



903-450-6420
brent@brentmoney.com

Feb 1, 2024

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

RE: permit application 174388 -- proposed Hunt County concrete crushing plant

To Whom It May Concern:

As a candidate for Texas House District 2, please accept my comments below for the public record. Please acknowledge your receipt of this communication and add me personally to your communication list for any future updates, notices, comment periods, public meetings, and communications of any kind regarding this permit application. Once you determine this application's promised local TCEQ public meeting location, date and time, I request you send notices to all individual commenters and assure recurring newspaper notices such that the public has at least 60 days' notice ahead of the meeting; this is especially important given the timing of the initial comment period that disadvantaged the public, as I note below. I will plan to attend and speak at this meeting; thank you in advance for your scheduling coordination if/as appropriate.

In addition, please notify me of any future or past investigations, violation notices, fines or enforcement actions of any kind regarding this facility (in the event it becomes operational) as well as other facilities operated by this applicant at any time, in the name of this company or any affiliated companies with which this applicant might be associated.

I strongly oppose granting a permit to allow a concrete or rock crushing operation at the applicant's proposed site on State Highway 276 in Southwest Hunt County. I request that TCEQ deny this permit. Experts and residents who have studied this application note that significant potential negative impacts include:

- Exposure to **carcinogenic silica dust** in air and water, with human **health consequences** including incurable silicosis as well as COPD, asthma, lung cancer, cardiovascular effects, and more
- Added **heavy tractor trailer truck traffic** on 4 major local highways and 6 local county/city roads –estimated 52,800 truck trips per year in 15-, 18-, and 25-ton payload in tri-axle and tandem axle trucks – more road repair costs, reduced public safety, greater congestion, longer commute times
- **Reduced property values** in affected areas – threatening residents' life savings, school funding, etc.
- **Significant added noise** from heavy truck traffic as well as the crushing facility itself
- **Lower citizen and taxpayer quality of life**

I share and would like to emphasize the conclusions and opposition of the elected officeholder entities whose unanimously adopted resolutions are excerpted below and who have studied the issue and met with residents as have I. These elected bodies directly represent over 100,000 Hunt County residents, and since Hwy. 276 is a major thoroughfare through the region, many additional residents of my district and neighboring communities would also be negatively affected. These elected officials' full resolutions in opposition are attached.

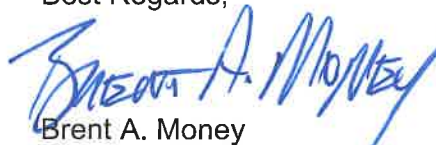
Very significant additional evidence of public opposition is the fact that in the first approximately one-month period of public comment, so far over 600 residents have also individually submitted comments to TCEQ opposing granting the permit application. Given the fact that the initial comment period disadvantaged public participation because it occurred over the holidays and initially lacked required public newspaper notice, based on my years in the public arena I take very serious note of this robust, active citizen opposition arising almost overnight despite timing that advantaged the applicant and disadvantaged public participation.

HUNT COUNTY COMMISSIONERS COURT (12-27-23): "has always been a supporter of free market enterprise and the capitalist ideals that have allowed the County to grow and flourish both economically and socially. The County, however, does not promote and will not accept the expansion of business interests at the cost of citizen and taxpayer quality of life especially when it pertains to environmental and air quality concerns.... The current application...creates this type of situation and the County of Hunt, Texas is opposed to the application."

QUINLAN, TEXAS CITY COUNCIL (12-11-23): "rock and concrete crushers have significant potential to negatively impact noise and air quality conditions.... Will negatively impact...traffic and roadway conditions with an increase in heavy trucks.... poses a risk to the health, safety and welfare of local residents of the City, its ETJ and the surrounding area.... City Council of the City of Quinlan opposes [the permit application]."

UNION VALLEY, TEXAS CITY COUNCIL (12-16-23): "significant potential to overall negatively impact all environmental and natural resources along with noise pollution and air quality conditions...local traffic and roadway conditions.... Poses a risk to the health, safety, and welfare of local residents of the City, its ETJ and the surrounding area."

Best Regards,



Brent A. Money

Attachments: resolutions in opposition passed by Hunt County Commissioners Court, Quinlan City Council, Union Valley City Council

Cc: Chairman Jon Niermann, Commissioner Emily Lindley, Commissioner Bobby Janecka, MC 100, Texas Commission on Environmental Quality, PO Box 13087, Austin, TX 78711-3087



18,543

December 27, 2023

FILED FOR RECORD
at 1:30 o'clock P M

DEC 27 2023

BECKY LANDRUM
County Clerk, Hunt County, Tex.
By

To Whom It May Concern,
Re: Proposed Air Quality Registration Number 174388

Bobby W. Stovall
Hunt County Judge

Jessica R. Sims
Executive Assistant

903.408.4146
903.408.4299 Fax

Post Office Box 1097
Greenville, TX
75403-1097

Hunt County, Texas has always been a supporter of free market enterprise and the capitalist ideals that have allowed the County to grow and flourish both economically and socially. The County, however, does not promote and will not accept the expansion of business interests at the cost of citizen and taxpayer quality of life especially when it pertains to environmental and air quality concerns.

The current application for permanent rock and concrete crushers at 4916 Hwy 276 W, Quinlan, Hunt County, Texas 75474 submitted by Dry Creek Materials LLC, 5221 Interstate 30 W, Caddo Mills, Texas 75135 creates this type of situation and the County of Hunt, Texas is opposed to the application.

