

TCEQ AIR QUALITY PERMIT NUMBER 147392L001

APPLICATION BY	§	BEFORE THE
VULCAN CONSTRUCTION	§	
MATERIALS LLC	§	TEXAS COMMISSION ON
ROCK CRUSHING PLANT	§	
BULVERDE, COMAL COUNTY	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (the commission or TCEQ) files this Response to Public Comment (Response) on the New Source Review Authorization application and Executive Director's preliminary decision.

As required by Title 30 Texas Administrative Code (TAC) § 55.156, before an application is approved, the Executive Director prepares a response to all timely, relevant and material, or significant comments. The Office of Chief Clerk received timely comments from those listed in Attachment A. The commenters associated with particular topics are identified by name throughout this Response. Commenters described generally as such and those with specific comments relating to a topic are listed in parentheses at the end of each comment. In some instances, a large number of commenters had the same or similar comments and have been associated to their particular comments though the use of groups. The persons attributed to each comment group are listed in Attachment B.

This Response addresses all timely public comments received, whether or not withdrawn. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found at our website at www.tceq.texas.gov.

BACKGROUND

Description of Plant

Vulcan Construction Materials LLC (Applicant) has applied to the TCEQ for a New Source Review Authorization under Texas Clean Air Act (TCAA) § 382.0518. This will authorize the construction of a new plant that may emit air contaminants.

This permit will authorize the Applicant to construct a rock crushing plant. The plant will be located on property whose northeast corner is the southwest corner of the intersection of Highway 46 and Farm-to-Market Road 3009, Bulverde, Comal County, Texas. The Applicant has represented that the plant will be located on the property at the following coordinates: Latitude 29.768401, Longitude -98.308153. Contaminants authorized under this permit include particulate matter (PM), including particulate matter with diameters of 10 microns or less (PM₁₀) and 2.5 microns or less (PM_{2.5}), carbon monoxide, nitrogen oxides (NO_x), organic compounds, and sulfur dioxide (SO₂).

Procedural Background

Before work begins on the construction of a new plant that may emit air contaminants, the person planning the construction must obtain a permit from the commission. This permit application is for an initial issuance of Air Quality Permit Number 147392L001.

The permit application was received on June 27, 2017, and declared administratively complete on July 5, 2017. The Notice of Receipt and Intent to Obtain an Air Quality Permit (first public notice) for this permit application was published in English on July 31, 2017, in the *San Antonio Express-News* and in Spanish on July 28, 2017, in *La Prensa Comunidad del Valle*. A combined Notice of Application and Preliminary Decision for an Air Quality Permit (second public notice) and notice of public meeting was published in English on January 26, 2018, in the *San Antonio Express-News* and in Spanish on January 26, 2018, in *La Prensa Comunidad del Valle*. A public meeting was held on February 27, 2018, in New Braunfels, TX. The public comment period ended on February 27, 2018. Because this application was received after September 1, 2015, it is subject to the procedural requirements of and rules implementing Senate Bill 709 (84th Legislature, 2015).

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COMMENTS AND RESPONSES

COMMENT 1: State, County, and City Officials

The City of Bulverde submitted Resolution No. 300, stating that the city council strongly opposes the authorization of the proposed plant. The resolution states that this opposition is due to lack of adequate infrastructure to ensure safe operations and significant negative impacts on neighboring property owners, including the City of Bulverde. The Cities of Garden Ridge (Resolution No. 426-122017) and Spring Branch (Resolution 2018-1) also submitted resolutions expressing concern regarding the public health, safety and welfare, and supporting the concerns of area residents regarding the proposed plant.

David A. Drewa and Terri Lynn Hall stated that numerous elected officials submitted comments to the TCEQ outlining citizen concerns and that the TCEQ must follow the law and give maximum consideration to the recommendations of local governments in accordance with TCAA § 382.112.

In addition, the following state, county, and city officials requested a public meeting regarding the proposed plant: Senator Donna Campbell; Representative Kyle Biedermann; Barron Casteel, Mayor, City of New Braunfels; Donna Eccleston, Comal County Commissioner Precinct 1; Scott Haag, Comal County Commissioner Precinct 2; Bill Krawietz, Mayor, City of Bulverde; James Mayer, Mayor, City of Spring Branch; and Wayne Peters, Mayor Pro Tem, City of New Braunfels. With her public meeting request, Senator Campbell commented that good information is critical to developing strong relationships between neighbors and industry. (Comment Group A)

RESPONSE 1:

The Executive Director acknowledges the resolutions submitted and appreciates the comments and interest in matters before the agency. The Executive Director considered the comments and resolutions provided by elected officials and has given the comments maximum consideration in accordance with TCAA § 382.112 and consistent with TCEQ's jurisdiction. The specific issues raised are discussed in detail throughout the remainder of this Response.

The TCAA requires that the Executive Director hold a public meeting when requested by a member of the legislature representing the area in which the proposed plant is to be located. A public meeting was held on February 27, 2018, in New Braunfels, Texas. The notice of public meeting was published in English on January 26, 2018, in the *San Antonio Express-News*, and in Spanish on January 26, 2018, in *La Prensa Comunidad del Valle*. The notice of public meeting was also mailed to all persons on the mailing list for the application. The formal comments received at that meeting are included and addressed in this Response.

COMMENT 2: Public Notice

Commenters expressed concern about public notice and stated that the Applicant tried to sneak this project into the community. Karen Johnson stated the plant would be built without public notice. King Hodson and Misty Hodson requested that a public comment period be made available to residents impacted by the proposed plant. Chris M. Hopmann, who stated that he has experience in these types of operations, asked why nothing had been presented to citizens from the Applicant. Robert Francis Nebergall stated notification was minimal. Amy Piper stated that neither the Applicant nor the TCEQ have given residents any information on this project. Hector Amaya and Sabrina A. Houser-Amaya requested increased transparency between TCEQ and the Applicant in the permitting process. Cheryl Allen Gilpin stated that the application was not available for review in her public library. (Don Everingham, FDCC, Cheryl Allen Gilpin, Milann Guckian, Douglas Harrison, Misty Hodson, Chris M. Hopmann, Liz James, Karen Johnson, Robert Francis Nebergall, Kira Olson, Amy Piper, William Kyle Pringle, Charles Stewart, Stop 3009 Vulcan Quarry)

Newspaper Notice

Commenters questioned the Applicant's compliance with the TCEQ's newspaper publication rules. Don Everingham stated that the Applicant should have been required to publish notice in a New Braunfels publication because most people in the area do not subscribe to the *San Antonio Express-News*. Don Everingham stated that this was proof of willful acts of fraud and deception by both the TCEQ and the Applicant. Kathleen Banse stated that the zip code of the proposed plant, 78132, as published in the public notice is incorrect. (Kathleen Banse, Don Everingham, Cheryl Allen Gilpin)

Individual Notice

Commenters also expressed concern that landowners near the proposed facility were not individually notified concerning the application. FDCC and Stop 3009 Vulcan Quarry stated that nearby landowners can be identified from the county tax appraisal district's rolls and that failing to give individual notice deprived those nearby landowners of their due process. Martha Barrett stated that the Applicant should reach out to the community. (Martha Barrett, FDCC, Milann Guckian, Kira Olson, Nathan Olson, Stop 3009 Vulcan Quarry)

RESPONSE 2:

The Executive Director instructs applicants to provide public notice, as required by TCEQ rules in Chapter 39 (Public Notice), in accordance with statutory requirements. TCAA § 382.056 requires that an applicant publish a "notice of intent" to obtain a permit (first public notice) and, in most circumstances, a "notice of preliminary decision" (second public notice). These notices must be published in a newspaper of general circulation in the municipality in which the plant is proposed to be located. If the proposed plant is not located within a municipality, the newspaper should be of

general circulation in the municipality nearest to the location or proposed location. As such, individual notice of nearby residents is not required by the statute or TCEQ rules.

Section 39.603 also prescribes the content required in the public notice. The notice must include a description of the facility, information on how an affected person may request a public hearing, pollutants the facility will emit, and any other information the TCEQ requires by rule. The content of the public notice also informs the public of its opportunity to make comments and request a public meeting or contested case hearing. The required newspaper notice also invites citizens to request mailed notice on matters of interest by submitting their contact information to the Office of the Chief Clerk. The Chief Clerk is required to mail notice to persons on mailing lists maintained by the Office of the Chief Clerk. In addition, 30 TAC § 39.405(g) requires that applicants make a copy of the administratively complete application available for review at a public place in the county in which the plant is proposed to be located. To demonstrate compliance with TCEQ rules, applicants are required to provide the Office of the Chief Clerk with copies of the published notice and a publisher's affidavit verifying facts related to the publication.

As stated in the Procedural Background section of this Response above, the Applicant published the Notice of Receipt and Intent to Obtain an Air Quality Permit (first public notice) in English on July 31, 2017, in the *San Antonio Express-News* and in Spanish on July 28, 2017, in *La Prensa Comunidad del Valle*. The content of the notice stated that a copy of the application would be available for viewing at the Bulverde-Spring Branch Library in accordance with the requirements of 30 TAC § 39.405(g). The Notice of Application and Preliminary Decision for an Air Quality Permit (second public notice) and notice of public meeting was published on January 26, 2018, in English in the *San Antonio Express-News* and in Spanish on January 26, 2018, in *La Prensa Comunidad del Valle*. A public meeting was held on February 27, 2018, in which members of the public could ask questions and provide formal comments on the application. The public comment period ended on February 27, 2018.

Based on circulation numbers, the *San Antonio Express-News* has been determined to be a paper of general circulation in all of Comal County, which includes Bulverde and New Braunfels.¹ Additionally, the Applicant represented notice was published in accordance with TCEQ rules and that the application was available for review at a public place in the county in which the plant is proposed to be located. The Applicant also provided corresponding signed affidavits and verification forms to the commission. The Executive Director reviewed the newspaper tear sheets to verify the information was correctly published. Because the Applicant complied with the public notice requirements in accordance with TCEQ rules, the Executive Director does not believe that an additional public comment period is necessary.

¹ According to specific information provided by the *San Antonio Express-News*, the city of Bulverde has 609 paid subscribers and reaches 16.2% of households. In comparison, information provided by *the New Braunfels Herald-Zeitung* indicates that it only has 30 paid subscribers in Bulverde.

Further, the Executive Director reviewed the zip code listed in the public notice and determined it is correct. While portions of the area covered by the 78163 zip code intersect with the western property line, the plant is proposed to be located within the 78132 zip code.

This Response is the written response to all formal comments received during the comment period for the application. A copy of this Response will be sent to each person who submitted a formal comment or who requested to be on the mailing list for this permit application and provided a mailing address. All timely formal comments received are included in this Response and are considered before a final decision is reached on the permit application. Changes to the draft permit may be made based on comments received. Additionally, the TCEQ Commissioners will consider public comments, including timely filed hearing requests, during a scheduled Commission Agenda public meeting where they decide whether or not to issue the permit or refer issues raised by affected persons to the State Office of Administrative Hearings.

COMMENT 3: Sign Posting

Commenters questioned the Applicant's compliance with TCEQ sign-posting requirements. Specifically, commenters stated the signs posted at the proposed plant were hard to read, especially while driving. Don Everingham stated that the Applicant did not comply with the TCEQ publication GI-233 and commented that because signs were not posted on the west side of the proposed plant, residents were not informed. Don Everingham commented that the TCEQ permit reviewer stated that signs were not required to be placed on the west side property line, but failed to prove this point in writing. Liz James commented that she did not see a sign at the corner of Highway 46 and Highway 3009. (Don Everingham, Milann Guckian, Mary Jean Nebergall, Robert Francis Nebergall, Pierce Massie Broach, Nelda S. Davis, Ronald R. Davis, Donna Foulds, Edward Harris, Liz James, FDCC, Stop 3009 Vulcan Quarry, Kira Olson, Michael B. Wyatt)

RESPONSE 3:

The TCEQ publication GI-233, Public Participation in Environmental Permitting, is a guidance document, which provides a brief overview of the permitting process for certain applications filed before September 1, 2015. The publication is not codified in the TCEQ rules, but rather is intended to provide the public with an overview of the permitting process generally and to describe how the public may participate in environmental matters before the agency. An overview of public participation for applications filed after September 1, 2015, (GI-445) is available on the TCEQ website at the following link: <https://www.tceq.texas.gov/agency/working-with-us/permitting-participation/public-participation-9-1-2015>.

When it is determined that public notice is required for an air quality application, applicants must ensure that signs regarding the requested permit action are posted as required by 30 TAC § 39.604 (Sign-Posting). The sign(s) must declare the filing of an

application for a permit and state the manner in which the commission may be contacted for further information. The signs must consist of dark lettering on a white background and must be no smaller than 18 inches by 28 inches and all lettering must be no less than 1½ inches in size and block printed capital lettering. In addition, 30 TAC § 39.604 requires that each sign placed at the site be located within ten feet of every property line paralleling a public highway, street, or road. Signs must also be visible from the street and spaced at not more than 1,500-foot intervals. A minimum of one sign, but no more than three signs, are required along any property line paralleling a public highway, street, or road. Additionally, the applicant must provide written verification to the commission that the sign-posting was conducted in accordance with TCEQ rules.

In this case, Executive Director staff observed that for both notice periods, three signs were placed along Highway 46 and three signs were posted along Farm to Market 3009, which are the two plant boundaries that parallel a public road. The Applicant also provided written verification to the Office of the Chief Clerk that signs were posted at the proposed plant as required by 30 TAC § 39.604. Therefore, the Executive Director has determined that the Applicant complied with the applicable TCEQ rules regarding sign-posting.

COMMENT 4: Air Quality/Health Effects

Commenters expressed concern about air quality, specifically emissions of PM and silica, and questioned whether air quality standards at the proposed plant will be met. Richard C. Mason asked about levels of pollution from the plant and the expected radius of impact. Milann Guckian is concerned about emissions of hazardous gases. Aaron Aiza stated that there is not enough data to demonstrate the proposed plant will be safe. Jimmy Arreaga asked what study the Applicant provided to assure that the air quality will be healthy. Kenneth Higby asked under what standards the permit application was reviewed. Kenneth Higby also commented that the criteria used to evaluate air emissions are old and outdated. Robin Ecks stated that issuing the permit under current outdated standards would not protect air quality. Michael L. Maurer Sr. stated that the information indicating that the proposed application would meet minimum air quality standards is archaic and factually bent and also asked what archaic standards are being applied. Michael L. Maurer Sr. questioned whether the proposed emissions of PM_{2.5} would be safe and stated that studies have shown that short- and long-term exposure to PM has adverse health effects and the dispersal rate is unknown. In addition, Michael L. Maurer Sr. asked for proof that the Applicant will not violate the Clean Air Act or the National Ambient Air Quality Standards (NAAQS). Finally, Michael L. Maurer Sr. questioned how the emissions were calculated and requested proof that emissions will not cross property lines or affect the general public. Cheryl Allen Gilpin stated that the TCEQ's air permits are not protective. Christopher Brown asked TCEQ how they could approve a permit based only on the Applicant's description of their own environmental impact. (Comment Group B)

Scott Haag, Comal County Commissioner Precinct 2, Bill Krawietz, Mayor of the City of Bulverde, Barron Casteel, Mayor of the City of New Braunfels, and Wayne Peters, Mayor Pro Tem of the City of New Braunfels, asked that TCEQ strictly follow its rules and regulations in considering the application and hold the Applicant to the strictest air quality standards possible.

What Will Be Emitted

Commenters stated that the TCEQ does not consider non-visible emissions outside the fence line of the proposed plant and expressed concern that this is not protective of people living in close proximity. Kathleen M. Schultz asked what air pollutants the proposed plant would emit. Hector Amaya and Sabrina A. Houser Amaya stated that citizens may be exposed to chemicals of which they may not be aware. Russell Cason asked if the TCEQ had done a study on the radionuclides, potassium, and uranium in the limestone, and whether they were modeled in the application. Russell Cason commented that radionuclides occur naturally in the limestone in the area and asked about the effects of radionuclides inhaled after becoming airborne. Russell Cason stated that not studying and quantifying the effects of radionuclides would constitute professional gross negligence. (Hector Amaya, Sabrina A. Houser Amaya, Eric C. Barefoot, Russell Cason, James Kevin Drake, Kathleen M. Schultz)

Effects on Property

Commenters expressed concern about the impact the proposed plant could have on their property. Chris M. Hopmann asked why effects on surrounding properties are not considered in the permit process. Brian Mather expressed particular concern about potential effects on a community pool. (Comment Group C)

Health Effects

Commenters expressed concern about potential health effects that may occur as a result of exposure to emissions from the proposed plant, including silica. Commenters are particularly concerned about asthma, bronchitis, silicosis, lung cancer, heart disease, stroke, reproductive issues, and premature death. In addition, commenters stated adverse health effects will result in increased medical costs.

Kira Olson stated that the TCEQ needs to utilize specialists to perform a health risk assessment. FDCC and Thomas Banon Ellison requested that an independent analysis be conducted to ensure that human health is protected. Michael L. Maurer Sr. stated that the TCEQ does not care about air quality and does not mind that thousands of people will be negatively affected by poor air quality that will cause serious health problems. Michael L. Maurer Sr. also stated that even the EPA agrees that there is a causal relationship between short and long-term exposure of PM_{2.5} and more hospital admissions and adverse health effects. Eric C. Barefoot raised concerns about the long-term impacts of radionuclides. Krystal Henagan stated she had nose bleeds and developed nasal cancer as a result of exposure to emissions of Portland Cement and Hexavalent Chromium from another plant operated by the Applicant. Chris M.

Hopmann asked if it would be safe to air dry clothes outside and whether the cabin filters in cars can filter out emissions from the proposed facility. Don Everingham asked whether the Applicant will pay for adverse health effects that may arise due to the proposed plant. (Comment Group D)

Commenters asked whether TCEQ can guarantee that there are no health risks from the proposed emissions. (Douglas Harrison, Tyler Rosh, Renee Wilson)

Sensitive Subgroups

Commenters are concerned that emissions from the proposed facility could negatively affect sensitive subgroups, such as children, the elderly, and those with pre-existing health conditions. Commenters expressed particular concern about people with asthma and other lung issues. Krystal Henagan stated that 1 out of 7 children in the region has asthma. Chris M. Hopmann stated that exposing elderly people and young children to emissions from the proposed plant could be considered abusive and would create undue hardships. Kathryn M. Willdigg expressed particular concern for military, wounded, and disabled veterans. (Comment Group E)

Natural Resources/Animals/Livestock

Commenters expressed concern about potential negative effects on natural resources, ecosystems, plant life, trees, and crops. In addition, commenters asked about potential health effects on domestic animals, wildlife, livestock, honey bees, horses, migratory birds, and bats. Commenters expressed particular concern regarding the health and safety of animals at the Natural Bridge Wildlife Ranch and the Bracken Bat Cave. Gary B. Armstrong, FDCC, and Thomas Banon Ellison requested that an independent analysis be conducted to ensure that wildlife, livestock, and the environment are protected. Mary Calcote stated bats are important for mosquito control. Corissa Owens and Heather Snyder Samsel commented that meat harvested from hunting and fishing could become contaminated. Jacey Hall expressed concern that animals would drink water contaminated with dust. Beth A. Moore raised concerns about dust emissions adversely impacting horses that already suffer with nasopharyngeal cicatrix. Cheryl Allen Gilpin expressed concern that fine PM could drift into the waters of Canyon Lake and may increase the risk of flooding (i.e., cloud seeding) and associated damage. Robert Carrillo asked how the proposed plant would affect surrounding vegetation and stated that dust can hinder photosynthesis. Rebecca L. Cox and Robert Francis Nebergall expressed concern about the effects of dust settling on gardens and fruit trees in the area. Tex Hall commented that the dust will impact crops and the quality of forage for livestock. Steve Middlecamp also expressed concern about soil contamination.

Russell Cason expressed concern that dust from the proposed plant could reduce the photosynthesis efficiency of plants at a nearby winery. Milton Collier expressed concern about the effects of the dust on his organic garden business. (Comment Group F)

RESPONSE 4:

The Executive Director reviewed the permit application in accordance with the applicable law, policy, procedures, and the Agency's mission to protect the state's public health and natural resources consistent with sustainable economic development. For this type of permit application, potential impacts to human health and welfare or the environment are determined by comparing air dispersion modeling predicted emission concentrations, otherwise known as an Air Quality Analysis (AQA), from the proposed plant to appropriate state and federal standards. The specific health-based standards or guidance levels employed in evaluating the potential emissions include the National Ambient Air Quality Standards (NAAQS), TCEQ standards contained in 30 Texas Administrative Code (30 TAC), and TCEQ Effects Screening Levels (ESLs).^{2,3} As described more particularly below, the Executive Director determined that the emissions authorized by this permit are protective of both human health and welfare, including physical property and the environment.

The U.S. Environmental Protection Agency (EPA) created and periodically reviews the NAAQS. The NAAQS, as defined in 40 Code of Federal Regulations (CFR) § 50.2, include both primary and secondary standards. Primary standards are those the EPA Administrator determines are necessary, within an adequate margin of safety, to protect public health, including sensitive members of the population such as children, the elderly, and those individuals with preexisting health conditions. Secondary NAAQS are those the Administrator determines are necessary to protect public welfare and the environment, including animals, crops, vegetation, visibility, and buildings, from any known or anticipated adverse effects associated with the presence of a contaminant in the ambient air. Air Quality Permits issued by the TCEQ must be in compliance with the current NAAQS for all pollutants.

The EPA has set NAAQS for: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone (O₃), sulfur dioxide (SO₂), and particulate matter (PM), including particulate matter less than or equal to 10 microns in aerodynamic diameter (PM₁₀), and particulate matter less than or equal to 2.5 microns in aerodynamic diameter (PM_{2.5}), which are known as criteria pollutants. Of the criteria pollutants, this plant is expected to emit CO, NO₂, SO₂, PM, PM₁₀, and PM_{2.5}. In addition, the plant may emit diesel vapors.

ESLs are constituent-specific health-based screening levels used in TCEQ's effects evaluation of constituent concentrations in air. These guidelines are derived by the TCEQ's Toxicology Division and are based on a constituent's potential to cause adverse health effects, odor nuisances, and effects on vegetation. Health-based screening levels are set at levels lower than levels reported to produce adverse health effects, and as such are set to protect the general public, including sensitive subgroups such as

² Air Quality Modeling Guidelines, APDG 6232, April 2015, available at <https://www.tceq.texas.gov/assets/public/permitting/air/Modeling/guidance/airquality-mod-guidelines6232.pdf>

³ Also visit the TCEQ air modeling page at www.tceq.texas.gov/permitting/air/nav/modeling_index.html

children, the elderly, or people with existing respiratory conditions. Adverse health or welfare effects are not expected to occur if the air concentration of a constituent is below its ESL. If an air concentration of a constituent is above the screening level, it is not necessarily indicative that an adverse effect will occur, but rather that further evaluation is warranted. Generally, maximum concentrations predicted to occur at a sensitive receptor which are at or below the ESL would not be expected to cause adverse effects.

The likelihood of whether adverse health effects caused by emissions from the plant could occur in members of the general public, including sensitive subgroups such as children, the elderly, or people with existing respiratory conditions are determined by comparing the plant's predicted air dispersion computer modeling concentrations to the relevant state and federal standards and ESLs. TCEQ staff used modeling results to verify that predicted ground level concentrations from the proposed plant are not expected to adversely impact off-property receptors. The overall evaluation process provides a conservative prediction that is protective of the public.

The measurement for predicted concentrations of air contaminants in modeling exercises are typically expressed in terms of micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). A microgram is one millionth of a gram (or approximately the 1/25th the mass of a human eyebrow hair). A cubic meter is approximately the volume of a large refrigerator. Other data that are incorporated into the air dispersion modeling program include such information as the release height of the emissions, the type of release, the location of the sources, the surrounding land type, meteorological data for the area, and the background concentrations or representative background concentrations, of the specific contaminants already existing in that area.

