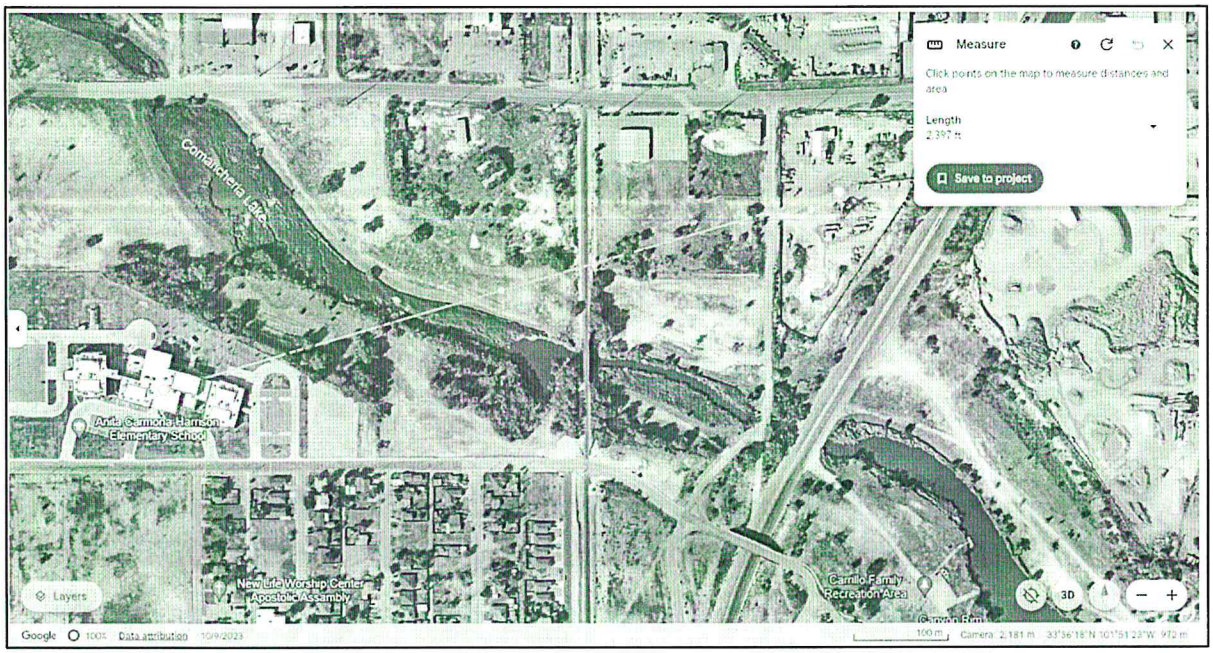

Figure 3: Distance from Triple C to Carmona-Harrison Elementary

Section 382.052 of the Texas Health and Safety Code requires that the commission, "consider possible adverse short-term or long-term side effects of air contaminants or nuisance odors from the facility on the individuals attending the school facilities." Because the Applicant falsely

[13] Texas Commission on Environmental Quality, PI-1S-CBP for Triple C Concrete (Received from TCEQ on 7/24/2024).

certified that no school was within that 3,000-foot boundary, TCEQ has not had an opportunity to comply with Section 382.052. TCEQ must reject this application so that it may comply with the law.

C. Triple C appears to be operating without a valid authorization – this is a major violation under Chapter 30 of the Texas Administrative Code

Triple C's previous permit registration, Registration No. 71025, expired on February 10, 2024. NELC has reason to believe that Triple C has continued to operate after this authorization to operate expired. "[O]perating without required authorization" is classified as a major violation under 30 TAC §60.2(d)(1)(B). A site with three or more documented major violations is a repeat violator.[14] This level of non-compliance can result in TCEQ classifying a facility as an "unsatisfactory performer."[15] TCEQ is required to review compliance history when it is determining whether to grant or deny a permit application.[16]

Dora Cortez witnessed activity at Triple C on the afternoon of July 17, 2024. The photo in Figure 4 below was taken by Adam Pirtle at 4:01 p.m. Dora Cortez was present at the time of this photograph and witnessed the events depicted. Dora Cortez also witnessed a cement truck loading concrete on July 31, 2024, at 3:15 p.m. A video taken by Dora Cortez is available here: https://drive.google.com/file/d/17ny7Q4kpbRQwJLbecNUr5y3BfzhS4HqF/view?usp=sharing.

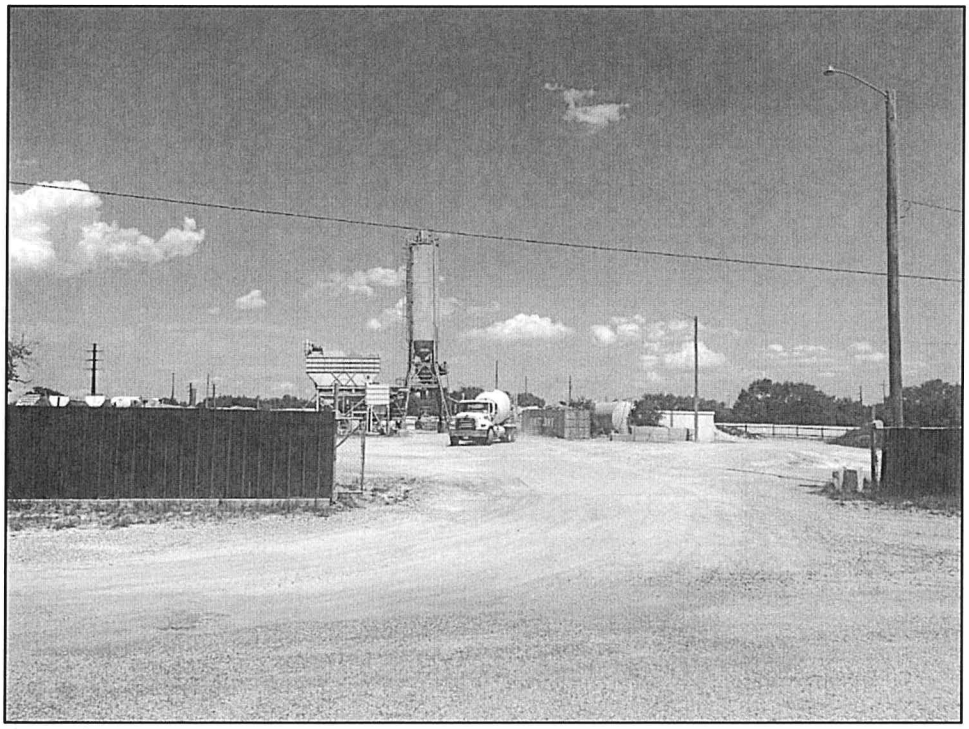

Figure 4: Triple C on July 17, 2024, at 4:01 p.m.; Photo taken by Adam Pirtle

[14] 30 TAC §60.3
[15] Id.
[16] Id.

NELC intends to file an environmental complaint with TCEQ contemporaneously with this public comment requesting an investigation of Triple C to ensure that they are not operating without a valid permit. To properly investigate these allegations, TCEQ must request operating logs from Triple C from February 10, 2024, to the current date. If TCEQ finds that Triple C has been operating unlawfully, this would be a major violation and TCEQ would need to reconsider the application with this new evidence. Falsification of data, documents, or reports is also a major violation under 30 TAC §60.2(d)(1)(D). If TCEQ determines that the Applicant deliberately falsified additional information affirmed as true in its Application, TCEQ must issue a major violation finding for each falsification. TCEQ consider these potential violations and the Applicant's compliance history before approving this Application. NELC intends to submit request under the Texas Public Information Act for Triple C's operating logs contemporaneously with his request.

D. Triple C's stockpiles are less than 50 feet from its property line - evidence shows that the exceptions under 8(I)(ii) or 8(J) that the Applicant claims do not apply

Triple C certified in its Form PI-1S-CPB that its stockpiles are more than 50 feet from the property; however, this may be false. See Figure 5, an excerpt of the form, and Figure 6, a Google Earth map of the property, below.

8(H)	Will stationary equipment, stockpiles, and vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) be located no closer than 50 feet less than the applicable minimum setback distance listed in subsection (8)(A) from any property line?	Yes	Stationary Equipment excludes the suction shroud fabric/cartridge filter exhaust, drum feed fabric/cartridge filter exhaust, cement/fly ash storage silos, and engine.
	What is the distance from the property line to the stationary equipment? (ft)	50ft	N/A
	What is the distance from the property line to the stockpiles? (ft)	50ft	N/A
	What is the distance from the property line to the vehicles? (ft)	50ft	N/A
8(I)(i)	In lieu of meeting the distance requirements for roads of subsection (8)(H) of this standard permit, will the owner or operator construct and maintain in good working order dust suppressing fencing or other equivalent barriers as a border around roads, other traffic areas, and work areas?	Yes	Input for Section 8(I)(i)-(ii) is optional if 8H is met.
8(I)(ii)	Optional: Will the border be constructed to a height of at least 12 feet?	Yes	This requirement is optional
8(J)	Optional: In lieu of meeting the distance requirements for stockpiles of subsection (8)(H) of this standard permit, will stockpiles be contained within a three-walled bunker that extends at least two feet above the top of the stockpile?	Yes	This requirement is optional
8(K)	For permanent plants, will the owner or operator pave all entry and exit roads and main traffic routes associated with the operation of the concrete batch plant with a cohesive hard surface that will be cleaned and maintained intact?	Yes	N/A
	Will all batch trucks and material delivery trucks remain on the paved surface when entering, conducting primary function, and leaving the property?	Yes	N/A

Figure 5: Excerpt of Form PI-1S-CPB relating to stockpiles



Figure 6: Google Earth map of stockpiles and surroundings at Triple C, Data Attribution 10/9/2023 – stockpiles border fence

According to the satellite imagery from Google Earth dated October 9, 2023, the stockpiles directly border the property line. This is also apparent in the property map that the Applicant provided to TCEQ in April of this year. Unless applicant has moved the stockpiles since April 2024, this certification is false. Applicant also claims that it is excepted from the 50-foot requirement because it either has a 12-foot border fence surrounding the property (pursuant to Section 8(I)(ii) of the standard permit) or has three-walled bunkers that are at least two feet higher than the top of the stockpile (pursuant to Section 8(J) of the standard permit). Figure 7, a photo taken by Penelope Rodriguez of the property on July 1, 2024, casts doubt on the accuracy of these certifications. It appears to show that aggregate piles are higher than the bunker walls and that Triple C is in violation of Section 8(J). NELC also alleges that the external fences surrounding the property are not 12-feet tall and the Triple C is in violation of Section 8(I)(ii). TCEQ must confirm the accuracy of these certifications before it can approve the Application. Because the property is built, TCEQ must not evaluate this Application as a new construction build. If TCEQ grants the permit with the conditions on the property remaining the same, the Applicant will be in immediate violation.

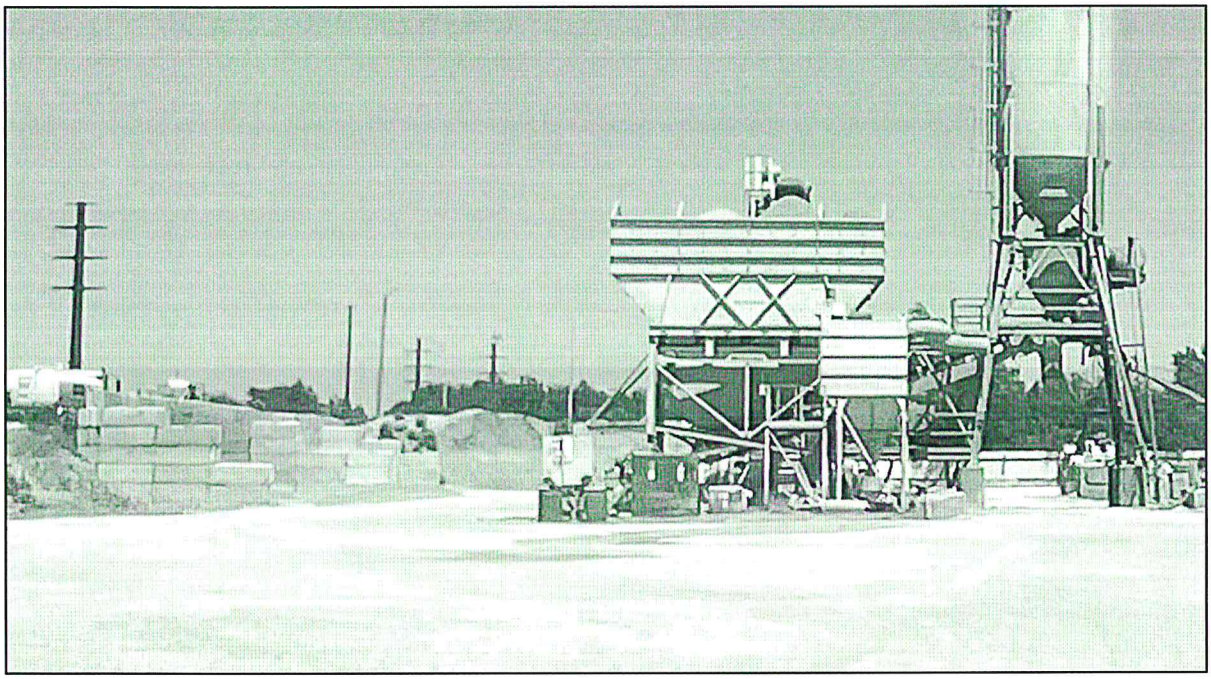

Figure 7: Photo of stockpiles taken 7/1/24 at 3:29 p.m. by Penelope Rodriguez (image is zoomed-in version of original photo available in Attachment 4)

E. Applicant certified that it was complying with Section 8(k) but the road near stockpiles does not appear to be of a cohesive hard surface.

Based on Figures 4, 6, and 7, it does not appear that main traffic routes through the facility, including the road around the stockpiles, are a paved, cohesive, and hard surface that can be maintained in a manner that complies with Section 8(k) and other provisions in the standard permit.

F. TCEQ claims it engine will only be on site for less than 12 consecutive months

In the 6004 Checklist of its Form PI-1S-CPB, Triple C claims an exception from the engine requirements under Section 6(f) of the standard because it claims its engine(s) will be present for less than 12 months. TCEQ should question this exception. What engine has Triple C been using for in the last 10 years of its authorization? Does that engine fulfill the requirements of the standard permit? Is Triple C purchasing and installing a new compliant engine in the next 12 months? Because of other inconsistencies and inaccuracies in this Application, TCEQ must investigate the accuracy of this certification before granting this authorization to operate.

G. Applicant failed to establish compliance with all applicable federal and state statutes, regulations, and policies

The application is incomplete and inconsistent, and therefore, fails to comply with all applicable federal and state statutes, regulations, and policies.[17] Examples include, but are not limited to:

- Failure to demonstrate that the proposed plant's emissions will not violate the applicable regulatory requirements, including but not limited to: the National Ambient Air Quality Standards for particulate matter; 30 TAC § 116.610 – including § 116.610(a)(1),(3), and (5); 30 TAC § 116.615(1); 30 TAC § 116.602(c); and 30 TAC § 101.4.

