

TCEQ - Office of the Chief Clerk  
MC-105 Attn: SOAH Docket Clerk  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: R&L Concrete LLC  
TCEQ Docket Number: 2023-1561-AIR  
Notice of Hearing

## AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: Kaufman §

Before me, the undersigned authority, on this day personally appeared,

Amy Fowler, who being by me duly  
(name of newspaper representative)

sworn, deposes and says that (s)he is the Publisher  
(title of newspaper representative)

of the Kaufman Herald; that said newspaper is generally  
(name of newspaper)

circulated in Kaufman, Texas;  
(nearest municipality)

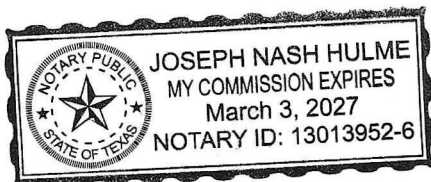
that the attached notice was published in said newspaper on the following date(s):

October 10, 2024  
(date or dates of publication)

[Signature]  
Newspaper Representative's Signature

Subscribed and sworn to before me this the 10 day of October,  
20 24 by Nash Hulme.

(Seal)



Nash Hulme  
Notary Public in and for the State of Texas

Nash Hulme  
Print or type Name of Notary Public

My Commission Expires 3/3/2027

# Kaufman volleyball defeats Corsicana, falls to Midlothian Heritage

By Michael L. Morrill  
Herald Sports Reporter

The Kaufman Lady Lions varsity volleyball team secured a big District 15-5A victory over Corsicana High School on Oct. 1. But, then they lost to Midlothian Heritage in straight sets on Oct. 4. These District 15-5A matches were played at Kaufman High School and Midlothian Heritage High School respectively. After these results, Kaufman's District 15-5A record stands at 4-3. Kaufman posted a straight sets victory over Corsicana High School by a count of 25-19, 25-22, and 25-17. Then, they lost to Midlothian Heritage in straight sets by a count of 25-20, 25-21, and 25-20. Key players for Kaufman in the Corsicana match were as

follows:  
Garrah Prox: 24 kills and five digs.  
Alyssa Deckard: five kills.  
Keira Drake: five kills.  
Kaitlyn Neto: 23 assists and 13 digs.  
Addison Hetmer: nine assists.  
Kamdyn Becker: nine digs.  
Morgan Smith: seven digs.  
Notable players for Kaufman in the Midlothian Heritage match were as follows:  
Prox: 13 kills and seven digs.  
Deckard: six kills.  
Drake: three kills and three blocks.  
Neto: 13 assists and seven digs.  
Hetmer: eight assists and three digs.  
Smith: nine digs.  
Becker: five digs.

# Lady Cats cross country squad wins team title at Lindale meet

By Michael L. Morrill  
Herald Sports Reporter

The Scurry-Rosser Lady Cats varsity cross country squad captured the team title in the 4A and under division at the Larry Wilson Invitational meet which was hosted by Lindale High School on Oct. 3. Overall, the Lady Cats posted a winning team score of 104 points. They defeated second place Pittsburg High School by 39 points. For the Scurry-Rosser varsity boys squad, they finished 18th in the 4A and under division's team standings. Individually, here are the

outstanding final results for the Scurry-Rosser Lady Cats at this meet: Note: These top five runners registered team points for Scurry-Rosser at this meet.  
Addison Truly: ninth place finisher in a time of 13:32 over the two-mile course.  
Alyssa Harrison: 14th place finisher in a time of 13:47 over the two-mile course.  
Jessa Muncrief: 15th place finisher in a time of 13:48 over the two-mile course.  
Kate Whitsitt: 35th place finisher in a time of 14:21 over the two-mile course.  
Mia Lathem: 42nd place finisher in a time of 14:34 over the two-mile course.

# Scurry-Rosser football wins district opener over Rice High School

By Michael L. Morrill  
Herald Sports Reporter

The Scurry-Rosser Wildcats varsity football team demolished the Rice High School Bulldogs by a count of 68-14 in their district opener on Oct.4 at Scurry-Rosser High School. With the victory, Scurry-Rosser improves to 5-1 overall and 1-0 in district action. Points came fast and furious and in many different ways during this game for Scurry-Rosser. Scurry-Rosser got points from their offense, defense, and special teams in this game as they routed Rice High School. Scurry-Rosser built up a 65-14 lead by halftime on their way to victory lane. Offensive playmakers for Scurry-Rosser in this game were as follows:  
Ralph Miller: 15 carries for 161 yards and four touchdowns. His touchdowns covered 21, 12, two, and 47 yards.  
Levi Jones: 13 of 14 passing for 229 yards and three touchdowns plus four carries for 47 yards. His touchdown tosses went for 21, 52, and 53 yards.  
Mason Muncrief: four carries for 44 yards and one touchdown. His touchdown

run covered six yards.  
Micah Williams: nine carries for 61 yards.  
Caleb Peavy: five carries for 42 yards and two receptions for 23 yards with one touchdown. His touchdown covered 21 yards.  
Cash Crews: five receptions for 96 yards and one touchdown. His touchdown reception went for 53 yards.  
Jax Perkins: four receptions for 98 yards and one touchdown. His touchdown reception went for 52 yards.  
Gavin Willis: 25-yard field goal in the fourth quarter.  
Other key moments for Scurry-Rosser in this game were as follows:  
Case Kilgore: 25-yard interception return for a touchdown in the second quarter.  
Special teams safety on a kickoff for two points in the first quarter.  
Next game: The Scurry-Rosser Wildcats varsity football team has a district bye over the next week. They will next take the field on Oct. 18 vs. the Gateway Charter Academy Gators. This game is scheduled to be played at Scurry-Rosser High School with the kickoff time set for 7 p.m.

# Scurry-Rosser volleyball splits matches with Keene and Grandview

By Michael L. Morrill  
Herald Sports Reporter

The Scurry-Rosser Lady Cats varsity volleyball team split matches with Keene High School and Grandview High School on Oct. 1 and Oct. 4. Both of these district matches were played at Scurry-Rosser High School. After these results, Scurry-Rosser's record stands at 17-11 overall and 4-2 in District18-3A play. Scurry-Rosser defeated Keene in four sets by a count of 25-21, 25-21, 23-25, and

25-18. Then, they lost to state ranked Grandview in straight sets by a count of 25-11, 26-24, and 25-18. The star players for Scurry-Rosser in the Keene match were as follows:  
Jaylee Fisher: 24 assists and 16 digs.  
Lainey Joyner: 22 kills and 13 digs.  
Jordi Whittington: six kills and 30 digs.  
Blakely Perkins: 14 assists and 14 digs.  
Summer Knight: eight kills.  
Alyssa Harrison: 19 digs.  
Lilly Walker: six kills.

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



### SECOND NOTICE OF HEARING R&L Concrete LLC

SOAH Docket No. 582-24-23311

TCEQ Docket No. 2023-1561-AIR

Air Quality Standard Permit for Concrete Batch Plant  
Registration No. 171631

#### Application.

R&L Concrete LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 171631, which would authorize construction of a concrete batch plant located at from the intersection of Jiba Road 147 and US Highway 175 drive 0.4 miles south on US Highway 175 and site entrance is on left side, Kaufman, Kaufman County, Texas 75142. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en espanol está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. 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=32.515611&lng=-96.266333&zoom=13&type=r>. 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 January 30, 2023. 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 Dallas/Fort Worth regional office, and at Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) to review the standard permit.

#### CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – November 18, 2024

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 160 773 5152

Password: CEQ233

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 773 5152

Password: 838463

Visit the SOAH website for registration at: <http://www.soah.texas.gov/>  
or call SOAH at (512) 475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on January 17, 2024. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 TAC Chapter 106, Subchapters A and B ; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.”

#### INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 6874040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from R&L Concrete LLC, 907 Royse Rodge Road, Ennis, Texas 75119-8234 or by calling Mr. Venkata Godasi, Graduate Engineer, AARC Environmental, Inc., at (713) 974-2272.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: October 4, 2024

Laurie Gharis

Laurie Gharis, Chief Clerk

Texas Commission on Environmental Quality

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**STATE OF TEXAS** §

**COUNTY OF TRAVIS** §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the second notice of the public hearing for R&L Concrete LLC, SOAH Docket No. 582-24-23311, TCEQ Docket No. 2023-1561-AIR, was mailed on October 4, 2024. The second notice of the public hearing was issued on October 4, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 4th day of October 2024.

A handwritten signature in cursive script that reads "Laurie Gharis".

---

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

**SEAL**



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 4, 2024

**Via Certified and First Class Mail**

**Receipt #7004 1350 0002 7577 5768**

Tailim Song, Managing Partner  
Vrinda Bhuta, Associate Attorney  
SONG WHIDDON, PLLC  
8111 Lyndon B. Johnson Freeway  
Suite 480  
Dallas, Texas 75251

**Via Certified and First Class Mail**

**Receipt # 7004 1350 0002 7577 5775**

Rolando Suarez, Manager  
R&L Concrete LLC  
907 Royse Ridge Road  
Ennis, Texas 75119

RE: Second Notice of Hearing Package  
Applicant Name: R&L Concrete LLC  
Facility Location: Kaufman County, Texas  
Permit Number: 171631  
Type of Authorization: New

Dear Mr. Song, Ms. Bhuta, and Mr. Suarez,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – November 18, 2024

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.



The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at (512) 239-3300. If you have any other questions, please contact Abigail Adkins or Amy Browning at 512-239-0600.