The emission rates which were utilized in the model are based on acceptable calculation methodologies. The EPA has documented a listing of emission factors that can be used to calculate the estimated emissions from many sources such as conveyor drops, rock crushers, engines, and other equipment from a wide range of industries. Alternatively, an applicant may rely on manufacturer specifications and TCEQ guidance to calculate emissions.

Emission factors are a representative value that attempt to relate the quantity of a pollutant released to the atmosphere with an activity associated with the release of that pollutant. In this case the Applicant used AP-42 emission factors (AP-42 Section 11.19.2: Crushed Stone Processing and Pulverized Mineral Processing) in accordance with TCEQ guidance to calculate emissions from the processing, handling, and stockpiling of rock.⁴ A combination of AP-42 emission factors (AP-42, Section 3.3: Gasoline and Diesel Industrial Engines) and manufacturer specifications were used to calculate emissions from the engines.⁵ These emission factors have been used to estimate the proposed emissions for this plant and include all processing and material handling activities associated with rock crushing proposed at the plant, as well as the

⁴ <https://www3.epa.gov/ttnchie1/ap42/ch11/final/c11s1902.pdf>

⁵ <https://www3.epa.gov/ttnchie1/ap42/ch03/final/c03s03.pdf>

engine and tank emissions. The TCEQ ensures the conservative nature of these calculations by evaluating each emission point at the maximum operating conditions on both an hourly and an annual basis. The resulting emission rates are used as one of the inputs to the EPA-approved air dispersion modeling program that determines the predicted emission concentration for each air contaminant at locations surrounding the plant.

For this specific permit application, appropriate site-specific air dispersion modeling was performed. The Applicant used the EPA-approved AERMOD Version 16216r air modeling program to provide a reasonable worst-case representation of potential impacts from the proposed emissions on the area surrounding the plant. The evaluation incorporated all emissions as represented in the permit application and the modeling procedures, methodology, predictions, and results were reviewed by the TCEQ's Air Dispersion Modeling Team (ADMT) and determined to be acceptable. The ADMT review was conducted by following the procedures outlined in the "Air Quality Modeling Guidelines (APDG 6232)," dated April 2015.

NAAQS Review

The air dispersion modeling first compared the predicted maximum ground level concentrations (GLC_{max}) from the proposed emissions of SO_2 , CO, PM_{10} , $PM_{2.5}$, NO_2 , and CO to their respective *de minimis* levels. In this case, the GLC_{max} is located at the property line. Concentrations that do not exceed the *de minimis* level are considered to be so low and of such minimal impact that they do not require further NAAQS analysis. Details of and justifications for the use of *de minimis* levels can be found in TCEQ's Air Quality Guidelines APDG 6232 - Appendix A at the following link: <https://www.tceq.texas.gov/assets/public/permitting/air/Modeling/guidance/airquality-mod-guidelines6232.pdf>. The Applicant provided an evaluation of ambient $PM_{2.5}$ monitoring data, consistent with EPA guidance for $PM_{2.5}$, for using the $PM_{2.5}$ *de minimis* levels in the NAAQS analysis. If monitoring data show that the difference between the $PM_{2.5}$ NAAQS and the monitored $PM_{2.5}$ background concentrations in the area is greater than the $PM_{2.5}$ *de minimis* level, then the proposed project with predicted impacts below the *de minimis* level would not cause or contribute to a violation of the $PM_{2.5}$ NAAQS and does not require a full impacts analysis. The justification for selecting the EPA's interim 1-hour NO_2 and 1-hour SO_2 *de minimis* levels was based on the assumptions underlying EPA's development of the 1-hour NO_2 and 1-hour SO_2 *de minimis* levels. As explained in EPA guidance memoranda,^{6,7} the EPA believes it is reasonable as an interim approach to use a *de minimis* level that represents 4% of the 1-hour NO_2 and 1-hour SO_2 NAAQS.

The emission sources were modeled at a distance equal to or greater than 2,119 feet from the property line, since the Applicant represented that none of the proposed plant emission sources will operate closer than this distance to the property line. An

⁶ <https://www.epa.gov/sites/production/files/2015-07/documents/appwso2.pdf>

⁷ www.tceq.texas.gov/assets/public/permitting/air/memos/guidance_1hr_no2naaqs.pdf

applicant is bound by its representations in the application and those representations become an enforceable part of the permit.⁸

Table 1 presents the results of the modeling for the GLC_{max} for the pollutants compared to the *de minimis* levels.

Table 1: Modeling Results for *De Minimis*

Pollutant	Averaging Time	GLC _{max} (µg/m ³)	De Minimis (µg/m ³)
SO ₂	1-hour	15	7.8
SO ₂	3-hour	8	25
SO ₂	24-hour	1	5
SO ₂	Annual	0.2	1
PM ₁₀	24-hour	4	5
PM _{2.5}	24-hour	0.7	1.2
PM _{2.5}	Annual	0.04	0.3
NO ₂	1-hour	49	7.5
NO ₂	Annual	0.5	1
CO	1-hour	24	2000
CO	8-hour	5	500

As seen in Table 1 above, the 1-hour (hr) SO₂ and 1-hour NO₂ concentrations were greater than the *de minimis* level for these pollutants. Accordingly, a site-wide modeling analysis for these pollutants was conducted. Although the results from the *de minimis* analysis for the remaining pollutants and averaging times were all below the *de minimis* level, the Applicant voluntarily provided a site-wide analysis (see Table 2), despite it not being required.

Based on the procedures in APDG-6232 for site-wide analyses, the total concentration was determined by adding the GLC_{max} to the appropriate background concentration. The GLC_{max} concentrations at the property line for site-wide analyses can also be

⁸ 30 TAC 116.116(a).

affected by off-property sources included in the AQA. The background concentration is defined as the air contaminant concentrations present in the ambient air that are not attributed to the source or site being evaluated. The purpose of representative background monitoring concentrations is to account for surrounding sources not explicitly modeled in an air dispersion modeling analysis when a site-specific monitor is not available. Most air dispersion modeling analyses only account for industrial stationary emission sources; therefore, additional information needs to be used to account for other emission sources such as natural sources, nearby sources other than the one(s) under consideration, and unidentified sources (including vehicles). Ambient air quality monitors are used to provide representative background concentrations for a project site.

Ideally, a network of monitors would be available to provide concentrations near the site of the permit application. The term "near" means within about one kilometer (km) of the area of maximum concentrations from existing sources or the area of the combined maximum impact from existing and proposed sources. However, existing monitors within 10 km of the proposed sources can also be used. Unfortunately, data from nearby monitors are rarely available; furthermore, time and cost constraints usually prohibit the establishment of site-specific networks. The selection of each of the below-mentioned monitors was determined to be reasonable based on a quantitative review of emissions sources in the surrounding area of the monitor site relative to the project site. This includes an analysis of the sources of emissions surrounding the proposed site relative to the sources surrounding the location of the background monitor. The Applicant also provided an analysis relating to the proximity and amounts of traffic, the proportion of urban land to rural land, the amount of emissions from nearby sources (within 10 km), and county-wide sources for the proposed site relative to the areas surrounding each representative monitor. The total concentration is determined by adding the GLC_{max} to the representative background concentration and then comparing the total concentration to the NAAQS to ensure that the total concentration is below the NAAQS. In this case, as seen in Table 2, the results show that the total concentrations are below the NAAQS for all criteria pollutants.

Table 2: Total Concentrations for Minor NSR NAAQS

Pollutant	Averaging Time	GLC _{max} (µg/m ³)	Background (µg/m ³)	Total Conc. = [Background + GLC _{max}] (µg/m ³)	Standard (µg/m ³)
SO ₂	1-hour	15	33	48	196
SO ₂	3-hour	8	14	22	1300
SO ₂	24-hour	1	7	8	365
SO ₂	Annual	0.2	2	2	80
PM ₁₀	24-hour	4	66	70	150
PM _{2.5}	24-hour	0.7	23	24	35
PM _{2.5}	Annual	0.04	8.5	9	12
NO ₂	1-hour	49	63	112	188
NO ₂	Annual	0.6	8.4	9	100
CO	1-hour	49	458	507	40000
CO	8-hour	14	344	358	10000

The details of the air dispersion modeling for the pollutant concentrations greater than the *de minimis* level are as follows:

NO₂

Air dispersion modeling resulted in a predicted GLC_{max} for NO₂ at the plant's property line on a 1-hour averaging time to be 49µg/m³. Added to the background concentration of 63 µg/m³, the resulting total concentration of 112 µg/m³ was below the 1-hour NAAQS of 188 µg/m³. Background concentrations for NO₂ were obtained from the EPA AIRS monitor 481390016 located at 2725 Old Fort Worth Road, Midlothian, Ellis County. The three-year average (2014-2016) of the 98th percentile of the annual distribution of the daily maximum 1-hr concentrations was used for the 1-hour value.

SO₂

Air dispersion modeling resulting in a predicted GLC_{max} for SO₂ at the plant's property line on a 1-hour averaging time to be 15 µg/m³. Added to the background concentration of 33 µg/m³, the resulting total concentration of 48 µg/m³ was below the 1-hour NAAQS of 196 µg/m³. Background concentrations for SO₂ were obtained from the EPA AIRS monitor 480290059 located at 14620 Laguna Rd., San Antonio, Bexar County. The three-year average (2014-2016) of the 99th percentile of the annual distribution of the maximum daily 1-hour concentrations was used for the 1-hour value.

Secondary NAAQS

The secondary NAAQS are those the EPA Administrator determines are necessary to protect public welfare and the environment, including animals, crops, vegetation, visibility, and buildings, from any known or anticipated adverse effects associated with the presence of a contaminant in the ambient air. As discussed in detail above, the emissions from this proposed plant are not excepted to cause an exceedance of either the primary or secondary NAAQS.⁹ As a result, air emissions from the plant are not expected to adversely impact land, soil, livestock, wildlife, crops, or visibility, nor should emissions, including particulate matter emissions, interfere with the use and enjoyment of surrounding land or water.

SO₂ State Property Line Analysis

In addition, a State Property Line analysis was also conducted for SO₂. The predicted concentration from the proposed emissions was compared to the standard in 30 TAC Chapter 112 to ensure that the concentration is below the standard. The SO₂ State Property Line Standard is 1021 µg/m³ measured over a 1-hour time period. Air dispersion modeling predicted a GLC_{max} at the plant's property line of 15 µg/m³, which is below the standard. Because the results are below the standard, there is no expectation of any adverse impacts from emissions of SO₂.

Table 3: Project-Related Modeling Results for State Property Line

Pollutant	Averaging Time	GLC_{max} (µg/m³)	Standard (µg/m³)
SO ₂	1-hr	15	1021

⁹ Section 302(h) of the Federal Clean Air Act (FCAA), 42 U.S.C. § 7602, defines effects on welfare to include effects on soils, water, crops, vegetation, manmade materials, animals, wildlife, weather, visibility and climate, damage to and deterioration of property, hazards to transportation, and impacts to personal comfort and well-being, whether caused by transformation, conversion, or combination with other air pollutants.

Silica Health Effects Review

The TCEQ recognizes that silica has potential health effects. The Toxicology Division has developed ESLs for silica. However, according to the TCEQ guidance document APDG 5874 (Modeling and Effects Review Applicability), the TCEQ does not require a health effects review for PM emissions from rock crushers because limestone rock crushing facilities typically emit insignificant amounts of crystalline silica in the 10 micron or less size range. Further, emissions of particulate matter from rock crushers have been previously reviewed by TCEQ's Toxicology Division and are not expected to cause adverse health effects.

However, the Applicant voluntarily provided air dispersion modeling for silica, which was based on concentrations derived from testing of limestone samples taken at the proposed plant site. The model also conservatively assumed 100% silica would be released as crystalline silica in the 10 micron or less size range, rather than reflect the fact that any particles would be a wide array of sizes. The sampled silica concentration levels of 0.2 percent in the limestone were consistent with known silica concentrations for limestone formations in the region. Additionally, while chert (a silica-bearing sedimentary rock found in nodules amongst limestone rock in the area) may be present in limited amounts, the crushing of hard rocks such as chert results in insignificant emissions of fine particulate compared to the crushing of soft rocks, such as limestone, given differences in how the rocks fracture. Accordingly, the Applicant's demonstration of protectiveness for silica emissions was highly conservative.

The modeling results indicated that the GLC_{max} , and the maximum predicted concentration at the nearest non-industrial receptor, the GLC_{ni} are both located at the property line. The results indicate that there is no expectation of adverse health impacts from silica emissions created by the crushing of limestone rock. Table 4 presents the results of the modeling results for the GLC_{max} and the GLC_{ni} on a 1-hour and annual basis compared to the ESL.

Table 4. Minor NSR Site-wide Modeling Results for Silica Health Effects

Pollutant & CAS#	Averaging Time	GLC_{max} (µg/m³)	GLC_{max} Location	GLC_{ni} (µg/m³)	GLC_{ni} Location	ESL (µg/m³)
Silica, crystalline (quartz) 14808-60-7	1-hr	0.1	Property Line	0.1	Property Line	14
Silica, crystalline (quartz) 14808-60-7	Annual	0.0001	Property Line	0.0001	Property Line	0.27

Diesel Fuel Health Effects Review

The Applicant also proposed to authorize a 10,000-gallon diesel fuel tank to be used for the fueling of plant vehicles. Filling, maintaining, and utilizing the tank is expected to result in emissions of diesel fuel vapors. Accordingly, air dispersion modeling was performed to compare the predicted concentrations to the diesel fuel ESL. Table 5 presents the results of the modeling for the GLC_{max} and GLC_{ni} for diesel fuel on a 1-hour averaging time compared to the ESL.

Table 5. Minor NSR Site-wide Modeling Results for Diesel Fuel Health Effects

Pollutant & CAS#	Averaging Time	GLC_{max} (µg/m³)	GLC_{max} Location	GLC_{ni} (µg/m³)	GLC_{ni} Location	ESL (µg/m³)
Diesel Fuel 68334-30-5	1-hour	34	Property Line	34	Property Line	1000

Due to the predicted concentrations and based on TCEQ APDG 5874 Modeling and Effects Review Applicability (MERA) guidance, no long-term (annual) analysis was required. Because the results are below the ESL, there is no expectation of adverse health impacts from the use of the fuel storage tank.

Radionuclides

The presence of radionuclides in rock formations can be mapped by the aquifers or water sources (and by extension, the rock layers) in Texas, which have a high radionuclide presence due to the composition of the rock materials. Testing for radionuclides in wells and aquifers provides a map, which can be mapped to geological areas. Additionally, data provided by the Texas Water Development Board (TWDB) provide maps of the presence of alpha radiation activity, beta radiation activity, and uranium in wells and aquifers across Texas. Results for these in Comal County are in the lowest ranges listed. A TWDB map of testing results may be viewed at the following link:

http://www.twdb.texas.gov/publications/reports/contracted_reports/doc/1004831125.pdf.

Additionally, three main Texas aquifers have been identified by the TCEQ as having high radionuclide levels (due to the nature of the rocks composing them). These are the Hickory Aquifer in Central Texas, the Ogallala Aquifer in North Texas, and the northern portion of the Gulf Coast Aquifer. None of these formations are near the proposed plant site.

Radionuclides originate from dissolved uranium and dissolved radon gas. These may be present in granite and some sandstones as well as black shale but are not associated with limestone (which comprises the majority of sub-surface rock in Comal County).

Additionally, there are no outcrops or uplifts of these rocks near the plant site. While there may be various trace mineral impurities in limestone, including potassium, the fractional percentage of radioactive potassium-40 would be non-quantifiably low given the rarity of the isotope in nature and the low levels of mineral impurities in the source rock.

Accordingly, there is no expectation of emissions of any quantifiable amount containing radionuclides, potassium-40, or uranium from the crushing of limestone rock sourced at the proposed plant.

Concerns Regarding Hexavalent Chromium & Portland Cement

The proposed rock crushing plant will neither manufacture or emit Portland Cement, nor will hexavalent chromium be used in rock crushing operations. Portland Cement is a man-made product not found or quarried in nature. Thus, exposure to emissions of Portland Cement and hexavalent chromium are not expected from this proposed rock crushing plant.

Conclusion

In summary, the air contaminants proposed to be authorized in this permit application were evaluated in accordance with applicable federal and state rules and regulations. It was determined that, based on the potential predicted concentrations reviewed by the Executive Director's staff, adverse short- or long-term health effects for the general public, including sensitive subgroups such as children, the elderly, or those individuals with preexisting health conditions, animal life, crops, and vegetation are not expected as a result of exposure to the proposed emissions. In addition, adverse health effects are not expected for persons living on or visiting nearby properties. Concerns about additional studies are addressed in more detail in Response 10. Concerns about the protectiveness of the NAAQS are addressed in more detail in Response 20.

Operators must also comply with 30 TAC § 101.4, which prohibits a person from creating or maintaining a condition of nuisance. The rule states that “[n]o person shall discharge from any source” air contaminants which are or may “tend to be injurious to or adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.” Air contaminant is defined in the TCAA § 382.003(2), to include “particulate matter, radioactive material, dust fumes, gas, mist, smoke, vapor, or odor.” If the proposed plant is operated in compliance with the terms of the permit, nuisance conditions are not expected. The TCEQ cannot deny the authorization of a proposed plant if the permit application contains a demonstration that all applicable statutes, rules, and regulations will be met. However, individuals are encouraged to report any concerns about nuisance issues or suspected noncompliance with the terms of any permit or other environmental regulation by contacting the TCEQ San Antonio Regional Office at 210-490-3096 or by calling the 24-hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ reviews all complaints received. If the plant is found to be out of compliance with the terms and conditions of the permit, it may be subject to investigation and possible enforcement action.

Citizen-collected evidence may be used in such an action. *See*, 30 TAC § 70.4, Enforcement Action Using Information Provided by Private Individual, for details on gathering and reporting such evidence. Under the citizen-collected evidence program, individuals provide information on possible violations of environmental law, and the information can be used by the TCEQ to pursue enforcement. In this program, citizens can become involved and may eventually testify at a hearing or trial concerning the violation. For additional information, see the TCEQ publication, “Do You Want to Make an Environmental Complaint? Do You Have Information or Evidence?” This booklet is available in English and Spanish from the TCEQ Publications office at 512-239-0028 and may be downloaded from the agency website at www.tceq.texas.gov (under Publications, search for Publication Number 278).

COMMENT 5: MSS Emissions

James Kevin Drake stated that the permit does not include emissions from maintenance, startup, and shutdown (MSS) activities. FDCC commented that TCEQ should not allow for MSS emissions from the plant. Robert Francis Nebergall is concerned about the potential emissions from MSS.

RESPONSE 5:

The draft permit accounts for emissions associated with startup and shutdown. Although there may be minor emissions associated with startup and shutdown, emission factors used to quantify production emissions are considered to have enough conservatism to include any incidental increases that may be attributed to startup and shutdown. Emissions from maintenance activities may require a separate authorization.

COMMENT 6: Silica

David Nolan stated that TCEQ's "silica exposure limits" are insufficient to protect children and other vulnerable populations because the studies did not include children or vulnerable populations even though they face unique risks. David Nolan stated that the "silica exposure levels" disregard potential vulnerability of children and that the TCEQ's research is flawed. Chris M. Hopmann stated that new information available through the EPA and Occupational Safety and Health Administration (OSHA) proposes to limit exposure to crystalline silica due to harmful effects.

FDCC and Stop 3009 Vulcan Quarry stated that neither the narrative of the AQA nor the Appendix A supporting material regarding silica concentration in PM emissions is at all credible and that one cannot even tell if the datum is from a single point or a composite of multiple samples, or where the samples originated. Don Everingham stated that the silica test in Appendix A lacks a chain of custody demonstrating who produced the sample and where it was taken. Don Everingham went on to question the silica concentrations of the rock, as represented in the Application, and stated that the silica data included in the application is fraudulent and deceptive.

RESPONSE 6:

Concentrations of pollutants which do not have a specific NAAQS (such as Silica) are compared to Effects Screening Levels (ESLs) as part of the air permitting process. ESLs are not limits but rather health-based screening guidelines, which are set at levels lower than levels reported to produce adverse health effects and as such are set to protect the general public, including sensitive subgroups such as children, the elderly, or people with existing respiratory conditions. If an air concentration of a constituent is above the screening level, it is not necessarily indicative that an adverse effect will occur, but rather that further evaluation is warranted. If predicted concentrations exceed the ESL, the details are sent to TCEQ's Toxicology Division for Review. Short-term ESLs are based on data concerning acute health effects, the potential for odors to be a nuisance, and effects on vegetation. Long-term ESLs are based on data concerning chronic health and vegetation effects. The populations used to develop toxicity factors for pollutants include the general human population and any potentially sensitive human subpopulations, animals, and vegetation.

Health-based ESLs are calculated from acute and chronic inhalation Reference Values (ReVs) and chronic inhalation Unit Risk Factor (URF) toxicity factors. ReVs and URFs are based on the most sensitive adverse health effect relevant to humans. The development of a ReV or URF begins with a toxicity assessment involving hazard identification and dose-response assessment based on the chemical's mode of action. The resulting ReV and URF values are then used to calculate ESLs that correspond to no significant risk levels.

The 2012 TCEQ Guidelines to Develop Toxicity Factors (RG-442) underwent a peer review and public comment period in June of 2011, which was organized by Toxicology Excellence for Risk Assessment (TERA). In April of 2012, the revised draft Guidelines

underwent a second public comment period. The final version of RG-442 incorporated comments from the Peer Review Report and the two rounds of public comments that increased its scientific and technical merit and clarity. The 2015 TCEQ Guidelines to Develop Toxicity Factors incorporated minor updates to the 2012 Guidelines. The 2015 Guidelines were posted for a 90-day public comment period and the final version incorporated public comments. The most recent version of RG-442 is available for review at the following link:

https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-442.pdf.

As detailed in Response 4, limestone rock crushing facilities typically emit insignificant amounts of crystalline silica in the 10 micron or less size range. However, the Applicant voluntarily provided air dispersion modeling for silica which was based on concentrations derived from testing of limestone samples taken at the proposed plant site. This testing was voluntarily done by the Applicant and the TCEQ does not proscribe the test methodology or require a chain of custody. The model also conservatively assumed 100 percent of silica would be released as crystalline silica in the 10 micron or less size range, rather than reflect the fact that any particles would be a wide array of sizes. The sampled silica concentration levels of 0.2 percent in the limestone were consistent with known silica concentrations for limestone formations in the region. Additionally, while chert (a silica-bearing sedimentary rock found in nodules amongst limestone rock) may be present; the crushing of hard rocks such as chert results in insignificant emissions of fine particulate compared to the crushing of soft rocks such as limestone given how the rocks fracture. Accordingly, the Applicant's demonstration of protectiveness for silica emissions was highly conservative.

The Executive Director also reviewed geological information for the area in determining the validity of the silica representations. Given the conservatism of the modeling approach, the insignificant amount of emissions of crystalline silica from rock crushers handling limestone, and the nature of the distribution of silica in the Edwards Limestone as nodules, the permit review did not necessitate more information on aspects relating to the sampling. In summary, adverse impacts to human health or welfare as a result of silica emissions from the proposed plant are not expected.