- Failure to demonstrate will not violate the conditions of the Standard Permit for Concrete Batch Plants. Additional information concerning this issue includes, but is not limited to, the following:
    - Applicant may have failed to provide adequate information to show that the proposed plant will be designed and operated in a manner to ensure that its components will be properly vented as required by Requirement (5)(A) of the Standard Permit.
    - Applicant may not have provided adequate information to show that the fabric or cartridge filters will be maintained in compliance with Requirement (5)(B) of the Standard Permit.
    - Applicant may not have shown that the facility will be designed and operated to ensure that cement and fly ash will be transferred in a manner complying with Requirement (5)(C) of the Standard Permit.
    - Applicant did not provide adequate information on proposed operations and controls to prove that emissions from plant roads will be controlled in compliance with Requirement (5)(E) of the Standard Permit.
    - Applicant did not demonstrate operational plans that would ensure compliance with Requirement (5)(F) of the Standard Permit regarding stockpile emissions considering the current conditions of the property.
    - Applicant may not have provided sufficient information to demonstrate that operations of the proposed plant will comply with Requirement (5)(G) of the Standard Permit regarding cleanup of material spills.
    - Applicant may not have shown that the proposed plant will be designed and operated to ensure compliance with Requirement (5)(H) of the Standard Permit regarding fugitive emissions.
    - Applicant may have failed to establish operational and design parameters to ensure compliance with Requirement (5)(K) of the Standard Permit related to the emission of volatile organic compounds.
    - Applicant may have failed to demonstrate adequate design and operational parameters to ensure that maintenance, startup, and shutdown activities will comply with Requirement (7) of the Standard Permit.
    - Applicant failed to set forth operational and design measures that are sufficient to ensure that the operation of the proposed plant will comply with the following:
        - Requirement (8)(H), (8)(I), and (8)(J) related to required buffer zones, bunkers, and twelve-foot constructed borders; and

[17] See: TCEQ P1-S1 Standard Concrete Batch Plant Application, Triple C Concrete of Lubbock, LTD. Applicant's full standard permit application reviewed by TCEQ is incorporated by reference.

    - Requirement (8)(K), related to the design and maintenance of entry and exit roads.
- Failure to demonstrate that Applicant will operate in such a manner as to comply with 30 TAC § 101.4 which prohibits any person or entity from discharging air pollutants in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation or property, or as to interfere with the normal use and enjoyment of animal life, vegetation or property. 30 TAC § 101.4.
    - The Standard Permit for concrete batch plants does not supersede other TCEQ regulatory requirements or requirements of the Texas or Federal Clean Air Act. As such, the holder of an authorization to operate under the TCEQ standard permit may not do so in such a manner as to create or cause a nuisance or nuisance conditions.
    - Concrete batch plants are notorious for creating such conditions and should not be allowed to operate anywhere near residential communities, churches, or recreational areas without concrete assurances that they will not threaten the health and safety of nearby residents or interfere with the use and enjoyment of their properties. Applicant has not made those assurances in its application and must do so before TCEQ approves this application.

Since the application is incomplete and/or inconsistent, Applicant has failed to demonstrate that it will comply with all applicable federal and state laws, regulations, and policies. Therefore, the Commission should deny Applicant's request.

H. Applicant failed to demonstrate that the proposed plant would protect the health, safety and welfare of nearby residents and their properties

Contaminants from the proposed plant may result in harm to the health, safety and welfare of nearby residents as well as their use and enjoyment of her property interests. Storage of materials at the site, the transfer and processing of those materials within the site and the additional traffic entering and exiting the facility will produce emissions. Potential emissions will include dust from the raw materials, emissions from diesel engines, and chemicals used to clean the facility and suppress dust emissions. These pollutants will not only be harmful to human health, but they will also produce nuisance conditions – including visible pollution and offensive odors – in the area around the proposed plant. Subjecting these community members to an additional source of air pollution will only serve to exacerbate their conditions, limit the uses of their property and community parks, and do further harm. The public is also aware that in 2020, the TCEQ fined Triple C for emitting excessive dust on April 2, 2019.[18] As part of the enforcement action, TCEQ required the Applicant to undertake several measures to come into compliance with the requirements of the standard permit. Because of the blatant inaccuracies in the Application, the public has legitimate concerns that the Applicant has not taken appropriate measures to remedy the conditions that led to the violation.

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[18] In the Matter of an Enforcement Action Concerning Triple C Concrete of Lubbock, LTD, Docket No. 2019-0959-AIR-E, Texas Commission on Environmental Quality, May 6, 2020, https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/Agendas/2020/05-06-2020/0959AIR.pdf. This entire document is incorporated by reference.

I. Applicant's proposed emissions are unreasonable and do not protect the Guadalupe and Mahon neighborhoods from the cumulative effects of the other industries surrounding the neighborhood

Applicant's proposed emissions are unreasonable considering the degree of injury and interference with the public's health and physical property; the source's lack of social and economic value; the non-priority of location of the area involved; and the technical practicability and economic reasonableness of further reducing or eliminating the proposed emissions.

In addition to all the previously discussed examples provided throughout the public comment section, other examples include, but are not limited to:

- The application, draft permit and Executive Directors preliminary decision fails to protect the community from cumulative risks of other industrial activity in the area.[19]
    - The application fails to protect the community from cumulative risks of other industrial activity, including air emissions, in the area. This protection is required by statute:

        > "The Commission shall: (1) develop and implement policies, by specific environmental media, to protect the public from cumulative risks in areas of concentrated operations; and (2) give priority to monitoring and enforcement in areas in which regulated facilities are concentrated."[20]
    - The neighborhoods NELC represents are already surrounded by industrial pollution. Across the 326 Spur from Triple C are other large concrete crushing facilities including Bedrock Crushing and PB Materials. Other nearby industries include, but are not limited to, Gandy's Dairies, Ergon Asphalt and Emulsions, Inc., Wilbert Funeral Services, and W&W AFCO Steel. All these sources cause and contribute to the degradation of air quality, human health, and safety in the Guadalupe and Mahon neighborhoods. In 2007, an ammonia leak at Gandy's Dairies required 125 people to evacuate.[21]
    - A 2021 study from the Texas Tech University Health Science Center found that residents living in the northeast section of Lubbock were more likely to have required hospitalization from severe asthma episodes.[22]
    - TCEQ has an affirmative duty to consider the cumulative emissions from all the industrial operators in and around Guadalupe and Mahon when considering the

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[19] Tex. Water Code § 5.130.

[20] Id.

[21] Nicole C. Brambila, Mapping the hazards: 4,200 Lubbock students go to schools near dangerous chemicals, LUBB. AVALANCHE-JOURNAL (May 7, 2014), https://www.lubbockonline.com/story/news/local/2014/05/17/mapping-hazards-4200-lubbock-students-go-school-near-dangerous-chemicals/15040941007/.

[22] NOAH DE LA CRUZ ET AL., Geographic Disparity in Asthma Hospitalizations: The Role of Race/Ethnicity, Socioeconomic Status, and Other Factors, CUREUS (2021). 10.7759/cureus.20015, https://pubmed.ncbi.nlm.nih.gov/34873552/. (Asthma hospitalizations rates are higher for people living in northeast Lubbock); see also JEAN D. BRENDER ET AL., Residential Proximity to Environmental Hazards and Adverse Health Outcomes, 101 AM. J. PUB. HEALTH S37, S37–52 (2011).

impact that the proposed plant will have on human health and the environment. TCEQ fails to consider the cumulative risks created by the existing sources of air pollution in and around Guadalupe and Mahon. While TCEQ may deem Applicant's production numbers safe in isolation, the standard permit's protectiveness review does not contemplate any other emission sources. Viewing Applicant's emissions in isolation does not satisfy TCEQ's affirmative duty to the public health, welfare, property, and the environment; therefore, the cumulative emissions from all industrial operators in and around Guadalupe and Mahon must be analyzed. TCEQ must consider the cumulative risks from those nearby industrial sources of air pollution to determine whether the additional emissions from the proposed batch plant will have a negative impact on human health and the environment.

- The Application fails to consider the cumulative risks created by existing sources of air pollution in and around Guadalupe and Mahon. The standard permit's protectiveness review does not contemplate any other emission sources. Here, there are numerous additional sources of particulate matter and other pollutants next to the proposed site.

- The application, draft permit, and Executive Director's preliminary decision fail to consider the adverse impacts of the proposed project on the surrounding environmental justice community in violation of Executive Order 12898.
  - Executive Order 12898 requires each federal agency to conduct its programs, policies and activities that substantially affect human health and the environment, in a manner that ensures that those programs, policies and activities do not have the effect of excluding persons from participation in, denying persons the benefit of, or subjecting persons to discrimination because of their race, color, national origin or income level.[23]
  - With respect to the approval of industrial facilities, Executive Order 12898 requires federal agencies to evaluate its actions for disproportionately high and adverse effects on people of color or low-income populations and to find ways to avoid or minimize these adverse impacts where possible. This mandate extends to any local government or governmental agency in receipt of federal funding, such as federal funding from EPA. Thus, TCEQ has a federal obligation to evaluate its actions (including permitting) for disproportionately high and adverse effects on people of color or low-income populations *and* find ways to avoid or minimize these adverse impacts.
  - To trigger Executive Order 12898, the effects of the project must be both adverse, and affect a low-income minority population more so than it would the public. Adverse effects that appreciably put a people of color or low-income population at an increase health risk or appreciably affect their physical or economic wellbeing will trigger Executive Order 12898.

[23] Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994).

- This permit decision triggers TCEQ's obligations under Executive Order 12898 because of the well-known adverse effects of particulate pollution on human health and safety and the siting of the facility in a low-income and majority-Hispanic neighborhood. See Figure 8 below. The purple cross is the site of Triple C. 89% of the surrounding residents are people of color.

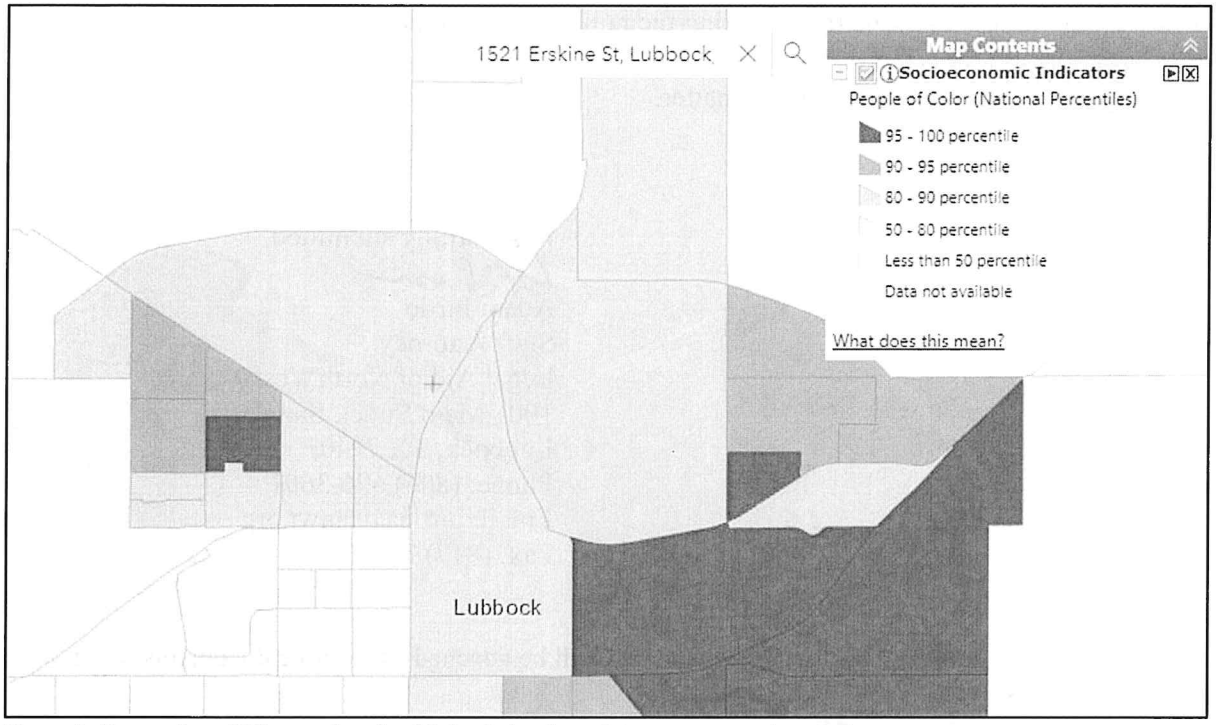

Figure 8: Excerpt from EJ Screen, People of Color Index, https://ejscreen.epa.gov/mapper/

- On July 14, 2023, NELC filed a complaint with the Department of Housing and Urban Development and other federal agencies about the City of Lubbock's racist zoning system that disproportionately concentrates industrial zoning in and around majority-Hispanic and -Black neighborhoods. [24] Executive Order 12898 requires TCEQ to take the cumulative effect of industry causes by this discrimination into account when it determines where facilities may be sited.

J. Applicant's compliance history shows that the Applicant may be unable to comply with all applicable Federal and State statutes

The Applicant has a demonstrated history of allegedly failing to comply with environmental regulations. In 2020, the TCEQ fined Triple C for emitting excessive dust on April 2, 2019.[25]

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[24] North and East Lubbock Coalition Complaint (July 14, 2023), https://drive.google.com/file/d/1wlQVZnXOiPl2fKIOczEkbWZmR8nJs1Aw/view?usp=sharing. This entire complaint is incorporated by reference.

[25] In the Matter of an Enforcement Action Concerning Triple C Concrete of Lubbock, LTD, Docket No. 2019-0959-AIR-E, Texas Commission on Environmental Quality, May 6, 2020,

K. Conclusion

The North and East Lubbock Coalition urges TCEQ to deny the application based on the information already available. If TCEQ does not deny the application, then NELC requests a public meeting to address the significant community concerns and requests a contested case hearing regarding each issue raised during the public comment period.

Thank you for your assistance in this matter.

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

Enc: Please note that the following attachments will be attached as separate documents using TCEQ's electronic system:
Attachment 1 – Resident Comments
Attachment 2 – Affidavit of Penelope Rodriguez
Attachment 3 – Photos and Videos, Lack of Public Notice at Courthouse
Attachment 4 – Photos and Videos, Triple C Concrete Property and Fenceline
Attachment 5 – Public Notification Tear Sheet
Attachment 6 – EPA Letter to Cory Chism

https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/Agendas/2020/05-06-2020/0959AIR.pdf. This entire document is incorporated by reference.

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, September 12, 2024 8:33 AM
To:	PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Cc:	PUBCOMMENT-APD
Subject:	FW: Triple C Concrete's application public comment period
Attachments:	24.09.11_Triple C Public Comment Period.pdf

From: Adam Pirtle <pirtlea@lanwt.org>
Sent: Wednesday, September 11, 2024 3:08 PM
To: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Cc: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Subject: Triple C Concrete's application public comment period

Hello Mr. Hilla:

I spoke to you last month regarding Triple C Concrete in Lubbock, Texas. Please see the attached letter regarding the public comment period for Triple C's permit application. The Central Registry page needs to be corrected to reflect that the public comment period had not ended but is extended until the end of the upcoming public meeting.

I am glad to see that the Executive Director approved the request for a public meeting.

Thank you,

Adam Pirtle
Staff Attorney
Community Revitalization Project
Legal Aid of NorthWest Texas
P: 806-696-3601
E: pirtlea@lanwt.org

Legal Aid of NorthWest Texas...Bringing justice to North and West Texans since 1951.

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1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

September 11, 2024

Via Email: *Alexander.Hilla@tceq.texas.gov*

Alexander Hilla
Texas Commission on Environmental Quality
Air Permits Division MC-163
P.O. Box 13087
Austin, Texas 78711-3087

Re: Triple C Concrete Public Comment Period Incorrectly Marked as Ended

Dear Mr. Hilla:

I represent the North and East Lubbock Coalition. We spoke last month on the telephone regarding the permit application of Triple C Concrete, LTD ("Triple C"). The permit registration number is Air New Source Registration 176227. The RN number is RN111965935.

I write to express my concern that the TCEQ's Central Registry Page lists the public comment period as having ended on August 1, 2024. I enclosed a screengrab of the Central Registry page on the following page showing this error. While you personally assured me that the public comment period remains open until the conclusion of the public meeting, **please change the status of the Activity Actions box to reflect that the public comment period is still open to avoid public confusion.**[1] Thank you.

