TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

EXAMPLE A

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN AIR PERMIT (NORI) RENEWAL

SPECIAL PERMIT NUMBER 17799A

APPLICATION. Vulcan Construction Materials, LLC., has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Air Quality Special Permit Number 17799A, which would authorize continued operation of the Material Handling Facility located at 6601 Eubanks Street, Frisco, Collin County, Texas 75034. **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. https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.830833,33.145278&level=13. The existing facility is authorized to emit the following air contaminants: particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on July 2, 2024. The application will be available for viewing and copying at the TCEQ central office, TCEQ Dallas/Fort Worth regional office, and the Frisco Public Library, 8000 Dallas Parkway, Frisco, Collin County, Texas beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review in the Dallas/Fort Worth regional office of the TCEQ.

The executive director has determined the application is administratively complete and will conduct a technical review of the application. In addition to the renewal, this permitting action includes the incorporation of permits by rule related to this permit. The reasons for any changes or incorporations, to the extent they are included in the renewed permit, may include the enhancement of operational control at the plant or enforceability of the permit. **The TCEQ may act on this application without seeking further public comment or providing an opportunity for a contested case hearing if certain criteria are met.**

PUBLIC COMMENT. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application and the executive director will prepare a response to those comments. Issues such as property values, noise, traffic safety, and zoning are outside of the TCEQ's jurisdiction to address in the permit process.

OPPORTUNITY FOR A CONTESTED CASE HEARING. You may request a contested case hearing if you are a person who may be affected by emissions of air contaminants from the facility. 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 permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; (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 the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns.

The deadline to submit a request for a contested case hearing is 15 days after newspaper notice is published. If a request is timely filed, the deadline for requesting a contested case hearing will be extended to 30 days after mailing of the response to comments.

If any requests for a contested case hearing are timely filed, the Executive Director will forward the application and any requests for a contested case hearing to the Commissioners for their consideration at a scheduled Commission meeting. Unless the application is directly referred to a contested case hearing, the executive director will mail the response to comments along with notification of Commission meeting to everyone who submitted comments or is on the mailing list for this application. 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. In addition to submitting public comments, you may ask to be placed on a mailing list for this application by sending a request to the Office of the Chief Clerk at the address below. Those on the mailing list will receive copies of future public notices (if any) mailed by the Office of the Chief Clerk for this application.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at 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 permit application or the permitting process, please call the Public Education Program toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Vulcan Construction Materials, LLC., P.O. Box 791550, San Antonio, Texas 78279-1550 or by calling Mrs. Melissa Fitts, Senior Vice President, Westward Environmental, Inc., at (830) 249-8284.

Notice Issuance Date: July 11, 2024