COMMENT 7: Dust Emissions/Dust Suppression

Commenters expressed concern about fugitive and nuisance dust generated from operations at the proposed plant. Commenters are specifically concerned that dust will negatively affect surrounding properties and plants. Commenters questioned whether water would be used to control particulates and stated that water is not effective at controlling dust. Renee Wilson, Sabrina A. Houser Amaya, Hector Amaya, and Tina Tsui expressed concern regarding the safety of the use of a chemical suppressant to suppress dust and that the use of chemical sprays and water sprays may adversely affect humans, animals, and plant life. Chris M. Hopmann and Cheryl Allen Gilpin commented that water sprays will not suppress dust from the proposed site and that water sprays often clog. Cheryl Allen Gilpin asked if the TCEQ requires a maintenance schedule for the sprayers based upon the amount of production. Linda Everingham

stated that using water to control dust is not a good solution. FDCC requested that a special condition be included in the permit to prohibit the use of water to suppress dust at the proposed plant.

Commenters questioned how PM, including fine PM and silica, can be controlled both within and in a wide area surrounding the proposed plant, particularly during periods of strong winds. William B. Cobb stated that the application does not describe what technology will be used to guarantee no silica will enter the ambient air. Julie Burbank commented that the dust emitted from the proposed facility would not be measurable. Anita Jewell Smith commented that she has never seen anyone successfully control dust, regardless of the size of the entity. Penni Salge commented that her experience living near other similar plants has shown her that they cannot adequately control nuisance dust. Russell Cason stated that unlike other contaminants that disperse into the air, dust containing silica and radionuclides will settle onto neighboring properties as a coating residue. Charles Kuentz III asked how by-products will be contained at the proposed plant.

Commenters stated that there is already visible dust on vegetation and surfaces from other operations in the area, particularly in the early morning hours. Milann Guckian stated that the TCEQ does not consider fugitive dust in the permit and that control techniques such as watering, chemical stabilization, reduction of surface wind speed with windbreaks or source enclosures, reducing mud and dirt carryout on paved roads, and the clean-up of spillage on traveled surfaces and at conveyor transfer points can control fugitive dust. In addition, Milann Guckian commented that fugitive dust can coat homes, cars, properties, wildlife, birds, and residents. Richard Michael Krup commented that fugitive dust will impact the useful life of air conditioning units and automobiles.

FDCC and Thomas Banon Ellison requested that operations at the proposed plant be limited when the wind speed is above 15 miles per hour, commenting that talcum powder blown from a person's hand is similar to how the wind would disperse dust at the proposed plant.

In addition, commenters expressed concern about the adequacy of the dust controls required by the permit. Commenters requested that the TCEQ impose the most technically advanced and current Best Management Practices/Best Available Control Technology (BACT) at the proposed plant to control PM and silica emissions.

Michael L. Maurer Sr. stated that the Applicant should be required to keep its air emissions from affecting people and that the entire plant should be required to be enclosed in a building so that others will not be affected by contaminants, but the Applicant refuses to prevent PM_{2.5} from escaping beyond their own property lines. Cheryl Allen Gilpin and Amy L. Schorn stated the permit does not require dust covers. Cheryl Allen Gilpin also stated that rock crushing would occur without air pollution controls. GEAA asked that the Applicant be required to use closed housing or dry particulate matter collection as a control.

GEAA asked that the Applicant be required to comply with the TCEQ's Technical Guidance on Best Management Practices for Quarry Operations. Hector Amaya and Sabrina A. Houser Amaya requested that the TCEQ require covered conveyor belts and the use of a dry dust suppression system. FDCC and Michael L. Maurer Sr. requested that the TCEQ require the use of the "TRANSPAR" system, a new dry dust suppression system used by a similar facility in Hays County. (Comment Group G)

RESPONSE 7:

The use of appropriate control measures at the site as required by the proposed permit's Special Conditions is expected to decrease the amount of air contaminants emitted into the atmosphere. PM (dust) is expected to be emitted at the proposed plant. As required in the draft permit, the control measure required to be applied to PM at this proposed plant will be the application of water at the inlet and outlet of all crushers, all screens, and at all material transfer points. The use of water sprays is expected to reduce emissions of PM by 70 percent. Surface wetness causes fine particles to adhere to the faces of stones, with a resulting dust suppression effect. Plants that utilize wet suppression systems (spray nozzles) to maintain relatively high material moisture contents can effectively control PM emissions throughout the process.

In addition, the draft permit requires that stockpiles, active work areas, loading areas, in-plant roads, parking areas, and other traffic areas be sprayed with water or environmentally safe dust suppressant upon detection of visible emissions of PM. Dust suppressants used in this industry are expected to be environmentally safe, nontoxic compounds similar to soaps or saline solutions that increase the ability of water to adhere to surfaces, thus significantly decreasing overall water usage. Chemical dust suppressants may not contain VOCs or be a source of emissions. Accordingly, there is no expectation of adverse effects from the use of chemical dust suppressants at the proposed plant.

The draft permit also requires a copy of the manufacturer's suggested cleaning and maintenance schedule for abatement equipment, including water sprayers, be maintained at the site. Maintenance is required as necessary to ensure compliance with applicable regulations and proper operation of the sprayers. Permitted facilities may not be operated unless all air pollution emission capture and abatement equipment are maintained in good working order and operating properly during normal facility operations, as required in 30 TAC § 101.221 (Operational Requirements). Other control measures required by the permit include property line setbacks to provide buffer zones and restrictions on visible fugitive emissions leaving the property.

Complete enclosure of plant equipment or the use of dry dust suppression, such as bag filters, was not deemed technically feasible given the design of the portable crusher, which has a different equipment configuration than the crushing plant utilized at the commenter-specified plant in Hays County. Covering of conveyors has not been represented by the Applicant and is not typically required at rock crushing plants given the low level of emissions from these sources on a pound per ton basis.

Additionally, rock material on plant conveyors will retain residual moisture from water sprays, which will reduce particulate matter emissions. The TCEQ cannot impose requirements more stringent than those required for other similar rock crushing plants unless there is a documented unsatisfactory compliance history. As described in Response 32, the Applicant has a satisfactory compliance history. This combination of controls and control measures, as specified in the proposed permit, meet current Best Available Control Technology (BACT) requirements for plants of this type.

Additionally, the draft permit requires that all unpaved in-plant roads and traffic areas, active work areas, and aggregate stockpiles be sprayed with water or an environmentally safe dust suppressant using an installed area-type sprayer or a dedicated truck upon detection of visible particulate matter emissions. All paved in-plant roads and traffic areas are required to either be sprayed with water or an environmentally safe dust suppressant using an installed area-type sprayer or a dedicated truck, or to be cleaned using a dustless vacuum truck with a manufacturer's specified removal efficiency of at least 90 percent upon detection of visible particulate matter emissions.

Emissions must be monitored by routine visible emission and opacity observations that comply with the appropriate federal New Source Performance Standards (NSPS) and EPA test methods.¹⁰ While documentation of monitoring of these requirements is required quarterly, the requirements are in effect continually. Pursuant to the terms of the permit, the Applicant is required to maintain records of completed visible emission and opacity observations; throughput records; and records of road cleaning, application of water to control dust, and road maintenance. Emission rates can be calculated from the throughput records and known emission factors for the industry; accordingly, the emissions from the plant are quantifiable and measurable.

The air dispersion modeling performed for the project to estimate pollutant concentrations included sufficient data to capture the worst case meteorological conditions, which would include various wind speeds (i.e. windy conditions). Accordingly, as detailed in Response 4, there is no expectation of adverse health effects and the air contaminants proposed to be authorized in this permit application were evaluated in accordance with applicable federal and state rules and regulations. Based on the potential predicted concentrations reviewed by the Executive Director's staff, adverse short- or long-term health effects for the general public, including sensitive subgroups such as children, the elderly, or those individuals with preexisting health conditions, animal life, crops, and vegetation are not expected as a result of exposure to the proposed emissions. In addition, adverse health effects are not expected for persons living on or visiting nearby properties.

As detailed in Responses 4 and 6, given the conservatism of the modeling approach, the insignificant amount of emissions of crystalline silica from rock crushers handling limestone, and the nature of the distribution of silica in the Edwards Limestone, there

¹⁰ 40 C.F.R. Part 60, Subpart A, General Provisions; 40 C.F.R. Part 60, Subpart OOO, Nonmetallic Mineral Processing Plants.

is no expectation of adverse health effects related to emissions of silica from the proposed plant. Additionally, as detailed in Response 4, there is no expectation of the emission of radionuclides from the crushing of limestone in this region. In addition, there are no notable by-products from the crushing of rock as the raw materials are solely rock, and the process is to mechanically crush and size grade the rock.

As discussed in Response 34, quarry operations are not addressed by this permit; however, compliance with Edwards Aquifer Rules and any other applicable water related regulations will be required at the site.

As detailed in Response 4, 30 TAC § 101.4 prohibits nuisance conditions that interfere with the use and enjoyment of a property. Individuals are encouraged to report any concerns about nuisance issues or suspected noncompliance with the terms of any permit or other environmental regulation by contacting the TCEQ San Antonio Regional Office at 210-490-3096 or by calling the 24-hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ reviews all complaints received. If the plant is found to be out of compliance with the terms and conditions of the permit, it may be subject to investigation and possible enforcement action.

COMMENT 8: Diesel Engines

Commenters expressed concern regarding health effects of diesel and NO_x emissions from proposed on-site engines and other on-site equipment. Jimmy Arreaga asked what sources of energy will be required to run the plant. In addition, commenters stated that the BACT determination for the on-site engines was incorrectly done. FDCC and Stop 3009 Vulcan Quarry stated that the application did not contain a BACT demonstration for PM, NO_x, or SO₂ emissions from the proposed engines at the proposed plant. FDCC and Stop 3009 Vulcan Quarry stated the application did not analyze the technical practicability or economic reasonableness of electric engines and does not address options for NO_x reduction.

Commenters stated that the Applicant should be required to comply with Tier IV requirements for diesel engines and also be required to upgrade to Tier V or greater in the future. Tina Tsui stated the diesel generators proposed in the application are 5 and 10-year old models that do not meet current air quality standards. FDCC commented that operators should not be allowed to "bait and switch" in which they bring a new unit to the site and then move it and replace it with an older, less efficient unit. Alan M. Hammack asked how TCEQ would monitor and enforce diesel upgrades needed to meet EPA standards. Mary Trujillo and R. Trujillo asked why the latest diesel equipment for controlling emissions is not proposed to be used.

Michael J. Zimmerman, Sr. expressed concern about the representation in the application that the engines would run 8,760 hours per year and the resulting amount of emissions generated from the engines. FDCC and Stop 3009 Vulcan Quarry commented that the Applicant did not accurately represent specifications of the diesel fuel proposed to be used. (Comment Group H)

RESPONSE 8:

The Applicant represented that three engines would be used on-site: a 2007 Caterpillar C13 (440 horsepower [hp]), a 2012 Deutz BF4 M (97 hp), and a 2007 Cummins B3.3 (85 hp). All three engines are represented to be diesel-fueled, with natural gas as an option. These engines will be used to provide power for plant equipment. There is no specific BACT requirement for engines of these sizes used at rock crushers; however, the proposed permit requires that the sulfur content of the fuel be limited to pipeline-quality natural gas or liquid fuel with a maximum sulfur content of not more than 0.0015 percent by weight. This specification matches federal standards relating to the allowable sulfur for diesel fuel sold in the United States. The TCEQ may forbid the use of engines if none are represented at a proposed site, however the use of line-power electricity instead of generator electricity is not a BACT issue due to the fact that line-power may not be available at certain sites or at specific equipment locations.

The owner/operator of each engine is also subject to New Source Performance Standards (NSPS) Subpart III - Stationary Compression Ignition Internal Combustion Engines.¹¹ The Applicant is required to be in compliance at all times with this NSPS, and applicability is specified in the draft permit. The TCEQ does not specify engine Tiers in permits or consider it part of BACT review, as the Tier Standards apply to manufacturers of engines rather than owners/operators. However, the TCEQ does evaluate the emission calculation methodology for engines, and federal standards, such as Tiers, can affect the emission rates if manufacturer-specific factors are used. The replacement of an engine at the proposed plant would require authorization from the TCEQ. As detailed in Response 4, the emissions from the engines were modeled and are not expected to adversely impact human health or welfare.

COMMENT 9: Indoor Air Quality/Worker Health

Commenters expressed concern about indoor air quality. Amy Elizabeth Raymond asked that the Applicant provide indoor filtration systems to local schools within a 5-mile radius of the proposed plant. (Linda Diane Fuchs, Liz James, Mary B. Jeanes, Daniel J. LaRoe, Marla E. McMahan, Gloria Morse, Pamela Seay, Terry Olson, Renee Wilson)

Commenters also stated that exposure to PM and silica is a work hazard for employees. Russell Keith Randolph provided an article on the hazards of employee exposure to silica. Beth A. Moore stated that the hazards of limestone dust for quarry workers are well documented. Rebecca L. Cox expressed concern about black lung disease in miners. Chris M. Hopmann stated that proper air regulations for employees should be monitored and asked if the Applicant would supply area residents with protective respirators and protective clothing as they do for employees. Richard Michael Krup expressed particular concern for the health of workers he employs at his home and asked what to do if one of his employees becomes ill. (Russell Cason,

¹¹ 40 C.F.R. Part 60, Subpart III, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

Richard Michael Krup, Chris M. Hopmann, Beth A. Moore, Russell Keith Randolph, Nathan Olson, Teresa Rogers, Francesca W. Watson, Cheryl Allen Gilpin)

RESPONSE 9:

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. Ambient air is defined as "that portion of the atmosphere, external to buildings, to which the general public has access."¹² Accordingly, the TCEQ's authority is limited to ambient (outdoor, off-property) air resources. As such, the TCEQ does not have the authority to regulate indoor air quality or on-site worker health. Similarly, the TCEQ does not have jurisdiction to enforce regulations concerning employee health promulgated by the Occupational Safety and Health Administration (OSHA). However, the Applicant is required to ensure they have all authorizations to properly operate the plant from either the TCEQ or other entities with jurisdiction for these types of plants.

COMMENT 10: Environmental Impact Study/Additional Studies

Commenters requested that an environmental impact study be conducted at the site of the proposed plant before this or any other permits are granted in the area. Christopher Brown commented that TCEQ did not do adequate research on the environmental impact of the proposed plant. Milann Guckian stated the TCEQ has shown a blatant disregard for human life and natural resources by not conducting health and environmental risk assessments. Richard Damron asked whether an independent environmental air quality study had been conducted. Johanna Posey commented that no studies or due diligence have been conducted during the permitting process. Kira Olson asked for health, environmental, and geological studies to be conducted by third parties. Amy Piper requested a study on native species be conducted.

Russell Cason requested that TCEQ require an additional environmental and demographic study before issuing the permit. Russell Cason asked if a risk assessment quantifying the lifetime cancer risk for surrounding residents had been done. Windell Cannon asked if anyone had studied the topography of the proposed site. Jimmy Arreaga requested a study panel be formed consisting of nearby residents, independent environmentalist, and Vulcan management. (Comment Group I)

RESPONSE 10:

As described in more detail in Response 4, both the TCAA and the TCEQ rules provide for an extensive review of the application to ensure that emissions from the proposed plant will not cause or contribute to an exceedance of the NAAQS or adversely affect human health or the environment. To the extent commenters requested additional

¹² 40 C.F.R. § 50.1(e)

analyses or studies, the TCEQ does not have a mechanism to require or review such studies.

Environmental Assessments and Environmental Impact Statements (EIS) are a specific requirement for federal agencies under the National Environmental Policy Act (NEPA). NEPA requires federal agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.¹³ To meet this requirement, federal agencies must, for certain federal actions, prepare detailed statements known as an Environmental Impact Statements (EIS). An EIS is not required for state actions such as this permit.

COMMENT 11: Air Permitting Process

Commenters had questions about the TCEQ's air permitting process. Joel Cunningham stated he was surprised EPA was not involved in the permitting process. Krystal Henagan commented that the Applicant should not have checked the box for administrative completeness on the permit application because they will not follow through once they're up and running. Michael L. Maurer Sr. questioned the TCEQ's judgment and stated that he was offended by the Executive Director's decision to grant preliminary approval of the permit when the hearing was not yet completed. Christopher Brown asked how the TCEQ can issue a permit based only on what an applicant tells the agency the impact will be. (Christopher Brown, James Kevin Drake, Michele M. Drake, Krystal Henagan, Michael L. Maurer Sr., Tina Tsui, Michael J. Zimmerman)

RESPONSE 11:

The TCAA provides the TCEQ with jurisdiction over air quality permitting in Texas. The Executive Director's staff conducts both an administrative and technical review of all applications received by the agency. The first step of the application review process is an administrative review which verifies the following:

- The correct application was submitted;
- The application and any associated forms have been signed by the appropriate Responsible Official;
- The company is an entity legally entitled to do business in Texas;
- The information is accurately recorded in the TCEQ's Central Registry;
- The appropriate application fee was received;

¹³42 United States Code (USC) § 4332.

- The mailing addresses for the company and site are USPS validated; and
- There are no delinquent fees owed by the company.

Additionally, the administrative reviewer completes the draft first public notice package. Once a project is declared administratively complete, the application and the first notice package (Notice of Receipt of Application and Intent to Obtain Air Permit) are made available for public review.

The air quality permit application then undergoes a technical review. During the technical review, the permit reviewer evaluates the following:

- All sources of regulated air contaminants at the proposed facility have been properly identified;
- Appropriate controls have been proposed for each emission source, including Best Available Control Technology (BACT) at a minimum;
- Emission calculations have been completed correctly using approved methodology and appropriate emission factors;
- Proposed emissions meet applicable state and federal requirements to be considered protective (in this case done through the use of air dispersion modeling, or an AQA);
- Compliance history for the site and the operator; and
- Public notice requirements are fulfilled.

Once all emission rates have been verified, the draft permit is created, and the application is deemed technically complete. The draft permit includes a Maximum Allowable Emissions Rate Table (MAERT), which limits the quantity of emissions an applicant may emit into the atmosphere. The emissions tabulated in the MAERT are also used as the input for the air dispersion modeling evaluation to determine if any adverse effects to public health, welfare, or physical property are expected to result from a facility's proposed emissions. The draft permit also includes the operational representations, which are documented in the draft Special Conditions and are the basis upon which the emissions were determined. If the Executive Director determines that the permit meets all applicable rules and regulations, the Executive Director then makes a preliminary decision recommending that the permit be issued. In other words, the Executive Director's preliminary decision indicates that the technical review is complete.

In addition, an applicant is bound by its representations in the application and those representations become an enforceable part of the permit, including production rates,

authorized emission rates, and equipment.¹⁴ If the Applicant deviates from the representations made in the application, on which the permit was developed, the Applicant may be subject to enforcement action.

Following the completion of this Response, the TCEQ Commissioners will consider the application, including all timely filed public comments and requests for a contested case hearing, during a regularly scheduled open meeting. At this open meeting, the TCEQ Commissioners will decide whether to issue the permit or refer issues raised by affected persons to the State Office of Administrative Hearings for a contested case hearing.

COMMENT 12: Errors

Kathleen Banse and Elizabeth Martin stated there are errors in the permit. Don Everingham stated that the application contains several deficiencies and that because the draft permit was released to the public, it appears that the TCEQ has rubber stamped the permit and does not intend to do its job to protect Texas residents.

RESPONSE 12:

The Executive Director's staff has conducted a thorough review of this permit application to ensure it meets the requirements of all applicable state and federal standards. The commenters did not provide specific information detailing what errors may exist in either the application or the proposed permit. As described in Response 11 above, the Executive Director conducted both an administrative and technical review of the permit application and made a preliminary determination that the application meets all applicable rules and regulations. The Executive Director is unaware of any errors in either the application or the draft permit. However, without any specific details, the Executive Director is unable to further respond to the comments.

COMMENT 13: BACT

FDCC and Stop 3009 Vulcan Quarry stated that the application did not include a BACT demonstration for particulate emissions from the crushers, screens, transfer points, or stockpiles. As a result, FDCC and Stop 3009 Vulcan Quarry stated that the application provided no information on the technical practicability or economic reasonableness of reducing emissions by more than 70% or eliminating emissions from these sources. FDCC and Chris M. Hopmann stated that the TCEQ should require Tier 3 or Tier 4F rock crushers, rather than Tier 2.

¹⁴ 30 TAC 116.116(a).

RESPONSE 13:

The Applicant provided a BACT analysis that followed the TCEQ's three-tier BACT guidance.¹⁵ For this application, the Applicant proposed BACT based upon a Tier-I analysis comparing its proposed BACT to controls found in other recent permits for similar facilities. As detailed in Response 7, the Executive Director determined that the plant, as proposed in the application, meets current BACT for rock crushing plants. As detailed in Response 32, the Applicant has a satisfactory compliance history. The TCEQ cannot impose requirements more stringent than those required for similar rock crushing plants, unless there is a documented unsatisfactory compliance history. Further information about BACT for rock crushers is available at the following links: https://www.tceq.texas.gov/permitting/air/guidance/newsource/rocks/nsr_fac_rock.html, https://www.tceq.texas.gov/assets/public/permitting/air/Guidance/NewSourceReview/bact/bact_rock.pdf.

There are no Tier Standards for Rock Crushers, as Tier Standards refer to federal standards applicable to manufacturers of engines. The rock crushers are subject to the New Source Performance Standards (NSPS) Subpart OOO, which is applicable to nonmetallic mineral processing plants. See Response 8 for a detailed response relating to engine standards.

COMMENT 14: Air Dispersion Modeling

Inputs and Assumptions

Commenters questioned the methodology and data used in the air dispersion modeling for the proposed plant. Commenters expressed particular concern that silica was underrepresented in the air dispersion model. FDCC and Stop 3009 Vulcan Quarry stated that the Air Quality Analysis (AQA) and supporting material concerning silica concentrations in PM emissions is not credible and that it is unclear whether the data is from a single sample or several samples and from where the data was sampled. Michael L. Maurer Sr. questioned the inputs to the model and stated that because they are projections, they are not reliable.

Michael L. Maurer Sr. stated that the Applicant did not demonstrate that emissions will not exceed standards because concentrations of PM are dependent on weather and terrain factors and thus, higher levels of PM could be anticipated during certain weather. Cheryl Allen Gilpin stated TCEQ uses false and unreasonable assumptions in modeling.

FDCC and Stop 3009 Vulcan Quarry commented that there are discrepancies between the PM₁₀ fugitive values reported in the AQA report and those input to the AERMOD

¹⁵ Air Permit Reviewer Reference Guide, Air Pollution Control, APDG 6110, available at https://www.tceq.texas.gov/assets/public/permitting/air/Guidance/NewSourceReview/airpoll_guidance.pdf

program, with the model inputs being lower. FDCC and Stop 3009 Vulcan Quarry also stated that there are discrepancies between the PM_{2.5} paved road values reported in the AQA and those input into the AERMOD program. FDCC and Stop 3009 Vulcan Quarry stated that the model predicted an exceedance of 600% for at least once receptor for the 1-hour NO_x *de minimis* threshold. FDCC, Hector Amaya, and Sabrina A. Houser Amaya requested that two independent air quality modeling reports be conducted by area universities before issuance of the permit and every two years thereafter. (FDCC, Cheryl Allen Gilpin, Michael L. Maurer Sr., Stop 3009 Vulcan Quarry)

Evaluated Emissions

Commenters expressed concern that some emissions were not included in the permit application, particularly dust and chemical emissions from blasting operations, and dust and diesel emissions created by trucks. In addition, James Kevin Drake and Michele M. Drake commented that the permit application does not include dust emissions resulting from on-site moving, loading, and unloading of aggregate.

Commenters stated that the air dispersion modeling should include all emissions associated with the plant, including all on-site equipment and emissions from trucks, quarries, blasting, and haul roads. FDCC and Stop 3009 Vulcan Quarry stated that emissions from blasting are a component of background air quality and should have been modeled. Don Everingham stated that on-site equipment and material stockpiles were not modeled but will create fugitive dust in greater amounts than the permit will authorize. Don Everingham stated that the issue of modeling NO_x and VOC emissions from diesel engines has been ignored.