I am glad to see that the Executive Director approved a public meeting on this matter on August 30, 2024. Has TCEQ set a date?

Thank you for your attention to this matter.

Sincerely,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org

Cc: Chief Clerk Laurie Gharis via email: Laurie.Gharis@tceq.texas.gov
Enc: Screengrab of Central Registry Page for Triple C

[1] As you know, the Texas Admin Code also states that, "the public comment period shall automatically be extended to the close of any public meeting." 30 TAC § 55.152(b).

Screengrab of Central Registry Page for Triple C. The webpage is: https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.itemdetail&addn_id=377557572024121&re_id=372557562024121

ENVIRONMENTAL QUALITY

Query Home | Customer Search | RE Search | ID Search | Document Search | Registration Detail | TCEQ Home

Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Air New Source Registration 176227**
For: **TRIPLE C CONCRETE OF LUBBOCK** (RN111965935 ...)
1521 ERSKINE ST, LUBBOCK
Registration Status: **PENDING**
Held by: **TRIPLE C CONCRETE OF LUBBOCK LTD** (CN604580019 ...) View 'Issued To' History ...
OWNER OPERATOR Since 04/30/2024
Mailing Address: 2008 E 50TH ST LUBBOCK, TX 79404 -4044

Commissioners' Actions

Item Number	Item Type	Document Type	Status	TCEQ Docket Number	SOAH Docket Number
138041				N/A	N/A

Item 138041
Activity Actions

Action Date	Document Type	Action
08/30/2024	Public Meeting	ED APPROVE
08/01/2024	Comment Period	END
08/05/2024	Availability Verification Form	RECEIVED
08/05/2024	Alternative Language Verif For	RECEIVED
07/02/2024	Alternative Language Notice	PUBLISHED
07/01/2024	Notice - Application	PUBLISHED

3

TCEQ Registration Form
October 28, 2024

Triple C Concrete of Lubbock, Ltd
Proposed Registration No. 176227

PLEASE PRINT

Name: Adam Pirtle

Mailing Address: 1001 Main Street, Suite 502

Physical Address (if different): _____

City/State: Lubbock TX **Zip:** 79401

This information is subject to public disclosure under the Texas Public Information Act

Email: pirtlea@lanwt.org

Phone Number: (806) 696-7001

- Are you here today representing a municipality, legislator, agency, or group? ☑ Yes ☐ No

  If yes, which one? North East Lubbock Coalition
  Legal Aid of North West Texas

☐ **Please add me to the mailing list.**

☑ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

1001 Main St., Ste. 502
Lubbock, Texas 79401
806.763.4557

Legal Aid of NorthWest Texas

October 28, 2024

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

RECEIVED
OCT 28 2024
AT PUBLIC MEETING

Re: Supplemental Public Comments on the Application of Triple C Concrete of Lubbock, Ltd, for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227 authorizing the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403

Dear Ms. Gharis:

On behalf of my client, the North and East Lubbock Coalition ("NELC")[1], I submit the following supplemental public comments regarding the application of Triple C Concrete of Lubbock, LTD, ("Triple C" or the "Applicant") for an Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227. This submission incorporates by reference and supplements the public comments and contested case hearing request NELC filed with the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") on August 1, 2024.[2] The North and East Lubbock Coalition reiterates its opposition to the application of Triple C and urges TCEQ to deny Triple C's registration. Please direct all communication with NELC and its members through legal counsel. My contact information is:

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 502
Lubbock, Texas 79401
Phone: (806)696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

Because additional information and evidence may be provided by the public, TCEQ, or the applicant during the informal portion of the public meeting, NELC submits and incorporates by reference an audio recording of the informal portion of the public meeting held on October 28,

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[2] Please note that the August 1, 2024, submission was in reference to Proposed Registration No. 176227L001. Mr. Alexander Hilla explained in an email to me that the "L001 added to Triple C Concrete's permit application for an initial authorization of a permanent facility was an error on the administrative side when processing this application." He also assured me the previously filed comments would be kept on the record.

2024, for complete inclusion into the administrative record as additional supplemental comments.[3]

As such, NELC supplements its written comments with the digital recording and all information provided during the informal portion of the public meeting; and therefore, the Executive Director's future Response to Comments will need to consider and respond to all of the information, questions, comments and responses provided by the public, TCEQ staff, and Applicant (including Applicant's staff, counsel, agent(s), representative(s) and/or contractor(s)) raised during the entire public meeting

Respectfully submitted,

Adam Pirtle
Staff Attorney
Legal Aid of NorthWest Texas
1001 Main Street, Suite 501
Lubbock, TX 79401
Phone: (806) 696-3601
Email: pirtlea@lanwt.org
Fax: (817) 736-1602

Wendi Hammond
Staff Attorney
Legal Aid of NorthWest Texas
400 S. Zang Blvd., Ste. 1420
Dallas, Texas 75208
Phone: (469) 917-5970, ext.8903
Email: hammondw@lanwt.org
Fax: (817) 736-1602

Enc: Envelope containing SD card(s) recording of the informal portion of the public meeting

[3] See enclosure: an SD card(s) recording of the informal portion of the public meeting contained within an envelope.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Thursday, August 22, 2024 2:59 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 176227
Attachments: Comments_Sent August 22, 2024.pdf

PM

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 22, 2024 11:16 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY:

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: Attached are additional comments collected by the North and East Lubbock Coalition.

Date: 08/19/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Leo

Name: Leo Flores

Address: 3140 N Sherman Ave
Lubbock TX 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Date: 8-19-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Otelia Posada

Name: Otelia Posada

Address: 2105 Cornell St.
Lub. Tx. 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Date: August 13th

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: _____

Name: Mirella Tello

Address: 129 Temple Ave

_____

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Concerned about the Children at Caremore Harrison Elementary School

Date: 8-19-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Heriberto Gamez

Name: Heriberto Gamez

Address: 3224-2nd St.
Lubbock, Tx. 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Date: 8/19/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Jesus Gonzalez

Address: 1301 62nd St.
Lubbock, TX 79412

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Date: Aug-19-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Felipe Rocha

Name: Felipe Rocha

Address: 2507 Baylor St
Lubbock TX 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Date: Aug 15 2023

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Ignacio Sosa

Name: IGNACIO S SOSA

Address: 3007 15th St
Lubbock TX 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Date: 9/19/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Milton DeLeon

Address: 2115 64th
Lubbock TX 79412

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227.

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:37 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 1C - Resident Comments1.pdf

PM

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 3:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: Attachment 1(C) - Resident comments and requests for a public meeting This attachment supplements the earlier comment submitted by the North and East Lubbock Coalition. It contains additional comments and requests for a public meeting from residents from the area surrounding Triple C Concrete. NELC collected these additional comments this afternoon.

Date: 8-1-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: ELEXTREVIZO

Address: 224 N. Ave P.

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 8-1-2024

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

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Cruz Trevino

Name: Cruz Trevino

Address: 213 N Ave P
Lubbock, TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 8-1-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Alex T Trevino Sr

Name: Alex T. Trevino Sr.

Address: 213 N Ave P
Lubbock Tx 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 8-1-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Henry Castellano

Address: 304 W. Ave O

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 8-1-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Yolanda Jimenez

Name: Yolanda Jimenez

Address: 1604 Baylor St
Lubbock, TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:35 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 5 - Public Notification Tear Sheet-compressed1.pdf

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 1:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: North and East Lubbock Coalition Attachment 5: Public Notification Tear Sheet This is an attachment to the comment submitted by the North and East Lubbock Coalition.

Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

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176227L001

COMMISSION
ON ENVIRONMENTAL
QUALITY

2024 JUL 11 AM 9:53

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78711-3087

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Triple C Concrete Of Lubbock, Ltd
Permit No.: 176227L001
Application Received Date: April 30, 2024

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF WISCONSIN§
COUNTY OF Brown §

BEFORE ME, the undersigned authority, on this day personally appeared

Keegan Moran, who being by me duly sworn, deposes and says that (s)he is *(Name of Person Representing Newspaper)*

the Legal Clerk of the Lubbock Avalanche-Journal
(Title of Person Representing Newspaper) *(Name of the Newspaper)*

that said newspaper is generally circulated in Lubbock, Lubbock County, Texas:
(The municipality or nearest municipality to the location of the facility or the proposed facility)

that the enclosed notice was published in said newspaper on the following date(s): July 1, 2024

Keegan Moran
(Newspaper Representative's Signature)

Subscribed and sworn to before me this the 1 day of July, 20 24
to certify which witness my hand and seal of office.

Vicky Felty
Notary Public in and for the State of Wisconsin

[Affix Seal]

Vicky Felty
Print or Type Name of Notary Public

9-19-25
My Commission Expires

VICKY FELTY
Notary Public
State of Wisconsin

TCEQ – 20533 (APDG 6011v9, Revised 9/18)

Classifieds

VISA

To Advertise, visit our website: Classifieds.lubbockonline.com
Public Notices/Legals email: LubbockAJLegals@gannett.com
Business & Services email: LubbockAJBusSer@gannett.com
To post job openings, visit: Lubbockonline.com/Jobs

All classified ads are subject to the applicable rate card, copies of which are available from our Advertising Dept. All ads are subject to approval before publication. The Lubbock Avalanche-Journal reserves the right to edit, refuse, reject, classify or cancel any ad at any time. Errors must be reported in time for first day of publication. The Lubbock Avalanche-Journal shall not be liable for damages in excess of the amount received for the space in which an error occurs, nor for any non-insertion. Proofreads for early-close editions of order.

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NEW LISTING! CHOICE 320 ac. +/- irrigated farm, w/new sprinklers, irrigation wells & an older home which would be liveable or could be moved. Located on pvmt. in prime farmland area of Castro Co., TX.

UNION CO., NM – Just out of Clayton, NM, 2 sections +/- located on pvmt. Sprinkleds with two large circles containing 318.4 ac. +/- & 152.94 ac. +/- irrigated by pivot sprinklers w/five irrigation wells & accompanying irr. equipment, on pvmt. together w/a lease of 320 ac. +/- of Kiowa National Grassland.

UNION CO., NM – Just out of Clayton, a large feedyard w/four circles irrigated by ¼ mile sprinklers, six irr. wells and accompanying irr. equipment just across the hwy. from the two sections w/the grass lease. The two sections w/the grass lease & the feedyard w/four adjoining quarters can be purchased together or separately.

www.scottlandcompany.com
Ben G. Scott – Broker
Krystal M. Nelson – NM GB
806-893-9693
S-Ranch@yahoo.com

Vehicles Recreation
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Like new 2022 Sandsteer Luxury 9282QTRD, 23' 2 RR 3 slideouts, 2 AC, 3 slideouts, will deliver! $67,000. 317-742-7240

Your Source Public Notices
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Beer/Liquor Licenses

Application has been made with the Texas Alcoholic Beverage Commission for a Mixed Beverage Permit by Ponto Gaucho LLC dba Ponto Gaucho Brazilian Steakhouse, to be located at 5107 82nd St, Ste 109 Lubbock, TX 79424. Owners are Delair Zuliani.
July 1, 2 2024
LACO01129197

Application has been made with the Texas Alcoholic Beverage Commission for a Mixed beverage by Brandon Fuller dba Saggy Dog Bar and Grill, to be located at 5004 Frankford Avenue. Owners are Brandon Fuller Steve Fuller, ROBERT WHITE.
July 1, 2 2024
LACO01129128

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Govt Bids & Proposals

SOUTH PLAINS WATER SUPPLY CORPORATION REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES RFQ No. 2024-1

The South Plains Water Supply Corporation ("SPWSC") is seeking to enter into an engineering services contract with a state-registered engineering firm. Your expertise and assistance are crucial as we explore possible loans, grants, or disadvantaged funding through the Texas Water Development Board ("TWDB") to bring clean, reliable water to our community. Interested firms are invited to submit Statement of Qualification (SOQ) according to the requirements and criteria of this RFQ. The SPWSC values your contribution and reserves the right to accept or reject any or all statements of qualifications for any reason deemed to be in the best interest of the SPWSC.

Subject to the approval of the South Plains Water Supply Corporation, the selected firm or firms may also be called upon to prepare an Engineering Feasibility Report and, if required, an Environmental Information Document in accordance with the requirements of the Texas Water Development Board (TWDB).

To receive a detailed copy of the Request for Qualifications (RFQ), please contact our office at 806-481-3717 or via email. Direct this request to Tammy Peters at tammy.peters@sanseravisory.com. The RFQ describes the services required from respondents, the minimum expected content in the responses, and the criteria that will be used to assess the proposals.

If your firm is interested in being considered as the Engineer for the SPWSC, please submit your SOQ according to the guidelines outlined in this RFQ. The submittal should be sent via email to Tammy Peters at tammy.peters@sanseravisory.com. All responses must be submitted by 3:00 p.m. CST on July 20, 2024. Please mark your submittal as: "REQUEST FOR QUALIFICATION FOR ENGINEERING SERVICES RFQ No. 2024-1". Responses received after this date and time will not be considered and will be returned.

June 24, July 1 2024
LACO01129554

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

EXAMPLE A

Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision

Air Quality Standard Permit for Concrete Batch Plants
Proposed Registration No. 176237L001

Application. Triple C Concrete of Lubbock, Ltd. has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 176237L001, which would authorize construction of a permit concrete batch plant located at 1331 Erskine St, Lubbock, Lubbock County, Texas 79402. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. AVISO DE IDIOMA ALTERNATIVO. El aviso de idioma alternativo en español está disponible en https://www.tceq.texas.gov/permitting/air/permits/concrete/cbp/cbpid1-permitpermit.pages. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. https://gisweb.tceq.texas.gov/LocationMapper/?marker=-101.9535,33.5555&level=13 The proposed facility will emit the following air contaminants: particulate matter including but not limited to aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on April 30, 2024. The executive director has completed the administrative and technical reviews of the application and determined that the application meets all of the requirements of a standard permit authorized by 30 TAC § 116.611, which would establish the conditions under which the plant must operate. The executive director has made a preliminary decision to issue the registration because it meets all applicable rules. The application, executive director's preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Lubbock regional office, and at the Lubbock County Courthouse, 904 Broadway Street, Lubbock, Lubbock County, Texas 79401, beginning the first day of publication of this notice. The facility's complete file, if any exists, is available for public review at the TCEQ Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas. Visit www.tceq.texas.gov/goto/cbp to review the standard permit.

Public Comment/Public Meeting. You may submit public comments or request a public meeting. See Contacts section. The TCEQ will consider all public comments in developing a final decision on the application. The deadline to submit public comments or meeting requests is 30 days after newspaper notice is published. Issues such as property values, noise, traffic safety, and zoning are outside of the TCEQ's jurisdiction to consider in the permit process.

The purpose of a public meeting is to provide the opportunity to submit comments or ask questions about the application. A public meeting about the application will be held if the executive director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing. If a public meeting is held, the deadline to submit public comments is extended to the end of the public meeting.

Contested Case Hearing. You may request a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court. Unless a written request for a contested case hearing is filed within 30 days from this notice, the executive director may approve the application.

A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. To request a hearing, a person must actually reside in a permanent residence within 440 yards of the proposed plant. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone numbers (2) applicant's name and registration numbers (3) the statement "[I/we] request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; (6) a description of how you use the property which may be impacted by the facility; and (7) a list of all disputed issues of fact that you submit during the comment period. If the request is made by a group or association, one or more members who have standing to request a hearing must be identified by name and physical address. The interests which the group or association seeks to protect must be identified. You may submit your proposed adjustments to the application which would satisfy your concerns. See Contacts section.