Sincerely,



Laurie Gharis  
Chief Clerk

LG/erg

Enclosures

cc: Venkata Godasi, Graduate Engineer, AARC Environmental, Inc.  
2000 West Sam Houston Parkway South, Suite 850, Houston, Texas 77042

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**SECOND NOTICE OF HEARING  
R&L Concrete LLC  
SOAH Docket No. 582-24-23311  
TCEQ Docket No. 2023-1561-AIR  
Air Quality Standard Permit for Concrete Batch Plant  
Registration No. 171631**

**APPLICATION.**

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This application was submitted to the TCEQ on January 30, 2023. 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 Dallas/Fort Worth regional office, and at Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) to review the standard permit.

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Password: CEQ233

or

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**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from R&L Concrete LLC, 907 Royse Rodge Road, Ennis, Texas 75119-8234 or by calling Mr. Venkata Godasi, Graduate Engineer, AARC Environmental, Inc., at (713) 974-2272.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: October 4, 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality



# COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



**SEGUNDO AVISO DE AUDIENCIA**  
**R&L Concrete LLC**  
**SOAH Expediente N.º 582-24-23311**  
**TCEQ Expediente N.º 2023-1561-AIR**  
**Permiso Estándar de Calidad del Aire para Plantas Mezcladoras de**  
**Concreto Registro N.º 171631**

## **SOLICITUD .**

R&L Concrete LLC, 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 171631, que autorizaría la construcción de una planta permanente mezcladora de concreto ubicada en desde la intersección de Jiba Road 147 y US Highway 175, conduzca 0.4 millas al sur en US Highway 175 y la entrada al sitio está en el lado izquierdo, Kaufman, Kaufman Condado, Texas 75142. 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. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.515611&lng=-96.266333&zoom=13&type=r>. La instalación propuesta emitirá los siguientes contaminantes del aire: material particulado que incluye (pero no se limita a) agregados, cemento, 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 30 de enero de 2023. 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 autorizado 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 Dallas/Fort Worth y el condado de Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142. El archivo de cumplimiento de la instalación, si existe alguno, está disponible para su revisión pública en la oficina regional 4 de la TCEQ. Visite [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) para revisar el permiso estándar .

## **AUDIENCIA DE CASO IMPUGNADO .**

La Oficina Estatal de Audiencias Administrativas (SOAH, por sus siglas en inglés) llevará a cabo una audiencia preliminar a través de una videoconferencia de Zoom. Una reunión de Zoom es una reunión segura y gratuita que se celebra a través de Internet y que permite realizar videoconferencias de audio/visual.

**10:00 a.m. –18 de noviembre de 2024**

**Para unirse a la reunión de Zoom a través de la computadora :**

**<https://soah-texas.zoomgov.com/>**

ID de reunión: 160 773 5152

Contraseña: CEQ233

or

**Para unirse a la reunión de Zoom por teléfono :**

**(669) 254-5252 or (646) 828-7666**

ID de reunión: 160 773 5152

Contraseña: 838463

**Visite el sitio web de SOAH para registrarse en :**

**<http://www.soah.texas.gov/>**

**o llame al SOAH al (512) 475-4993.**

El propósito de una audiencia preliminar es establecer la jurisdicción, nombrar a las partes, establecer un cronograma procesal para el resto del procedimiento y abordar otros asuntos según lo determine el juez. La fase de audiencia probatoria del procedimiento, que tendrá lugar en una fecha posterior, será similar a un juicio civil en un tribunal de distrito estatal. La audiencia abordará las cuestiones de hecho en disputa identificadas en la orden de TCEQ con respecto a esta solicitud emitida el 17 de enero de 2024. Además de estas cuestiones, el juez puede considerar cuestiones adicionales si se cumplen ciertos factores .

La audiencia se llevará a cabo de acuerdo con el Capítulo 2001 del Código de Gobierno de Texas; Capítulo 382 del Código de Salud y Seguridad de Texas; Reglas de TCEQ, incluyendo 30 TAC Capítulo 106, Subcapítulos A y B; y las normas de procedimiento de la TCEQ y la SOAH, incluidos el capítulo 80 del TAC 30 y el capítulo 155 del TAC. La audiencia se llevará a cabo a menos que todas las solicitudes de audiencia oportunas hayan sido retiradas o denegadas.

Para solicitar ser parte, debe asistir a la audiencia y demostrar que se vería afectado negativamente por la solicitud de una manera que no es común para los miembros del público en general. Cualquier persona puede asistir a la audiencia y solicitar ser parte. Solo las personas nombradas como partes pueden participar en la audiencia.

**De acuerdo con 1 Código Administrativo de Texas § 155.401(a), Aviso de audiencia, "Las partes que no están representadas por un abogado pueden obtener información sobre las audiencias de casos impugnados en el sitio web público de la Oficina Estatal de Audiencias Administrativas en [www.soah.texas.gov](http://www.soah.texas.gov), o en formato impreso previa solicitud a SOAH."**

**INFORMACIÓN .**

Si necesita más información sobre el proceso de audiencia para esta solicitud, llame al Programa de Educación Pública, sin cargo, al (800) 6874040. Puede encontrar información general sobre la TCEQ en nuestro sitio web en [www.tceq.texas.gov](http://www.tceq.texas.gov).

También se puede obtener más información de R&L Concrete LLC., 907 Royse Ridge Rd, Ennis, TX 75119-8234 o llamando a Sr. Venkata Godasi, Ingeniero graduado, AARC Environmental, Inc., al (713) 974-2272

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Fecha de Emisión : 4 de octubre de 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Secretaria Principal  
Comisión de Calidad Ambiental de Texas

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **INSTRUCTIONS FOR PUBLIC NOTICE For Air Quality New Source Review Permit**

### **NOTICE OF HEARING**

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

#### **Please Review Notice**

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

#### **Newspaper Notice**

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing (Attachment A) at your expense, in the public notice section of a newspaper that is of general circulation in the municipality in which the facility is located or proposed to be located or in the municipality nearest to the location or proposed location of the facility.



## Proof of Publication

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.
- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of each notice.
- The **publisher's affidavit** and **proof of publication of each published notice** may be filed with the Chief Clerk electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or mailed to:

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: SOAH Docket Clerk  
P.O. Box 13087  
Austin, Texas 78711-3087

- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.
- You must furnish a copy of the notices and affidavits to the EPA regional administrator in Dallas, all local air pollution control agencies with jurisdiction in the county in which the construction is to occur; and the air pollution control agency of any nearby state in which air quality may be adversely affected by the emissions from the new or modified facility.

## **Failure to Publish and Submit Proof of Publication**

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication *on time***, the TCEQ may suspend further processing of your application or take other actions.

## **General Information**

When contacting the Commission regarding this application, please refer to the permit number and the TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.

TCEQ - Office of the Chief Clerk  
MC-105 Attn: SOAH Docket Clerk  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: R&L Concrete LLC  
TCEQ Docket Number: 2023-1561-AIR  
Notice of Hearing

## AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: \_\_\_\_\_ §

Before me, the undersigned authority, on this day personally appeared,  
\_\_\_\_\_, who being by me duly  
*(name of newspaper representative)*

sworn, deposes and says that (s)he is the \_\_\_\_\_  
*(title of newspaper representative)*

of the \_\_\_\_\_ ; that said newspaper is generally  
*(name of newspaper)*

circulated in \_\_\_\_\_ ,Texas;  
*(nearest municipality)*

that the attached notice was published in said newspaper on the following date(s):

\_\_\_\_\_.  
*(date or dates of publication)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_ by \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or type Name of Notary Public

My Commission Expires \_\_\_\_\_

MAILING LIST/LISTA DE CORREO

R&L Concrete LLC

TCEQ Docket No./TCEQ Expediente N.º 2023-1561-AIR

SOAH Docket No./SOAH Expediente N.º 2023-1561-AIR

Air Quality Standard Permit for Concrete Batch Plant Registration No./Permiso de Estándar de  
Calidad del Aire para Planta Dosificadora de Concreto Permiso N.º 171631

FOR THE APPLICANT/PARA EL  
SOLICITANTE:

Tailim Song, Managing Partner  
Vrinda Bhuta, Associate Attorney  
SONG WHIDDON, PLLC  
8111 Lyndon B. Johnson Freeway,  
Suite 480  
Dallas, Texas 75251

Rolando Suarez, Manager  
R&L Concrete LLC  
907 Royse Ridge Road  
Ennis, Texas 75119

Venkata Godasi, Graduate Engineer  
AARC Environmental, Inc.  
2000 West Sam Houston Parkway South  
Suite 850  
Houston, Texas 77042

INTERESTED PERSON(S)/PERSONA(S)  
INTERESADA(S):

See attached list./Ver lista adjunta.