FDCC and Stop 3009 Vulcan Quarry stated that the application omitted most road emission points not located at the immediate site of the crusher. Chris M. Hopmann stated that truck emissions should be combined together with the emissions proposed to be authorized because area residents will be exposed to them. Michael J. Zimmerman stated that the application was not completed in a truthful manner because truck emissions were omitted. (James Kevin Drake, Michele M. Drake, Don Everingham, FDCC, Chris M. Hopmann, Robert Francis Nebergall, Stop 3009 Vulcan Quarry, Dr. Jorge L. Romeu, Jack Sullivan, Michael J. Zimmerman)

Background Concentrations

Commenters expressed concern that representative monitors were selected for the air dispersion modeling demonstration, instead of using information from the proposed site. Specifically, commenters are concerned about the location of the monitor selected and about the age of the data. FDCC and Stop 3009 Vulcan Quarry stated that the background monitors selected for the modeling analysis are not representative of the air quality at the proposed site and that the modeling did not take into account prevailing winds in the area. Michael L. Maurer Sr. stated that the TCEQ was failing its fiduciary duty to protect the environment by using representative background data. Liz M. James asked how TCEQ could issue permits in Comal County without using air quality information from the county. Don Everingham stated that the data is not within

the required 10 kilometers as required by TCEQ and that there is in fact no background monitoring data for the proposed site. Milann Guckian and Kira Olson stated that the Applicant should have modeled nearby sources located within ten kilometers of the proposed site in addition to the project sources.

Commenters requested that monitoring be performed in the area surrounding the proposed plant so that a baseline can be established. FDCC stated that an absence of baseline testing and monitoring at the proposed site would be a breach of public trust and warrant possible enforcement action under the Texas Tort Claims Act. In addition, FDCC requested "tape testing" be conducted by the TCEQ or a university within two miles of the proposed plant before operation to establish baseline levels of dust. (Hector Amaya, Sabrina A. Houser Amaya, William B. Cobb, James Kevin Drake, Valerie Elishewitz, Don Everingham, FDCC, Milann Guckian, Pru Guckian, Liz M. James, Eric Johnson, Daniel J. LaRoe, Kira Olson, Nathan Olson, Stop 3009 Vulcan Quarry, Michael L. Maurer Sr., Jack Sullivan)

RESPONSE 14:

As detailed in Response 4, the Applicant used the EPA-approved AERMOD Version 16216r air modeling program to provide a reasonable worst-case representation of potential impacts from the proposed emissions on the area surrounding the proposed plant. The evaluation incorporated all emissions as represented in the permit application, and the modeling procedures, methodology, predictions, and results were reviewed by the TCEQ's Air Dispersion Modeling Team (ADMT) and determined to be acceptable. The ADMT review was conducted by following the procedures outlined in the "Air Quality Modeling Guidelines (APDG 6232)," ¹⁶ dated April 2015. Inputs to the model are based on EPA AP-42 emission factors, county and state-specific meteorological data, and site-specific terrain information. The model used a full year of meteorological data from New Braunfels, TX (Station # 12971) as a means of predicting dispersion given different weather patterns expected at the site. The meteorological data included sufficient data to capture the worst case meteorological conditions, which would include various wind speeds.

An exceedance of a *de minimis* level is not an exceedance of the NAAQS. Concentrations that do not exceed the *de minimis* level are considered to be so low and of such minimal impact that they do not require further NAAQS analysis (including the use of background concentrations) as they would not cause or contribute to a violation of the NAAQS. Therefore, while the *de minimis* level was exceeded for some pollutants, the end-result was to model site-wide emissions with a background concentration to demonstrate compliance with the NAAQS. The Applicant conducted a full NAAQS analysis, which requires an evaluation of all on-property sources, off-property sources within the modeling domain, and representative monitored background concentrations. Sources near the site were explicitly included in the model (specifically

¹⁶ Air Quality Modeling Guidelines, APDG 6232, April 2015, available at <https://www.tceq.texas.gov/assets/public/permitting/air/Modeling/guidance/airquality-mod-guidelines6232.pdf>

those authorized by Air Permit No. 79037L001, which is within 10 km of the plant site).

Emissions associated with all equipment associated with the processing and crushing of rock proposed at the site, including stockpiles, have had emissions quantified using approved methods as part of the air permitting process. The emissions from diesel generators have also been quantified and included in the permit. In addition, emissions associated with the moving (conveyors), loading (into and out of piles, trucks, and equipment), and unloading (synonymous with loading) of aggregate into, throughout, and out of the plant into trucks for shipment are accounted for in the permit as emissions sources.

As described in Response 34, the TCEQ does not have regulatory jurisdiction over quarry operations or any associated blasting, roads, or trucks. Accordingly, the TCEQ rules do not require an applicant to analyze emissions resulting from quarry operations, blasting, roads, or the use of trucks in an individual permit application. No air dispersion modeling was requested or required specifically relating to the quarry, blasting, roads, or trucks. However, mobile sources are accounted for as part of the background concentration used as part of NAAQS analysis. The Applicant provided a version of the air dispersion modeling which included the roads; however, this was not reviewed by the TCEQ given that roads are not regulated as a facility.

Emissions of PM from the quarry, however, cannot create a nuisance condition. The Applicant must comply with the TCAA and all TCEQ rules and regulations, including 30 TAC § 101.4, which prohibits a person from creating or maintaining a condition of nuisance. See Response 4 for a complete discussion of the AQA, including an explanation of why site-specific monitoring was not used in this application, the reasonableness of the background monitors selected, and the conservative evaluation of silica emissions.

The Executive Director reviewed the represented PM₁₀ fugitive values and those inputted to the model and did not find a discrepancy. The perceived issue appears to relate to an off-property source (a nearby plant owned and operated by a different company) that was included in the model. Source groups from the nearby facility's material handling operations were bundled together in the model differently than the material handling points on the included Table 1(a) (which is a listing of emission points and emission rates), but the total emissions when comparing the model and the Table 1(a) were identical.

The information contained in the AQA is public and may be reviewed by any person with an interest in the application. However, the TCEQ has no mechanism or requirement for universities or other entities to independently audit or perform an Air Quality Analysis. The audit performed by TCEQ's ADMT is the accepted method of determining the accuracy and validity of an AQA submitted to the TCEQ. The results of the modeling were reviewed by the TCEQ's ADMT and determined to be acceptable.

COMMENT 15: Cumulative/Aggregate Effects of Industrial Operations in Area

Commenters stated that there are already enough quarries in the area. James Quick commented that he would like any further development by this or any other applicant to be denied. Anita Jewell Smith commented that there is already a fine layer of dust from other quarries. Penni Salge commented that blasting and dust has gotten worse over the years. Marc Arias asked how many quarries can be in one area before the TCEQ denies a permit. (Comment Group J)

Commenters questioned whether the TCEQ evaluates additive or cumulative effects or takes into account existing aggregate operations, including quarries, in the area in the permitting process. Commenters expressed concern that the additive and cumulative effects of an additional rock crushing plant would deteriorate air quality and exacerbate potential health effects. Hector Amaya and Sabrina Houser Amaya requested that the cumulative impacts of all current quarries, cement plant, and asphalt operations within 50 miles of the proposed permit be included in the review of the application. Terri Lynn Hall raised concerns about cumulative impacts due to a nearby cement plant. Cheryl Allen Gilpin stated that respiratory illness severity and frequency and fatalities have spiked in Comal County coinciding with increased rock crusher activities in the county.

FDCC and Stop 3009 Vulcan Quarry stated that the application did not provide cumulative impacts data on which TCEQ might make a determination that there is no indication that the emissions from the proposed plant will contravene the intent of the TCAA. (Comment Group K)

RESPONSE 15:

As discussed in Response 4, the Applicant conducted an Air Quality Analysis (AQA) as part of this application. The AQA is a report containing information that demonstrates whether operation of the proposed plant would cause or contribute to an exceedance of the NAAQS or adversely affect human health and welfare. As part of the AQA, the Applicant conducted air dispersion modeling. An air dispersion model is a mathematical simulation of how air pollutants disperse in the ambient atmosphere. The model predicts ambient air ground-level concentrations that are used to determine compliance with applicable standards.

As discussed in Response 14, sources near the site were explicitly included in the model (specifically those authorized under Air Permit No. 79037L001 which is within 10 km of the plant site). All other off-property sources are accounted for in the model through the use of representative monitors. The selection of the monitors was determined to be reasonable based on a quantitative review of emissions sources in the surrounding area of the monitor site relative to the project site. See Response 4 for more information on the selection of monitors included in the model.

Based on a review of the AQA, the Executive Director concluded that the Applicant sufficiently addressed the cumulative and aggregate impacts associated with the

project by including existing background concentrations from representative monitors in the AQA, and thus, demonstrating that the proposed emissions are not expected to cause or contribute to an exceedance of the NAAQS. As stated in Response 4, the TCEQ cannot deny authorization of a proposed plant if the permit application contains a demonstration that all applicable statutes, rules, and regulations will be met.

COMMENT 16: Endangered Species/Displaced Wildlife

Commenters expressed concern regarding endangered and federally protected species, including aquifers and cave-dwelling species. Commenters expressed particular concern about Golden-cheeked warblers, black-capped vireos, whooping cranes, Comal Springs Dryopid Beetles, Comal Springs Riffle Beetles, Peck's Cave Amphipods, the Fountain Darter fish, Texas Blind Salamanders, and the San Marcos Gambusia. Commenters also raised concerns that the proposed plant will destroy the habitat necessary for the survival of the protected species. Milann Guckian raised concerns about several species that are the subject of petitions for listing as either endangered or threatened. Jimmy Arreaga asked if the Applicant provided any studies concerning the migration patterns of the Golden Cheek Warbler and the Painted Bunting.

Jack Sullivan stated that the proposed plant does not appear to be in alignment with anticipated development as described in the Regional Habitat Conservation Plan in place to accommodate growth in conjunction with species protection. Jack Sullivan stated that the Applicant may potentially need a permit from the U.S. Fish and Wildlife Service. GEAA requested that an independent study of endangered species be conducted and reviewed by U.S. Fish and Wildlife Service. (Comment Group L)

Commenters also expressed concern about displaced wildlife. Michael Bell stated that snakes and rodents would move to his property due to noise and activity at the proposed plant. (Michael Bell, Veronica Boone, William Boone, Scott P. Graham, Terry L. Graham)

RESPONSE 16:

Compliance with rules and regulations regarding endangered species is addressed at the state level by the Texas Parks and Wildlife Department and at the federal level by the U.S. Fish and Wildlife Service. It is incumbent upon an applicant to request and acquire any additional authorizations that may be required under state or federal law.

If operated in accordance with the requirements of the permit, adverse impacts from the proposed plant are not expected. As described in Response 4, the secondary NAAQS are set to protect public welfare and the environment, including animals, and the proposed plant is expected to be in compliance with all NAAQS. The TCEQ's jurisdiction for air quality permitting does not authorize the commission to consider effects on animals outside of an evaluation of the secondary NAAQS. However, the Applicant must comply with 30 TAC § 101.4, which prohibits the discharge of contaminants which may be injurious to, or adversely affect, animal life.

COMMENT 17: NAAQS Attainment for Comal County

Commenters expressed concern regarding the San Antonio region's attainment status with the NAAQS. Commenters expressed particular concern about ozone. Robert Carrillo asked how the dust emissions from the proposed facility would be expected to impact ozone levels in New Braunfels and San Antonio. Lori Elmer stated there are already too many days when air quality is bad, and the proposed plant will exacerbate this problem.

Don Everingham, FDCC, and Milann Guckian commented that the San Antonio region already exceeds the NAAQS. FDCC stated that San Antonio and the surrounding area have recently been declared an EPA non-attainment area. Milann Guckian and Kira Olson stated that the impact of a nonattainment designation could be greater than one billion dollars to the metropolitan area. Kira Olson mentioned that the PM_{2.5} NAAQS are already being exceeded. Milann Guckian stated that even if TCEQ doesn't care about protecting the health of citizens, the cost of a nonattainment designation should be considered. Milann Guckian further stated that it is predicted that the San Antonio region will be designated nonattainment. (Hector Amaya, Sabrina A. Houser Amaya, Ginger Browning, Robert Carrillo, Lori Elmer, FDCC, Cheryl Allen Gilpin, Milann Guckian, Daniel J. LaRoe, Nilda M. Leon, Scott Merillat, Kira Olson, Johanna Posey, Jorge L. Romeu, Rhonda Zunker)

RESPONSE 17:

Comal County is currently classified as being in attainment for all NAAQS, including PM₁₀, PM_{2.5}, and ozone. Ground level ozone is not emitted directly into the air but is formed by a chemical reaction between NO_x and VOC in the presence of sunlight. A plant may emit NO_x and VOCs, which are ozone precursors; however, dust is not an ozone precursor and is not expected to impact ground level ozone. As noted throughout this Response, TCEQ staff reviewed the permit application in accordance with the applicable state and federal law, policy, and procedures, and in accordance with the agency's mission to protect the state's public health and natural resources consistent with sustainable economic development. For more information on the NAAQS analyses for this permit action, see Response 4.

In regard to the 2015 Ozone NAAQS, the EPA issued a final rule on July 25, 2018.¹⁷ Although EPA designated Bexar County as nonattainment, Comal County was designated as attainment/unclassifiable. When determining the attainment status of an area, EPA reviews the data from ambient air quality monitors, in addition to other factors. In considering whether ambient air quality monitor data violate the Ozone NAAQS, EPA reviews data collected over a period of three years to calculate the design value (DV). The DV is the 3-year average of the annual fourth highest daily maximum eight-hour average ozone concentration. Ozone monitoring data is accessible on the TCEQ website at the following link: https://www.tceq.texas.gov/agency/data/ozone_data.html.

¹⁷ 83 Fed. Reg. 35136, 35141 (July 25, 2018)

EPA uses data from regulatory monitors to consider when assessing an area's compliance with the NAAQS. Although Comal County does not have a regulatory ozone monitor; there are two nonregulatory ozone monitors located in Comal County. The two nonregulatory eight-hour ozone design values at the two monitors in Comal County were below the 2015 Ozone NAAQS based on data from 2015 through 2017. As stated throughout this Response, emissions from this proposed plant are not expected to cause an exceedance of the NAAQS.

COMMENT 18: Effects Comparison

Hector Amaya and Sabrina A. Houser Amaya requested a comparison of the proposed plant's effects (e.g., economic, environmental, health) to those of pending air quality permits for other plants. Jerrie Champlin and Bob Baranowski requested a comparison of the land-use impact of the proposed rock crushing plant versus the impact of a subdivision or mixed-use retail/residential development at this site.

RESPONSE 18:

The TCEQ's jurisdiction for air quality permitting is limited to the issues set forth in the TCAA Chapter 382. As discussed in Response 35 below, the TCEQ does not have zoning or land use authority. Accordingly, the TCEQ is not authorized to consider differing types of land use when determining whether to approve or deny a permit. Additionally, neither the TCAA or TCEQ rules contain a mechanism to allow for a comparison to other plants or types of land use as part of an air quality permit review.

COMMENT 19: Expedited Air Permitting Process

Commenters expressed concern regarding the Applicant's request for expedited permitting. Jimmy Arreaga expressed anger that the Applicant submitted a fast-track permit without first consulting with nearby residents. FDCC commented that the expedited permitting process should not allow the Applicant to be "grandfathered" into air permitting authorizations. Douglas Harrison asked that the TCEQ remove the proposed permit from the expedited agenda. (Jimmy Arreaga, Ginger Browning, FDCC, Douglas Harrison, Michael L. Maurer Sr.)

RESPONSE 19:

Senate Bill 1756, 83rd Legislature, 2013, amended the TCAA to provide TCEQ with the authority to accept a surcharge from applicants to cover the expenses incurred by expediting the processing of an application. This surcharge may be used to fund the use of additional resources in the form of overtime or contract labor to process the application in an expedited manner. However, expedited applications undergo the same level of scrutiny and review as non-expedited applications and follow all air permitting process requirements.

Guidance on the implementation of the Expedited Permitting Program is available on the TCEQ website: https://www.tceq.texas.gov/permitting/air/nav/air_docs_newsource.html.

COMMENT 20: More Stringent Standards

Commenters asked that TCEQ apply air quality standards and require controls more stringent than state and federal requirements. Scott Haag, Comal County Commissioner Precinct 2, Barron Casteel, Mayor of the City of New Braunfels and Wayne Peters, Mayor Pro Tem of the City of New Braunfels requested that the TCEQ hold the Applicant to the strictest air quality standards possible. Milann Guckian stated that at a minimum, the TCEQ needs to require the Applicant to adhere to permit requirements designated for plants located in a nonattainment area. (Karen Albright, Hector Amaya, Sabrina A. Houser Amaya, Jimmy Arreaga, Yvonne Ruiz Arreaga, Robin Ecks, FDCC, Milann Guckian, Chris M. Hopmann, Richard Michael Krup, Michael L. Maurer, Sr., Kira Olson, Renee Wilson)

RESPONSE 20:

As described throughout this Response, TCEQ staff reviewed the permit application in accordance with the applicable state and federal law, policy, and procedures; and in accordance with the agency's mission to protect the state's public health and natural resources consistent with sustainable economic development. The combination of controls and control measures as specified in the permit meet current BACT requirements for plants of this type. The TCEQ cannot require an applicant to use more stringent requirements than those required for other similar rock crushing plants unless there is a documented unsatisfactory compliance history.

The EPA is the regulatory agency charged with ensuring the NAAQS are set at levels that are protective of human health and welfare. As such, concerns about the protectiveness of the current NAAQS are beyond the jurisdiction of the TCEQ. Additionally, because the plant is proposed to be located in Comal County, which is in attainment for all NAAQS, the TCEQ cannot require an applicant to comply with nonattainment rules. Nonattainment rules and requirements apply only to facilities that are located in a nonattainment area and meet the definition of a nonattainment major source. As long as the proposed plant is operated in compliance with the terms of the permit, no adverse impacts are expected.

COMMENT 21: Type of Application/Type of Plant

Eric Johnson commented that the application is not for a new source permit. Nathan Olson stated that TCEQ air quality permitting is inconsistent because TCEQ issues standard permits for some plants that do not require public input or review. FDCC commented that the TCEQ's air quality standard permit for rock crushers is outdated. GEAA stated that their organization is working with stakeholders to implement better environmental safeguards in standard permits. Don Everingham stated that it was unfortunate that water is not part of or not important enough for TCEQ to consider when granting pre-drafted air permits for carcinogenic generating industrial complexes placed in residential communities.

Terri Lynn Hall expressed concern that some of the product generated at the proposed plant would not be used for local purposes and may be shipped to other locations.

Permanent/Portable Plant

FDCC and Thomas Banon Ellison questioned whether the amount of available acreage is consistent with the need for a portable plant. Gary B. Armstrong asked whether location of the proposed plant is permanent or whether it can be moved anywhere on the property after approval of the permit or whether the plant could be moved to another site. Marc Arias asked if TCEQ's standard of review is lowered for "portable" production sites; specifically, Marc Arias asked whether the fact that the Applicant has applied for a portable production site using diesel driven machinery lowers the standard of review because vehicles are not considered in the review. Shari Keller stated that the application described the crusher as portable; and therefore, in accordance with 30 TAC § 111.183(d), the portable rock crusher may not operate on the same property for a period of more than 6 months. Shari Keller asked that the TCEQ require the Applicant to submit a new air permit application and provide a comment period for any crushing lasting beyond 6 months.

Michael J. Zimmerman, Sr. stated that the Applicant did not identify the type of portable crushers proposed to be used and questions how the TCEQ will know the information in the application is true without knowing the type of crusher.

RESPONSE 21:

The TCEQ issues many different types of air quality authorizations. The type of authorization needed depends on the particular sources and processes at a facility or plant. This application type is for a new source review (NSR) permit known as a "case-by-case" permit. NSR permits are tailored to the specific site and proposed sources. The application is not for a standard permit; therefore, the merits of standard permits are outside the scope of this application. NSR permits are not pre-drafted, given that they are tailored for individual facilities. As addressed in Response 33, while water issues are not part of the scope of an air permit review, the Applicant must be in compliance with all rules and regulations relating to water, including obtaining any necessary authorizations.

The proposed permit is for a portable rock crushing plant. However, the Applicant is limited by the representations in the application and the permit's Special Conditions specify that the plant must be located a minimum of 2,119 feet from the nearest property line. While the Applicant can re-locate the plant within in the proposed site as long as it remains a minimum of 2,119 feet from the nearest property line, moving the plant from the site would require the submittal of a new permit application or permit amendment and a corresponding air quality analysis.

Crushers are classified by the TCEQ and in EPA guidance. Emissions from crushers are quantified according to type of crusher and its specific throughput rather than the make or model given that the mechanical processes are the same between the specific

types of crushers (divided into primary, secondary, and tertiary crushing). Primary, secondary, and tertiary crushing units are separated by the mechanical strategy used to crush the rock into smaller pieces. Primary crushing is typically performed by jaw, impactor, or gyratory crushers; secondary and tertiary crushing is usually performed by cone or impact crushers. The secondary and tertiary crushers are expected to produce more emissions than primary crushing due to the mechanics of force (rolling instead of squeezing) and the smaller resulting sizes. Calculations for the three proposed crushers were based on secondary/ tertiary crushing operations, which is more conservative than emissions estimations based on primary crushing. Accordingly, the emissions estimates are conservative and applicable to any type of crusher given the throughput limitation and equipment capacity. The Applicant also identified the types of crushers (primary and secondary) in the application and will be limited to those representations and throughputs.

The standard of review is the same for portable and permanent plants. Portable designations result in additional language being added to the permit relating to the legal and administrative process for moving a plant off-site, but all other aspects of the review are identical. Mobile sources would not be considered in either type of authorization given the TCEQ's lack of jurisdiction over mobile sources. However, mobile sources are accounted for in the background concentration of emissions as discussed in Responses 4 and 14.

30 TAC §§ 111.181, 111.183 are specific to portable facilities involved in public works projects. 30 TAC § 111.181 provides that all portable facilities and transient operations, such as portable rock crushers, engaged in public work projects are exempt from certain applicable requirements (listed in the rule) if the conditions of 30 TAC § 111.183 are met. 30 TAC § 111.183(d) provides that one of the requirements for a particular facility to be exempted in accordance with § 111.181 is that the facility shall not operate on the same property for a period of more than six months. This application is not for a public work project; therefore, neither of these sections apply. Accordingly, there is no restriction on the amount of time the crushers may be used on-site apart from the typical permit renewal cycle.

COMMENT 22: Future Permitting Actions/Other Potential Facilities

FDCC and Thomas Banon Ellison requested that TCEQ require the Applicant to show that there is an immediate need for this plant. FDCC requested that the permit indefinitely limit operations at the site to only authorize the rock crushing proposed in this application and not allow the submittal of any additional applications for new or other facilities. Amy Piper requested that asphalt processing not be allowed at the site. Renee Wilson asked whether the TCEQ could prevent the Applicant from submitting a permit application for a concrete or asphalt plant in the future. Nancy Pappas and Randall Pappas asked how TCEQ ensures that future applications don't break the community commitments that the Applicant presented at the public meeting.

In addition, commenters expressed concern that the authorization of a rock crushing plant would bring other industrial activities, like asphalt and concrete batch plants to

the area. FDCC and Thomas Banon Ellison asked how many other plants will follow if this one is approved.