The Application itself is flawed and would not withstand strict legal scrutiny for several reasons. First of which is that the proposed address for the crushers as included on the permit application is incorrect. The location address on the application, 4196 Hwy 276 W, is actually that of the real property parcel directly to the east of the proposed rock and concrete crusher's location. That true address is 4310 Hwy 276 W, Quinlan, TX 75474 which corresponds to the real property parcel directly to the west of 4196 Hwy 276 W. The incorrect permit application address is a material and fundamental flaw in the permit application that prevents the public from accurately determining the location and distance the proposed source of air contaminants and their proximity to private homes, schools, or place of worship.

Furthermore, the applicant has not complied with the notice requirements of the Texas Health and Safety Code Section 382.056 in that they have not published notice in a local newspaper of general circulation (382.056(a)), nor have they placed a physical sign at the location of the facility

notifying the public of the application for an air quality permit nor stating the manner in which the TCEQ may be contacted for further information (382.056(c)). While the applicant has 30 days from the date on which the Commission finds that the application is technically complete to have the newspaper notice published, they have failed to do so as of December 22nd and per the Quinlan newspaper of record, the Greenville Herald Banner, no such notice has been provided for publication in the Saturday, December 23, 2023, newspaper either. This failure by the applicant to provide the statutorily required notice to the public concerning the potential threats to the air quality in their community demands that their application be rejected.

Lastly, the location of the proposed source of air contaminants is within 440 yards of a residence, school or place of worship which is prohibited by the Texas Health and Safety Code Section 382.065(a). The residence located on the property addressed as 4196 Hwy 276 W, Quinlan, TX 75474, which, as stated earlier, is not the correct address for the permit facility, is within this prohibited radius of the proposed location.

Sincerely,



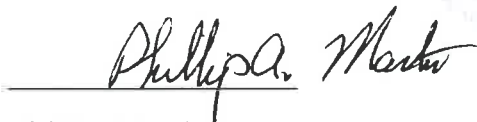
Bobby W. Stovall

Hunt County Judge



Mark Hutchins

Commissioner Precinct 1



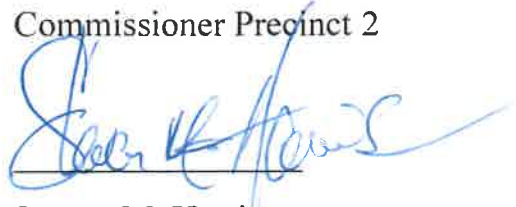
Phillip Martin

Commissioner Precinct 3



David Monroe

Commissioner Precinct 2



Steven M. Harrison

Commissioner Precinct 4

RESOLUTION NO. 2023-12-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF QUINLAN, TEXAS,
OPPOSING AN APPLICATION FOR AN AIR QUALITY PERMIT FOR
PERMANENT ROCK AND CONCRETE CRUSHERS, SUBMITTED BY DRY CREEK
MATERIALS; PROPOSED AIR QUALITY REGISTRATION NUMBER 174388.**

WHEREAS, an application for an air quality standard permit for permanent rock and concrete crushers has been submitted to the Texas Commission of Environmental Quality proposing to be located near the City of Quinlan, Texas; and

WHEREAS, if approved, the rock and concrete crushers have significant potential to negatively impact noise pollution and air quality conditions for nearby residents, including citizens of Quinlan, Texas; and

WHEREAS, if approved, the rock and concrete crushing operations will negatively impact local traffic and roadway conditions with an increase in heavy trucks serving this operation; and

WHEREAS, the City Council of the City of Quinlan opposes the Commission's approval of this permit, as it poses a risk to the health, safety and welfare of local residents of the City, it's ETJ and the surrounding area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF QUINLAN, TEXAS:

SECTION 1:

THAT, the City Council of the City of Quinlan opposes the Air Quality Standard Application submitted by Dry Creek Materials, LLC, proposed Air Quality Registration Number 174388; and in recognition whereof, do hereby affix our signatures.

PASSED AND APPROVED in a meeting of the City Council of the City of Quinlan, Texas, held on the 11th day of December, 2023



Jacky Goleman, Mayor



Bill Slaughter, Place 2



Michelle Mayberry, Mayor Pro Tem, Place 4




Dwayne Bowman, Place 1



Tommy Underwood, Place 3



Miguel Serrano, Place 5

ATTEST: 

Laura Kennemer, City Secretary

RESOLUTION NO. 2023-001

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF UNION VALLEY, TEXAS OPPOSING AN APPLICATION FOR AN AIR QUALITY PERMIT FOR PERMANENT ROCK AND CONCRETE CRUSHERS, SUBMITTED BY DRY CREEK MATERIALS; PROPOSED AIR QUALITY REGISTRATION NUMBER 174388

- WHEREAS, an application for an air quality standard permit for permanent rock and concrete crushers has been submitted to the Texas Commission of Environmental Quality proposing to be located near the City of Union Valley, Texas; and
- WHEREAS, if approved, the rock and concrete crushers have significant potential to overall negatively impact all environmental and natural resources along with noise pollution and air quality conditions for nearby residents, including citizens of City of Union Valley, Texas; and
- WHEREAS, if approved, the rock and concrete crushing operations will negatively impact local traffic and roadway conditions with an increase in heavy trucks serving this operation; and
- WHEREAS, the City Council of the City of Union Valley opposes the Commission's approval of this permit, as it poses a risk to the health, safety and welfare of local residents of the City, its ETJ and the surrounding area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNION VALLEY, TEXAS:

THAT, THE City Council of the City of Union Valley opposes the Air Quality Standard Application submitted by Dry Creek Materials, LLC, proposed Air Quality Registration Number 174388, and in recognition whereof, do hereby affix our signatures.


PASSED AND APPROVED in a meeting of the City Council of the City of Union Valley, Texas, held on the 16th day of December, 2023.



ATTEST:



Craig Waskow, Mayor



Therasa Curtis, Commission #1

ABSENT

Dianna Clark, Commissioner #2



Melinda K. Evans
City Secretary