FOR THE EXECUTIVE DIRECTOR/PARA  
EL DIRECTOR EJECUTIVO

via electronic mail/vía correo electrónico:

Abigail Adkins, Staff Attorney  
Amy Browning, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division, MC-173  
P.O. Box 13087  
Austin, Texas 78711

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

Ryan Vise, Deputy Director  
Texas Commission on Environmental  
Quality  
External Relations Division  
Public Education Program, MC-108  
P.O. Box 13087  
Austin, Texas 78711

FOR PUBLIC INTEREST  
COUNSEL/PARA ABOGADOS DE  
INTERÉS PÚBLICO

via electronic mail/vía correo electrónico:

Jessica Anderson, Attorney  
Texas Commission on Environmental  
Quality  
Public Interest Counsel, MC-103  
P.O. Box 13087  
Austin, Texas 78711

FOR ALTERNATIVE DISPUTE  
RESOLUTION/PARA LA RESOLUCIÓN  
ALTERNATIVA DE DISPUTAS

via electronic mail/vía correo electrónico:

Kyle Lucas  
Texas Commission on Environmental  
Quality  
Alternative Dispute Resolution, MC-222  
P.O. Box 13087  
Austin, Texas 78711

FOR THE CHIEF CLERK/PARA EL  
SECRETARIO OFICIAL

via eFilings/vía eFiling:

Docket Clerk  
Texas Commission on Environmental  
Quality  
Office of Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711

<https://www.tceq.texas.gov/goto/efiling>



THE HONORABLE BOB HALL  
TEXAS SENATE  
DISTRICT ROOM E1.610  
TEXAS STATE CAPITOL  
Bob.hall@senate.texas.gov

THE HONORABLE KEITH BELL  
TEXAS HOUSE OF REPRESENTATIVES  
DISTRICT ROOM E2.702  
Keith.bell@house.texas.gov

EVELYN ROSBOROUGH  
USEPA REGION 6  
1445 ROSS AVE STE 1200  
MAIL CODE 6WQ  
DALLAS TX 75202-2733  
rosborough.evelyn@epa.gov

KAUFMAN COUNTY HEALTH AUTHORIT  
100 W MULBERRY ST  
KAUFMAN TX 75142-2064

KAUFMAN COUNTY JUDGE  
COUNTY COURTHOUSE  
100 W MULBERRY ST STE 1  
KAUFMAN TX 75142-2058

NORTH CENTRAL TEXAS COUNCIL OF  
DEPT OF ENVIRONMENTAL  
PO BOX 5888  
ARLINGTON TX 76005-5888

NORTH TEXAS MUNICIPAL WATER DI  
PO BOX 2408  
WYLIE TX 75098-2408

WATER QUALITY  
TARRANT COUNTY WCID  
10201 N SHORE DR  
FORT WORTH TX 76135-9379

PUBLIC HEALTH REGION 2/3  
TEXAS DEPARTMENT OF STATE HEAL  
1301 S BOWEN RD STE 200  
ARLINGTON TX 76013-2262

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

GLENN C CLINGENPEEL  
TRINITY RIVER AUTHORITY OF TEX  
5300 S COLLINS ST  
ARLINGTON TX 76018-1710

MR BRENTON DUNN REG MANAGER  
TARRANT REGIONAL WATER DISTRICT  
800 E NORTHSIDE DR  
FORT WORTH TX 76102-1016

MS JESSICA STAGGS SUPERVISOR  
DALLAS WATER UTILITIES  
4334 SCOTTSDALE DR  
DALLAS TX 75227-4044

TERRY WILSON  
SABINE RIVER AUTHORITY  
353 PR 5183  
QUITMAN TX 75783

CAROL BOURQUIN  
8550 COUNTY ROAD 148  
KAUFMAN TX 75142-7738

TORRY EDWARDS  
PO BOX 310  
TERRELL TX 75160-0006

CESLEY RAY GORDON  
5615 E US HIGHWAY 175  
KAUFMAN TX 75142-7853

JACQUELYN L GRAGG  
GRAGG LAND & CATTLE CO LTD  
PO BOX 678  
PALESTINE TX 75802-0678

KIMBERLY JOHNSON  
28532 COUNTY ROAD 2428  
KEMP TX 75143-6906

WES KUCERA WASTEWATER DIRECTOR  
ROWLETT CREEK WATER REC  
2500 E CENTERVILLE RD  
GARLAND TX 75040-6811

LEON LESTER  
4707 VZ CR 3805  
WILLS POINT TX 75169

ANDREW S MILLER  
KEMP SMITH LLP  
STE 205  
2905 SAN GABRIEL ST  
AUSTIN TX 78705-3500

ROSANA NAREZ  
TEX MEX NOTICIAS  
PO BOX 93331  
SOUTHLAKE TX 76092-0113

D J ORY  
PO BOX 310  
TERRELL TX 75160-0006

MARY GAYLE RAMSEY  
PO BOX 816  
TERRELL TX 75160-0016

DALE RIDINGER VP  
ALLEN & RIDINGER CONSULTING INC  
STE 101  
550 S EDMONDS LN  
LEWISVILLE TX 75067-3524

JOHN ROUNSAVALL  
PO BOX 310  
TERRELL TX 75160-0006

AILEEN SAARTY  
RJN GROUP INC  
STE 710  
14755 PRESTON RD  
DALLAS TX 75254-6815

KYTINNA SOTO OWNER  
LA PRENSA COMUNIDAD  
PO BOX 732  
TOLAR TX 76476-0732

TERRY L WHITE  
505 RIGGS CIR  
MESQUITE TX 75149-5844

VELDA YARBROUGH  
28144 COUNTY ROAD 2428  
KEMP TX 75143-6948

EDGAR YARBROUGH  
28144 COUNTY ROAD 2428  
KEMP TX 75143-6948

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**STATE OF TEXAS** §

**COUNTY OF TRAVIS** §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for R&L Concrete LLC, SOAH Docket No. 582-24-23311, TCEQ Docket No. 2023-1561-AIR, was mailed on August 30, 2024. The notice of the public hearing was issued on August 30, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 30th day of August 2024.

A handwritten signature in cursive script that reads "Laurie Gharis".

---

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

**SEAL**





## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 30, 2024

**Via Certified and First Class Mail**

**Receipt #7020 3160 0000 1043 6825**

Tailim Song, Managing Partner  
Vrinda Bhuta, Associate Attorney  
SONG WHIDDON, PLLC  
8111 Lyndon B. Johnson Freeway  
Suite 480  
Dallas, Texas 75251

**Via Certified and First Class Mail**

**Receipt # 7020 3160 0000 1043 6832**

Rolando Suarez, Manager  
R&L Concrete LLC  
907 Royse Ridge Road  
Ennis, Texas 75119

RE: Notice of Hearing Package  
Applicant Name: R&L Concrete LLC  
Facility Location: Kaufman County, Texas  
Permit Number: 171631  
Type of Authorization: New

Dear Mr. Song, Ms. Bhuta, and Mr. Suarez,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – October 14, 2024

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at (512) 239-3300. If you have any other questions, please contact Abigail Adkins or Amy Browning at 512-239-0600.

Sincerely,



Laurie Gharis  
Chief Clerk

LG/erg

Enclosures

cc: Venkata Godasi, Graduate Engineer, AARC Environmental, Inc.  
2000 West Sam Houston Parkway South, Suite 850, Houston, Texas 77042

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
R&L Concrete LLC  
SOAH Docket No. 582-24-23311  
TCEQ Docket No. 2023-1561-AIR  
Air Quality Standard Permit for Concrete Batch Plant  
Registration No. 171631**

**APPLICATION.**

R&L Concrete LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 171631, which would authorize construction of a concrete batch plant located at from the intersection of Jiba Road 147 and US Highway 175 drive 0.4 miles south on US Highway 175 and site entrance is on left side, Kaufman, Kaufman County, Texas 75142. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. 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=32.515611&lng=-96.266333&zoom=13&type=r>. 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 January 30, 2023. 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 Dallas/Fort Worth regional office, and at Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) to review the standard permit.

## **CONTESTED CASE HEARING.**

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

**10:00 a.m. – October 14, 2024**

**To join the Zoom meeting via computer:**

**<https://soah-texas.zoomgov.com/>**

Meeting ID: 160 773 5152

Password: CEQ233

or

**To join the Zoom meeting via telephone:**

**(669) 254-5252 or (646) 828-7666**

Meeting ID: 160 773 5152

Password: 838463

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>  
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on January 17, 2024. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 TAC Chapter 106, Subchapters A and B ; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

**In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.”**

**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from R&L Concrete LLC, 907 Royse Rodge Road, Ennis, Texas 75119-8234 or by calling Mr. Venkata Godasi, Graduate Engineer, AARC Environmental, Inc., at (713) 974-2272.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: August 30, 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

# COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



**AVISO DE AUDIENCIA  
R&L Concrete LLC  
SOAH Expediente N.º 582-24-23311  
TCEQ Expediente N.º 2023-1561-AIR  
Permiso Estándar de Calidad del Aire para Plantas Mezcladoras de  
Concreto Registro N.º 171631**

**SOLICITUD .**

R&L Concrete LLC, 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 171631, que autorizaría la construcción de una planta permanente mezcladora de concreto ubicada en desde la intersección de Jiba Road 147 y US Highway 175, conduzca 0.4 millas al sur en US Highway 175 y la entrada al sitio está en el lado izquierdo, Kaufman, Kaufman Condado, Texas 75142. 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. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.515611&lng=-96.266333&zoom=13&type=r>. La instalación propuesta emitirá los siguientes contaminantes del aire: material particulado que incluye (pero no se limita a) agregados, cemento, 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 30 de enero de 2023. 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 autorizado 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 Dallas/Fort Worth y el condado de Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142. El archivo de cumplimiento de la instalación, si existe alguno, está disponible para su revisión pública en la oficina regional 4 de la TCEQ. Visite [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) para revisar el permiso estándar .

## **AUDIENCIA DE CASO IMPUGNADO .**

La Oficina Estatal de Audiencias Administrativas (SOAH, por sus siglas en inglés) llevará a cabo una audiencia preliminar a través de una videoconferencia de Zoom. Una reunión de Zoom es una reunión segura y gratuita que se celebra a través de Internet y que permite realizar videoconferencias de audio/visual.