Commenters are concerned that additional plants will exacerbate the effect on air quality. Harold Broth asked if the Applicant could submit an additional permit application if this one is denied. GEAA and Chris M. Hopmann asked TCEQ to issue a moratorium on all new air quality permits until it completes confirmation that emissions from existing quarries are below acceptable standards and do not have negative health impacts on residents and bystanders. (Marc Arias, David Hampton Bounds, Harold Broth, Thomas Banon Ellison, FDCC, GEAA, Milann Guckian, Daniel Guerra, Robin Guerra, Nancy Pappas, Randall Pappas, Donna M. Schmidt, Kenneth Schmidt, Renee Wilson)

RESPONSE 22:

This permit action is for construction of a rock crushing plant authorized under an NSR case-by-case permit. Therefore, comments regarding potential future operations in the area are included for completeness but are not within the purview of the review of this application.

The TCEQ cannot require an applicant to demonstrate a need for a project, nor prevent any applicant from applying for other air quality permits at this or any other site. In addition, the TCEQ does not have jurisdiction to enforce third party agreements or commitments made by any applicant outside of the air quality permitting context. However, each application is reviewed for compliance with applicable rules and regulations and any future applications would need to demonstrate that proposed facility would utilize BACT and emissions would not cause or contribute to a violation of the NAAQS or cause adverse health effects.

COMMENT 23: Representations in the Application

FDCC and Stop 3009 Vulcan Quarry stated that the permit is not enforceable. FDCC and Stop 3009 Vulcan Quarry specifically stated that representations in the application regarding the silica content of limestone that is crushed and hauled, specifications of the diesel fuel used, product output of the facility, and the PM emissions from crushers, screens, transfer points, and stockpiles need to be verifiable and enforceable. Elizabeth Martin expressed concern about the amount of emissions represented in the application since there is no fence-line monitoring to verify the amount of emissions.

Calculations

Commenters expressed concern about the accuracy of the Applicant's emissions calculations. In addition, commenters are particularly concerned that silica emissions were underrepresented in the application. Don Everingham stated that the data concerning silica was fraudulent and deceptive. FDCC and Stop 3009 Vulcan Quarry commented that the Applicant did not accurately represent specifications of the diesel

fuel used, the product output of the facility, and the emissions estimations from crushers, screens, transfer points, and stockpiles.

James Kevin Drake and Michele M. Drake questioned the accuracy of the Applicant's representation in response to the question on the application asking whether the site-wide emissions of any regulated pollutant would be greater than 50 tons per year (tpy), when the application indicates a total of 54.15 tpy. James Kevin Drake and Michele M. Drake asked whether this indicates that some emissions are not regulated and stated that a disclaimer on page 26 of the permit application states that no hourly stockpile calculations are included. James Kevin Drake and Michele M. Drake asked why this emissions data was allowed to be left out. (James Kevin Drake, Michele M. Drake, Don Everingham, FDCC, Stop 3009 Vulcan Quarry)

RESPONSE 23:

As provided in 30 TAC § 116.116(a), the Applicant is bound by the representations made in the application, including the represented performance characteristics of the control equipment. In addition, the Applicant must operate within the limits of the permit, including the emission limits as provided by the Maximum Allowable Emission Rates Table (MAERT). As required by 30 TAC § 116.115(b)(2)(F), the total emissions of air contaminants from any of the sources of emissions must not exceed the values stated on the MAERT attached to the permit.

As described in Response 4, the TCEQ does not require an ESL based health effects review (relating to silica emissions) for PM emissions from rock crushers. Compliance with the NAAQS is sufficient to demonstrate protectiveness. Specifically, this is because limestone rock crushing facilities typically emit insignificant amounts of crystalline silica in the 10 micron or less size range. However, for this application, and despite being outside the scope of the permit review, the Executive Director reviewed geological information for the area in determining the validity of the silica representations. There is no indication of significant silica presence at the proposed location outside of chert nodules, which are infrequent.

Diesel fuel (also known as liquid fuel) specifications in the permit mirror federal standards for diesel. Beginning in 2006, EPA began to phase-in more stringent regulations to lower the amount of sulfur in diesel fuel to 15 ppm. This fuel is known as ultra-low sulfur diesel (ULSD). The 15-ppm sulfur limitation in ULSD is identical to the 0.0015 percent by weight sulfur content specified in the permit. Because diesel fuel sold in the US has to meet these standards, compliance with the permit fuel specifications is expected and required.

Given the relationship between throughput and emissions, plant operating parameters (i.e., plant throughput/production) are used to calculate emissions, and the draft permit requires recordkeeping of throughput on a daily, monthly, and annual basis in tons per hour, tons per month, and tons per year. Stockpile sizes (acreage) are limited to permit application representations.

The Applicant represented the controls proposed for use at the plant as well as the predicted moisture content of the material. The TCEQ permit reviewer analyzed the proposed emission factors and the control efficiencies represented in the application for accuracy and applicability and found the factors to be acceptable. The conditions of the permit also require those controls. However, regardless of the controls specified, the opacity limits required by the NSPS and the permit Special Conditions must be met. Based on past experience, the Executive Director fully expects that the proposed and required controls will accomplish the prescribed opacity limits.

Emission calculations were based on a level of control (percent control efficiency) afforded by the specific method defined in the application. If the specific controls represented are employed, then that level of control is expected. Furthermore, if throughput rates are adhered to by the Applicant in its operation of the plant, and testing required by NSPS (as defined in 40 CFR Part 60) demonstrates compliance, then emission rates and emission control effectiveness are also expected to be in compliance. The described methods are commonly used and accepted by the TCEQ and EPA as adequate to demonstrate compliance with applicable law. The Executive Director found no basis to include any other specific requirements regarding measurement or monitoring. Additionally, initial performance testing is required by 40 CFR Part 60, Subparts A and OOO to demonstrate compliance with the regulations and emission rates stated in the proposed permit.

Stockpile emissions are estimated using an EPA emission factor that is based on pounds of PM per acre of storage per day. Accordingly, while an average emission rate per hour over the course of a day can be generated, there are no worst-case hourly emission estimation factors available. The TCEQ permits hourly emissions based on worst-case hours rather than an average. Given that the factors estimate pounds per day and that only an average per hour can be generated, the TCEQ lists only the annual total emissions from the stockpiles on the MAERT. Hourly emissions can be estimated from the average for modeling purposes and those hourly emissions were included in the air dispersion model. Using the average hourly emissions in the Air Quality Analysis for the stockpile emissions has been the method consistently accepted by the TCEQ for demonstrating protectiveness. Accordingly, the hourly average and the annual emissions from stockpiles at the proposed plant have been evaluated and included in the Air Quality Analysis.

Section VI of TCEQ's PI-1 form, which relates to classification as a small business, includes a question relating to whether site emissions of any regulated air pollutant are greater than or equal to 50 tpy. This question relates to individual pollutants, rather than the sum total of all pollutants. Despite not being classified as a small business, the Applicant correctly answered this question on the form, as no individual pollutant is proposed to be emitted in an amount greater than 50 tpy.

As noted in Response 4, individuals are encouraged to report any concerns about noncompliance with the terms of any permit or other environmental regulation by contacting the TCEQ San Antonio Regional Office at 210-490-3096 or by calling the 24-

hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ reviews all complaints received. If the plant is found to be out of compliance with the terms and conditions of the permit, it may be subject to investigation and possible enforcement action.

COMMENT 24: Area Map

Don Everingham stated that the map provided in the application was knowingly deceptive because it was not to scale, did not include residential properties, and only showed the topography rather than being a residential property map. Don Everingham stated this was a deliberate attempt to deceive and distort the true neighborhood characteristics and place an industrial complex in a residential area.

RESPONSE 24:

An area map provided with an application should be adequate for a person who has never visited the area to be able to determine the location of the proposed site and determine the nature of the surrounding land use. The area map initially provided with the application was to scale, but did not include key features that TCEQ specifies in the application instructions. The Applicant provided an additional area map (page 36 of the Air Quality Analysis), which included all of the features specified in the application instructions and met all the TCEQ requirements for area maps. This area map was overlaid with a 3km offset from the plant which included residential areas, commercial areas, and industrial areas near the plant. It also specified the location of the nearest non-industrial receptor. Additionally, the Executive Director's staff has visited the site and observed aerial images as part of the permit review process. As described in Response 35, the TCEQ does not regulate land use; however, the Executive Director's staff is aware of the nature of the land use surrounding the proposed plant site.

COMMENT 25: Site Review

Commenters asked about the requirements and procedures for the site review of a proposed permit. Commenters asked why the TCEQ characterized the land surrounding the proposed plant as undeveloped and primarily agricultural, rather than residential. Don Everingham stated that this classification was a grave error and the entire site review was fraudulent and deceptive. Renee Wilson asked if TCEQ personnel have visited the site of the proposed facility in order to experience the location and to better understand the potential effects of the facility.

Sabrina A. Houser Amaya commented on and asked the following questions about the TCEQ Investigation Site Assessment Report (Site Review):

- She stated that the Site Review said that the nearest off-property receptor is a residence located more than 2,000 feet from the regulated entity (RE) and asked that TCEQ clarify the location of the receptor and exactly what kind of monitor the receptor is.

- She stated that the Site Review stated that the distance from the unit to the nearest property line is approximately 2,000 feet and asked for proof of the exact distance measurements. She also asked how the distance requirements are going to be met over the lifespan of the facility if it is considered portable.
- She also asked how TCEQ defines "surrounding area" and "undeveloped and agricultural land" because the Site Review states that "the surrounding area consists primarily of undeveloped and agricultural land."

Sabrina A. Houser Amaya stated that no one did their due diligence and the Site Review was probably completed using Google Earth. Sabrina A. Houser Amaya also questioned the statement that indicated there have been no previous complaints, notice of violations, or notice of enforcement at this proposed plant and stated that this is a ludicrous statement because the plant doesn't currently exist.

Finally, Sabrina A. Houser Amaya commented that the Site Review stated that the potential for nuisance or potential hazards is low and asked that TCEQ and the Applicant prove which nuisance or potential hazards were considered in this report and how the proposed plant could be considered "low." (FDCC, Sabrina A. Houser Amaya, Don Everingham, Chris M. Hopmann, David Nolan, Jack Sullivan, Steven Williamson, Renee Wilson)

RESPONSE 25:

The Site Review is performed by the local regional office and is intended to give the permit reviewer a means of verifying information in the application relating to general information useful in the Air Quality Analysis. However, it is not the only source for this information used in the permit review process. The Site Review conducted for the application described the land immediately bordering the proposed plant site as agricultural. This refers to the predominant use of the land, given that it is ranch-land (with some residences and other structures). The surrounding land use specified in the Site Review is intended to solely refer to land immediately bordering the plant property boundaries, rather than the general surrounding area. As another example, if the land immediately bordering the plant was composed of developed land with a large number of residences it would be described as residential. If the land had a number of industrial facilities it would be described as industrial, and so forth. However, TCEQ personnel have visited the site and do understand the surrounding land use.

The nearest receptor is a residence located east of the northern-most third of the plant property boundary. The term "receptor" refers to a location where the public could be exposed to an air contaminant in the ambient air, not to a type of monitor. For the health effects evaluation process, receptors are classified as industrial or non-industrial. In this case the nearest receptor is classified as non-industrial, which broadly refers to receptor types such as residential, recreational, commercial, business, agricultural, or a school, hospital, day-care center, or church. Rights-of-way, waterways, or the like can also be considered receptors.

In regard to location of the proposed plant, proof of the distance measurements is based on representations in the permit application. Specifically, the permit specifies that the proposed plant will be a distance of 2,119 feet from the nearest property line. The Plot Plan found in the application and the Air Quality Analysis details the location of the plant. Compliance with the permit is dependent on placement of the plant in the location defined in the application. As described in Response 21, the designation of the plant as portable does not permit the Applicant to move the plant within the boundaries of the property, or off-site, beyond what is represented in the permit application without authorization from the TCEQ.

Regarding the potential for nuisance or hazards, the proposed plant does not process hazardous materials (generally these consist of compressed gases, extremely volatile mixtures, explosive substances, etc.), and the proposed emissions consist solely of rock dust, products of combustion from the engines, and diesel vapors from the tank used for fueling plant vehicles. The draft permit does not authorize the processing or handling of materials the TCEQ or EPA has designated as hazardous, nor is the rock crushing industry associated with these materials. Accordingly, the hazard potential was identified as low.

The commenter is correct in stating that the proposed plant does not yet exist. However, the Site Review Form is meant for general use and includes the potential scenario where a plant or construction may be present, which is valuable information in the permit review process.

COMMENT 26: Permit Special Conditions

Operating Hours

Commenters expressed concern about the proposed operating hours of the plant being 24 hours a day, seven days a week, 365 days a year. (Comment Group M)

Production Limits

Commenters expressed concern about the production limits authorized by the permit. Shari Keller stated that the Applicant must use its website to inform the community about the actual pounds per day and tons per year of rock crushed. (Shari Keller, Amy L. Schorn, Michael J. Zimmerman)

Recordkeeping

Commenters questioned the recordkeeping requirements of the permit. Specifically, FDCC and David A. Drewa expressed concern about the opacity monitoring requirements of the permit. David A. Drewa stated that the permit does not require enough monitoring because it only requires quarterly opacity monitoring for six minutes at a time. Terri Lynn Hall also expressed concern about the permit's recordkeeping requirements that require the Applicant to report and document visual emissions once per quarter. William B. Cobb requested that the TCEQ have access to

Vulcan plant records with 48-hour notice. (Hector Amaya, Sabrina A. Houser Amaya, Jimmy Arreaga, William B. Cobb, David A. Drewa, FDCC, Donald G. Stackhouse)

Structure Height

Robert Remy asked how tall any of the structures at the proposed plant would be.

RESPONSE 26:

When the Applicant represents in its application that the proposed plant will operate 24 hours a day, seven days a week, 365 days a year, the TCEQ cannot limit the hours of operation unless an emission rate is dependent on a limit on operational hours or there are issues associated with the air quality analysis that require the limitation. As described in more detail in Response 4, it was determined that no adverse short- or long-term health effects for the general public, including sensitive subgroups such as children, the elderly, or those individuals with preexisting health conditions, animal life, crops, and vegetation are expected as a result of exposure to the proposed emissions. As such, the permit does not contain conditions limiting the hours of operation of the proposed plant.

The draft permit requires the Applicant to keep records of daily, monthly, and annual amounts of materials processed, summarized in tons per hour, tons per month, and tons per year. These records must be maintained on-site and made available to TCEQ investigators upon request. However, the TCEQ does not require the posting of these records on the operator's website. The throughput limitations specified in the draft permit are 800 tons per hour and 1,500,000 tons per year. These were based on the representations in the application and were determined to be protective. The Applicant cannot exceed these limitations without first obtaining authorization from the TCEQ in the form of a permit amendment. See Response 4 for more information on the NAAQS analyses and health effects review for this permit action.

While visible fugitive emissions determinations are required quarterly, the limitation and restriction on visible fugitive emissions crossing the property line is continuous. The quarterly observations requirements are intended as a means of demonstrating compliance with the Special Conditions as well as being a reminder that the owner/operator of the plant must be in compliance with the limitation at all times. The quarterly observation requirement is consistent with other minor source case-by-case permits. If visible emissions are observed leaving the property for a time period exceeding 30 cumulative seconds in any six-minute period, the owner or operator is required take immediate action (as appropriate) to eliminate the excessive visible fugitive emissions. The corrective action must also be documented within 24 business hours of completion. The six-minute period specified in the observation is in accordance with EPA 40 CFR Part 60, Appendix A, Test Method 22.

The greatest represented height of any emission point in the application is the Hopper 1 (associated with the primary crusher), which is listed as being 11.3 feet above

ground. Stockpiles are limited to a maximum of 45 feet in height. There are no structures represented as part of the plant operations.

COMMENT 27: 30 TAC Chapters 111 and 113

William B. Cobb asked how the proposed plant will meet the requirements of 30 TAC Chapter 111 and why the Applicant is not subject to the requirements of 30 TAC Chapter 113.

RESPONSE 27:

The Applicant will be required to be in compliance with applicable requirements of 30 TAC Chapter 111, Visible Emissions; however, the requirements in the draft permit are more stringent than those found in 30 TAC Chapter 111. Specifically, the draft permit limits opacity of emissions from any transfer point on belt conveyors or from any screen to 7 percent and those from any crusher to 12 percent. These limitations exceed the requirements in 30 TAC Chapter 111. EPA Test Method 9 is the method that will be used to demonstrate compliance with the limitations.

The proposed plant is not subject to 30 TAC Chapter 113 because it is not a designated facility as defined by 30 TAC § 113.1(1) nor does it emit any designated pollutants as defined by 30 TAC § 113.1(2).

COMMENT 28: Monitoring

Ambient Air Monitoring

Commenters expressed concern that there is no ambient air monitor nearby and asked how determinations about the placement and locations of ambient air quality monitors are made. Commenters asked that an ambient air monitor be placed in Comal County near the proposed plant. In addition, commenters requested air monitoring information, including current air quality, from the TCEQ and the Applicant for the proposed plant and the surrounding area. Lori Frerman requested that an air quality monitor be installed within 10 miles of the proposed site.

Hector Amaya, Sabrina A. Houser Amaya, William B. Cobb, and Nathan Olson stated that monitoring should be reviewed randomly by affected parties and independent subject matter experts. Pamela Seay asked whether air quality monitoring has changed due to budget cuts. Daniel J. LaRoe asked whether there was any TCEQ or federal rule that would require background monitoring. Daniel J. LaRoe also asked whether there is a Federal Operating Permit or other state or federal rule to require background concentration monitoring, both of the San Antonio area and individually for other permitted plants in the area.

Shari Keller stated that TCEQ and EPA are chartered with monitoring ambient air quality to determine compliance with standards. Michael J. Zimmerman commented

that TCEQ has failed to comply with federal law that requires the installation of monitors for FEM, SLAM, and NCORE. (Comment Group N)

Site-Specific Monitoring/Monitoring Requirements of The Permit

Commenters asked about an air monitor at the proposed facility and expressed concern that no on-site monitor would be placed at the proposed site. Commenters requested continuous site-specific monitoring at all the fence lines and the area immediately surrounding the plant. Commenters asked whether the Applicant would be required to monitor emissions from trucks and other equipment. FDCC and Thomas Banon Ellison requested chemical monitoring for noxious smells at the proposed plant. Jimmy Arreaga commented that the Applicant should provide an air quality monitor at each home near the proposed facility. Linda Everingham requested a monitor specifically for silica. Amy Elizabeth Raymond requested that the community have access to monitoring data.

David A. Drewa, Milann Guckian, and Chris M. Hopmann stated that monitoring of the proposed plant operations must occur 24/7/365 and be completed by a third party. Warren E. Wagner requested real-time air quality monitoring alerts. Eric Johnson asked how the TCEQ could determine that the application met the applicable rules and regulations without monitoring near the site. William B. Cobb stated that the Applicant has not indicated a willingness to provide monitoring data after beginning operations at the proposed plant.

Commenters expressed concern about the accuracy of emissions calculations in the permit without a site-specific monitor. Hector Amaya, Sabrina A. Houser Amaya, and Troy Calvin Brand stated that emissions for this proposed plant will be estimated from Vulcan's onsite crushing logs, rather than installing on-site air monitoring equipment. Troy Calvin Brand commented that Vulcan would "self-estimate" whether the proposed plant meets air quality standards. Donald G. Stackhouse expressed concern that the Applicant may self-monitor and report. David A. Drewa commented that it is inappropriate for the air permit to be set up for Vulcan to monitor themselves.

FDCC and Thomas Banon Ellison stated that the TCEQ does not go to a plant site to capture or measure off-property PM, and therefore, requested cameras at the proposed site to record visible plumes of dust, rather than the TCEQ relying on citizens to document and report these types of issues. FDCC and Thomas Banon Ellison asked that chemical monitoring be installed outside the boundary of the proposed plant to record chemical levels such as nitrogen, carbon dioxides, and any other chemical considered to be harmful. Eric C. Barefoot stated that the full burden of monitoring the proposed facility will be put on private citizens. (Comment Group O)

RESPONSE 28:

TCEQ's Ambient Air Monitoring Network

The Federal Clean Air Act (FCAA) requires every state to establish a network of air

monitoring stations for criteria pollutants, using criteria set by EPA's Office of Air Quality Planning and Standards for their location and operation. The TCEQ submits an annual monitoring network plan (AMNP) report to EPA in partial fulfillment of these requirements.

The most recently submitted AMNP was made available for public inspection from May 1, 2018 to May 30, 2018 as required by 40 CFR § 58.10. The final report, which was submitted to EPA on July 1, 2018, contains a summary of comments received as well as responses to comments (see Appendix L of report). A copy of the final report can be accessed at the following address:

https://www.tceq.texas.gov/assets/public/compliance/monops/air/annual_review/2018-AMNP-Narrative.pdf.

While the TCEQ welcomes public comment and review of the monitoring network plans, it has no mechanism to require that any outside party independently review a plan or network assessment.

The AMNP is typically available for public review beginning in early to mid-May. Requests for additional monitoring or the identification of additional monitoring needs may be made during this public comment period and will be considered along with other monitoring priorities across the state. To receive email announcements related to the ambient air monitoring network, including the availability of the Annual Monitoring Network Plan for public review and comment, please visit the following link: <https://service.govdelivery.com/accounts/TXTCEQ/subscriber/new> and select "Air Monitoring Network Announcements."

For a map or list of current air monitoring sites, please visit the following link:

<https://www.tceq.texas.gov/airquality/monops/sites>.

For monitor values, please visit the following link:

<https://www.epa.gov/outdoor-air-quality-data>.

The placement of air monitors is prioritized to provide data on regional air quality in areas frequented by the public. The nearest existing ambient monitor to the proposed plant is the EPA AIRS monitor 480290053 located at 16289 North Evans Rd #2, Selma, Bexar County. This monitor is within 10 kilometers of the proposed plant site. The existing air monitoring network is the result of a strategic balance of ensuring compliance with federal monitoring requirements while also considering state and local needs. The requirements for air monitoring are in the Code of Federal Regulations under Title 40. Requirements related to methods are in the appendices to Part 50 and in Part 53. Air Monitoring Network requirements are in Part 58 - Ambient Air Quality Surveillance.

Consistent with federal air monitoring requirements, the TCEQ evaluates the placement of air quality monitors within the air monitoring network using trends in population, reported emissions inventory data, and existing air monitoring data for a given area. Recommendations for monitoring sites from internal and external

stakeholders are reviewed based on air modeling and emissions analysis, meteorological data, regional CAMS data validation, exceptional event analysis, state initiatives, and federal monitoring requirements.

In addition, the TCEQ may prioritize monitor placement in areas with potential regional air quality issues, such as those related to increased oil and gas activity in the Barnett Shale and Eagle Ford Shale areas. The TCEQ annually evaluates the number and location of air monitors within its network to assess compliance with federal monitoring requirements and the adequacy of monitoring coverage for identified monitoring objectives as a part of the Annual Monitoring Network Plan provided to EPA. In the most recent plan submitted to EPA in July 2018, the TCEQ certified that the monitoring network plan meets all applicable requirements, including siting requirements for FEM, SLAM, and NCORE monitors. However, as with other growing Texas communities, the TCEQ continues to evaluate the monitoring needs of Comal County and other areas due to industry and population growth.

Since stationary air monitors are sited to measure air quality that is representative of a broader area or region, monitors are typically not placed to measure the impacts from specific or individual industrial facilities or vehicles associated with them. Additionally, there is no state or federal requirement that background monitors be established at individual operational or proposed minor sources (like the proposed rock crushing plant). See Response 4 for detailed information regarding the air dispersion modeling performed for the proposed plant, including justifications for the specific air monitors used.