TCEQ Action. After the deadline for public comments, the executive director will consider the comments and prepare a response to all relevant and material, or significant public comments. The executive director's decision on the application, and any response to comments, will be mailed to all persons on the mailing list. If no timely contested case hearing requests are received, or if all hearing requests are withdrawn, the executive director may issue final approval of the application. If all timely hearing requests are not withdrawn, the executive director will not issue final approval of the permit and will forward the application and requests to the Commissioners for their consideration at a scheduled commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material air quality concerns submitted during the comment period. Issues such as property values, noise, traffic safety, and zoning are outside of the Commission's jurisdiction to address in this proceeding.

Mailing List. You may ask to be placed on a mailing list to receive additional information on this specific application. See Contacts section.

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the link, enter the registration number at the top of this notice.

Contacts. Public comments and requests must be submitted either electronically at www6.tceq.texas.gov/rules/ecomment/, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone numbers, email address and physical address will become part of the agency's public record. For more information about this application or the permitting process, please call the TCEQ Public Education Program toll free at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Triple C Concrete of Lubbock, Ltd. 1604 East 50th Street, Lubbock, TX 79404-4044 or by calling Mrs. Asim Henry, Project Manager at (806) 723-9744.

Notice Issuance Date: June 20, 2024

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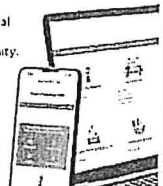

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TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Triple C Concrete Of Lubbock, Ltd
Permit No.: 176227L001
Application Received Date: April 30, 2024

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §
COUNTY OF Lubbock **§**

BEFORE ME, the undersigned authority, on this day personally appeared

Amalia Aguero, who being by me duly sworn, deposes and says that (s)he is (*Name of Person Representing Newspaper*)

the Publisher (*Title of Person Representing Newspaper*) of the El Editor Newspaper (*Name of the Newspaper*),

that said newspaper is generally circulated in Lubbock, Texas;
(*The **municipality or county** in which the facility or proposed facility is located*)

that the enclosed notice was published in said newspaper on the following date(s):

July 2nd, 2024

(*Newspaper Representative's Signature*)

Subscribe and sworn to before me this the 8th day of July, 2024
to certify which witness my hand and seal of office.

[Affix Seal]

JAIME DE LA CRUZ NOTARY PUBLIC STATE OF TEXAS ID # 13305563 EXPIRES 04-22-2025

Notary Public in and for the State of Texas

Jaime DeLaCruz
Print or Type Name of Notary Public

04-22-2025
My Commission Expires

¿Que Pasa?

KID'S FISHING DERBY AT MAE SIMMONS PARK MLK & CANYON LAKE DRIVE

SATURDAY, JULY 13TH - 7:00 am - 2:00 PM

Save The Date to come join us out Mae Simmons July 13th from 7am-2pm as the 100 Black Men of West Texas & Texas Game Warden Inc will host The Charles & Rose Kid's Fishing Derby. It will be a great time for families to come sit & enjoy a peaceful atmosphere with some great food & prizes provided by us you don't want to miss this!

CAPROCK JAZZ FESTIVAL

TTU MUSEUM / HELEN DEVITT JONES AUDITORIUM

Saturday, July 13 | Dinner: 5pm | Concert: 7pm

The Caprock Jazz Concert aims to bring-quality contemporary jazz performers to the South Plains. The concert is a major fund-raiser for the Roots Historical Arts Council and the Caviel Museum of African American History in Lubbock, TX. We hope you can join us for a night of great music!

Tickets can be purchased through the box office on 806-770-2000, Monday through Friday, 10am to 4pm.:

If you wish to purchase a full table of 8, please call Shirley Green at 806-535-2475

HIGH NOON CONCERT SERIES LUBBOCK COUNTY COURTHOUSE WEDNESDAYS THROUGH AUGUST 7TH 12:00 PM

Join us for an electrifying start to our 2024 High Noon Summer Concert Series! This exciting event is put on by the LC Commissioner's Court each Wednesday from 12 PM - 1 PM, beginning June 5 through August 7 (with the exception of June 19). Concerts will take place at our iconic Courthouse Gazebo & Lawn, and it's absolutely FREE! Bring along your favorite lawn chair and a friend to soak in the tunes for the only lunch hour concert series in Lubbock.NOTICE:Be sure to FOLLOW & LIKE LC on social media, as we will announce the performers and food trucks weekly on our Facebook & Instagram page! **

PA'LLA VAMOS FIESTA SATURDAY, OCTOBER 5TH SPIRIT RANCH - 701 REGIS ST

Join us to celebrate life & giving back to our community. All of the funds raised from this event will go directly towards Manos Unidas' vision to provide opportunities for our children to participate in community wide sports. Manos Unidas Sponsorship.

Oro $2500; Table of 8, Logo/Name on website and all signage, Highlight in program; Guest Speaker at event

Plata $1500 Table of 8, Logo/Name on website and all signage; Highlight in program Bronze $500: 4 Tickets, Name in event program, signage, website Individual Tickets $75

We will have the Lifetime Honorary Grand Marshall for the Dallas Cinco de Mayo parade with us at our Oct 5th Fiesta during Hispanic Heritage Month! Roberto Alonzo was a former State Rep. and has been an attorney for close to 40 years. Come to our event to meet this charismatic persona

We still have available spots for Table Sponsors and Silent Auction Items.

TOGETHER FUNDRAISER 24' FIREHOUSE THEATRE AT LHUCA

SATURDAY, AUGUST 3RD - 6:00 - 10:00 PM

Make sure to get your tickets for our 4th annual Together Fundraiser! The concert will take place on August 3rd in the LHUCA Firehouse located at 511 Ave. K. LSO Musicians and Jerry Serrano will be playing solo sets and then come together to play side by side. You won't want to miss it!

After the concert, ticket holders are invited to the Lubbock Symphony courtyard for our Arts Afterparty where we will serve FREE wine from Llano Estacado and FREE beer from Two Docs Brewing Co., along with hors d'oeuvres from Homemade Goodness by Jada. There will be music by Robert Lopez and a dance performance by Ballet Lubbock. We will also host local artist, Lexi Tutt, in the conference room of the LSO!

We are bringing the arts together to fundraise for Lubbock Live! Our goal this year is to raise $7,500 from this event. We look forward to seeing you there!

Presale tickets are available for $35 until July 14th and $50 from July 15th to August 3rd.



JULY JAMAICAS:

SATURDAY, JULY 13TH

St. Michael Church - 1200 4th St. HWY 82, Ralls, TX

3:00 - 11:00 pm

SUNDAY, JULY 14TH

Sacred Heart Church - 2805 Columbia St. Plainview, TX

11:00 am - 9:00pm

St. Anthony Church - 702 S 2nd St, Brownfield, TX

12:00 - 7:00pm

SUNDAY, JULY 21ST

Our Lady of Guadalupe Church - 211 W 7th, Plainview, TX

Saint Anthony Church - 401 Maurer Ave, Anton, TX

SATURDAY, JULY 27TH

St. Isidore Church - 17813 I-27, Abernathy, TX

SUNDAY, JULY 28TH

St. Ann Church - 1876 FM1780, Morton, TX

St. William Church - 401 Mustang Dr, Denver City, TX

11:00 am – 9:30 pm

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

Aviso Consolidado de Recibimiento de la Solicitud e Intención de Obtener Permiso y Aviso de Solicitud y Decisión Preliminar Permiso Estándar de Calidad del Aire para Plantas Mezcladoras de Concreto Número de Registro Propuesto 176227L001

Solicitud. Triple C Concrete of Lubbock, LTD ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) un Permiso Estándar de Calidad del Aire, Número de Registro 176227L001, que autorizaría la construcción de una planta permanente mezcladora de concreto ubicada en 1521 Erskine St., Lubbock, Condado de Lubbock, Texas 79403. Este enlace a un mapa electrónico de la ubicación general del sitio o instalación se proporciona como cortesía pública y no como parte de la solicitud o aviso. Para conocer la ubicación exacta, consulte la aplicación https://www.tceq.texas.gov/permitting/air/newsourcereview/http-public-participation-regs. La instalación propuesta emitiría los siguientes contaminantes del aire: material particulado que incluye (pero no se limita a) agregados, concreto, polvo de carretera y material particulado con diámetros de 10 micras o menos y 2.5 micras o menos.

Esta solicitud se presentó a la TCEQ el 10 de abril de 2024. El director ejecutivo ha completado las revisiones administrativas y técnicas de la solicitud y ha determinado que la solicitud cumple con todos los requisitos de un permiso estándar otorgado por 30 TAC § 116.611, que establecería las condiciones bajo las cuales la planta debe operar. El director ejecutivo ha tomado la decisión preliminar de emitir el registro porque cumple con todas las normas aplicables. La solicitud, la decisión preliminar del director ejecutivo y el permiso estándar estarán disponibles para su visualización y copia en la oficina central de la TCEQ, la oficina regional de la TCEQ de Lubbock y el área accesible al público a continuación: Lubbock County Courthouse, 904 Broadway Street, Lubbock, Lubbock County, Texas 79401 Texas, a partir del primer día de publicación de este aviso. El archivo de cumplimiento de la instalación, si existe alguno, está disponible para su revisión pública en la oficina regional de Lubbock de la TCEQ, 5012 50th Street, Suite 100, Lubbock, Texas, 79414. Visite www.tceq.texas.gov/goto/cbh para revisar el permiso estudiar.

Comentario Público/Reunión Pública. Puede enviar comentarios públicos o solicitar una reunión pública. Consulte la Sección Contactos. La TCEQ considerará todos los comentarios públicos al desarrollar una decisión final sobre la solicitud. La fecha límite para enviar comentarios públicos o solicitudes de reunión es de 30 días después de que se publique el aviso del periódico. Cuestiones como los valores de la propiedad, el ruido, la seguridad del tráfico y la zonificación están fuera de la jurisdicción de la TCEQ para considerarse en el proceso de permiso.

El propósito de una reunión pública es para brindar la oportunidad de enviar comentarios o hacer preguntas sobre la solicitud. Se llevará a cabo una reunión pública sobre la solicitud si el director ejecutivo determina que existe un grado significativo de interés público en la solicitud o si lo solicita un legislador local. Una reunión pública no es una audiencia de caso impugnado. Si se convoca una reunión pública, el plazo para presentar comentarios públicos se amplía hasta el final de la reunión pública.

Audiencia de Caso Impugnado. Puede solicitar una audiencia de caso impugnado. Una audiencia de caso impugnado es un procedimiento legal similar a un juicio civil en un tribunal de distrito estatal. A menos que se presente una solicitud por escrito para una audiencia de caso impugnado dentro de los 30 días posteriores a este aviso, el director ejecutivo puede aprobar la solicitud.

Una persona que pueda verse afectada por las emisiones de contaminantes atmosféricos de la instalación tiene derecho a solicitar una audiencia. Para solicitar una audiencia, una persona debe residir realmente en una residencia permanente dentro de los 440 metros de la planta propuesta. Si solicita una audiencia de caso impugnado, debe presentar lo siguiente: (1) su nombre (o para un grupo o asociación, un representante oficial), dirección postal, número de teléfono diurno; (2) nombre y número de registro del solicitante; (3) la declaración "[Yo/nosotros] solicita/amos una audiencia de caso impugnado;" (4) una descripción específica de cómo se vería afectado negativamente por la aplicación y las emisiones atmosféricas de la instalación de una manera no común para el público en general; (5) la ubicación y distancia de su propiedad en relación con la instalación; (6) una descripción de cómo usa la propiedad que puede verse afectada por la instalación; y (7) una lista de todos los problemas de hecho en disputa que envíe durante el período de comentarios. Si la solicitud es hecha por un grupo o asociación, uno o más miembros que tienen legitimación para solicitar una audiencia deben ser identificados por su nombre y dirección física. Deben identificarse los intereses que el grupo o asociación pretende proteger. Puede enviar los ajustes propuestos a la solicitud que satisfagan sus inquietudes. Consulte la sección Contactos.

Acción de la TCEQ. Después de la fecha límite para los comentarios públicos, el director ejecutivo considerará los comentarios y preparará una respuesta a todos los comentarios públicos relevantes y materiales, o significativos. La decisión del director ejecutivo sobre la solicitud, y cualquier respuesta a los comentarios, se enviará por correo a todas las personas en la lista de correo. Si no se reciben solicitudes de audiencia de casos impugnados oportunamente, o si se retiran todas las solicitudes de audiencia, el director ejecutivo puede emitir la aprobación final de la solicitud. Si no se retiran todas las solicitudes de audiencia oportunas, el director ejecutivo no emitirá la aprobación final del permiso y enviará la solicitud y las solicitudes a los Comisionados para su consideración en una reunión programada de la comisión. La Comisión sólo podrá conceder una solicitud de audiencia de un asunto impugnado sobre cuestiones que el solicitante haya presentado en sus observaciones oportunas que no hayan sido retiradas posteriormente. Si se concede una audiencia, el tema de una audiencia se limitará a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas con preocupaciones relevantes y materiales sobre la calidad del aire presentadas durante el período de comentarios. Cuestiones como el valor de la propiedad, el ruido, la seguridad del tráfico y la zonificación están fuera de la jurisdicción de la Comisión para abordar en este procedimiento.

Lista de correo. Puede solicitar ser colocado en una lista de correo para recibir información adicional sobre esta aplicación específica. Consulte la sección Contactos.

Información Disponible en Línea. Para obtener detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de Comisionados (CID, por sus siglas en inglés) en www.tceq.texas.gov/goto/cid. Una vez que tenga acceso al CID utilizando el enlace, ingrese el número de registro en la parte superior de este aviso.

Contactos. Los comentarios y solicitudes públicas deben enviarse electrónicamente a www14.tceq.texas.gov/epic/eComment/, o por escrito a la Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información de contacto que proporcione, incluida su nombre, número de teléfono, dirección de correo electrónico y dirección física, se convertirá en parte del registro público de la agencia. Para obtener más información sobre esta solicitud o el proceso de permisos, llame al Programa de Educación Pública de la TCEQ al número gratuito 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/over.html. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener más información de Triple C Concrete of Lubbock, Ltd. 2008 East 50th Street, Lubbock, TX 79404-3044 o llamando a Aalyn Henry, Project Manager al 806-783-9344.

Fecha de Emisión del Aviso: 20 de junio de 2024

Alexander Hilla
Air Permits Division, Mechanical
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753
Work: (512)-239-0157
Mobile: (512)-659-7478
Email: alexander.hilla@tceq.texas.gov

How is our customer service? www.tceq.texas.gov/customersurvey

Juliet Varra

From: Aslyn Henry <ahenry@r2meng.com>
Sent: Tuesday, July 9, 2024 8:17 AM
To: Alexander Hilla
Cc: PROOFS
Subject: Triple C Concrete Of Lubbock, Ltd -- Public Notice -- STDPMT 176227L001 Project 373356
Attachments: EE Lubbock_pg4_070224.pdf; LUB 10324995 TCEQ Aff Completed.pdf; Texas#LUB1Brd# 07-01-2024#AvJournal#1#Class-A#1#phuddar.pdf; triple c 7-8-2024_0001.pdf

Good morning,

Please see the tearsheets and affidavits for the referenced company. Please let me know if any additional information is required.

Thank you,

Aslyn Henry
Environmental Engineering Project Manager
R2M Engineering, LLC

R2M ENGINEERING
CIVIL • ENVIRONMENTAL • SAFETY
Texas Registered Engineering Firm F-9992
Texas Licensed Survey Firm 10193863
Texas Licensed Asbestos Consultant Agency 100535
Texas Licensed Mold Assessment Agency AC01216
MSHA & OSHA Authorized Outreach Trainers
HUB & DBE Certified Firm
LUBBOCK OFFICE
5012 50th St., Suite 204
Lubbock, TX 79414
Phone: (806) 783-9944
Fax: (806) 783-9966
AMARILLO OFFICE
2300 N. Western St., Suite 106
Amarillo, TX 79124
www.R2Meng.com

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From: Alexander Hilla <Alexander.Hilla@tceq.texas.gov>
Sent: Monday, June 3, 2024 4:06 PM
To: Aslyn Henry <ahenry@r2meng.com>
Subject: Triple C Concrete Of Lubbock, Ltd -- Draft Public Notice -- STDPMT 176227L001 Project 373356

Good afternoon,

I am writing to inform you that the application is marked technically complete as of May 13, 2024.