**10:00 a.m. –14 de octubre de 2024**

**Para unirse a la reunión de Zoom a través de la computadora :**

**<https://soah-texas.zoomgov.com/>**

ID de reunión: 160 773 5152

Contraseña: CEQ233

or

**Para unirse a la reunión de Zoom por teléfono :**

**(669) 254-5252 or (646) 828-7666**

ID de reunión: 160 773 5152

Contraseña: 838463

**Visite el sitio web de SOAH para registrarse en :**

**<http://www.soah.texas.gov/>**

**o llame al SOAH al 512-475-4993.**

El propósito de una audiencia preliminar es establecer la jurisdicción, nombrar a las partes, establecer un cronograma procesal para el resto del procedimiento y abordar otros asuntos según lo determine el juez. La fase de audiencia probatoria del procedimiento, que tendrá lugar en una fecha posterior, será similar a un juicio civil en un tribunal de distrito estatal. La audiencia abordará las cuestiones de hecho en disputa identificadas en la orden de TCEQ con respecto a esta solicitud emitida el 17 de enero de 2024. Además de estas cuestiones, el juez puede considerar cuestiones adicionales si se cumplen ciertos factores .

La audiencia se llevará a cabo de acuerdo con el Capítulo 2001 del Código de Gobierno de Texas; Capítulo 382 del Código de Salud y Seguridad de Texas; Reglas de TCEQ, incluyendo 30 TAC Capítulo 106, Subcapítulos A y B; y las normas de procedimiento de la TCEQ y la SOAH, incluidos el capítulo 80 del TAC 30 y el capítulo 155 del TAC. La audiencia se llevará a cabo a menos que todas las solicitudes de audiencia oportunas hayan sido retiradas o denegadas.

Para solicitar ser parte, debe asistir a la audiencia y demostrar que se vería afectado negativamente por la solicitud de una manera que no es común para los miembros del público en general. Cualquier persona puede asistir a la audiencia y solicitar ser parte. Solo las personas nombradas como partes pueden participar en la audiencia.

**De acuerdo con 1 Código Administrativo de Texas § 155.401(a), Aviso de audiencia, "Las partes que no están representadas por un abogado pueden obtener información sobre las audiencias de casos impugnados en el sitio web público de la Oficina Estatal de Audiencias Administrativas en [www.soah.texas.gov](http://www.soah.texas.gov), o en formato impreso previa solicitud a SOAH."**

**INFORMACIÓN .**

Si necesita más información sobre el proceso de audiencia para esta solicitud, llame al Programa de Educación Pública, sin cargo, al (800) 6874040. Puede encontrar información general sobre la TCEQ en nuestro sitio web en [www.tceq.texas.gov](http://www.tceq.texas.gov).

También se puede obtener más información de R&L Concrete LLC., 907 Royse Ridge Rd, Ennis, TX 75119-8234 o llamando a Sr. Venkata Godasi, Ingeniero graduado, AARC Environmental, Inc., al (713) 974-2272

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Fecha de Emisión : 30 de agosto de 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Secretaria Principal  
Comisión de Calidad Ambiental de Texas



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **INSTRUCTIONS FOR PUBLIC NOTICE For Air Quality New Source Review Permit**

### **NOTICE OF HEARING**

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

#### **Please Review Notice**

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

#### **Newspaper Notice**

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing (Attachment A) at your expense, in the public notice section of a newspaper that is of general circulation in the municipality in which the facility is located or proposed to be located or in the municipality nearest to the location or proposed location of the facility.

## Proof of Publication

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.
- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of each notice.
- The **publisher's affidavit** and **proof of publication of each published notice** may be filed with the Chief Clerk electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or mailed to:

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: SOAH Docket Clerk  
P.O. Box 13087  
Austin, Texas 78711-3087

- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.
- You must furnish a copy of the notices and affidavits to the EPA regional administrator in Dallas, all local air pollution control agencies with jurisdiction in the county in which the construction is to occur; and the air pollution control agency of any nearby state in which air quality may be adversely affected by the emissions from the new or modified facility.

## **Failure to Publish and Submit Proof of Publication**

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication *on time***, the TCEQ may suspend further processing of your application or take other actions.

## **General Information**

When contacting the Commission regarding this application, please refer to the permit number and the TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.

TCEQ - Office of the Chief Clerk  
MC-105 Attn: SOAH Docket Clerk  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: R&L Concrete LLC  
TCEQ Docket Number: 2023-1561-AIR  
Notice of Hearing

## AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: \_\_\_\_\_ §

Before me, the undersigned authority, on this day personally appeared,

\_\_\_\_\_, who being by me duly  
*(name of newspaper representative)*

sworn, deposes and says that (s)he is the

\_\_\_\_\_  
*(title of newspaper representative)*

of the \_\_\_\_\_ ; that said newspaper is generally  
*(name of newspaper)*

circulated in \_\_\_\_\_ ,Texas;  
*(nearest municipality)*

that the attached notice was published in said newspaper on the following date(s):

\_\_\_\_\_.  
*(date or dates of publication)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_ by \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or type Name of Notary Public

My Commission Expires \_\_\_\_\_

MAILING LIST/LISTA DE CORREO

R&L Concrete LLC

TCEQ Docket No./TCEQ Expediente N.º 2023-1561-AIR

SOAH Docket No./SOAH Expediente N.º 2023-1561-AIR

Air Quality Standard Permit for Concrete Batch Plant Registration No./Permiso de Estándar de  
Calidad del Aire para Planta Dosificadora de Concreto Permiso N.º 171631

FOR THE APPLICANT/PARA EL  
SOLICITANTE:

Tailim Song, Managing Partner  
Vrinda Bhuta, Associate Attorney  
SONG WHIDDON, PLLC  
8111 Lyndon B. Johnson Freeway,  
Suite 480  
Dallas, Texas 75251

Rolando Suarez, Manager  
R&L Concrete LLC  
907 Royse Ridge Road  
Ennis, Texas 75119

Venkata Godasi, Graduate Engineer  
AARC Environmental, Inc.  
2000 West Sam Houston Parkway South  
Suite 850  
Houston, Texas 77042

INTERESTED PERSON(S)/PERSONA(S)  
INTERESADA(S):

See attached list./Ver lista adjunta.

FOR THE EXECUTIVE DIRECTOR/PARA  
EL DIRECTOR EJECUTIVO

via electronic mail/vía correo electrónico:

Abigail Adkins, Staff Attorney  
Amy Browning, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division, MC-173  
P.O. Box 13087  
Austin, Texas 78711

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

Ryan Vise, Deputy Director  
Texas Commission on Environmental  
Quality  
External Relations Division  
Public Education Program, MC-108  
P.O. Box 13087  
Austin, Texas 78711

FOR PUBLIC INTEREST  
COUNSEL/PARA ABOGADOS DE  
INTERÉS PÚBLICO

via electronic mail/vía correo electrónico:

Jessica Anderson, Attorney  
Texas Commission on Environmental  
Quality  
Public Interest Counsel, MC-103  
P.O. Box 13087  
Austin, Texas 78711

FOR ALTERNATIVE DISPUTE  
RESOLUTION/PARA LA RESOLUCIÓN  
ALTERNATIVA DE DISPUTAS

via electronic mail/vía correo electrónico:

Kyle Lucas  
Texas Commission on Environmental  
Quality  
Alternative Dispute Resolution, MC-222  
P.O. Box 13087  
Austin, Texas 78711

FOR THE CHIEF CLERK/PARA EL  
SECRETARIO OFICIAL

via eFilings/vía eFiling:

Docket Clerk  
Texas Commission on Environmental  
Quality  
Office of Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711

<https://www.tceq.texas.gov/goto/efiling>

THE HONORABLE BOB HALL  
TEXAS SENATE  
DISTRICT ROOM E1.610  
TEXAS STATE CAPITOL  
Bob.hall@senate.texas.gov

THE HONORABLE KEITH BELL  
TEXAS HOUSE OF REPRESENTATIVES  
DISTRICT ROOM E2.702  
Keith.bell@house.texas.gov

EVELYN ROSBOROUGH  
USEPA REGION 6  
1445 ROSS AVE STE 1200  
MAIL CODE 6WQ  
DALLAS TX 75202-2733  
rosborough.evelyn@epa.gov