Site-Specific Monitoring/Monitoring Requirements of The Permit

The recordkeeping requirements in the permit require documentation of throughput, which serves as a means of determining expected plant emissions. As detailed in Response 4, the emission rates which were utilized in the model are based on acceptable calculation methodologies and factors, which have been developed by the EPA at similar operations using similar equipment. These emission factors have been used to estimate the proposed emissions for this plant and include all processing and material handling activities associated with rock crushing at the proposed plant as well as the engine and tank emissions. The TCEQ ensures the conservative nature of these calculations by evaluating each emission point at the maximum operating conditions on both an hourly and an annual basis. Accordingly, the Executive Director expects that compliance with the proposed permit will result in the authorized emissions meeting all applicable rules and regulations.

Records containing the information and data sufficient to demonstrate compliance with the permit are required by 30 TAC § 116.115(b)(2)(E). Applicants are required make the records available at the request of personnel from the commission or any local air pollution control agency having jurisdiction over the site. Air permits in the State of Texas are consistent in this requirement. Additionally, TCEQ investigators can review records for accuracy as part of an investigation. State and federal law and the air permitting process are intended to ensure that obtaining and complying with a

permit are not merely a process of self-estimation, but rather one of verification, enforceability, and compliance.

Consistent with other plants of this type, the draft permit does not require property line monitors or video monitors for PM. While no plant-specific air monitors are proposed for this plant, mobile monitoring can be implemented by TCEQ regional office if conditions warrant. Additionally, there is no expectation of noxious smells from the plant given that the proposed plant will process limestone rock.

COMMENT 29: Local Program Monitoring

FDCC requested that county and city officials have access to monitoring and emissions data from the proposed plant, with accompanying enforcement authority and fees. Alan Gibbs asked if the city was going to be involved in air quality monitoring and if the city would notify residents if there is an air quality problem.

RESPONSE 29:

Under the TCAA, only TCEQ has the authority over preconstruction permitting for facilities that emit air contaminants. However, in accordance with TCAA § 382.111, a local government has the same authority and is subject to the same restrictions as the commission under TCAA § 382.015 to inspect the air and to enter public or private property in its territorial jurisdiction to determine if:

- (1) the level of air contaminants in an area in its territorial jurisdiction and the emissions from a source meet the levels set by:
 - (A) the commission; or
 - (B) a municipality's governing body under Section 382.113; or
- (2) a person is complying with this chapter or a rule, variance, or order issued by the commission.

Local governments must send the results of its inspections to the commission upon request.

In addition, TCAA § 382.113 gives municipalities the authority to abate a nuisance and enact and enforce air pollution control ordinances consistent with the TCAA and TCEQ rules. However, these ordinances cannot be more stringent than state rules and regulations. The TCAA allows a local government authority to enter into cooperative agreements with TCEQ to coordinate and fund inspection and enforcement functions. Currently, the TCEQ does not have such agreements with Comal County or the City of New Braunfels. TCEQ performs its enforcement functions for this area through the TCEQ San Antonio Regional office. See Response 29 for more information on air quality monitoring.

COMMENT 30: Enforcement

Lax Enforcement

Commenters questioned the TCEQ's ability to enforce compliance with the permit for the proposed plant and stated that the Applicant needs to be held accountable. In addition, commenters asked how the TCEQ would ensure compliance and whether the permit would be voided for noncompliance. Harold Broth asked what agency is responsible for enforcing the various regulations applicable to the proposed facility. Connie Sue Stroud Ewald and Larry Ewald asked whether the Applicant would be held responsible for air quality outside of the quarry site and if so, to what extent. (Comment Group P)

FDCC expressed concern about the length of time it may take a TCEQ investigator to perform an investigation. Erin P. Cantu stated the TCEQ does not check for compliance at regulated entities unless it receives a complaint and investigation and enforcement actions may take several months, due to insufficient field staff. Michael J. Zimmerman stated violations of TCEQ rules should result in expeditious initiation of enforcement actions. The City of Bulverde provided a resolution stating that the stations, equipment, and personnel necessary for the TCEQ to monitor the proposed plant's operations are primarily located in Bexar County, which is too far away from the proposed site to provide meaningful regulatory oversight.

Rod Marin and Amy Elizabeth Raymond stated that there needs to be some kind of oversight committee that consists of residents and citizens to enforce compliance. Hector Amaya and Sabrina A. Houser Amaya commented that under current permitting processes and long-term allegiances, this permit essentially leaves "the fox watching the henhouse." Hector Amaya, Sabrina A. Houser Amaya, and Amy Elizabeth Raymond commented that they would like complaints to be addressed quickly and with transparency. Krystal Henagan stated that the TCEQ does not follow its own enforcement policies and turns a blind eye to give quiet endorsement of the Applicant's violations at other plants and that this is a fundamental failure in the TCEQ's core functionality.

Shari Keller stated that the Applicant must use its website to inform the community about any complaints. In addition, Shari Keller stated that the Applicant must conduct at least two meetings per year with the community to discuss environmental and safety performance and community concerns.

Penalties

Commenters asked how the Applicant would be held accountable for violations and what penalties would be assessed for violations of the permit. Commenters stated that monetary fines do not fit the crime of harming the environment or people. Terry Olson stated that the Applicant can afford to pay fines and considers it a cost of doing business. (Comment Group Q)

RESPONSE 30:

There are a number of mechanisms by which the TCEQ monitors compliance with permit conditions, and state and federal regulations. To the extent that personnel, time, and resources are available, the TCEQ investigates regulated operations to ensure compliance with applicable rules and regulations. Although specific to each site, investigations generally explore the entire operation of the plant. The investigation schedule may be increased if violations are found, violations are repeated, or if a regulated entity is classified as an unsatisfactory performer. Complaint investigations at these types of plants are unannounced, and no prior notification is provided to the plant.

The type of operation authorized under the proposed permit is not on a set schedule for compliance investigations. Instead, investigations are generally conducted in response to complaints. The TCEQ Regional Offices responds to complaints in a timely manner. However, the regional offices prioritize their responses to complaints based on the potential for adverse health effects associated with the alleged violation. For example, a "priority one" case means serious health concerns exist, and that case will be investigated immediately. A "priority four" case, on the other hand, means no immediate health concerns exist; therefore, it will be investigated within 30 days. Staff from the TCEQ regional office reviews all complaints and investigations are not limited by media. Complaints regarding regulated entities may be addressed to the TCEQ San Antonio Regional Office at 210-490-3096 or by calling the 24-hour toll-free Environmental Complaints Hotline at 1-888-777-3186.

Alleged violations documented during an investigation are initially addressed through a notice of violation (NOV) letter, which generally allows the operator a specified period of time within which to comply. The violation is considered resolved upon timely corrective action. If a violation is not timely corrected, repeated, or causes an impact to the environment or neighboring properties, formal enforcement action will begin according to the TCEQ Enforcement Initiation Criteria. Depending on the situation, the commission has the authority to suspend or revoke a permit pursuant to the limitations in Tex. Water Code, Chapter 7, Subchapter G.

Generally, administrative and civil penalties up to \$10,000 and \$50-25,000 respectively, may be assessed for violations of the TCEQ rules. *See* Tex. Water Code, Chapter 7. However, the specific penalties associated with each violation will be determined on a case-by-case basis according to the Penalty Policy. First, the commission will evaluate the penalty based on the size of the respondent's (i.e. alleged violator) site. For example, any stationary facility that has the potential to emit more than 100 tons per year of any air pollutant is classified as a "major source." Second, the "harm" is categorized as major, moderate, or minor, according to the "Environmental/Property and Human Health Matrix." The harm classification is based on whether an "actual" or "potential" release of contaminants occurred. Third, additional factors including compliance history, repeat violations, culpability, whether there was a good faith effort to comply with regulations, and other factors as justice

may require will be assessed and will influence the overall amount of the penalty. In addition, any economic benefit or monetary gain derived from a failure to comply with TCEQ rules or regulations will be considered and may increase the penalty. The final penalty amount will be checked against the minimum and maximum penalty amounts allowed by statute, per day of violation, in order to obtain the final assessed penalty. Additional information about the TCEQ penalty policy may be obtained from the TCEQ website, Penalty Policy of the Texas Commission on Environmental Quality, available at the following link: <http://www.tceq.texas.gov/publications/rg/rg-253.html>.

In regard to oversight committees, the TCEQ does not have the authority to create local oversight committees. However, as described in Response 4, citizen-collected evidence may also be used in an enforcement action. Further, in accordance with TCAA § 382.111, a local government has the power to inspect the air and to enter public or private property in its territorial jurisdiction to determine if emissions from a plant meet the limits set by the commission. See Response 29 for more information about the authority of local governments.

The TCEQ cannot require an applicant to conduct additional public meetings or to use its website to communicate complaint information to the public. However, compliant records and pending enforcement actions are publicly available on the TCEQ website: <https://www.tceq.texas.gov/compliance/complaints/track.html>.

COMMENT 31: Audit Privilege Act

Krystal Henagan expressed concern that the TCEQ had allowed the Applicant to conduct an “illegal audit” under the Texas Environmental, Health, and Safety Audit Privilege Act. Sabrina Houser Amaya and Kira Olson stated that the Applicant has evaded serious issues in the past by performing voluntary audits. Nathan Olson expressed concern about violations the Applicant reported in an audit from 2012.

RESPONSE 31:

The Texas Environmental, Health, and Safety Audit Privilege Act (Audit Act) is found in statute at Tex. Rev. Civ. Stat. Ann. art. 4447cc. The Audit Act provides certain benefits, such as immunity from civil and administrative penalties and the creation of a confidentiality privilege for audit reports, for the purpose of encouraging voluntary compliance with environmental and occupational health and safety laws. Facility owners or operators must meet certain requirements to be eligible for the immunity from civil and administrative penalties that the Audit Act affords.

A company which performs an audit under the Audit Act is required to submit a Notice of Audit to the commission and any other appropriate regulatory agency. If a violation is found, a Disclosure of Violation must also be submitted. In addition, any violations found during TCEQ investigations become part of the publicly available compliance history for a site and company. The TCEQ views a voluntary disclosure as a positive action that leads to the correction of violations that might otherwise not be detected through traditional enforcement approaches. TCEQ guidance on the Audit Act

is available on the TCEQ website at the following link:
https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-173.pdf.

COMMENT 32: Compliance History

Commenters questioned the Applicant's compliance with TCEQ permit conditions at its other sites. Specifically, commenters stated that the Applicant has a history of violations at other plants and has previously received complaints at both Texas plants and other out-of-state plants. Jacey Hall, Jaclyn Hall, and Terri Lynn Hall stated the Applicant had a chemical spill of radium and uranium in San Antonio and did not notify the TCEQ. As a result, residents were left to perform the cleanup. Krystal Henagan stated that the Applicant spilled Portland cement containing hexavalent chromium and that she was told to clean it up herself.

Hector Amaya and Sabrina A. Houser Amaya stated that the Applicant is allowed to operate with impunity, and that despite multiple citizen complaints, there is evidence that the TCEQ has not held the Applicant accountable for past violations but worked behind closed doors to minimize violations and related fines. Amber Clowney asked whether the TCEQ reviewed every violation, notice of violation, notice of enforcement, and agreed orders in consideration of the permit application. (Comment Group R)

Compliance History Rating

Commenters stated the Applicant's compliance history score does not appear to have been correctly calculated and asked that the TCEQ should correct the score. Sabrina A. Houser Amaya commented that the compliance history of all of the Applicant's operations, complaints, and violations, including those found through a voluntary compliance audit, at all of their locations, should be considered in the compliance history score. Krystal Henagan stated that the TCEQ needs to begin with a truthful permit application by correcting the Applicant's compliance history score and then start the permitting process over again. (Comment Group S)

RESPONSE 32:

During the technical review of the permit application, a compliance history review of the company and the site was conducted based on the criteria in 30 TAC Chapter 60. These rules may be found at the following link: <http://www.tceq.texas.gov/rules/index.html>.

Compliance history information for sites not within Texas borders are not considered. The compliance history for the company and site was reviewed for the five-year period prior to the date the permit application was received by the Executive Director. The compliance history includes multimedia (air, water, and waste) compliance-related components about the site under review and is not limited to air-related issues. These components include: enforcement orders, consent decrees, court judgments, criminal convictions, chronic excessive emission events, investigations, notices of violations, audits and violations disclosed under the Audit Act, environmental management

systems, voluntary on-site compliance assessments, voluntary pollution reduction programs, and early compliance.

Compliance history ratings are classified as following:

- High: rating below 0.10 – complies with environmental regulations extremely well;
- Satisfactory: rating 0.10 – 55.00 generally complies with environmental regulations;
- Unsatisfactory: rating greater than 55.00 – fails to comply with a significant portion of the relevant environmental regulations;
- Unclassified: inadequate or no compliance information;
- Not applicable: the customer and site were created after the annual compliance history audit.

The site rating for this proposed site has a classification of “Not Applicable” due to the fact that the plant has yet to be constructed. The company rating and classification, which is the multimedia average of the ratings for all sites the company owns, is rated as “High” with a rating of 0.04 (at the time of the receipt of the application). This company rating takes into account all sites owned and operated by the company in the state and reflects all violations for all media that may have occurred at the separate facility locations. Compliance history ratings are public information and can be accessed at the following link: <http://www2.tceq.texas.gov/oce/ch/index.cfm>.

The compliance history review does not include an analysis of each violation, audit disclosure, or other rating components. Such a review is beyond the scope of the application review. Further, according to 30 TAC § 60.3(g): “A person or site classification itself shall not be a contested issue in a permitting or enforcement hearing.” The preamble to this rule states: “A person or site classification will be established outside the contested case process and not litigated and re-litigated in the context of permitting and enforcement actions.” 27 Tex. Reg. 7897 (2002).

COMMENT 33: Water

Water Quality

Commenters are concerned that operations at the proposed plant will contaminate drinking water, groundwater, and surface water. Commenters are particularly concerned that the proposed plant's location, over the Edwards Aquifer Recharge Zone, will negatively impact the Edwards Aquifer and other aquifers nearby. Commenters are concerned about whether the proposed plant will comply with Edwards Aquifer Rules. Commenters are also concerned that dust and emissions from the plant may contaminate water sources and ponds. Jan Dunagan asked if the TCEQ can guarantee

that there will be no contamination of groundwater. Milann Guckian requested TCEQ conduct a risk assessment of the nearby aquifers before issuing the permit. Jimmy Arreaga asked what study the Applicant provided to prove that the Edwards Recharge Zone will not be destroyed. D. Lee Edwards commented that in its Comprehensive Plan, the City of New Braunfels strongly suggests reduced development in the Edwards Aquifer Recharge Zone. Harold Broth and Trudy Striegel asked what state organization or agency is responsible for assessing the impact to water. Nancy Pappas and Randall Pappas asked why water impact is not a part of this permit application.

Cara Laubach, Mary Trujillo, and R. Trujillo expressed concern about effluent water at the site. Kristine Brzozaoski and David A. Drewa stated that the proposed plant could cause increased storm runoff and disruption of natural flow patterns. Windell Cannon stated the proposed plant will create a dam and funnel and trap water. Amy Piper requested that the Applicant be required to remediate any negative impacts on water.

Water Permits

Commenters stated that the Applicant has not submitted a water pollution abatement plan (WPAP), Edwards Aquifer Protection Plan, or a stormwater construction permit application to the TCEQ. FDCC commented that the review of this permit should be delayed until the public has the opportunity to review the WPAP. Renee Wilson asked what a WPAP does and how it affects TCEQ's air quality permitting recommendation.

FDCC and Thomas Banon Ellison objected to a separate water permit being issued by the TCEQ and requested that a special condition be included in the permit to require that the Applicant comply with all provisions of 30 TAC Chapter 213 (Edwards Aquifer). Carole Farmer stated this application is an attempt to circumvent the Edwards Aquifer rules. Cheryl Allen Gilpin stated that TCEQ has no business issuing air quality permits without water feasibility studies.

Water Use/Availability

Commenters expressed concern about the amount of water the proposed plant may use and the potential effects on area water supplies for wells and the Trinity and Edwards Aquifers, particularly in drought conditions. In addition, commenters are concerned that water may not be available in sufficient quantity for dust suppression at the proposed plant and questioned whether the Applicant would comply with any future water use restrictions. Commenters also asked if the Applicant's water usage would be monitored. James Kevin Drake and Michele M. Drake asked if the Applicant would be allowed to drill wells. Alan M. Hammack expressed concern about the Applicant's water use causing the collapse of a well and cave on his property. Cheryl Allen Gilpin stated that TCEQ air rules are inadequate because they do not require a feasibility assessment that checks for reasonable and logistical access to water. (Comment Group T)

RESPONSE 33:

While the TCEQ is responsible for the environmental protection of all media, including water, the TCAA specifically addresses air-related issues. This permit, if issued, would regulate the control and abatement of air emissions only, and therefore, issues regarding water use, water quality, or water availability are not within the scope of this permit review. Accordingly, this air quality permit review did not include a specific water assessment or consideration of issues involving water quality or discharge.

The Applicant represented that a combination of water sprays will be used to control emissions. Accordingly, the permit conditions state that, in compliance with BACT requirements, the water spray systems shall be operated as necessary to maintain compliance with the TCEQ rules and regulations, which include opacity requirements and visible fugitive emission limitations. It is the Applicant's responsibility to secure all permits and authorizations necessary to obtain the water needed for their operation. TCEQ rules state that the plant may not be operated unless all pollution control equipment is functioning properly. Acceptance of a permit is an acknowledgment and agreement by the Applicant to be bound by the permit conditions. The issuance of an air quality permit does not negate the responsibility of an applicant to apply for any additionally required authorizations before operating a plant, nor does it allow an applicant to circumvent any other applicable requirements, including Edwards Aquifer Rules.

If the Applicant were to begin operation of the rock crusher without a water supply to meet the permit conditions, then it would be in violation of the permit and subject to enforcement action. If the Applicant has any disruptions in the water supply, operating the plant without functioning water sprays would be a violation of the permit conditions and cause for enforcement action. Specific estimations of the amount of water necessary to adequately control dust emissions were not made because they were beyond the scope of review for this permit application. TCEQ regulations allow for alternate methods of dust control during severe or extreme drought conditions as outlined in 30 TAC § 101.224, Temporary Exemptions During Drought Conditions.

The draft permit requires that all unpaved in-plant roads and traffic areas, active work areas, and aggregate stockpiles be sprayed with water or an environmentally safe dust suppressant using an installed area-type sprayer or a dedicated truck upon detection of visible particulate matter emissions. All paved in-plant roads and traffic areas are required to either be sprayed with water or an environmentally safe dust suppressant using an installed area-type sprayer or a dedicated truck, or to be cleaned using a dustless vacuum truck with a manufacturer's specified removal efficiency of at least 90 percent upon detection of visible particulate matter emissions.

This permit does not authorize the discharge of pollution into a body of water and does not authorize effluent. Individuals are encouraged to report environmental concerns, including water quality issues, or suspected noncompliance with the terms of any permit or other environmental regulation by contacting the TCEQ San Antonio Regional Office at 210-490-3096 or by calling the 24-hour toll-free Environmental

Complaints Hotline at 1-888-777-3186. The TCEQ reviews all complaints received. If the proposed plant is found to be out of compliance with the terms and conditions of the permit, the Applicant may be subject to investigation and enforcement action.

COMMENT 34: Quarry Operations and Blasting/Reclamation Plan

Commenters are generally opposed to quarry operations and are concerned about potentially negative effects of quarry operations, especially dust. Commenters stated the quarry could have negative effects on the health and safety of nearby residents. Commenters are also concerned the quarry could negatively impact the environment, including biodiversity, air, surface water, ground water, and soil quality. In addition, commenters stated quarry operations have the potential to cause landslides, sinkholes, and flash floods. Harold Broth asked what government agency determines whether the quarry can be installed at this location and what agency is responsible for enforcing laws applicable to quarry operations. Harold Broth also asked how quarry operations, and their impacts, would be monitored. Billy Wayne Burton raised concerns about the Applicant's previous Mine Safety and Health Administration (MSHA) violations at other quarry locations. Amy Piper stated that an EIS needed to be performed specifically for the quarry. Amy Piper also questioned whether the quarry was necessary.

Commenters asked that the TCEQ require the Applicant to comply with the strictest air and water quality requirements for quarries. In addition, commenters asked that TCEQ not grant a permit for a quarry. Nancy Pappas and Randall Pappas asked how TCEQ could protect the citizens of Texas if it continues to approve permits for quarries in residential areas. Cheryl Allen Gilpin asked who is being paid off by quarries. Grace Murphy stated that having a quarry over an aquifer does not make any sense and asked the TCEQ to work with EPA. GEAA and Tina Tsui asked whether the Applicant would follow the Best Management Practices for Quarry Operations guidance. Chris M. Hopmann requested third-party monitoring of blasting operations. FDCC and Thomas Banon Ellison specifically requested that TCEQ include a special permit condition to require that state regulators ensure that all blasting and mining regulations are followed. In the alternative, FDCC and Thomas Banon Ellison request that TCEQ grant Comal County the authority to regulate blasting activities.

Gloria Lamoureux expressed concern that quarry operations will impact historically significant properties within 5 miles of the proposed plant. Gloria Lamoureux encouraged communications with the Historical Commission and thorough research of historically significant properties.

Richard C. Mason asked about how often the applicant will conduct blasting and during what hours. Gary B. Armstrong and Richard C. Mason also asked about how far the blasting from the quarry could be felt.

Commenters are also concerned about the noise and light associated with quarries. Commenters expressed particular concern about blasting and the potential to cause damage to homes, including foundations and personal property. Commenters also stated that blasting may impact water wells and the drinking water supply by

fracturing or shifting rock structures in the area. Commenters asked about seismic activity and the need for seismic activity monitors in the area surrounding the proposed plant. FDCC and Thomas Banon Ellison specifically requested a special permit condition to require seismic monitoring. In addition, commenters are concerned blasting could negatively affect the nearby aquifers, caves, and area wildlife. FDCC, Thomas Banon Ellison, and Michael B. Wyatt asked whether the quarry operator is liable for damages caused by blasting. Chris M. Hopmann requested compensation for damages caused by blasting. Yvonne Ruiz Arreaga and Kira Olson stated that the TCEQ needs to utilize specialists to perform a geological survey for caves in the Texas Hill Country. Jan Dunagan and Cathy Sullivan expressed concern about blasting affecting a natural gas pipeline on the southern tip of the site. Raymond G. Mathews expressed concern about blasting affecting veterans and others with PTSD. Susanna Harrison is concerned that blasting will cause damage to her stock pond. Milann Guckian asked that the commission require Vulcan to utilize computer-controlled blasting.

Commenters are also concerned about emissions, including PM, silica, and ammonium nitrate from blasting operations. Milann Guckian asked why a consideration of the air quality effects of mining and blasting were not included in the permit. Milann Guckian commented that other states require permits for mining and requested that a permit be required to mine in Texas.

The Cities of Garden Ridge and Spring Branch provided resolutions stating that residents are concerned about the negative effects of blasting at the proposed site, even if it does not exceed federal mining guidelines. Jeanne Howe and John Mohar expressed concern that blasting would damage the hearing of nearby residents. Linda Diane Fuchs expressed concern that large electrical towers could topple onto her property as a result of blasting at the proposed plant. Amy Piper and Renee Wilson stated that blasting shuts down the highway for at least 45 minutes. (Comment Group U)

Reclamation Plan

Commenters stated a reclamation plan and reclamation bond should be required to be implemented once quarrying at the proposed site is complete. Hector Amaya and Sabrina A. Houser Amaya requested that a community oversight board be funded on which affected parties are active board members and participants. (Hector Amaya, Sabrina A. Houser Amaya, Rosa Linda Delacerda, Don Everingham, Linda Everingham, GEAA, Sally Harvey, Milann Guckian, Pru Guckian, Judy Millspaugh, Holly Moore, Amy Piper, Mike B. Stemig)

RESPONSE 34:

Under the TCAA, the TCEQ regulates facilities that emit air contaminants. Mines and quarries are specifically excluded from the definition of facility in TCAA § 382.003(6). Accordingly, any potential emissions related to mining or quarrying operations, including blasting at the site, are not part of the review for air quality permit

applications. Additionally, TCEQ cannot delegate regulatory oversight to local governmental entities over which it does not itself have regulatory authority.