We've attached a draft portion of the Concrete Batch Plant Standard Permit Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision and the Alternative Language Spanish template as applicable. The Plain Language Summary (PLS) template is not attached as you have already provided a completed copy with your application. The NAPAD approval, and Alternative Language Spanish template including any additional Alternative Language notices as applicable must be completed and returned within 5 business days before we can issue the final NAPD package and post web accessible versions to the agency's website. This is in accordance with Title VI Compliance.
For the Spanish template, all italic notes should be replaced with the corresponding Spanish translations based on the English notice. You may utilize the Spanish Tools for Air Permitting Public Notices to help with air contaminant translation. You are responsible for ensuring that the publication in the alternative language is complete and accurate for the required languages. Complete instructions on publishing the bilingual notice and posting signs will be available in the public notice package once issued.

The NAPD is a legally approved document and only the items listed below are subject to approval/correction. Please review carefully and provide corrections including a revised application as needed:

- Street address or driving directions to the facility.
- Hyperlink for the map to facility - please confirm the map shows the general vicinity location of the facility.
- Contaminant's list.
- Public viewing place (must be in the same county as the facility and may be required to have internet access).
- For renewal applications, check all previous permitting actions since initial issuance or last renewal to make sure they are listed in Example A.
- Incorporation / consolidation of registrations for PBRs and Standard Permits being included with this application.
- Emission factor changes.
- Qualified facility changes.
- Public Notice Technical Contact information.
- Big or small business status (Small businesses will not receive Example B).

Please do not publish until you receive an email containing an administratively complete letter and public notice package

Best Regards,

THE HONORABLE CHARLES PERRY
TEXAS SENATE
DISTRICT ROOM E1.806
TEXAS STATE CAPITOL
Charles.perry@senate.texas.gov

THE HONORABLE DUSTIN BURROWS
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.722
TEXAS STATE CAPITOL
Dustin.burrows@house.texas.gov

THE HONORABLE CARL TEPPER
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 4N.6
TEXAS STATE CAPITOL
carl.tepper@house.texas.gov

Pg 1

State Leg.

mailed
4.24.2024

CANADIAN RIVER MUNICIPAL WATER
PO BOX 9
SANFORD TX 79078-0009

HIGH PLAINS UNDERGROUND WATER
2930 AVENUE Q
LUBBOCK TX 79411-2499

LUBBOCK CITY-COUNTY HEALTH DEP
PO BOX 2000
LUBBOCK TX 79408-2000

LUBBOCK COUNTY JUDGE
COUNTY COURTHOUSE
PO BOX 10536
LUBBOCK TX 79408-3536

LUBBOCK COUNTY WCID 1
9999 HIGH MEADOW RD
LUBBOCK TX 79404-1913

SOLID WASTE COORDINATOR
SOUTH PLAINS ASSOCIATION OF GO
FREEDOM STATION
PO BOX 3730
LUBBOCK TX 79452-3730

PUBLIC HEALTH REGION 1
TEXAS DEPARTMENT OF STATE HEAL
6302 IOLA AVE
LUBBOCK TX 79424-2750

PUBLIC HEALTH REGION 1
TEXAS DEPARTMENT OF STATE HEAL
WTAMU STATION
PO BOX 60968
CANYON TX 79016-0001

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
3233 CURTIS DR
FORT WORTH TX 76116-5100

JASON COLEMAN MANAGER
HIGH PLAINS UNDERGROUND WATER
2930 AVENUE Q
LUBBOCK TX 79411-2499

LAURALEE VALLON GENERAL CO
BRAZOS RIVER AUTHORITY
4600 COBBS DR
PO BOX 7555
WACO TX 76714-7555

KATHYL ANDERSON
2914 UTE AVE
LUBBOCK TX 79404-2038

CONCERNED CITIZEN
LEGAL AID OF NORTHWEST TEXAS
STE 1420
400 S ZANG BLVD
DALLAS TX 75208-6600

THE HONORABLE PATTI JONES
LUBBOCK COUNTY COMMISSIONER PRECI
PO BOX 10536
LUBBOCK TX 79408-3536

ADAM R PIRTLE
LEGAL AID OF NORTHWEST TEXAS
STE 502
1001 MAIN ST
LUBBOCK TX 79401-3321

KATHRYN R SUCHY
6308 COUNTY ROAD 7470
LUBBOCK TX 79424-6433

Pg 2

City | County

Post | I-P

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:35 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 4 - Triple C Concrete Property and Fenceline.pdf

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: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 1:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

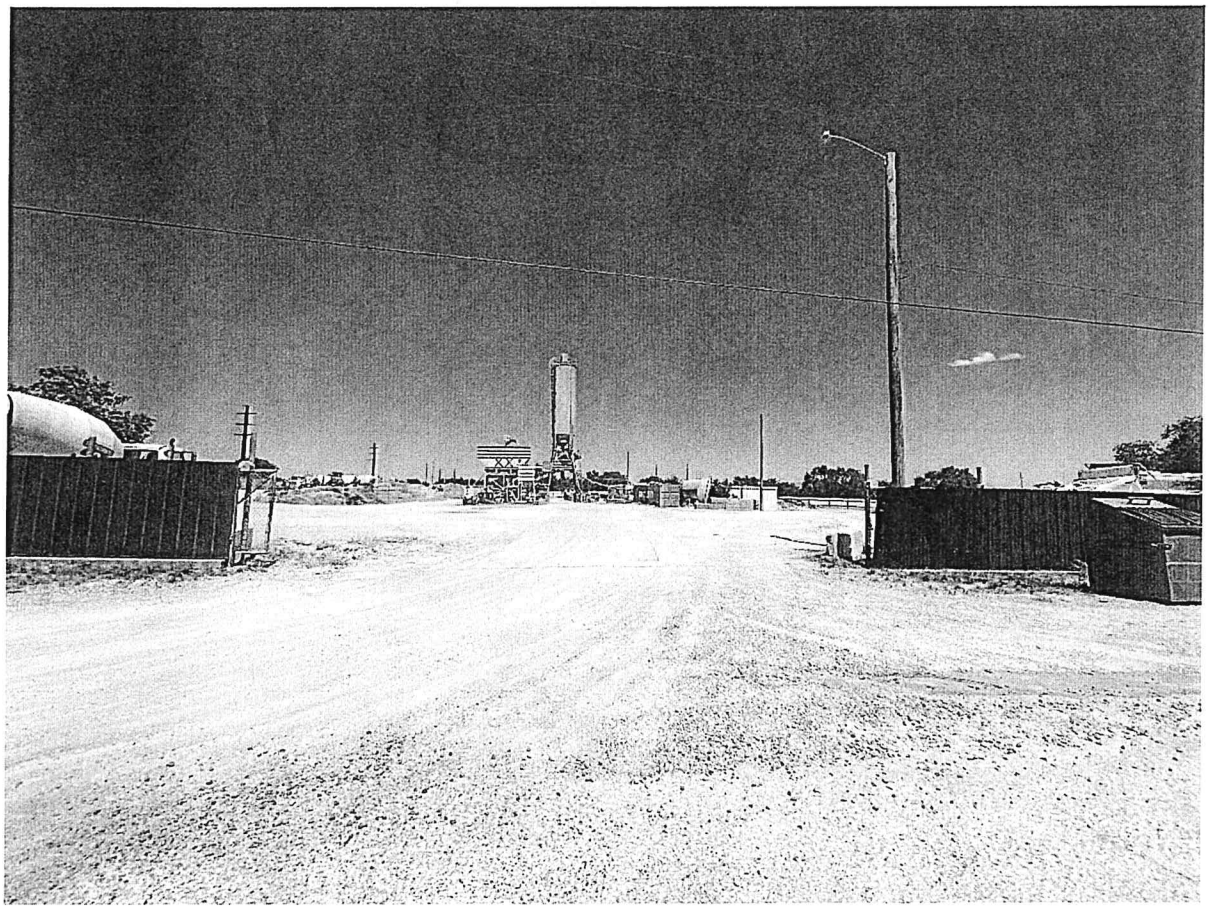
COMMENTS: North and East Lubbock Coalition Attachment 4: Photos and Videos, Triple C Concrete Property and Fenceline This is an attachment to the comment submitted by the North and East Lubbock Coalition.

Attachment 4

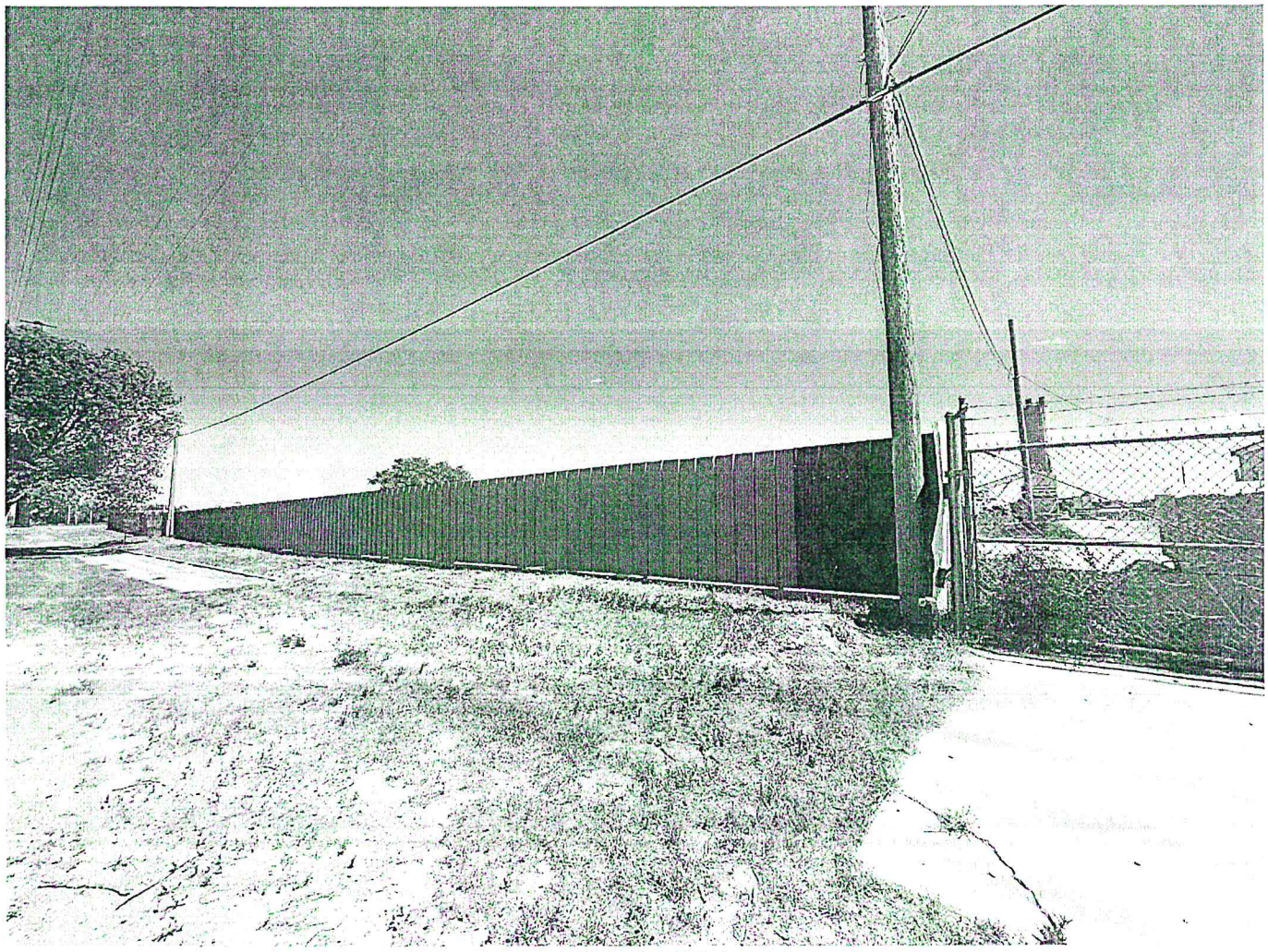
Video of fence line available at:

https://drive.google.com/drive/folders/1-9ny9WOUyB4HlvgKkR26A8zndmlRmYwM?usp=drive_link