KAUFMAN COUNTY HEALTH AUTHORIT  
100 W MULBERRY ST  
KAUFMAN TX 75142-2064

KAUFMAN COUNTY JUDGE  
COUNTY COURTHOUSE  
100 W MULBERRY ST STE 1  
KAUFMAN TX 75142-2058

NORTH CENTRAL TEXAS COUNCIL OF  
DEPT OF ENVIRONMENTAL  
PO BOX 5888  
ARLINGTON TX 76005-5888

NORTH TEXAS MUNICIPAL WATER DI  
PO BOX 2408  
WYLIE TX 75098-2408

WATER QUALITY  
TARRANT COUNTY WCID  
10201 N SHORE DR  
FORT WORTH TX 76135-9379

PUBLIC HEALTH REGION 2/3  
TEXAS DEPARTMENT OF STATE HEAL  
1301 S BOWEN RD STE 200  
ARLINGTON TX 76013-2262

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

GLENN C CLINGENPEEL  
TRINITY RIVER AUTHORITY OF TEX  
5300 S COLLINS ST  
ARLINGTON TX 76018-1710

MR BRENTON DUNN REG MANAGER  
TARRANT REGIONAL WATER DISTRICT  
800 E NORTHSIDE DR  
FORT WORTH TX 76102-1016

MS JESSICA STAGGS SUPERVISOR  
DALLAS WATER UTILITIES  
4334 SCOTTSDALE DR  
DALLAS TX 75227-4044

TERRY WILSON  
SABINE RIVER AUTHORITY  
353 PR 5183  
QUITMAN TX 75783

CAROL BOURQUIN  
8550 COUNTY ROAD 148  
KAUFMAN TX 75142-7738

TORRY EDWARDS  
PO BOX 310  
TERRELL TX 75160-0006

CESLEY RAY GORDON  
5615 E US HIGHWAY 175  
KAUFMAN TX 75142-7853

JACQUELYN L GRAGG  
GRAGG LAND & CATTLE CO LTD  
PO BOX 678  
PALESTINE TX 75802-0678

KIMBERLY JOHNSON  
28532 COUNTY ROAD 2428  
KEMP TX 75143-6906

WES KUCERA WASTEWATER DIRECTOR  
ROWLETT CREEK WATER REC  
2500 E CENTERVILLE RD  
GARLAND TX 75040-6811

LEON LESTER  
4707 VZ CR 3805  
WILLS POINT TX 75169

ANDREW S MILLER  
KEMP SMITH LLP  
STE 205  
2905 SAN GABRIEL ST  
AUSTIN TX 78705-3500

ROSANA NAREZ  
TEX MEX NOTICIAS  
PO BOX 93331  
SOUTHLAKE TX 76092-0113

D J ORY  
PO BOX 310  
TERRELL TX 75160-0006

MARY GAYLE RAMSEY  
PO BOX 816  
TERRELL TX 75160-0016

DALE RIDINGER VP  
ALLEN & RIDINGER CONSULTING INC  
STE 101  
550 S EDMONDS LN  
LEWISVILLE TX 75067-3524

JOHN ROUNSAVALL  
PO BOX 310  
TERRELL TX 75160-0006

AILEEN SAARTY  
RJN GROUP INC  
STE 710  
14755 PRESTON RD  
DALLAS TX 75254-6815

KYTINNA SOTO OWNER  
LA PRENSA COMUNIDAD  
PO BOX 732  
TOLAR TX 76476-0732

TERRY L WHITE  
505 RIGGS CIR  
MESQUITE TX 75149-5844

VELDA YARBROUGH  
28144 COUNTY ROAD 2428  
KEMP TX 75143-6948

EDGAR YARBROUGH  
28144 COUNTY ROAD 2428  
KEMP TX 75143-6948



131533

**Texas Commission on Environmental Quality  
Public Notice Verification Form  
Air Quality Standard Permit for Concrete Batch Plants  
(Page1)**

For the Standard Permit for Concrete Batch Plants with Enhanced Controls, use form TCEQ 20547

<b>General Information</b>	
Applicant Name: R&L Concrete, LLC	
Site or Facility Name: R&L CONCRETE - KAUFMAN - CBP1	
TCEQ Account Number (if applicable):	
Registration Number: 171631	
Regulated Entity Number: <b>RN</b> 111647921	
Customer Number: <b>CN</b> 606101665	
All applicants must <b>complete all applicable</b> portions of this form. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk <b>within 10 business days after the end of the comment period.</b> For more information, refer to the instructions in the public notice package.	
<b>Alternative Language Checklist</b>	
I have contacted the appropriate school district.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
School District: Kaufman ISD	
Phone Number: 972-932-4500	
Person Contacted: Registrar	
Date of Contact: 02/23/2023	
Is a bilingual education program (BEP) required by the Texas Education Code in the district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>If answer is "NO," skip to first question in verification box on next page.</b> <i>(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.)</i>	
Notice in an alternative language is required if a BEP <b>is required</b> in the District, and <b>one</b> 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;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. students from the elementary or middle school nearest the facility attend a BEP at another location; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the answer is "NO" to <b>1, 2, and 3 above</b> , then alternative language notice <b>is not required</b> .	

CPE - 5/1/23

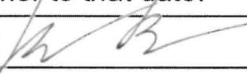
**Texas Commission on Environmental Quality  
Public Notice Verification Form  
Air Quality Standard Permit for Concrete Batch Plants  
(Page 2)**

For the Standard Permit for Concrete Batch Plants with Enhanced Controls, use form TCEQ 20547

<b>Alternative Language Checklist (continued)</b>	
The name of the elementary school nearest to the proposed or existing facility is:	
Phillips Elementary School	
The name of the middle school nearest to the proposed or existing facility is:	
O.P. Norman Junior High School	
The following language(s) is/are utilized in the bilingual program:	
Spanish	
<b>If notice in an alternative language is required, then applicants must publish alternative language notice(s) and post alternative language signs, as outlined in the <i>Instruction for Public Notice</i> and certify compliance with those requirements on this form.</b>	
<b>General Information</b>	
Applicant Name: R&L Concrete, LLC	
Site or Facility Name: R&L CONCRETE - KAUFMAN - CBP1	
TCEQ Account Number (if applicable):	
Registration Number: 171631	
Regulated Entity Number: <b>RN</b> 111647921	
Customer Number: <b>CN</b> 606101665	
For more information regarding public notice, refer to the instructions in the public notice package.	
<b>Alternative Language Verification</b>	
1. A BEP is required by the Texas Education Code in the area addressed by this permit application and the application is subject to alternative language public notice requirements.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If "NO," skip 2 through 6 and complete signature, title, date, and name of applicant.	
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).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. A newspaper or publication <b>could not be found</b> in any of the alternative language(s) in which notice is required.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. The publishers of the <b>newspaper listed below refused to publish the notice</b> as requested, <b>and</b> another newspaper or publication in the same language and of general circulation <b>could not be found</b> in the municipality or county in which the facility is located (or proposed to be located).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Newspaper:	

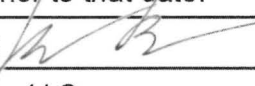
**Texas Commission on Environmental Quality  
Public Notice Verification Form  
Air Quality Standard Permit for Concrete Batch Plants  
(Page 3)**

For the Standard Permit for Concrete Batch Plants with Enhanced Controls, use form TCEQ 20547

<b>Alternative Language Verification (continued)</b>	
Language:	
5 Proof of publication of the newspaper <b>alternative language</b> notice(s) and the requested affidavits have been sent to the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Alternative language signs were posted as required by the TCEQ	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>This form must be signed and dated by a designated representative acting on behalf of the applicant after the end of the comment period.</b> Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk <b>within 10 business days after the end of the comment period.</b> The TCEQ will not accept this form if submitted prior to that date.</p>	
Verified by (signature): 	
Applicant: R&L Concrete, LLC	
Title: Consultant	
Date: 5/16/23	
<b>General</b>	
Applicant Name: R&L Concrete, LLC	
Site or Facility Name: R&L CONCRETE - KAUFMAN - CBP1	
TCEQ Account Number (if applicable):	
Registration Number: 171631	
Regulated Entity Number: <b>RN</b> 111647921	
Customer Number: <b>CN</b> 606101665	
For more information regarding public notice, refer to the instructions in the public notice package.	
<b>Air Quality Standard Permit for Concrete Batch Plants</b>	
Proof of publication of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Required signs were posted in accordance with the regulations and instruction of the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>A copy of the complete registration application (including any revisions to the application) and the executive director's preliminary decision (which includes the standard permit), 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:</p> <p>(1) the TCEQ acts on the application; or</p> <p>(2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Texas Commission on Environmental Quality  
Public Notice Verification Form  
Air Quality Standard Permit for Concrete Batch Plants  
(Page 4)

For the Standard Permit for Concrete Batch Plants with Enhanced Controls, use form TCEQ 20547

<b>Air Quality Standard Permit for Concrete Batch Plants (continued)</b>
Name of Public Place: Kaufman County Library
Address of Public Place: 3790 South Houston Street
City: Kaufman
State: TX
ZIP Code: 75142
<b>This form must be signed and dated by a designated representative acting on behalf of the applicant after the end of the comment period.</b> Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk <b>within 10 business days after the end of the comment period.</b> The TCEQ will not accept this form if submitted prior to that date.
Verified by (signature): 
Applicant: R&L Concrete, LLC
Title: Consultant
Date: 5/16/2023

**PRINT FORM**

**RESET FORM**

TCEQ-Office of the Chief Clerk  
MC-105 Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

Applicant Name: R&L Concrete LLC  
Permit No.: 171631  
Application Received Date: January 30, 2023

131533 € 10

### AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF Kaufman §

**BEFORE ME**, the undersigned authority, on this day personally appeared

Amy Fowler, who being by me duly sworn, deposes and says that (s)he is (Name  
of Person Representing Newspaper)

the Publisher of the Kaufman  
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in Kaufman, 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):

March 30, 2023  
[Signature]  
(Newspaper Representative's Signature)

Subscribed and sworn to before me this the 30<sup>th</sup> day of March, 20 23  
to certify which witness my hand and seal of office.

[Affix Seal]



[Signature]  
Notary Public in and for the State of Texas

Wendy Perkins  
Print or Type Name of Notary Public

August 22, 2023  
My Commission Expires

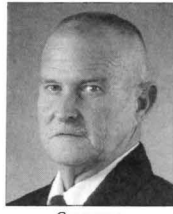


## Kaufman firefighter faces unexpected heart attack

By BAILEY DANIELS  
HERALD REPORTER

On March 21, Grady Campbell went in for his normal shift when he started to sweat and turn pale. Campbell intended to brush off the matter as the flu, but Captain Jeremy Hatcher took one look at Campbell before rushing him to the emergency room. There it was determined that Campbell was experiencing a heart attack. According to responding medical teams, Campbell had 99 percent blockage in a major artery. Without the fire department quickly taking action, Campbell could have had permanent heart damage or even died.

For 41 years, Campbell has worked as a firefighter. After living in Kaufman for 23 years, in 2018, he joined the Kaufman Fire Department as a full-time firefighter, engineer, and EMT. After such an extensive period as a firefighter, and an additional 22 years as a Navy Seabee, Campbell's heart attack came as a surprise to both him and his close friends and family. After arriving at the emergency room, Texas Health Presbyterian Kaufman stabilized Campbell before transporting Campbell to Texas Health Presbyterian Dallas. Cardiologist Dr. Saland immediately placed a stent and by the afternoon, Campbell was resting in a room.