In addition, the location of the mining operation is not a part of the air quality permit application under review. However, the air dispersion modeling conducted for this application accounts for other sources of particulate matter in the area by taking into account representative or conservative background concentrations for the county or area in which the proposed plant will be located. Further, emissions of PM from the quarry cannot create a nuisance condition. The Applicant must comply with the TCAA and all TCEQ rules and regulations, including 30 TAC § 101.4, which prohibits a person from creating or maintaining a condition of nuisance.

The applicable state and federal statutes and rules that govern the air quality permit application under review do not include provisions regarding the future land use of property. Further, the TCAA does not have any provisions regarding reclamation of the site for other uses or requiring a reclamation or environmental protection bond. However, the Texas Department of Transportation has limited jurisdiction over quarry and pit safety. The Texas Aggregate Quarry and Pit Safety Act, Tex. Nat. Res. Code Chapter 133, is designed to protect the safety of the motoring public from the potential dangers of open quarries and pits. Under the Act, owners and operators of active, inactive, and abandoned aggregate quarries and pits must:

- Notify the Department of Transportation of all quarries or pits located on their property. The notification should include:
 - The name, address and phone number of the property owner or operator.
 - The address or location of the property containing the quarry or pit.
- Apply for and obtain a safety certificate (if required).
- If required, erect an approved safety barrier or slope or backfill the quarry/pit to eliminate the vehicle hazard.

Additional information about the Texas Aggregate Quarry and Pit Safety Act can be found on the TxDOT website at the following link: <https://www.txdot.gov/inside-txdot/division/maintenance/quarry.html>.

At the federal level, the U.S. Department of Labor's Mine Safety and Health Administration is charged with protecting and ensuring healthful workplaces for U.S. miners. More information about MSHA can be found on its website at the following link: <https://www.msha.gov/>.

Because quarry operations are outside of the scope of this application, an evaluation of how quarry operations will impact historic sites is also outside the scope of this application. Additionally, in regard to the proposed rock crusher, an evaluation

specific to historic sites is not required for air quality permits under the TCAA. As described in Response 4, secondary NAAQS are those that the Administrator determines are necessary to protect the public welfare and the environment, including animals, crops, vegetation, and buildings, from any known or anticipated adverse effects associated with the presence of an air contaminant in the ambient air.¹⁸ Because the emissions from the proposed rock crushing plant should not cause an exceedance of the NAAQS, air emissions are not expected to adversely impact land, including historic sites. Please see Response 39 for concerns regarding noise and light.

COMMENT 35: Location/Property/Zoning/Aesthetics

Commenters stated that they are concerned about the location of the proposed plant because of potential environmental impacts. Commenters stated the proposed plant will be located close to hundreds of homes, several schools, parks, existing businesses, tourist attractions, historically significant properties, and a cemetery, and that there are more appropriate locations for an operation of this type. Commenters stated the area is an established, fast-growing residential area and that there are other, better, areas the plant could be located. In addition, commenters stated that the Natural Bridge Caverns and the Natural Bridge Wildlife Ranch are located about three miles from the proposed plant and could be negatively affected.

Commenters stated that the proposed site was originally developed for residential and ranch use. Alan K. Albers asked if the proposed site was near the property Comal ISD is considering for a high school. Steven Williamson stated that for the Site Review to ignore that this plant is proposed in the middle of a heavily residential area is either incompetence or ethical compromise. Chris M. Hopmann commented that this is a case of incompatible land use. The City of Garden Ridge stated that it supports its residents and neighbors by formally discouraging the development and location of a quarry at the proposed site. (Comment Group V)

Zoning/Eminent Domain

Commenters raised concerns about zoning. Commenters specifically stated that the TCEQ acts as a zoning commission by allowing an industrial site to be placed in the middle of Hill Country residential and ranch lands. Chris M. Hopmann asked who determines zoning requirements for the proposed plant. Steve Middlecamp questioned the involvement of the local commissioners in regard to zoning concerns.

Commenters also expressed concern about the potential use of eminent domain to obtain land for the construction of railroads associated with the proposed plant. Rebecca L. Cox stated the Applicant has already taken land away from property owners

¹⁸ Section 302(h) of the Federal Clean Air Act (FCAA), 42 U.S.C. § 7602, defines effects on welfare to include effects on soils, water, crops, vegetation, manmade materials, animals, wildlife, weather, visibility and climate, damage to and deterioration of property, hazards to transportation, and impacts to personal comfort and well-being, whether caused by transformation, conversion, or combination with other air pollutants.

in Medina County for a rail line. (Rebecca L. Cox, Nelda S. Davis, Ronald R. Davis, Thomas Banon Ellison, FDCC, Donna Foulds, Cheryl Allen Gilpin, Pru Guckian, Denise Harris, Edward Harris, Chris M. Hopmann, Steve Middlecamp, Kira Olson)

Location Outside of County Regulation

Bill Krawietz, Mayor of the City of Bulverde, stated that the Applicant selected this location because it is outside the jurisdictional boundaries of Bulverde and New Braunfels, rather than its suitability for quarrying operations. FDCC and Thomas Banon Ellison commented that the Applicant is placing the proposed plant in an unregulated area of Comal County. Mike L. Carnett and Sharon Carnett commented that this proposed plant's location will benefit Comal County.

Aesthetics

Commenters are concerned that the proposed plant will impact their quality of life. Several commenters indicated that they had chosen to reside in the area specifically due to its lack of pollution and quiet location and that some families would not have moved to the area if they had known about the proposed plant. Commenters also expressed concern that outdoor recreational activities would be impacted. In addition, commenters state that the proposed plant will be an eyesore and impact the aesthetics of the surrounding land. Alyssa D. Brysch commented that her family had to sell their last house due to a limestone quarry and asked that the TCEQ not make them move again. Colleen Callihan stated that Texas is a large state and asked whether the TCEQ had to ruin the lives that people have created in this area. The Cities of Garden Ridge and Spring Branch provided resolutions specifically stating that residents are concerned about negative impacts on the quality of life in the community and disturbance of the existing peace, quiet, and serenity. (Comment Group V)

RESPONSE 35:

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. Accordingly, the TCEQ does not have the authority to consider local economic impacts or the potential for future development because of a plant's location. Except under limited circumstances, which do not exist under this particular permit application, the issuance of a permit cannot be denied on the basis of plant location.

The TCEQ also does not have the authority to consider concerns regarding aesthetics, zoning and land use issues, or effects on property values when determining whether to approve or deny a permit. Zoning regulations are normally enacted by cities and enforced by local law enforcement authorities. The TCEQ does not have authority to consider an applicant's future use of eminent domain to acquire land when reviewing an application; however, obtaining an air quality permit from the TCEQ does not grant an applicant the right to exercise eminent domain authority. Further, compensation for reductions in property values is outside the scope of this application. In addition, the TCEQ does not have authority to enforce deed restrictions.

As discussed in detail in Response 4, the emissions from this proposed plant are not expected to cause an exceedance of the secondary NAAQS.¹⁹ As a result, air emissions from the plant are not expected to adversely impact land, soil, livestock, wildlife, crops, or visibility, nor should emissions, including particulate matter emissions, interfere with the use and enjoyment of surrounding land or water.

COMMENT 36: Local Impacts

Commenters stated that the proposed plant would increase costs to nearby landowners by necessitating the washing of houses, clothes, cars, and the installation of air filtration systems. In addition, commenters stated that the number of jobs created would be minimal.

Commenters expressed concern that local business would be affected by the proposed plant. Linda Diane Fuchs commented specifically regarding effects on the Dry Comal Creek Winery and wedding venues in the area, including Castle Avalon. Eric Johnson stated he is a realtor and has already lost business in the area near the proposed plant. Ronald A. Frisk stated that air pollutants will jeopardize operations at his astronomy facility. Erin Bell stated her horse boarding facility is less than a mile away from the proposed plant, and her clients are drawn to the peace currently found at this location.

Commenters stated that the proposed plant could affect future development and tourism in the area. Ali Baugh expressed concern that the proposed plant would be a detriment to the culture of the community. Valerie Elishewitz, Deborah K. Ohlrich, and Michael Yocom commented that the negative impact of the proposed facility outweighs the positive impact of this type of business in the area. (Comment Group V)

RESPONSE 36:

Concerns about local impacts are addressed in Response 35.

COMMENT 37: Property Rights/Property Values/Economic Impact

Commenters are concerned that the plant will decrease property values and thereby affect the county's tax base. Commenters are concerned that the impact to the county's tax base may affect area schools. Commenters stated the proposed plant will decrease property values up to 20 percent. Commenters are concerned that property taxes and the cost of living will increase. Harold Broth added that the proposed plant would not generate much property tax revenue. Michael E. Bembenek stated there will be a negative economic impact. Milann Guckian requested that the TCEQ conduct an economic impact study. Tex Hall asked about the economic impact to surrounding

¹⁹ Section 302(h) of the Federal Clean Air Act (FCAA), 42 U.S.C. § 7602, defines effects on welfare to include effects on soils, water, crops, vegetation, manmade materials, animals, wildlife, weather, visibility and climate, damage to and deterioration of property, hazards to transportation, and impacts to personal comfort and well-being, whether caused by transformation, conversion, or combination with other air pollutants.

agricultural businesses. David A. Drewa submitted a study showing how gravel mines impact nearby property values. (Comment Group W)

Commenters stated that issuance of this permit threatens the property rights of the current landowners. (Rebecca L. Cox, Mary Lee Freeman, Steve Middlecamp, Rhonda Muehlstein, Susan Randolph, Chris M. Hopmann, Jane Johnson, Stephen Johnson, and Kira Olson)

Commenters asked whether landowners would be compensated for losses in property value. (Chris M. Hopmann, Richard C. Mason, Ronnie Pena, Warren E. Wagner, and Renee Wilson).

RESPONSE 37:

Concerns about property rights, property values, and economic impacts due to the proposed plant are addressed in Response 35.

COMMENT 38: Truck Traffic/Roads

Commenters stated that the proposed plant's operations will create additional large truck traffic in the area. Commenters are concerned about the number of trucks that will be needed for operations at the proposed plant and stated that trucks will cause traffic congestion, damage roads, and impact road safety. Commenters expressed particular concern about trucks impacting the safety of runners and cyclists on the road. Commenters stated that most of the roads in the area are two-lane roads and are already heavily used by residents and school buses. In addition, commenters are concerned that dust, diesel, NO_x, and VOC emissions from trucks and trains moving rock out of the quarry may further impact air quality in the area. Commenters questioned why the TCEQ does not consider diesel emissions or PM emissions resulting directly from the proposed plant's truck hauling operations. Nancy Pappas and Randall Pappas asked why the TCEQ cannot consider trucks being used on site as part of the permit. Amy Piper stated that there should be limits on truck traffic coming from the plant during peak hours. FDCC and Thomas Banon Ellison raised concerns about the age and maintenance of the trucks being used at the plant. Alan M. Hammack asked how TCEQ would monitor and enforce diesel upgrades needed to meet EPA standards.

The City of Bulverde provided a resolution stating that adequate infrastructure, including roads and railway, does not currently exist to support safe operation of this proposed plant. Bill Krawietz, Mayor of the City of Bulverde, asked that the TCEQ give maximum consideration to the impacts on regional traffic safety.

Commenters asked if a traffic study on road capacity, durability, and safety of the roads surrounding the proposed plant has been completed by the Applicant or TXDOT. GEAA stated traffic impact studies need to be conducted. Eric Johnson commented that TXDOT and the county have not adequately planned for the added road maintenance that will be required to repair damage from heavy vehicle use.

Commenters stated the Applicant should be required to fund the cost of road improvements and compensate people for vehicular damages. Harold Broth asked what state organization or agency is responsible for assessing the proposed facility's impact to traffic and road usage. Mark Waters asked what monetary commitments the Applicant made to the state and county for road maintenance.

Herbert A. Coley, Don Everingham, and Stephen Petty stated that rock spillage from trucks will cause damage to other vehicles. Don Everingham is concerned about roads becoming slick during rain due to the products from the plant being deposited on the roadways. Herbert A. Coley and Chris M. Hopmann also raised concerns about the noise from trucks. Mary Trujillo and R. Trujillo asked where trucks will wait while picking up loads from the proposed plant and if there will be a truck farm onsite. Mary Trujillo and R. Trujillo also asked if the Texas Department of Public Safety will have a weigh station to ensure trucks are in compliance with any applicable weight restrictions. Jimmy Arreaga asked how diesel and oil spills would be measured. Shari Keller stated the Applicant must implement a safe driving program for its haulers and maintain roads. Jimmy Arreaga asked how Vulcan would measure and control diesel and oil spills from trucks and quarry equipment. Cheryl Allen Gilpin and Chris M. Hopmann stated that trucks hauling products need to be covered. Chris M. Hopmann also stated that emissions from trucks need to be monitored.

Don Everingham expressed concern that fugitive dust from ground engaging machinery and roads are not required to be monitored. Hector Amaya and Sabrina A. Houser Amaya requested that the TCEQ require that exiting trucks are properly covered and undercarriage and wheel wells are washed completely. (Comment Group X)

RESPONSE 38:

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. Accordingly, the TCEQ does not have jurisdiction to consider traffic or road safety when determining whether to approve or deny a permit application. Trucks, and their associated emissions, are considered mobile sources, which are not regulated by the TCEQ. Moreover, the TCEQ is prohibited from regulating roads per TCAA § 382.003(6), which excludes roads from the definition of "facility."

Stormwater runoff and potential fuel spillages are not considered when reviewing an air permit application. The TCEQ does not have jurisdiction over public roads, and therefore, cannot require an applicant to maintain public roads or limit the number of vehicles entering public roadways from the plant. Although the TCEQ is prohibited from regulating trucks, TCEQ rules prohibit anyone from causing a traffic hazard. Specifically, 30 TAC § 101.5 states, "No person shall discharge from any source whatsoever such quantities of air contaminants, uncombined water, or other materials which cause or have a tendency to cause a traffic hazard or an interference with normal road use."

Jurisdiction over traffic on public roads, including any load-bearing restrictions and public safety, including access, speed limits, and public roadway issues, are typically the responsibility of local, county, or other state agencies, such as the Texas Department of Transportation (TxDot) and the Texas Department of Public Safety (DPS). An air quality permit does not authorize a violation of any road safety or load-bearing restrictions. Concerns regarding roads should be addressed to appropriate state or local officials.

COMMENT 39: Noise/Light/Vibrations

Commenters stated that noise and light pollution from the plant, and associated activities, will disturb neighbors and animals, particularly horses and bats, and disrupt adjacent ecosystems. Commenters are generally concerned about preserving dark skies. Ronald A. Frisk expressed particular concern about the local library's public astronomy outreach program. Renee Wilson stated that this is one of the few areas where you can still see the stars at night. The Cities of Bulverde, Garden Ridge, and Spring Branch provided resolutions stating that residents are concerned about noise generated by proposed plant operations. Herbert A. Coley expressed concern about possible tremors caused by rock crushing machinery. Chris M. Hopmann stated that any lighting needed for nighttime and early morning operations will be in violation of existing deed restrictions in the neighborhoods around the proposed site. FDCC, Thomas Banon Ellison, and Amy Piper stated that dark skies ordinances must be upheld. Milann Guckian requested that the Applicant use advanced lighting technologies to cut down on light coming from the proposed site. (Comment Group Y)

Commenters requested that the area surrounding the plant be monitored for noise. Pamela Seay also requested monitoring for light pollution. (Thomas Banon Ellison, FDCC, Milann Guckian, and Pamela Seay)

RESPONSE 39:

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. Accordingly, the TCEQ does not have jurisdiction to consider noise or light from a plant when determining whether to approve or deny a permit application. As such, the TCEQ does not have authority under the TCAA to require or enforce any noise or light abatement measures. Noise ordinances are normally enacted by cities or counties and enforced by local law enforcement authorities. Commenters should contact their local authorities with questions or complaints about noise or light.

COMMENT 40: Corporate Profits

Commenters stated that corporate profits should not outweigh the interests of the local community. David A. Drewa commented that it is the TCEQ's responsibility to make sure that out-of-state corporations do not pollute Texas' natural resources. David Luna commented that it is not morally or ethically right to allow one company to negatively affect so many aspects of an area no matter how much money they have.

Michael L. Maurer Sr. stated that the Applicant does not care about the truth or the health of residents, but only about money. Nathan Olson asked if the Applicant's financial gain is more important than public concern.

Kimmie Davis commented that she is all for expansion in the community, but not from manufacturers whose only concern is for getting land on the cheap and operating plants that harm the community. Phelon Tyler Rammell stated that the hill country is becoming a place where industry is expected to trump the needs and cares of the community. Cheryl Allen Gilpin stated that TCEQ air permits are lax and protect industry profits. (Comment Group Z)

RESPONSE 40:

The TCEQ does not have jurisdiction to prohibit owners and operators from seeking authorization to emit air contaminants; nor can the TCEQ prohibit owners and operators from receiving authorization to emit air contaminants if they comply with all statutory and regulatory requirements. Further, the TCEQ is not authorized to consider a company's financial status or profit issues in determining whether a permit should be issued. The Executive Director's review of this application included an analysis of health impacts and the application of best available control technology (BACT). Based on this review, as long as the proposed plant operates in compliance with the terms and conditions of the proposed permit, no adverse effects to public health, general welfare, or physical property are expected to result from the plant's proposed emissions.

Individuals are encouraged to report any environmental concerns at the plant by contacting the San Antonio Regional Office at 210-490-3096, or by calling the twenty-four-hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ evaluates all complaints received. If the plant is found to be out of compliance with the terms and conditions of the permit, it may be subject to enforcement action.

COMMENT 41: Responsibility of the TCEQ/Mission Statement

Senator Donna Campbell commented that she is a staunch supporter of the rights of property owners to develop their property as they see fit within the regulatory guidelines of the State of Texas. Senator Campbell further stated that she has full faith that the process, conducted and overseen by the TCEQ, is the best way to assure that desired land use does not have a detrimental effect on the environment or the health of nearby residents.

Michael J. Zimmerman stated the purpose of the TCEQ is to safeguard the state's air resources from pollution by controlling and abating air pollution and emissions of air contaminants, consistent with the protection of public health, general welfare, and physical property, including the aesthetic enjoyment of air resources by the public and the maintenance of adequate visibility. Michael J. Zimmerman also stated that this policy is to be vigorously enforced. FDCC and Thomas Banon Ellison asked why citizens should have to fight this permit when they are paying TCEQ's staff of lawyers,

engineers, and specialists to do the research and not just look at reports paid for by applicants.

Commenters stated that the TCEQ has given a "rubber stamp of approval" on the application and does not intend to protect Texas residents. Commenters questioned whether the TCEQ cares about the health and welfare of citizens, asking that the TCEQ take the permitting process and protection of area citizens seriously and listen to local residents. Liz M. James stated the TCEQ does not care about air quality and only cares about checking a box to approve air permits. Donna M. Schmidt and Kenneth Schmidt, asked if big business and money are all the TCEQ is interested in. Michael L. Maurer Sr. stated that TCEQ and the Executive Director are predisposed to grant permits that may endanger the health and welfare of the citizens of Texas.

Michael L. Maurer Sr. stated that the TCEQ does not care about what happens to people in the long run and that he is ashamed that TCEQ authorizes air emissions. Michael L. Maurer Sr. stated that the TCEQ should be relieved of their duty to protect the environment and replaced with someone with integrity. Erin P. Cantu commented that the TCEQ has failed to protect the health and safety of citizens in the state. Jaclyn Hall stated that the TCEQ has a responsibility to protect the well-being of citizens. Renee Wilson stated that TCEQ's regulations are not stringent enough to protect the environment and the lives and well-being of nearby residents. Michael L. Maurer Sr. stated the TCEQ was pro-development and that it will take a lawsuit for the TCEQ to perform its fiduciary duty. Bill Krawietz, Mayor of the City of Bulverde, asked that the TCEQ give maximum weight to the impacts that the proposed plant will have on area residents. (Comment Group AA)

RESPONSE 41:

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. Accordingly, the TCEQ reviews all applications consistent with applicable law and the TCEQ's regulatory authority and the Agency's mission to protect the State's human and natural resources consistent with sustainable economic development. If the plant is operated in compliance with the terms and conditions of the permit, the emissions from the facilities authorized by this permit should not adversely impact public health or the environment.

The mission statement of TCEQ is as follows: "The Texas Commission on Environmental Quality strives to protect our state's human and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste." In this case, as in all permitting review cases, TCEQ will attempt to accomplish its mission by:

- basing its decisions on the law, common sense, good science, and fiscal responsibility;
- ensuring that regulations are necessary, effective, and current;

- applying regulations clearly and consistently;
- ensuring consistent, just, and timely enforcement when environmental laws are violated;
- ensuring meaningful public participation in the decision-making process;
- promoting and fostering voluntary compliance with environmental laws and providing flexibility in achieving environmental goals; and
- hiring, developing, and retaining a high-quality, diverse workforce.

The Executive Director has complied with this mission in reviewing this permit application. As explained in previous responses, the decision by the Executive Director to issue the permit is based upon the authority and direction of the Texas Clean Air Act. Specifically, TCAA § 382.0518 provides that the TCEQ shall issue the permit if an application demonstrates that the proposed facility will use at least the BACT and there is no indication that the emissions from the facility will contravene the intent of the TCAA.

TCEQ is required by the FCAA and TCAA to collect fees to cover the cost of air permitting programs. The permitting fee is based on the estimated capital cost of the project in accordance with 30 TAC § 116.141.

COMMENT 42: Fees/Citizen Concerns

Debra McSweeney asked if TCEQ would issue the permit just for the permit fees. Michael L. Maurer Sr. stated that the TCEQ is a pay-for-play agency. Ron Bigbee asked why a corporation would spend \$25 million on a property if they did not know they would get a permit and stated that the system is rigged, and citizens do not have faith in the process. Kelly S. Brown asked that the TCEQ not allow the Applicant to “buy” the permit from the agency.

Commenters stated that citizens should have the right to affect decisions regarding what impacts them and to have their concerns taken into consideration. Terri Lynn Hall and Meg Kloesel commented that the TCEQ has approved other permits in the area, despite public opposition. Milann Guckian commented that the TCEQ does not take citizens' concerns into account during the permitting process. Daniel Guerra and Robin Guerra stated that they have witnessed bullying condoned by the TCEQ and that TCEQ is not representative of the people. King Hodson and Misty Hodson stated that people who live, work, breathe, and raise families in the area need a voice over a billion-dollar enterprise and money. Douglas Harrison stated that TCEQ owes Texas more. Byron L. Leonard stated he is ready to take legal action against the TCEQ for gross negligence of the ecosystem, which pertains to the Clean Air Act, the Clean Water Act, and the Endangered Species Act. (Comment Group BB)

RESPONSE 42:

The TCEQ has adopted a written ethics policy which includes the requirements of Tex. Gov't Code § 572.051(a), which prohibit conduct that may improperly influence a state officer's official duties. Prohibited conduct includes accepting or soliciting a gift, favor or service that could influence the discharge of official duties; making personal investments that could create a substantial conflict of interest; or accepting a benefit for having exercised official duties. More information is available through Texas Ethics Commission Publication, *A Guide to Ethics Laws for State Officers and Employees*.²⁰ See Response 41 for further information regarding the Responsibility of the TCEQ, including its Mission Statement.