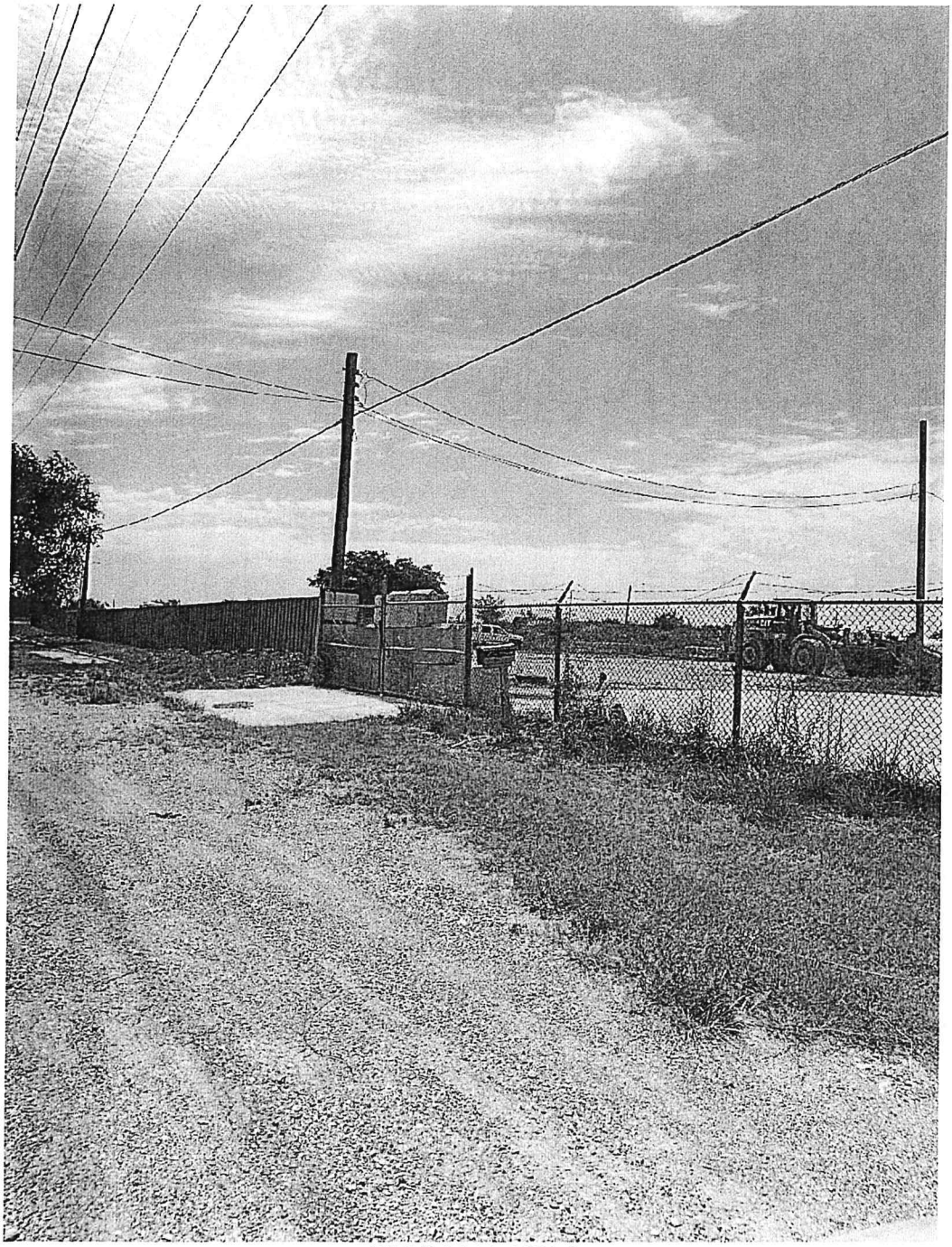
7/1/24 | 3:31PM | Erskine



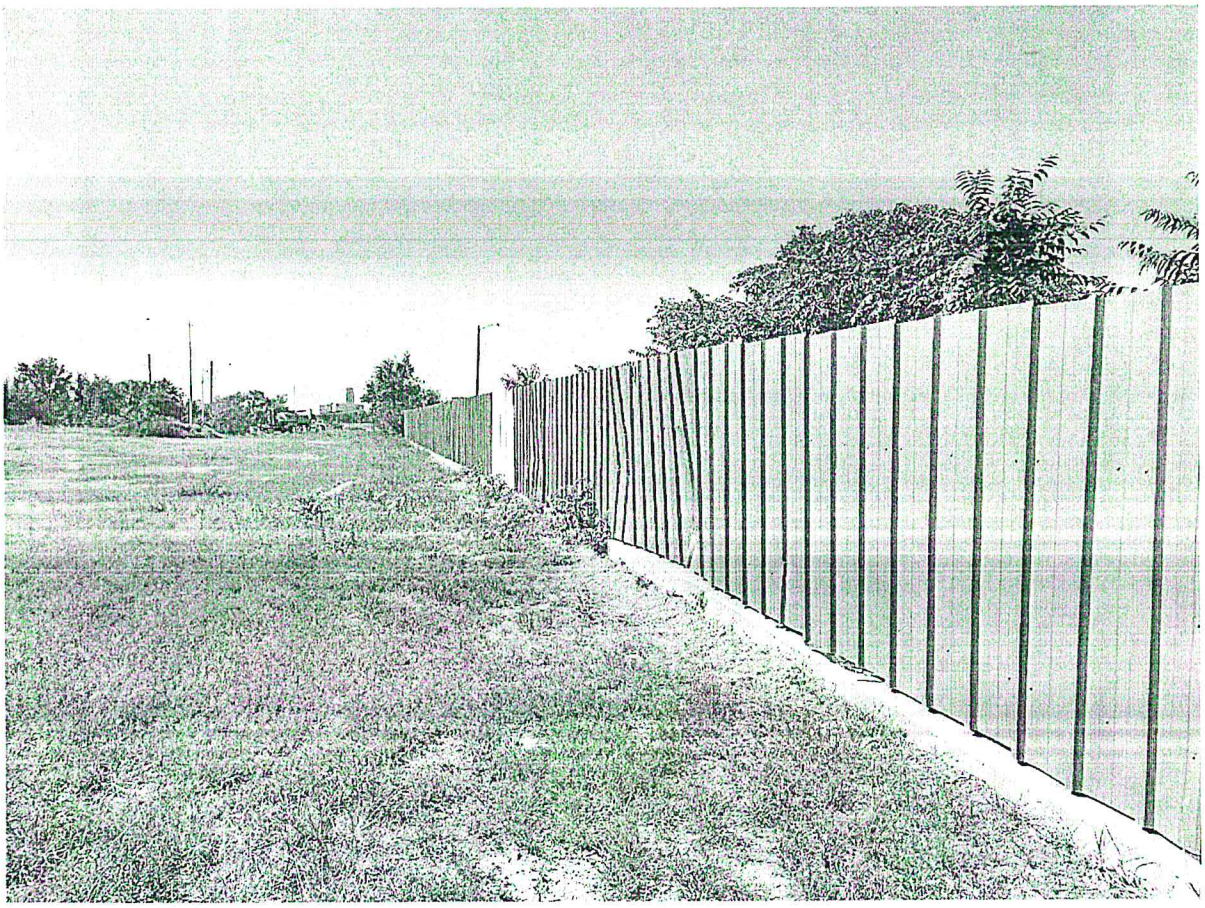
7/1/24 | 3:29PM



7/1/24 | 3:33PM



7/17/24 | 11:18PM



7/30/24 | 10:40AM | Ave. Q



7/30/24 | 10:43AM | Erskine

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:35 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 3 - Lack of Public Notice at Courthouse.pdf

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 1:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

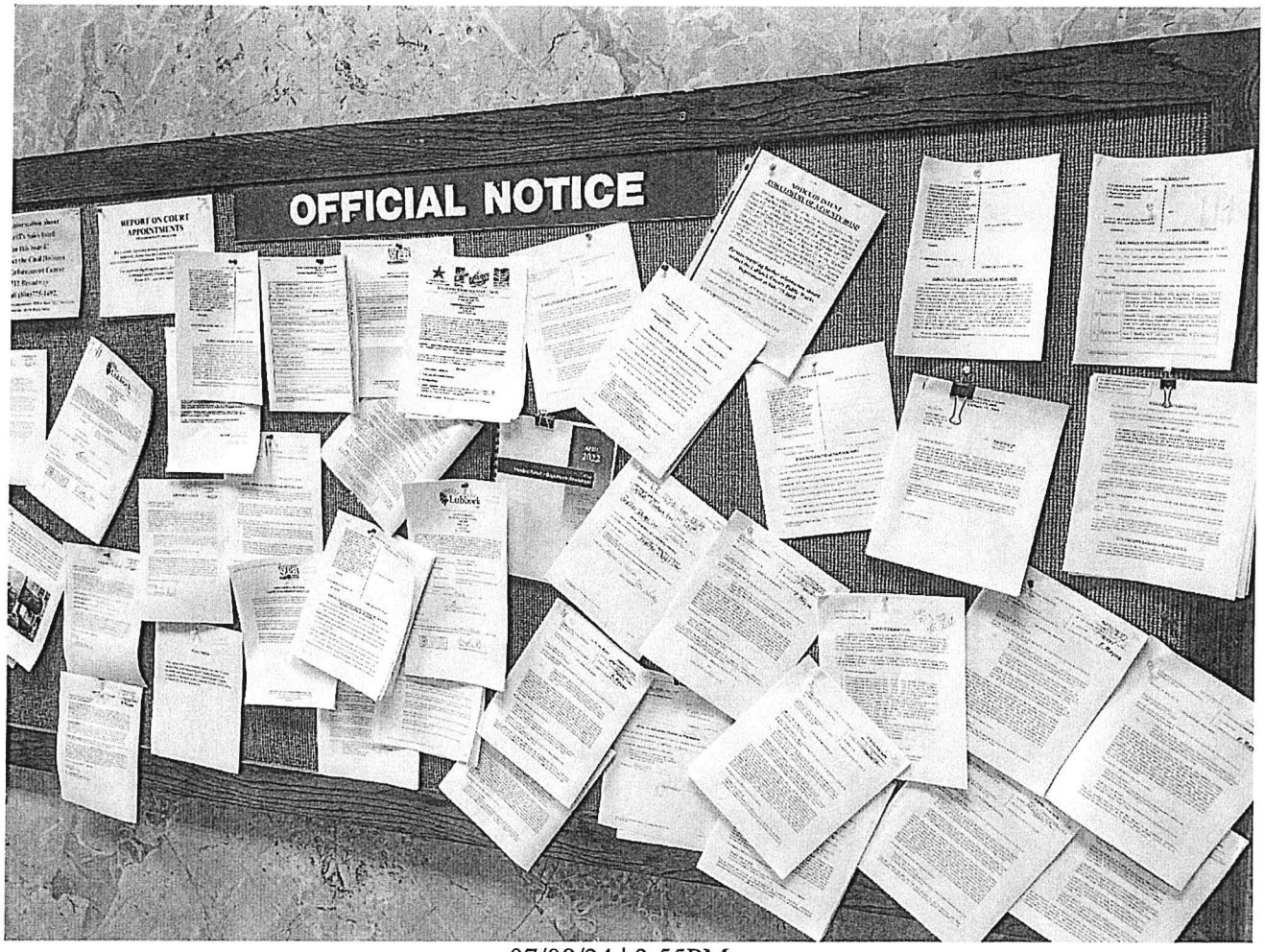
COMMENTS: North and East Lubbock Coalition Attachment 3 – Photos and Videos, Lack of Public Notice at Courthouse This attachment accompanies the comment of the North and East Lubbock Coalition.

Attachment 3

Video of Notice Board available at:

https://drive.google.com/drive/folders/1-9ny9WOUyB4HlvgKkR26A8zndmlRmYwM?usp=drive_link

7/2/24 | 12:45PM | Lubbock County Courthouse Notice

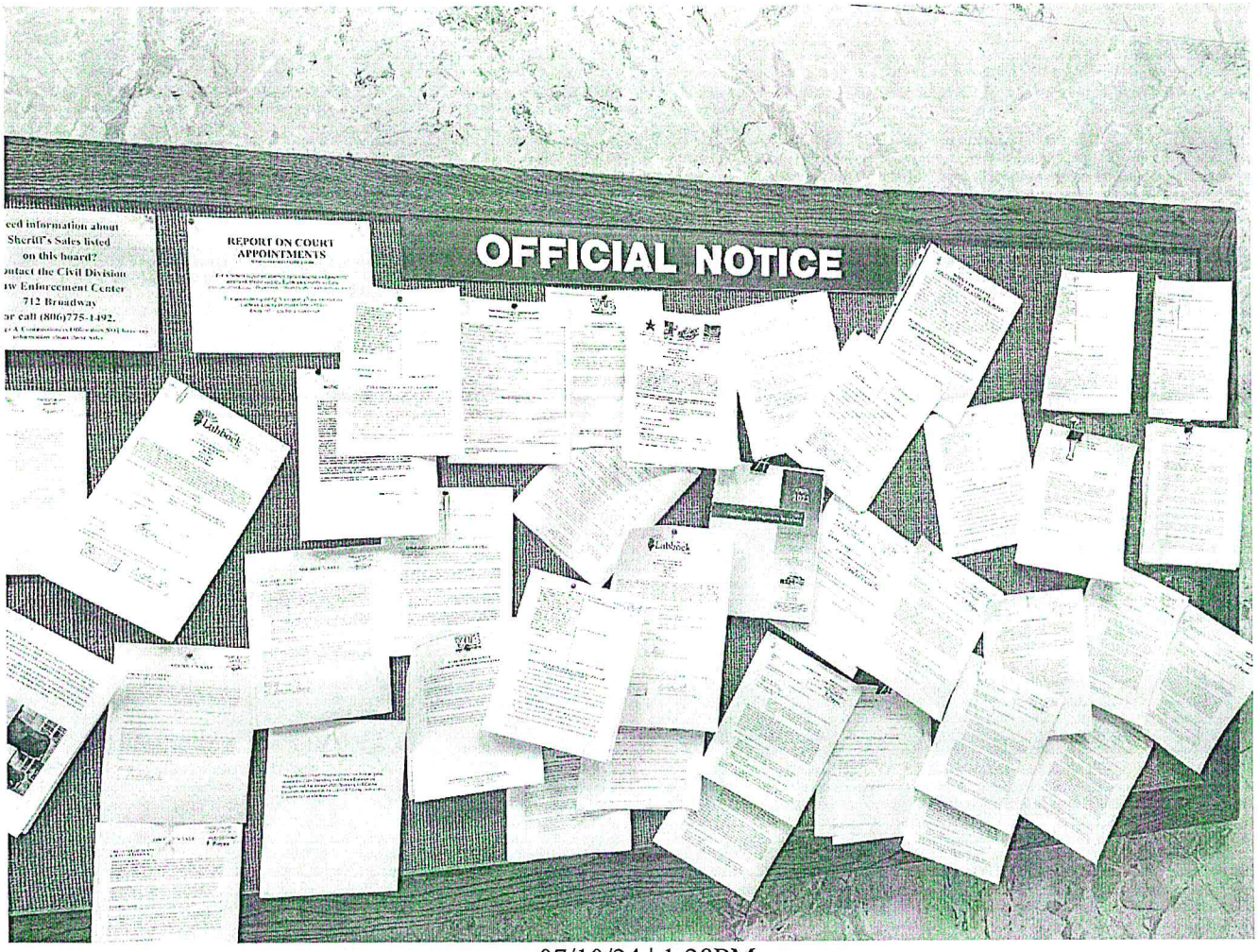


07/08/24 | 3:55PM

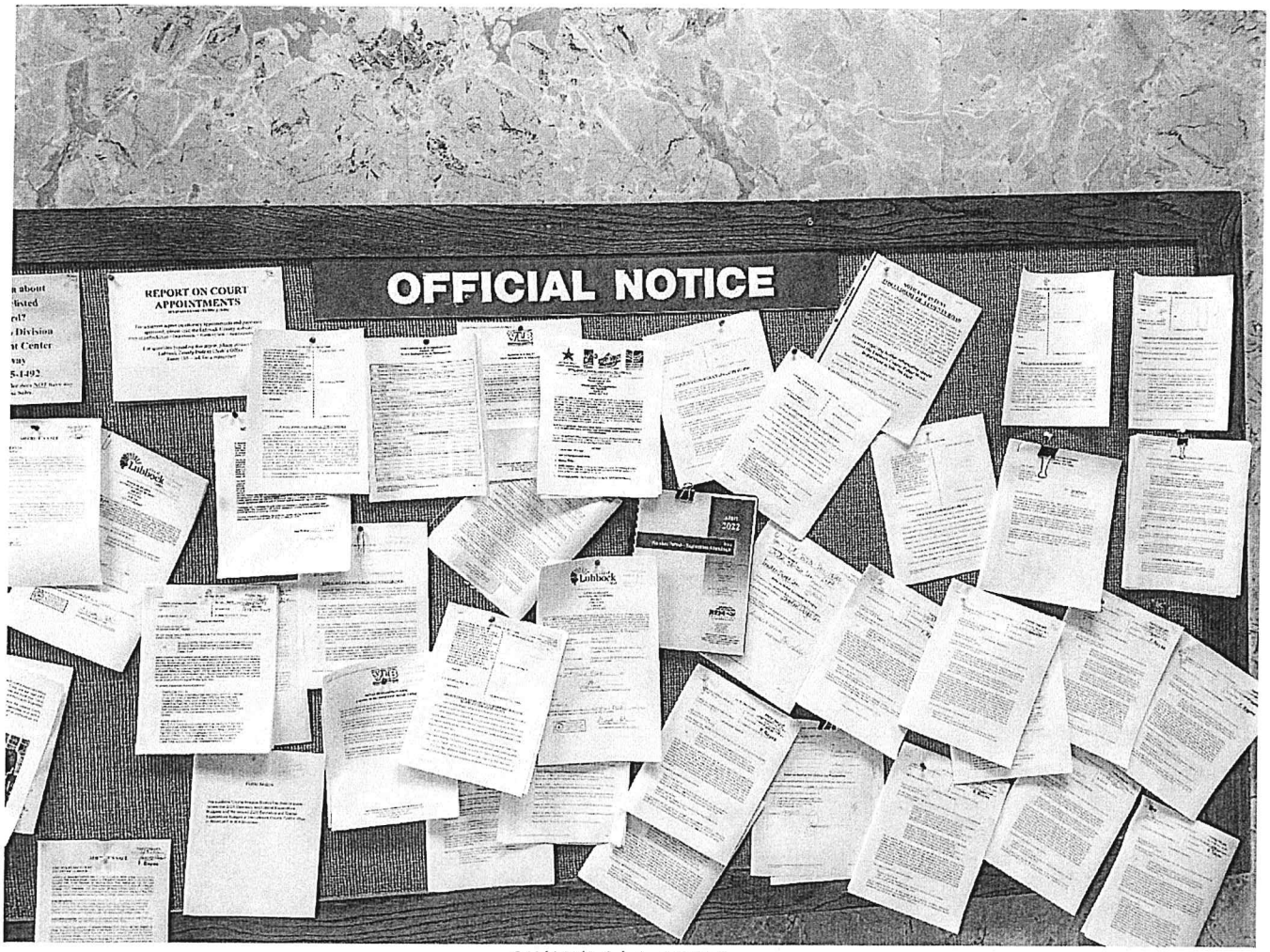
Video of Notice Board available at:

https://drive.google.com/drive/folders/1-9ny9WOUyB4HlvgKkR26A8zndmlRmYwM?usp=drive_link