CAMPBELL

"I want to thank the Kaufman Fire Department and the CareFite crew. They are our family. Ronnie Davis, Jeremy Hatcher and Ferris Watson are heroes. Samson Figueiredo and Mike Payne, Grady always says are 'his crew' and indeed they are his angels," said Campbell's wife, Patty. "Grady wants to impress upon the public that his heart attack symptoms were not the norm. He had no symptoms other than sweating and being pale. Fast action in getting help saved his life. A lot of people just deal with symptoms, not how odd, and hope they resolve on their own. Please don't wait to get help."

Campbell is now resting at home and in recovery where he will work on cardiac physical therapy. Campbell is expected to make a full recovery with no permanent heart damage.

## Man arrested on five charges

By BAILEY DANIELS  
HERALD REPORTER

In a traffic stop on March 22, the City of Kaufman Police Department arrested Carlos Rodriguez on five different charges, mostly involving narcotics.

Rodriguez's first charge was for unlawfully carrying a weapon with a bond set at \$2,500. The apprehended weapon was a firearm. His second charge was a POSS CS PG 2 >= 4G-400G. This code reflects possession of synthetic cannabinoids. The bond for his second offense is posted at \$25,000. The third charge was for marijuana possession with a bond set at \$6,000. Rodriguez's fourth charge was coded POSS CS PG 3 >= 400G. Most class three codes are

classified as depressants, i.e., Valium, Xanax, etc. The bond

for this charge is pending at time of press. His final charge was for the manufacture and delivery of controlled substances in the penalty group two category. The bond for this charge is \$25,000.

Rodriguez is being held in the Kaufman County Sheriff's Office jail on these five charges.



RODRIGUEZ

## Kaufman resident arrested for criminal mischief

By BAILEY DANIELS  
HERALD REPORTER

Kaufman resident Wesley I. Murray was served an arrest warrant on March 22 for criminal mischief.

This warrant follows a recent span of criminal mischief offenses on various residential and commercial properties around the City of Kaufman. Reports described structural property damage and glass windows which had been

shot out.

Murray is being held at the

Kaufman County Sheriff's Office jail on his one charge of criminal mischief, with potential additional charges to come.



MURRAY

Kaufman Chamber of Commerce welcomes one of its new members ...



**KAUFMAN ISD**  
EDUCATION FOUNDATION



A ribbon cutting was recently held by the Chamber in honor of Kaufman ISD Education Foundation. They are located at 1000 S. Houston St., Kaufman and can be reached at 972-932-2622 ext. 8014. Fellow chamber members are happy to welcome Kaufman ISD Education Foundation to the Kaufman Chamber of Commerce.



607 E. Fair St.  
972-932-3118  
kaufmanchamber.com

## Precinct two deputy injured in pursuit of stolen vehicle

By BAILEY DANIELS  
HERALD REPORTER

On March 16, Kaufman County Precinct 2 constables were in pursuit of a stolen vehicle near North Forney High School. In response to the situation, schools were placed on lockdown to preserve safety of the students.

After crashing the vehicle at Falcon and Windmill Farms Boulevard, the suspects took off on foot and were apprehended by Kaufman County constables and the Kaufman County Sheriff's Office. During the pursuit, one deputy was injured.

After falling from a high creek, the deputy injured both his legs and was later diagnosed with compartment syndrome.

"Unfortunately, we have found out this was not a minor injury as previously diagnosed," said Precinct 2 Constable Jason Johnson

in a post to Facebook. "The Deputy has to be airlifted to a Dallas hospital and has already received two surgical procedures to release the swelling of pressure in his left leg."

At the time of press, the deputy is expected to make a full recovery.

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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. 171631

**Application.** R&L Concrete LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 171631, which would authorize construction of a concrete batch plant located at from the intersection of Jiba Road 147 and US Highway 175 drive 0.4 miles south on US Highway 175 and site entrance is on left side, Kaufman, Kaufman County, Texas 75142. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcesreview/airpermits-pendingpermit-apps>. 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/whb610/index.html?lat=32.515611&lng=-96.266333&zoom=13&type=r>. 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 January 30, 2023. 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 Dallas/Fort Worth regional office, and at Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr., Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://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 number; (2) applicant's name and registration 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; (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](http://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 [www14.tceq.texas.gov/epic/aComment/](http://www14.tceq.texas.gov/epic/aComment/), 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 number, 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 1800687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://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 R&L Concrete LLC, 907 Royse Ridge Rd, Ennis, TX 75119-8234 or by calling Mr. Venkata Godasi, Graduate Engineer at (713) 974-2272.

Notice Issuance Date: March 3, 2023

TCEQ-Office of the Chief Clerk  
MC-105 Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

Applicant Name: R&L Concrete LLC  
Permit No.: 171631  
Application Received Date: January 30, 2023

**ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING**

STATE OF TEXAS §  
COUNTY OF Hood §

**BEFORE ME**, the undersigned authority, on this day personally appeared

Kylinna Soto, who being by me duly sworn, deposes and says that (s)he is (Name  
of Person Representing Newspaper)

the Owner of the La Prensa Comunista;  
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in Kaufman Co., 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):

28 March 2023  
[Signature]  
(Newspaper Representative's Signature)

Subscribe and sworn to before me this the 28 day of March, 2023  
to certify which witness my hand and seal of office.

[Affix Seal]



Laurie Reed  
Notary Public in and for the State of Texas  
Laurie Reed  
Print or Type Name of Notary Public

7/30/24  
My Commission Expires





Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 3, 2023

MR ROLANDO SUAREZ  
MANAGER  
R&L CONCRETE LLC  
907 ROYSE RIDGE RD  
ENNIS TX 75119-8234

Re: Consolidated Notice of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision  
Registration under an Air Quality Standard Permit for Concrete Batch Plants  
Air Quality Registration Number: 171631  
Concrete Batch Plant  
Kaufman, Kaufman County  
Customer Reference Number: CN606101665  
Regulated Entity Number: RN111647921

Dear Mr. Suarez:

The executive director has completed the administrative and technical reviews of your application and has prepared a preliminary decision. We understand you have represented that this application is for a small business stationary source.

You are now required to publish notice of your proposed activity. To help you meet the regulatory requirements associated with this notice, we have included the following items:

- Notices for Newspaper Publication (Example A)
- Sign Posting Example (Example C)
- Public Notice Checklist
- Instructions for Public Notice
- Affidavit of Publication for Air Permitting (Form TCEQ-20533) and Alternative Language Affidavit of Publication for Air Permitting (Form TCEQ-20534)
- Web link to download Public Notice Verification Form (refer to Public Notice Instructions)
- Notification List
- Standard Permit General Conditions
- Air Quality Standard Permit for Concrete Batch Plants

Please note that it is **very important** that you follow **all** directions in the enclosed instructions. If you do not, you may be required to republish the notice. A common mistake is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

A "Public Notice Checklist" is enclosed which notes the time limitations for each step of the public notice process. **The processing of your application may be delayed if these time limitations are not met (i.e.; submitting proof of publication of the notice within 10 business days after publication, affidavits of publication within 30 calendar days after the date of publication, and public notice verification form within 10 business days after the end of the designated comment period).** This checklist should be used as a tool in conjunction with the enclosed, detailed instructions.

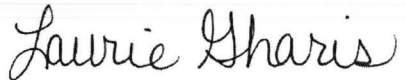
Mr. Rolando Suarez  
Page 2  
March 3, 2023

Re: Registration: 171631

If you do not comply with **all** requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300. If you have any other questions, please contact Mr. Alexander Hilla at (512) 239-0157.

Sincerely,



Laurie Gharis  
Chief Clerk  
Office of the Chief Clerk  
Texas Commission on Environmental Quality

Enclosure

cc: Air Section Manager, Region 4 - Dallas/Fort Worth

Project Number: 353027

## EXAMPLE A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

### 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. 171631

**Application.** R&L Concrete LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 171631, which would authorize construction of a concrete batch plant located at from the intersection of Jiba Road 147 and US Highway 175 drive 0.4 miles south on US Highway 175 and site entrance is on left side, Kaufman, Kaufman County, Texas 75142. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. 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=32.515611&lng=-96.266333&zoom=13&type=r>. 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 January 30, 2023. 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 Dallas/Fort Worth regional office, and at Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://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 number; (2) applicant's name and registration 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; (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](http://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 [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/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 number, 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](http://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 R&L Concrete LLC, 907 Royse Ridge Rd, Ennis, TX 75119-8234 or by calling Mr. Venkata Godasi, Graduate Engineer at (713) 974-2272.

Notice Issuance Date: March 3, 2023

## EJEMPLO A

### 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 171631

**Solicitud.** R&L Concrete LLC, 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 171631, que autorizaría la construcción de una planta permanente mezcladora de concreto ubicada en desde la intersección de Jiba Road 147 y US Highway 175, conduzca 0.4 millas al sur en US Highway 175 y la entrada al sitio está en el lado izquierdo, Kaufman, Kaufman Condado, Texas 75142. 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.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.515611&lng=-96.266333&zoom=13&type=r>. La instalación propuesta emitirá los siguientes contaminantes del aire: material particulado que incluye (pero no se limita a) agregados, cemento, 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 30 de enero de 2023. 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 autorizado 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 Dallas/Fort Worth y el condado de Kaufman County Library, 3790 South Houston Street, Kaufman, Kaufman County, Texas 75142 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 4 de la TCEQ. Visite [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) para revisar el permiso estándar.

**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 considerar 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] solicito/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 periodo 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 periodo 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](http://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/](http://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, incluido 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/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al 1-800-687-4040.