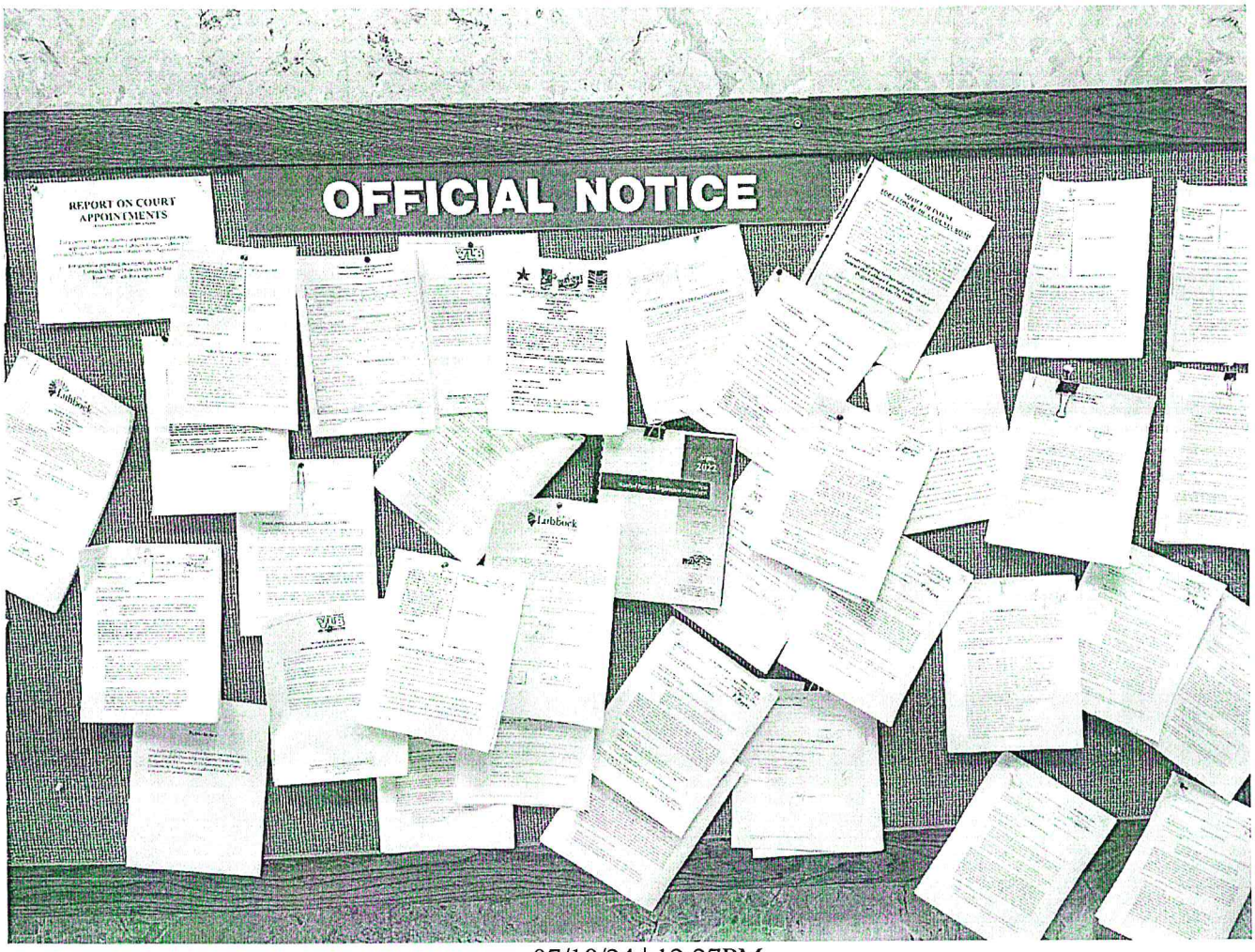
7/9/24 | 3:45PM | Lubbock County Courthouse Notice Board



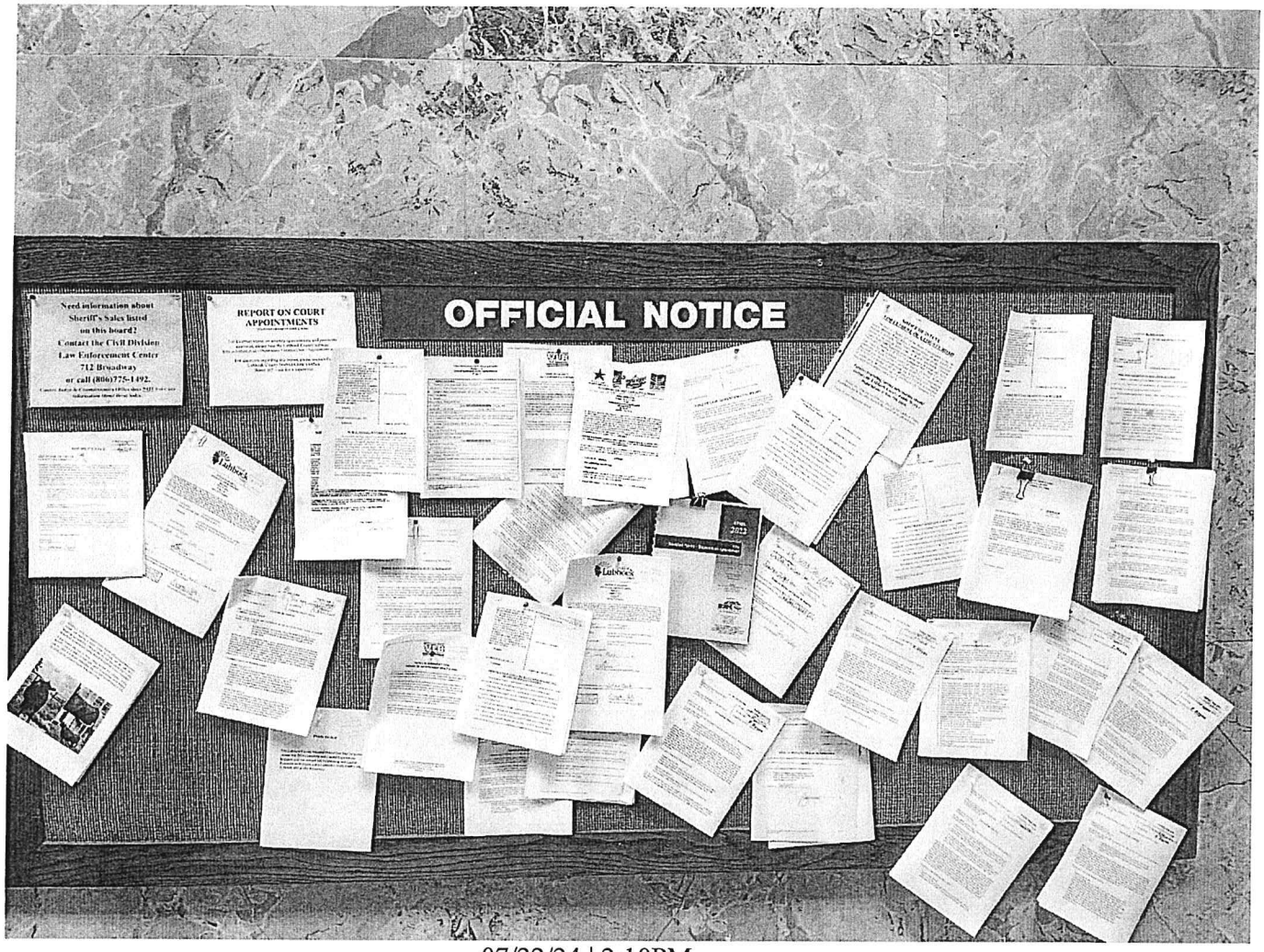
07/10/24 | 1:28PM



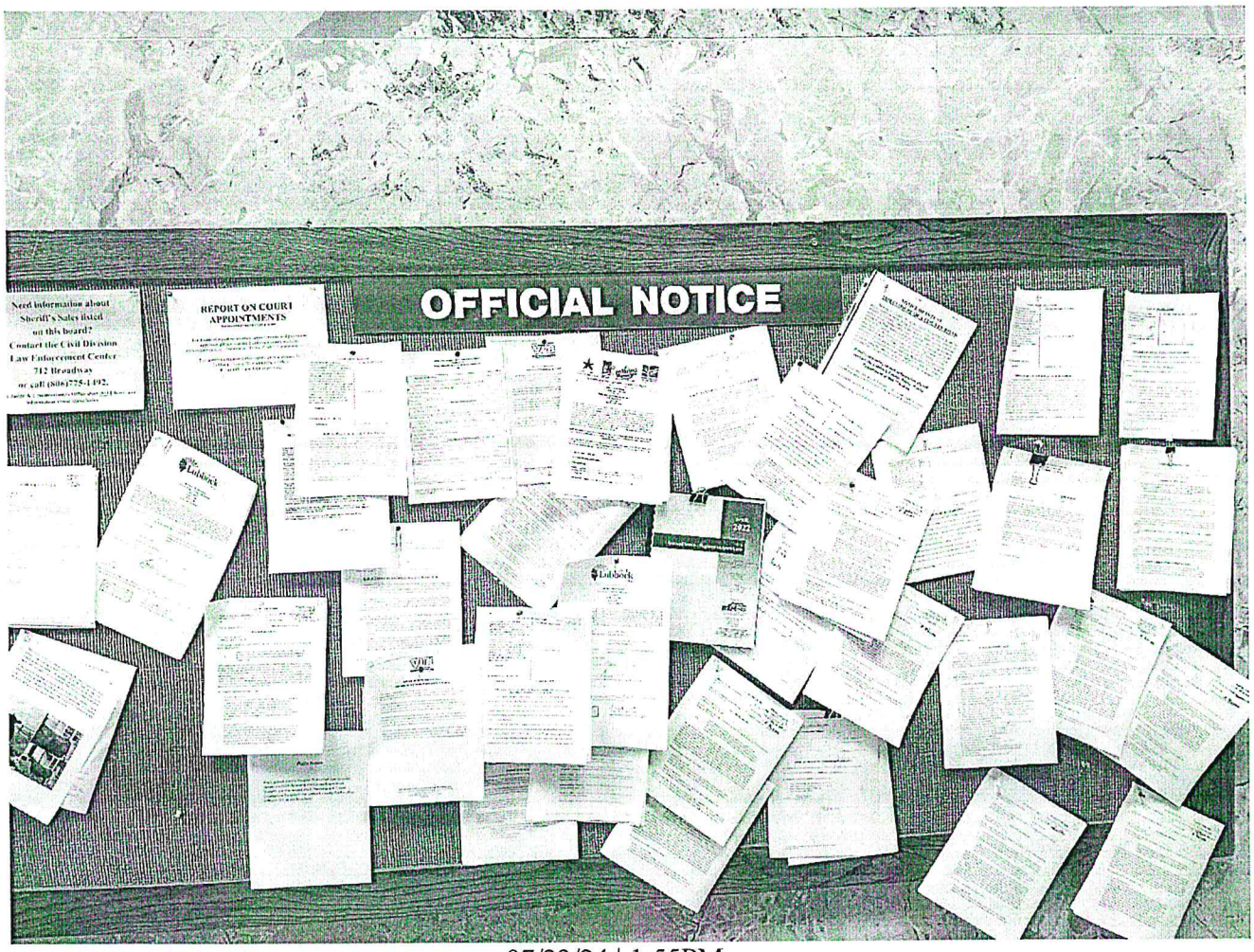
07/17/24 | 1:45PM



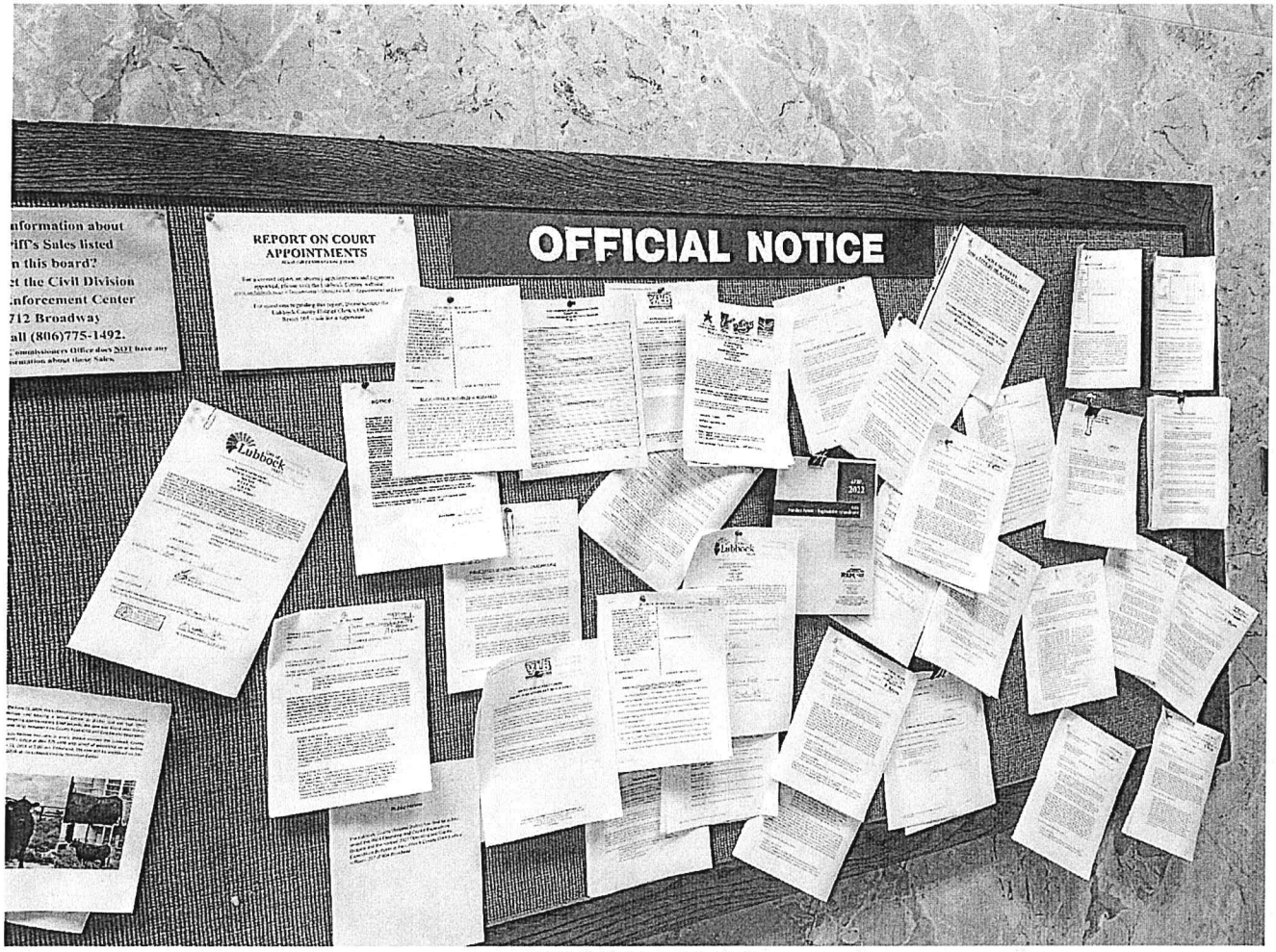
07/18/24 | 12:27PM



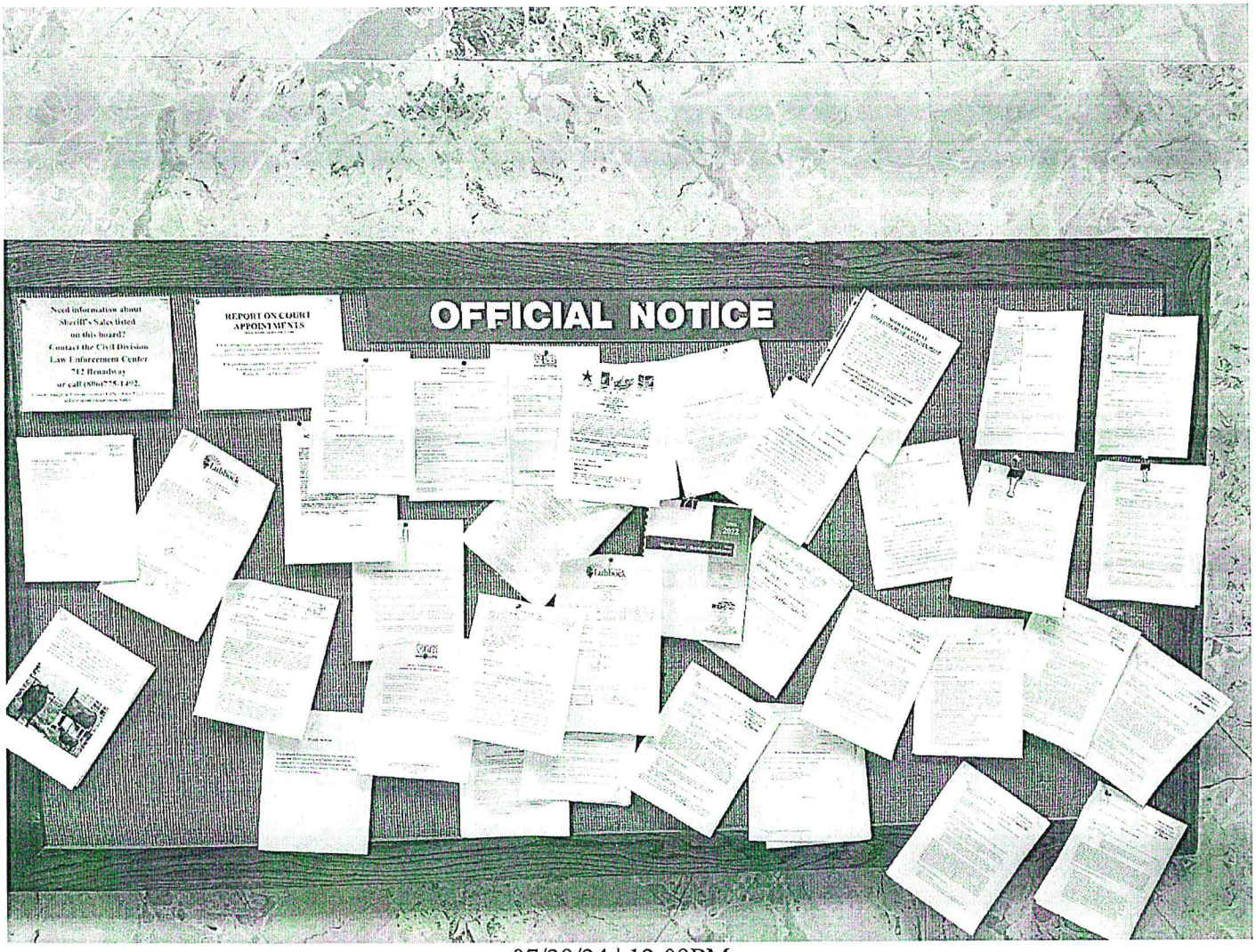
07/22/24 | 2:10PM



07/23/24 | 1:55PM



07/24/24 | 2:10PM



07/29/24 | 12:09PM

Video of Notice Board available at:

https://drive.google.com/drive/folders/1-9ny9WOUyB4HlvgKkR26A8zndmlRmYwM?usp=drive_link

7/30/24 | 11:01PM | Lubbock County Courthouse Notice Board

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:34 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 2 - Affidavit of Penelope Rodriguez.pdf

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 1:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: North and East Lubbock Coalition Attachment 2 – Affidavit of Penelope Rodriguez This attachment accompanies the comment of the North and East Lubbock Coalition.

AFFIDAVIT

STATE OF TEXAS §
§
COUNTY OF LUBBOCK §

Before me, the undersigned authority, on this day personally appeared PENELOPE RODRIGUEZ, who swore or affirmed to tell the truth, and stated as follows:

1. My name is PENELOPE RODRIGUEZ. I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I am over the age of twenty-one years old and am competent to testify to the matters set forth in this Affidavit. I swear that the testimony and evidence as follows is true and correct to the best of my knowledge.

2. I am a paralegal for Legal Aid of NorthWest Texas at the address 1001 Main Street, Suite 502, Lubbock, Texas 79401.

3. I hereby certify I took photos of the Lubbock County Courthouse Notice Board between July 1, 2024, and July 30, 2024, herein attached as Attachment 3 of the public comment of the North and East Lubbock Coalition for proposed Air Permit No. 176227L001.

4. I hereby certify I requested a copy of the application for proposed Air Permit No. 176227L001 from an employee of the Lubbock County Clerk's office on July 30, 2024, and the employee stated he has never seen an application for proposed Air Permit No. 176227L001.

5. I hereby certify that I took the attached photos between July 1, 2024, and July 30, 2024, of the Triple C Concrete plant situated at 1521 Erskine Street,

Lubbock, TX 79403, herein attached as Attachment 4 of the public comment of the North and East Lubbock Coalition for proposed Air Permit No. 176227L001.

6. The affidavit and evidence submitted with it may be used for a hearing or any court proceeding.

Signed,

PENELOPE RODRIGUEZ

State of Texas
County of Lubbock

SWORN to and SUBSCRIBED before me, the undersigned authority, on the 30th day of July 2024, by PENELOPE RODRIGUEZ.

Notary Public,
State of Texas

ALICIA G ANDREWS
Notary Public, State of Texas
Notary ID#: 13415740-0
My Commission Expires 01-20-2027

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:33 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 1B - Resident Comments5.pdf

PM

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 1:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: Adam R Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: North and East Lubbock Coalition Attachment 1 – Resident Comments (Part 2) This is the second part of Attachment 1 of the North and East Lubbock Coalition's public comment for Proposed Registration No. 176227L001. It contains individual comments from residents living in the area surrounding the Triple C Concrete Facility.

Date: July 31 24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Javier Lopez

Name: Javier Lopez

Address: 214 North ave M

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 1-31-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]
Name: Benny Aguilar
Address: 221 N. Ave. M
Lubbock TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7.22.24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Ercelia Cantu

Name: Ercelia Cantu

Address: 1018 2nd Pl
79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-31-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Esther Aguilar

Name: Esther Aguilar

Address: 221 N Ave M
Lubbock Texas 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/29/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Dora T. Cortez

Name: DORA T. Cortez

Address: 217 N. Ave O
LBK 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

One of my biggest concerns with Triple C or any other concrete facility in our neighborhood is airborne pollutants, dust & breathing problems that affect our senior citizens + children. Airborne pollutants are not the only concerns I have, you have particulate matter, dust, and irritation to eyes, nose, + ~~throat~~ throat. We also have ~~an~~ an elementary school near this facility and a population of over 200 children from pre-K to 5th graders & special needs children that attend this school.

Date: 7/30/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Sandra Zuniga

Name: Sandra Zuniga

Address: 103 Ave P Unit A
Lubbock, TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-30-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: George Solaica, Sr.

Name: George, Solaica, Sr.

Address: 101-N. Ave. N.

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-30-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Isabel Guayardo

Name: Isabel Guayardo

Address: 1507 Bates St.
Lubbock, Tx. 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7.30.24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Ivan Hernandez

Address: 107 Wade

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7·30·24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Michelle Beltran

Name: Michelle Beltran

Address: 1505 Bates
Lubbock TX 7940 |

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-30-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Yolanda Ochoa

Name: Yolanda Ochoa

Address: 102 Ave N
Lubbock, Tx

I request

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/30/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Aaron Jimenez

Address: 107 Ave N
Lubbock, TX

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-30-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Joel & Arcelia Hernandez

Name: Joel & Arcelia Hernandez

Address: 105 Ave M
Lubbock TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: July 30, 2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

No. 17

Sincerely,

Signature: Mary Gutierrez

Name: Mary Gutierrez

Address: 1011 Avenue M
Lubbock, TX. 79401

No. 17

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 30 JULY 2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Albert Gutierrez

Name: ALBERT GUTIERREZ

Address: 101 AVE M
LUBBOCK, TEXAS 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/31/24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Amelia Trevino

Name: Amelia Trevino

Address: 218 N. Ave. P
Lubbock TX. 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: July 31st, 2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Angelina Esquedç

Name: Angelina Esquedç

Address: 120 Ave L.
Lubbock TX

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: July 31, 2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Blas Esqueda

Name: Blas Esqueda

Address: 120 Ave L
Lubbock, TX

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/31/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Adrian Cortez

Name: Adrian Cortez

Address: 103 Uvalde
Lubbock, TX 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 08-30-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: _____

Name: Sandra Cisneros

Address: 102 Ave M
Lub TX 7940

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 08-30-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Juan Cisneros

Name: Juan Cisneros

Address: 102 AVE. M
Lubbock Tx 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-29-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Niki Hughes

Address: 1001 3rd ST Unit 89
Lubbock, TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

No lack of Public Notice
within 2400 Ft of School

Date: 7/29/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Alice Lozada

Name: Alice Lozada

Address: 122 Ave N
Lubbock, TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

I am concerned about the close proximity to to Carmona Harrison middle school by Triple C concrete Dust and particulate emissions can cause serious health issues for the children and families that live near Triple C concrete.

Date: 7-29-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Henry R Lozada

Name: HENRY RAY LOZADA

Address: 122 AVE N 79401
LUBBOCK, TEXAS

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

I live in a near neighborhood that could be affected by these discharges from the batch plant. I understand that some of the facts put on their permit could be in error. There is a school ~~in~~ble inside their rate of exposure. Thank you for looking into this.

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Thursday, August 1, 2024 4:33 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject:	FW: Public comment on Permit Number 176227L001
Attachments:	Attachment 1A - Resident Comments.pdf

PM

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

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pirtlea@lanwt.org <pirtlea@lanwt.org>
Sent: Thursday, August 1, 2024 12:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 176227L001

REGULATED ENTY NAME TRIPLE C CONCRETE OF LUBBOCK

RN NUMBER: RN111965935

PERMIT NUMBER: 176227L001

DOCKET NUMBER:

COUNTY: LUBBOCK

PRINCIPAL NAME: TRIPLE C CONCRETE OF LUBBOCK LTD

CN NUMBER: CN604580019

NAME: MR Adam Pirtle

EMAIL: pirtlea@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 1001 MAIN ST Suite 502
LUBBOCK TX 79401-3321

PHONE: 8066963601

FAX:

COMMENTS: North and East Lubbock Coalition Attachment 1 – Resident Comments (Part 1) This is the first part of Attachment 1 of the North and East Lubbock Coalition's public comment for Proposed Registration No. 176227L001. It contains individual comments from residents living in the area surrounding the Triple C Concrete Facility.

Date: 7-17-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: M Villegas

Name: MARY LOU VILLEGAS

Address: 325 N. Ave R.
Lubbock TX - 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-11-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Antonio M Salazar

Name: Antonio Salazar

Address: 329 N AVE R

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/17/24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Brandon Mabeck

Address: 309 North Ave Q

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-17-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Gloria Gutierrez

Name: Gloria Gutierrez

Address: 305 N. Ave Q
Lubbock, Texas 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-17-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]
Name: Carrie Vidaurre
Address: 317 N Ave Q
Lbk 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Anita Villarreal

Name: Anita V. Narreal

Address: 1504 Baylor Street
Lubbock, Tx 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Raul Trevino

Name: Raul Trevino

Address: 216 Ave. K
Lubbock TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Jeremiah Flores

Address: 210 N Ave P

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: George Rivera

Name: George Rivera

Address: 211 N. Ave P
Lubbock Tx. 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Dora Rendon

Name: Dora Rendon

Address: 106 N. Ave V
Lubbock, TX 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: _____

Name: Victor D Marquez

Address: 107 Ave. W
Lubbock, TX 79415

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/21/24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Mary D Main

Name: Mary D Main

Address: 115 Waco Ave

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/21/24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a ~~public meeting~~ regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: _____

Name: Lupe Marin

Address: 123 Main Ave

_____

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-21-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Daniel Marin

Address: 113 Waco Ave.

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: July 21st 2021

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: _____

Name: Violet Reyna

Address: 3301 Dartmouth St

_____

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/22/24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Elizabeth Marin

Name: Elizabeth Marin

Address: 1009 1st Place
Lubbock TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-22-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Victor Castillo

Address: 1006 2nd Pl
Lubbock Tex 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-22-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

These are my comments regarding the application of Triple C Concrete of Lubbock, Ltd, to the Texas Commission on Environmental Quality for an Air Quality Standard Permit, Registration No. 176227L001, which would authorize the construction of a permanent concrete batch plant located at 1521 Erskine Street, Lubbock, Texas 79403.

I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Ruben Venegas

Name: Ruben Venegas

Address: 1022 30th St.
Lbb, Tex. 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7.21.24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Cynthia Bernal

Name: Cynthia Bernal

Address: 1510 Baylor St.
Lubbock, Tx 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-30-24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a ~~public~~ meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page. See Back

Sincerely,

Signature: [signature]

Name: Fabian Mata

Address: 211 N. Ave M
Lubbock TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Concerns:

(1) Concerned over Carmona-Harrison elementary school at 1910 E. Cesar Chavez. Dr. is close to the Triple C concrete business on Erskine and was left out of the current permit request submitted by Triple C. This has to be addressed (2) The TCEQ has a regulatory program called Texas Pollutant Discharge Elimination system to control discharge of pollutants to surface water. The Triple C business is across the canyon (Yellow House) from my house and in the canyon is water flowing all through Mackenzie State park for a total of 20 miles. what pollutants are discharged by CCC (3) Air permits (4) Oil/Petroleum tanks on site? (4) Tier II Reporting - what is stored on site should something happen to plant - (Hazardous materials) IE (5) Toxic Release Inventory - is there cement dust being released (6) Results + recomendations of EPA study at Fish Trap lake Park in Dallas Study to be released July 2021

Date: 7/30/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Sue Aguilar

Name: 221 N Ave M

Address: Lubbock TX 79401

Sue Aguilar

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/30/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Mario Aguilar

Name: Mario Aguilar

Address: 221 N Ave M
Lubbock TX 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7/30/2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Kate Aguilar

Name: Kate Aguilar

Address: 221 N Ave M
Lubbock TX
79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: 7-31-2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: **Request for Public Meeting Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: [signature]

Name: Jose A. Lujan

Address: 207 N. Ave M

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.

Date: July 31 24

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087
Sent by Mail

RE: **Request for <u>Public Meeting</u> Regarding Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227L001; Triple C Concrete of Lubbock, Ltd.**

Dear Chief Clerk:

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I request a public meeting regarding this permit application (please circle).

YES **NO**

My additional comments regarding this permit application are on the back of this page.

Sincerely,

Signature: Rachel Lopez

Name: Rachel Lopez

Address: 214 N. Avem
Lubbock, T 79401

My additional comments are on the back of this page.

These are my additional comments about Proposed Permit No. 176227L001.