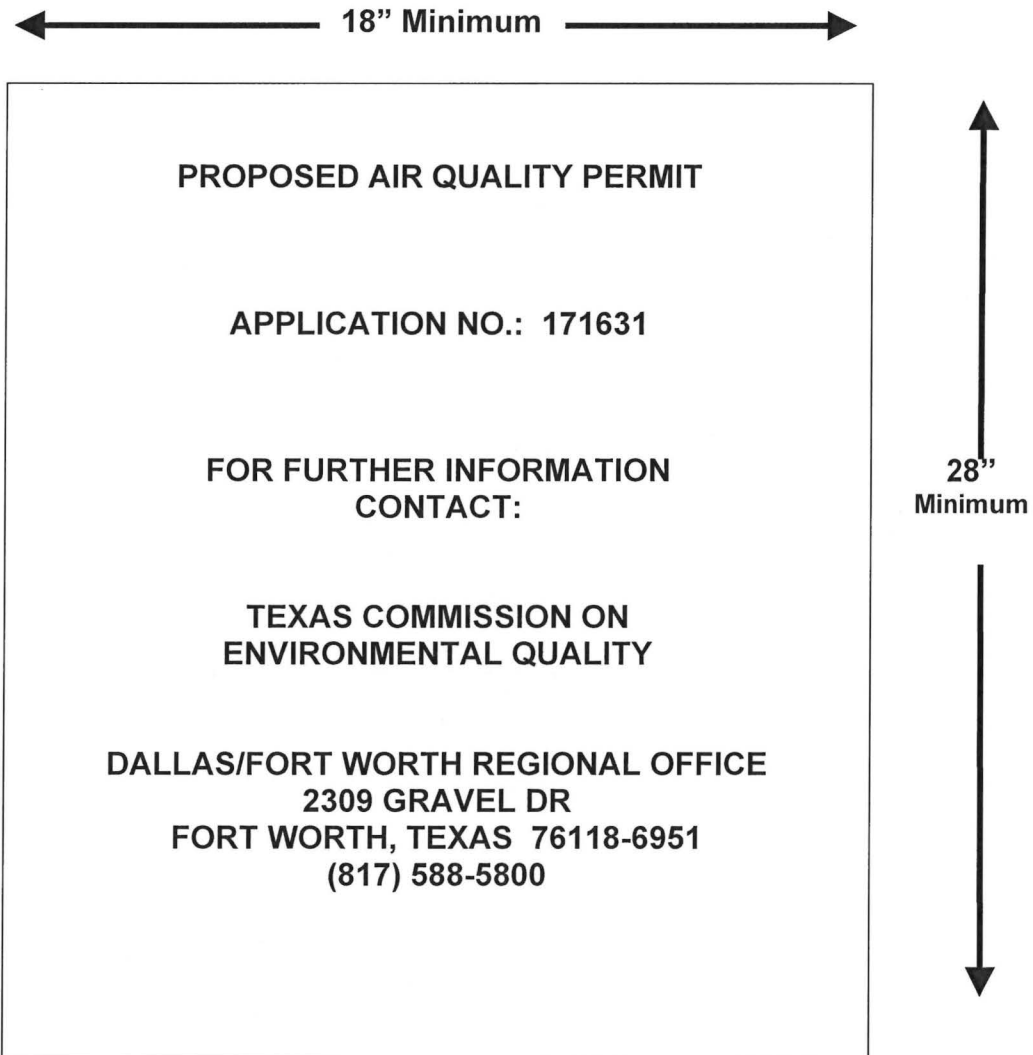
También se puede obtener más información de R&L Concrete LLC., 907 Royse Ridge Rd, Ennis, TX 75119-8234 o llamando a Sr. Venkata Godasi, Ingeniero graduado al (713) 974-2272.

Fecha de Emisión del Aviso: 3 de marzo de 2023

## Example C

### Sign Posting

Sign(s) must be in place on day of publication of first newspaper notice **and must remain in place and the lettering must be legible during that designated comment period (30 days)**. 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.



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.

**Public Notice Checklist**  
**Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision**  
**(1st Notice and 2nd Notice)**

The following tasks must be completed for public notice. If publication in an alternative language is required, please complete the tasks for both the English and alternative language publications. Detailed instructions are included in the "Instructions for Public Notice" section of this package.

<b>Within 30 calendar days after date of technical completeness letter</b>
<p>Publish <i>Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision</i></p> <p>- Example A must be published in "public notice" section of newspaper. Review for accuracy prior to publishing. Provide copy of application at a public place for review and copying. Keep it there until end of the designated comment period.</p> <p>Prepare signs.</p>
<b>First day of newspaper publication</b>
<p>Review published newspaper notice for accuracy. If errors, contact Air Permits Division.</p> <p>Post signs and keep them up for duration of the designated comment period (see Example C).</p> <p>Ensure copy of application is at the public place.</p>
<b>Within 10 business days after date of publication</b>
<p>Proof of publication showing publication date and newspaper name should be emailed to <a href="mailto:PROOFS@tceq.texas.gov">PROOFS@tceq.texas.gov</a> or mailed to:</p> <p style="padding-left: 40px;">Texas Commission on Environmental Quality  Office of the Chief Clerk, MC-105  Attn: Notice Team  P.O. Box 13087  Austin, Texas 78711-3087</p> <p>Mail or email, as instructed, photocopies of newspaper clippings showing publication date and newspaper name to persons listed on <i>Notification List</i></p>
<b>Within 30 calendar days after date of publication</b>
<p>Affidavit of publication for air permitting and alternative language affidavit of publication for air permitting (if applicable) should be emailed to <a href="mailto:PROOFS@tceq.texas.gov">PROOFS@tceq.texas.gov</a> or mailed to:</p> <p style="padding-left: 40px;">Texas Commission on Environmental Quality  Office of the Chief Clerk, MC-105  Attn: Notice Team  P.O. Box 13087  Austin, Texas 78711-3087</p> <p>Mail or email, as instructed, photocopies of affidavits to persons listed on <i>Notification List</i></p>
<b>Within 10 business days after end of the designated comment period</b>
<p>Public Notice Verification Form should be emailed to <a href="mailto:PROOFS@tceq.texas.gov">PROOFS@tceq.texas.gov</a> or mailed to:</p> <p style="padding-left: 40px;">Texas Commission on Environmental Quality  Office of the Chief Clerk, MC-105  Attn: Notice Team  P.O. Box 13087  Austin, Texas 78711-3087</p> <p>Mail or email, as instructed, photocopies of Public Notice Verification Form to persons listed on <i>Notification List</i></p>



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## Instructions for Public Notice For New Source Review Air Quality Standard Permit For Small Business Stationary Sources

### Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision

Your application has been declared administratively and technically complete and now you must comply with the following instructions:

#### Review Notice

Included in the notice is all of the information which the commission believes is necessary to effectuate compliance with applicable public notice requirements. Please read it carefully and notify the Texas Commission on Environmental Quality (TCEQ) immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

#### Newspaper Notice

- You must publish the enclosed *Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision* within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of completeness.
- You must publish the enclosed notice at your expense, in a newspaper that is of general circulation in the municipality where the facility is or will be located. If the facility is not located within a municipality, the newspaper should be of general circulation in the municipality nearest to the location or proposed location.
- You must publish this notice in one issue of any applicable newspaper.
- The bold text of the enclosed notice **must** be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

#### Alternative Language Notice

In certain circumstances, applicants for air permits must complete notice in alternative languages.

- Public notice rules require the applicant to determine whether a bilingual program is required at either the elementary or middle school nearest to the facility or proposed facility location. Bilingual education programs are determined on a district-wide basis. When students who are required to attend either school are eligible to be enrolled in a bilingual education program, some alternative language notice is required (signs, or signs and newspaper notice).
- Since the school district, and not the schools, must provide the bilingual education program, these programs do not have to be located at the elementary or middle school nearest to the facility or proposed facility to trigger the alternative language notice requirement. If there are

students who would normally attend the nearest schools eligible to be taught in a bilingual education program at a different location, alternative language notice is required.

- If triggered, publication of alternative language notices must be made in a newspaper or publication primarily printed in each language taught in the bilingual education program. This notice is required if such a newspaper or publication exists in the municipality or the county where the facility is or will be located.
- The applicant must demonstrate a good faith effort to identify a newspaper or publication in the required language. If a newspaper or publication of general circulation published at least once a month in such language cannot be found, publishing in that language is not required, but signs must still be posted adjacent to each English language sign.
- Publication in an alternative language section or insertion within an English language newspaper does not satisfy these requirements.
- The applicant has the burden to demonstrate compliance with these requirements. You must fill out the ***Public Notice Verification Form for Air Quality Standard Permits for Concrete Batch Plants (Form TCEQ-20778)*** indicating your compliance with the requirements regarding publication in an alternative language. **This form is available at [www.tceq.texas.gov/permitting/air/nav/air\\_publicnotice.html](http://www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html).**
- It is suggested the applicant work with the local school district to do the following:
  - (a) determine if a bilingual program is required in the district;
  - (b) determine which language is required by the bilingual program;
  - (c) locate the nearest elementary and middle schools; and
  - (d) determine if any students attending either school are eligible to be enrolled in a bilingual educational program.
- **If you determine that you must meet the alternative language notice requirements after receipt of the full public notice package, 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.texas.gov/permitting/air/nav/air\\_publicnotice.html](http://www.tceq.texas.gov/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. Email a copy to Air Permits Division staff.**
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice at your own expense.

#### **Public Comment Period**

- The public comment period should last at least **30 calendar days**.
- The comment period will be longer if the last day of the public comment period ends on a weekend or a holiday. In this case, the comment period will end on the next business day.
- The comment period for the permit may lengthen depending on whether a public meeting is held. If a public meeting is held, the comment period will be extended to the later of either the date of the public meeting or the end of the second notice period, if applicable.

#### **Proof of Publication**

- Check each publication to ensure that the articles were accurately published. If a notice was not published correctly you may be required to republish.

- For each newspaper in which you published, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proofs of publication are 1) copies of the published notice or 2) the newspaper clippings of the published notice. If you choose to submit copies of the published notice to the Office of the Chief Clerk, copies must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain newspaper clippings or tear sheets of the notice for your records.
- You must submit an **affidavit of publication for air permitting and alternate language affidavit of publication for air permitting (if applicable)** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **You must use the enclosed affidavit forms.** The affidavits must clearly identify the applicant's name and permit number. You are encouraged to submit the affidavit with the proof of publication described above.
- You must submit the *Public Notice Verification Form for Air Quality Standard Permit for Concrete Batch Plants* to the Office of the Chief Clerk within **10 business days** of the end of this public comment period. You must use this form to certify that you have met alternative language notice requirements.
- The **affidavits of publication for air permitting, *Public Notice Verification Form for Air Quality Standard Permit for Concrete Batch Plants*, and acceptable proof of publication of the published notices** should be emailed to [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov) or mailed to:

Texas Commission on Environmental Quality  
Office of the Chief Clerk, MC-105  
Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

- Please ensure that the affidavit(s) you send to the Chief Clerk have all blanks filled in correctly.
- Photocopies of newspaper clippings, affidavits, and verifications must also be sent to those listed on the enclosed *Notification List* within the deadlines specified above.

### **Failure to Publish and Submit Proof of Publication**

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication on time, then** the TCEQ may suspend further processing on your application or take other actions.

### **Sign Posting**

Applicants for air quality permits must also post signs.

- You must post at least one sign in English and as applicable, in each alternative language.
- Signs must be in place on the first day of publication in a newspaper and must remain in place and be legible and be visible from the street for the entire duration of the publications' designated comment period (see Example C).
- The sign template enclosed (*Example C*) is an example only. Read the sign template carefully and notify the TCEQ if it has an error or omissions. It is your responsibility to verify that the appropriate information pertaining to your application is accurate. Any changes to the text prepared by the TCEQ must be approved by the agency.

- Signs 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 are required along any property line paralleling a public highway, street, or road. Sign(s) must be placed at a sufficient height above the ground that is necessary for sign(s) to be 100 percent visible from the street.
- All lettering on the sign must be at least 1½" in height with block printed capital lettering. The sign must be at least 18" wide and 28" tall, and consist of black lettering on a white background.
- Alternative language signs are required if alternative notice is required, even if no newspaper can be found.
- Inspect each posted sign daily to ensure it is present and visible throughout the entire comment period.
- You must submit verification of sign posting using the *Public Notice Verification Form for Air Quality Standard Permit for Concrete Batch Plants (Form TCEQ-20778)* within **10 business days** after end of the publications' designated comment period. Do not submit the *Public Notice Verification Form* verifying sign posting until after the comment period is over. You cannot certify that the sign posting is in compliance until after the comment period is over. **This form is available at [www.tceq.texas.gov/permitting/air/nav/air\\_publicnotice.html](http://www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html).**

### Application in a Public Place

- **You must provide a copy of the technically complete application at a public place for review and copying by the public.** This place must be in the county in which the facility is located or proposed to be located.
- A public place is one that is publicly owned or operated. For example, public libraries, county courthouses, or city halls could be public viewing places.
- The technically complete application must be available beginning on the first day of newspaper publication and remain available during the entire public comment period.
- If the application is submitted to the TCEQ with information marked as confidential, you are required to indicate which specific portions of the application are not being made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the Texas Commission on Environmental Quality, Public Information Coordinator, MC-197, P.O. Box 13087, Austin, Texas 78711-3087."
- You must submit verification of file availability using the *Public Notice Verification Form for Air Quality Standard Permit for Concrete Batch Plants (Form TCEQ-20778)* within **10 business days** after end of the publications' designated comment period. Do not submit the form verifying that the application was in a public place until after the comment period is complete. If a public meeting is held or second notice is required causing the public comment period to be extended, at a later date you will be required to verify that the application was in a public place during the entire public comment period. **This form is available at [www.tceq.texas.gov/permitting/air/nav/air\\_publicnotice.html](http://www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html).**

### General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the notice.

If you wish to obtain an electronic copy, please contact the initial reviewer who assisted in the preparation of this public notice package. The electronic version is available in Microsoft Word format only and can be requested once your application has been declared administratively complete. Please ensure that the electronic version is correct and consistent with the hard copies that were provided. Any revisions made may not be accepted. **You may download copies of the Public Notice Verification Form and Affidavit of Publication by visiting our agency Web site at [www.tceq.texas.gov/permitting/air/nav/air\\_publicnotice.html](http://www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html).**

If you have questions or need assistance regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300 or the reviewer listed in the cover letter.

TCEQ-Office of the Chief Clerk  
MC-105 Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

Applicant Name: R&L Concrete LLC  
Permit No.: 171631  
Application Received Date: January 30, 2023

## AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

**BEFORE ME**, the undersigned authority, on this day personally appeared

\_\_\_\_\_, who being by me duly sworn, deposes and says that (s)he is (Name  
of Person Representing Newspaper)

the \_\_\_\_\_ of the \_\_\_\_\_  
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in \_\_\_\_\_, 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):

\_\_\_\_\_  
(Newspaper Representative's Signature)

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
to certify which witness my hand and seal of office.

[Affix Seal]

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

\_\_\_\_\_  
My Commission Expires

TCEQ-Office of the Chief Clerk  
MC-105 Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

Applicant Name: R&L Concrete LLC

Permit No.: 171631

Application Received Date: January 30, 2023

## ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

**BEFORE ME**, the undersigned authority, on this day personally appeared

\_\_\_\_\_, who being by me duly sworn, deposes and says that (s)he is (*Name of Person Representing Newspaper*)

the \_\_\_\_\_ of the \_\_\_\_\_;  
(*Title of Person Representing Newspaper*) (*Name of the Newspaper*)

that said newspaper is generally circulated in \_\_\_\_\_, 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):

\_\_\_\_\_  
(*Newspaper Representative's Signature*)

Subscribe and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
to certify which witness my hand and seal of office.

[Affix Seal]

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

\_\_\_\_\_  
My Commission Expires

## Notification List

It is the responsibility of the applicant to furnish the following offices with copies of the notices published, the *Affidavit of Publication for Air Permitting*, the *Alternative Language Affidavit of Publication for Air Permitting (if applicable)*, and a completed copy of the *Public Notice Verification Form for Air Quality Standard Permits (Form TCEQ-20778)*. Acceptable proof of publication and any affidavits and Form TCEQ-20778 should be emailed to [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov) or mailed to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087.

**Electronic copies** should be submitted via email to the U.S. Environmental Protection Agency (EPA), **Region 6** at [R6AirPermitsTX@EPA.gov](mailto:R6AirPermitsTX@EPA.gov). Please contact Ms. Aimee Wilson ([wilson.aimee@epa.gov](mailto:wilson.aimee@epa.gov)) at (214) 665-7596 if you have any questions pertaining to electronic submittals to the EPA.

**Email copies to Mr. Alexander Hilla at** [Alexander.Hilla@tceq.texas.gov](mailto:Alexander.Hilla@tceq.texas.gov)

**Hard copies** should be sent to the following:

Air Section Manager  
Dallas/Fort Worth Regional Office  
2309 Gravel Dr  
Fort Worth, Texas 76118-6951



## 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) (relating to Applicability). Any changes in representations are subject to the following requirements:
  - (A) For the addition of a new facility, the owner or operator shall submit a new registration incorporating existing facilities with a fee, in accordance with §116.611 and §116.614 (relating to Registration to use a Standard Permit and Standard Permit Fees) prior to commencing construction. If the applicable standard permit requires public notice, construction of the new facility or facilities may not commence until the new registration has been issued by the executive director.
  - (B) For any 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, the owner or operator shall submit written notification to the executive director describing the change(s), along with the designated fee, no later than 30 days after the change.
  - (C) For any other change to the representations, the owner or operator shall submit written notification to the executive director describing the change(s) no later than 30 days after the change.
  - (D) Any facility registered under a standard permit which contains conditions or procedures for addressing changes to the registered facility which differ from subparagraphs (A) - (C) of this paragraph shall comply with the applicable requirements of the standard permit in place of subparagraphs (A) - (C) of this paragraph.
3. Standard permit in lieu of permit amendment. All changes authorized by standard permit to a facility previously permitted under 30 TAC § 116.110 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 (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 September 22, 2021**

### **(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.
- (D) Facilities that meet the conditions of this standard permit do not have to meet the emissions and distance limitations in 30 TAC § 116.610(a)(1).

### **(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 on the effective date, all new and modified sources must comply with this standard permit.
- (F) Renewals shall comply with this standard permit on the later of:
  - (i) Two years from the effective date; 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.

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KAUFMAN COUNTY HEALTH AUTHORIT  
100 W MULBERRY ST  
KAUFMAN TX 75142-2064

KAUFMAN COUNTY JUDGE  
COUNTY COURTHOUSE  
100 W MULBERRY ST STE 1  
KAUFMAN TX 75142-2058

NORTH CENTRAL TEXAS COUNCIL OF  
DEPT OF ENVIRONMENTAL  
PO BOX 5888  
ARLINGTON TX 76005-5888

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WYLIE TX 75098-2408

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