COMMENT 43: Jurisdiction

Commenters expressed concern about the TCEQ's jurisdiction and permitting process, particularly that the receipt of an air quality permit would not encompass the full scope of operations at the site. Commenters expressed particular concern that air and water permits are issued separately and that certain issues, such as tree removal, traffic, noise and light pollution, and blasting and mining operations are not considered. Commenters stated that these issues should be considered because they affect the environment and TCEQ is charged with protecting the environment. Commenters also asked that TCEQ revamp its permitting process to consider all aspects of a project. Milann Guckian asked how it makes sense for blasting to not be addressed in the permit, when it will create silica and is an air quality issue. Milann Guckian stated that these issues are under the purview of the TCEQ because the agency's mission statement states that the mission of the agency is to protect the state's public health and natural resources consistent with sustainable economic development. Milann Guckian stated that blasting and mining operations affect the air and water and that the TCEQ should follow its own protocols. Windell Cannon stated that there needs to be a change in what the TCEQ considers its responsibility.

Chris M. Hopmann stated that it is not appropriate or professional of the TCEQ to only consider an applicant's request for an air permit without first considering the numerous and critical concerns that are not part of an air permit process. Nelda S. Davis, Ronald R. Davis, Donna Foulds, Denise Harris, and Edward Harris commented that because the TCEQ only considers the factual basis of a permit, the process is flawed, and favors developers rather than citizens.

Rod Marin asked why there were no representatives from the Edwards Aquifer Authority or TxDot at the public meeting and stated that all agencies should be represented so that the public can ask questions. (Comment Group BB)

²⁰ <https://www.ethics.state.tx.us/guides/Go-e.pdf> (revised September 15, 2015).

RESPONSE 43:

The TCEQ's jurisdiction is established by the Legislature and is limited to the issues set forth in statute. As stated in Response 34, TCEQ does not have the authority under state law to consider emissions from mining and quarry operations as part of this application. The TCEQ reviews all applications consistent with applicable law and the TCEQ's regulatory authority and the Agency's mission to protect the State's human and natural resources consistent with sustainable economic development. See Response 41 for more information about the TCEQ's jurisdiction.

Any interested person may petition the commission to request the adoption or amendment of a commission rule. Rules for submittal and processing of petitions are located in Texas Administrative Code, Title 30, Part 1, Chapter 20. Requests that meet all the requirements will be considered by the commission at a regularly scheduled open meeting. The commission shall either deny the petition in writing, stating its reasons for the denial, or shall initiate rulemaking proceedings in accordance with the Administrative Procedure Act.

COMMENT 44: Public Opposition

Commenters expressed opposition to the proposed project and requested that the permit be denied. The City of Bulverde strongly opposes the establishment of a quarry and rock crushing operation and the granting of any permits that facilitate such operations. The City of Garden Ridge stated it formally discourages the development of rock crushing and quarry operations at the proposed site. Nathan Olson asked if the TCEQ has the flexibility to deny the application. (Comment Group CC)

RESPONSE 44:

The TCEQ appreciates the comments and interest from the public in environmental matters before the agency and acknowledges the comments in opposition of the project. The TCEQ cannot deny a permit if the applicant demonstrates that all applicable statutes, rules, and regulations will be met. Special conditions and a maximum allowable emission rates table are created to establish limits for the operation of the proposed plant. The permit conditions are developed such that a plant that is operated within the terms and conditions of the permit will operate in compliance with standards outlined in the TCAA and all applicable state and federal rules and regulations.

COMMENT 45: Questions/Comments for Applicant

Commenters requested that the Applicant provide information and answer their questions regarding the proposed plant and its impacts on the surrounding community, including the amount of water to be used annually and details regarding any blasting to be conducted at the proposed plant. Commenters also asked about plans to compensate residents for any negative effects on the health of residents and nearby properties. FDCC, Hector Amaya, and Sabrina A. Houser Amaya requested full

access to the proposed plant's property to conduct a pre-economic and environmental impact study including access to the property's caves and large karst development. Amy Elizabeth Raymond requested that Vulcan install advanced air monitors throughout a 5-mile radius of the proposed plant. Ron Bigbee, on behalf of Robert Carrillo, requested that the Applicant conduct a seismic survey and asked the Applicant what their plan is for managing caves they may come across. In addition, commenters asked why the Applicant purchased the land for the proposed site under an assumed name.

Mike B. Stemig asked why the Applicant needed to open this quarry in an environmentally sensitive area when it already operates other quarries. Veronica Boone, William Boone asked whether the Applicant would be paying the county for the water they use. Michele M. Drake requested that the Applicant turn the proposed site in to a nature reserve. Nathan Olson asked if the Applicant is going to bring a railroad spur to the proposed plant or use neighborhood roads. Nathan Olson also asked the Applicant to confirm the minimum distance that the proposed plant will be kept from the property line. Jimmy Arreaga asked what sources of energy will be required to run the plant. (Comment Group DD)

RESPONSE 45:

These specific questions or concerns were addressed to the Applicant and are therefore included for completeness but not addressed by the Executive Director.

CHANGES MADE IN RESPONSE TO COMMENT

No changes to the draft permit have been made in response to public comment.

Respectfully submitted,

Texas Commission on Environmental Quality

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REPRESENTING THE
EXECUTIVE DIRECTOR OF THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

**Vulcan Construction Materials LLC
Registration No. 147392L001**

ATTACHMENT A

Texas State Senator Donna Campbell, M.D., Texas State Representative Kyle Biedermann, Barron Casteel (Mayor, City of New Braunfels), Donna Eccleston (Comal County Commissioner Precinct 1), Scott Haag (Comal County Commissioner Precinct 2), Bill Krawietz (Mayor, City of Bulverde), James Mayer (Mayor, City of Spring Branch), and Wayne Peters (Mayor Pro Tem, City of New Braunfels), City of Bulverde, City of Garden Ridge, City of Spring Branch

Janet Abell, Manuel Adame, Francisco Agraz, Aaron Aiza, Alan K. Albers, Karen Albright, Melissa Alonzo, Haley Altomare, Sabrina A. Houser Amaya, Hector Amaya, Beverly A. Andaloro, Carie Andrews, Daniel Andrews, Marc Arias, Rick D. Aristeguieta, Gary B. Armstrong, Nick Arnio, Jimmy Arreaga, Yvonne Ruiz Arreaga, Jimmy Rene Arreaga, Melissa Ashabranner, Lauri Sue Azzaro, Sean Vincent Azzaro, Nancy Baker, Gary Baker, Sherry Balgemann, Gary Banse, Kathleen Banse, Jennifer Banse, Eric C. Barefoot, Alice Barger, Richard Barger, Bob Baranowski, Clifford G. Barr, Martha Barrett, Lynda Batey, Ali Baugh, Dustin Beam, Mark Beard, Geri Rue Becker, Randy Bruce Becker, Deborah Bell, Devin Bell, Michael Bell, Debbie Bell, Erin Bell, Verma Bellah, Michael E. Bembenek, Moses Berban, Katherine Beshore, Matt Bettersworth, Larry Beward, Nancy Ann Beward, Ron Bigbee, Kathryn A. Black, Amy Boland, Veronica Boone, William Boone, David Hampton Bounds, Katherine M. Bowers, Hettie Ann Bowker, Steven M. Brand, Troy Calvin Brand, Dawson Bremer, Bruce Briney, Pierce Massie Broach, Donald Brooke, Harold Broth, Hal Broth, Christopher Brown, Kelly S. Brown, Ginger Browning, Ann Marie Bruno-RaKowitz, Barbara Brunson, Daryl Brupbacher, Barry Daryl Brupbacher, Judy Morene Brupbacher, Katy Bryant, Alyssa D. Brysch, Kristine Brzozowski, David Bullock, Julie Burbank, Billy Wayne Burton, Gene Busby, Katherine Butenas, Dudley Buttler, Suzanne Byrd, Trude Cables, Mary Calcote, Sheryl Calhoun, Teri Callihan, Colleen Callihan, Charles Cannon, Windell Cannon, Rachel Cannon, Erin P. Cantu, Jennifer Cardenas, Missy Carlson, Mike L. Carnett, Sharon Carnett, Candy Carpenter, Plack Carr, Melissa, Carrasco, Robert Carrillo, Mary L. Carter, Hugo Carvajal, Russell Cason, Ana Castro, Aubrey Castro, Pete Castro, Mason Cawley, Cheryl Chamness, Jerrie Champlin, Glenda Chandler, Lynn Chapman, Yvonne L. Chapman, Kelly Cheddie, James Albert Chew, Wes Clark, Sabrina Clisby, Amber Clowney, William B. Cobb, Steve Coker, Herbert A. Coley, Milton Collier, John Corkill, Shirley Corkill, Ayden Shane Correa, Belinda Correa, Mark Correa, Evan Correa, Noah Correa, Brenda Cowlshaw, Rebecca L. Cox, Kristina Craig, Angelica Cronan, Catherine Croom, Joel Cunningham, James L. Dalton, Krista L. Dalton, Richard Damron, Donna Dancer, Steven Davis, Kimmie Davis, Nelda S. Davis, Ronald R. Davis, Brenda Davis, Dion Davis, Grant Dean, Rocco L. Defelice, Rosa Linda Delacerda, Donna Holliday Dell, Robert Dell, Leon Dominick, Teresa Dophied, Debra Dorazil, Richard J. Dorazil, James Kevin Drake, Michele M. Drake, David A. Drewa, Tiffany Drewa, Jan Dunagan, Susan L. Dunlap, George Eanes, Robin Ecks, D. Lee Edwards, Chadwick Eiring, Benjamin Alex Elbel, Dianna Kay Elbel, Rick Elftmann, Valerie Elishewitz, Dillon Ellis, Kim Ellison,

Thomas Banon Ellison, Lori Elmer, Maria A. Esparza, Louis Esquivel, Don Everingham, Linda Everingham, Larry Ewald, Connie Sue Stroud Ewald, Dianne Fadok, Carole Farmer, Deborah Farrar, Friends of Dry Comal Creek (FDCC), Sandi Van Sandt Felux, Lori Ferman, Melinda Ferris, LeAnne Fey, Terry Paul Flahive, David N. Fletcher, Erin B. Foltz, Deborah Foster, Donna Foulds, Rochelle Fowler, Jeanne Fraga, Mary Lee Freeman, Lori Frerman, Mark Friesenhahn, Belinda Frisk, Ronald A. Frisk, Linda Diane Fuchs, Connie Gaines, Sam Gaines, Greater Edwards Aquifer Authority (GEAA), Nicole M. Geiger, Elizabeth Gerasimenko, Shirley Y. Gerdes, Charles David Gerdes, Alan Gibbs, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, Cece Given, George Glasby, Sharon Gonzales, Andrea M. Gonzalez, Scott P. Graham, Terry L. Graham, Mary K. Grahmann, David Lee Granato, Debbie L. Granato, Chandler Gray, Cynthia Green, Thomas P. Greneaux, Edward A. Grun, Debbie Sabins Grun, Michael Guadagno, Milann Guckian, Pru Guckian, Daniel Guerra, Robin Guerra, Wendy Hahn, Shaun Hakim, Duane R. Hall, Jacey Hall, Jaclyn Hall, McKenna Hall, Nathanael Hall, Roger Hall, Terri Lynn Hall, Tex Hall, Susan Halsell, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Trey Hancock, Grace Hannemann, Patricia Hanson, Kenneth C. Hardcastle, Kathy Harrington, Denise Harris, Edward Harris, Rhonda Harris, Douglas Harrison, Matthew Harrison, Susanna Harrison, Ruby Hartmann, Sally Harvey, Veronica Hawk, Heidi Hawkins, Mike Hazel, Lynda L. Heikes, Krystal Henagan, Eric Hermann, Susan Herr, Cathy Heshmat, Pam Hibler, Prentis Otis Hibler, Diane P. Higby, Kenneth Higby, Lorianne Hodge, King Hodson, Misty Hodson, David Hoey, Tyler Hoffmann, Chris M. Hopmann, Jeanne Howe, McKenna Hurst, Fran Hutchins, Julie Kay Hutchins, Matthew G. Hutchins, Sarah Kassis Izzat, Steven Izzat, Kimberly Jackson, Rose Jacobs, Liz James, Mary B. Jeanes, Mary Lou Jenkins, Craig Johnson, Eric Johnson, Jane Johnson, Karen Johnson, Kendra Johnson, Stephen Johnson, Nicholas Kanelopoulos, Richard C. Keady, Kilian Kean, Fred Scott Kee, Jameson Keller, Shari Keller, Rachelle Keller, Justin Kelly, Greg Kiel, Betty G. Kight, Jennifer Kimmet, Allan King, Karen M. King, Sheri Kitchen, Meg Kloesel, Kelly Knibbe, Cody C. Koehler, Chris Kostrzewa, Richard Michael Krup, Judy Krup, Charles Kuentz III, Brenda L. Kurth, Jim Kurth, Darin Scott LaCour, Susan LaCour, Gloria Lamoureux, Daniel J. LaRoe, Melissa Laster, Cara Laubach, Kenneth C. Laubach, Victoria Beth Laubach, Clint Laubach, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Laura Levasseur, Julie Lipsey, Charles D. Logue, Susan R. Dooley-Logue, Chaylah Lomotey, Toni D'Angelo Lott, David Luna, Roger Phelps Mabee, Madeleine Maciula, Jense Madden, Jim Dalton Maddox, Christine M. Magers, Gayle Manker, Charles R. Mann, Linda Mann, Rod Marin, Elizabeth L. Martin, Elizabeth Martin, Linda T. Martin, Ted M. Martin, Maureen A. Martinez, Richard C. Mason, Brian Mather, Raymond G. Mathews, Dianna Mathews, Terressa Mathews, Michael L. Maurer Sr., Rose Maurer, Carrie Mauthe, Rachel Mayfield, William Mayfield, Matthew Dylan Mayo, Sheryl Lynn Mays, David McCabe, Mike McCarthy, Ellen McClellan, Theresa Barden McClung, Peggye McDonald, Marla E. McMahan, Debra McSweeney, Hilary McVicker, Martha McWilliams, Dawn Medeiros, Richard Medeiros, Daniel Meneilly, Scott Merillat, Shuntell Meyers, Sterling B. Meyers, Steve Middlecamp, David Miksch, Balous Miller, Judy Millspaugh, Mason Minister, Tatum Minister, Kyle Minister, Brennan Miska, John Mohar, Linda Holley Mohr, Beth A. Moore, Holly Moore, Laura Moorman, Jason Morgan, Martha Morin, Stacy L. Morrison, Gloria Morse, Maureen S. Mosher, Glen Muehlstein, Rhonda Muehlstein, Grace Murphy, Bruce P. Murphy, Richard Musgrove, Bill Nauschuetz,

Karen Nauschuetz, Robert Francis Nebergall, Mary Jean Nebergall, Wesley Nelson, Andrew Edgar Newhouse, Butch Newman, Linda Sue Newman, Edward N. Newman, Linda Newman, Reginald Nix, David Nolan, Lynda Nollkamper, Wendy Norris, Tami Norton, Sandy L. Nott, Teressa Nott, Susan Kay Novak, Deborah K. Ohlrich, Jack Olivier, Terry Olson, Kira Olson, Nathan Olson, Michael L. Olson, Mike Olson, Tara O'Quinn, Colin Ousset, Corissa Owens, Amber Palmer, Chase V. Palmer, Jessica L. Palmer, Nancy Pappas, Randall Pappas, Phillip K. Patin, Cole Paveglio, F.J. Payne, Yvette Payne, Michelle Cheree Payne, Annalisa Peace, Tom Pearson, Gavin Pehl, Ronnie Pena, Theresa Pena, Patrick E. Pence, David Perelstein, Carla Perry, Wayne Peters, Paul Petrino, Stephen Petty, Debra Phelps, Amy Piper, Joe B. Pitcock, Richard G. Planas, Lori Polasek, Shawna Poor, Jill Pope, Johanna Posey, Kathleen Priebe, William Kyle Pringle, Susan Puype, James Quick, Laura Allen Quisenberry, Randal Craig Quisenberry, Michael Adam Rakowitz, Phelon Tyler Rammell, Russell Keith Randolph, Susan Randolph, Amy Elizabeth Raymond, Joan Reeh, Allyson Remak, Robert Remey, Joseph Ritchey, Michael Roberts, Timothy Roberts, Thomas S. Robin, Andy Roca, Beverly Rodriguez, Teresa Rogers, Jorge L. Romeu, Dr. Jorge L. Romeu, Tyler Rosh, Jessica Rudewick, James Runnels, Lisa Rupp, Stephen Rupp, Lindsey Saathoff, Penni Salge, Heather Snyder Samsel, Betty Jo Sargent, Jakki M. Saul, Vallye Sawyer, Janice Kay Scecina, Stephanie Schaefer, Heather Scherer, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Amy L. Schorn, Lauri Schule, Kathleen M. Schultz, Annette Schwarz, Arthur Seago, Pamela Seay, Donald Seeger, Elias Shaer, Nadine Sheehan, Robbi Shipley, Howard Shipman, Anita Jewell Smith, Margaret Smith, Gregory Snider, Jessica Snider, Margie Spaeth, Wilbert D. Spaeth, Donald G. Stackhouse, Sarah Stagg, Gina Stefanutti, Mike B. Stemig, Nova Stephenson, Stefanie Stevenson, Sarah A. Stevick, Charles Stewart, James Huntley Stipe, Mary Lou Stone, Stop 3009 Vulcan Quarry, La Stout, Lynda Streater, Trudy Striegel, Brenda R. Sturtevant, John W. Sturtevant, Cathy Sullivan, Jack Sullivan, Lisa Swint, Connie Terao, Jeff R. Thomas, Carl Thompson, Mary Trujillo, R. Trujillo, Amanda Trussell, Tina Tsui, Sharron Tucker, Joe Tyler, Shaine Tyler, Dragos Ungurean, Mariana Ungurean, Deborah Vazquez, Sherri Velez, Millie Vonstultz, Warren E. Wagner, Ina L. Waite, Sylvia Walker, Kathleen Walker, Suzan Phyllis Warner, Mark Waters, Patti Waters, Cheryl Watson, Francesca W. Watson, Aurora Dozier White, Kathryn M. Willdigg, Gary Williams, Diana Williamson, Steven Williamson, Renee Wilson, Kenneth E. Wilson, Craig Witten, Nancy Witten, Brad Wuest, Calley Wyatt, Michael B. Wyatt, Michael Yocom, Diane P. Young, Johnny V. Young, Deborah S. Zimmerman, Doug Wayne Zimmerman, Michael J. Zimmerman, Sandra Zimmerman, Sandra Dee Zimmerman, Steve Wayne Zimmerman, Rhonda Zunker, Kathryn A. Zwart

In addition, the following commenters indicated their comments were submitted on behalf of another person or entity: Kathleen Banse, on behalf of Bulverde Clean Air-Stop Vulcan Facebook; Ron Bigbee, on behalf of Robert Carillo; Dawson Bremer, on behalf of Bremer Ranch, Ltd.; Grant Dean, on behalf of the Texas Environmental Protection Coalition; David Frederick, on behalf of Friends of Dry Comal Creek and Stop 3009 Vulcan Quarry; Cheryl Allen Gilpin, on behalf of the Edwards Aquifer Authority; Terri Lynn Hall, on behalf of Texans Uniting for Reform and Freedom; Fran Hutchins, on behalf of Bat Conservation International; Gloria Lamoureux, on behalf of the Comal County Historical Commission; Elizabeth Martin, on behalf of the Smithson

Valley Heritage Oaks Property Owners Association; Annalisa Peace, on behalf of the Greater Edwards Aquifer Alliance; Deborah Reid, on behalf of the Greater Edwards Aquifer Alliance; Brad Wuest, on behalf of the Natural Bridge Caverns. Thomas Banon Ellison adopted the comments of Edward Harris.

**Vulcan Construction Materials LLC
Registration No. 147392L001**

ATTACHMENT B

State/County/City Officials

COMMENT GROUP A: Texas State Senator Donna Campbell, M.D., Texas State Representative Kyle Biedermann, Barron Casteel (Mayor, City of New Braunfels), Donna Eccleston (Comal County Commissioner Precinct 1), Scott Haag (Comal County Commissioner Precinct 2), Bill Krawietz (Mayor, City of Bulverde), James Mayer (Mayor, City of Spring Branch), and Wayne Peters (Mayor Pro Tem, City of New Braunfels), David A. Drewa, Terri Lynn Hall.

COMMENT GROUP B: City of Bulverde, City of Garden Ridge, City of Spring Branch, Donna Eccleston (Comal County Commissioner Precinct 1), Scott Haag (Comal County Commissioner Precinct 2), Barron Casteel (Mayor, City of New Braunfels)

Janet Abell, Manuel Adame, Aaron Aiza, Karen Albright, Melissa Alonzo, Haley Altomare, Hector Amaya, Sabrina A. Houser Amaya, Beverly A. Andaloro, Marc Arias, Rick D. Aristeguieta, Nick Arnio, Jimmy Arreaga, Yvonne Ruiz Arreaga, Melissa Ashabrunner, Lauri Sue Azzaro, Sean Vincent Azzaro, Nancy Baker, Sherry Balgemann, Gary Banse, Jennifer Banse, Kathleen Banse, Eric C. Barefoot, Alice Barger, Richard Barger, Bob Baranowski, Clifford G. Barr, Martha Barrett, Ali Baugh, Geri Rue Becker, Deborah Bell, Devin Bell, Erin Bell, Michael Bell, Verma Bellah, Michael E. Bembenek, Katherine Beshore, Matt Bettersworth, Larry Beward, Nancy Ann Beward, Kathryn A. Black, Amy Boland, David Hampton Bounds, Hettie Ann Bowker, Steven M. Brand, Troy Calvin Brand, Dawson Bremer, Bruce Briney, Donald Brooke, Christopher Brown, Ginger Browning, Barbara Brunson, Barry Daryl Brupbacher, Judy Morene Brupbacher, Katy Bryant, Alyssa D. Brysch, Kristine Brzozowski, David Bullock, Julie Burbank, Billy Wayne Burton, Gene Busby, Katherine Butenas, Suzanne Byrd, Trude Cables, Mary Calcote, Sheryl Calhoun, Teri Callihan, Charles Cannon, Rachel Cannon, Erin P. Cantu, Jennifer Cardenas, Missy Carlson, Candy Carpenter, Plack Carr, Mary L. Carter, Russell Cason, Ana Castro, Aubrey Castro, Pete Castro, Mason Cawley, Jerrie Champlin, Lynn Chapman, Yvonne L. Chapman, Kelly Cheddie, James Albert Chew, Wes Clark, William B. Cobb, Steve Coker, Herbert A. Coley, Milton Collier, John Corkill, Shirley Corkill, Ayden Shane Correa, Mark Correa, Brenda Cowlshaw, Rebecca L. Cox, Kristina Craig, Angelica Cronan, Catherine Croom, Joel Cunningham, James L. Dalton, Krista L. Dalton, Richard Damron, Donna Dancer, Steven Davis, Kimmie Davis, Nelda S. Davis, Ronald R. Davis, Brenda Davis, Dion Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, Leon Dominick, Teresa Dophied, Debra Dorazil, Richard J. Dorazil, James Kevin Drake, Michele M. Drake, Tiffany Drewa, David A. Drewa, Jan Dunagan, Susan L. Dunlap, Robin Ecks, D. Lee Edwards, Chadwick Eiring, Benjamin Alex Elbel, Dianna Kay Elbel, Dillon Ellis, Kim Ellison, Thomas Banon Ellison, Lori Elmer, Maria A. Esparza, Louis Esquivel, Don Everingham, Linda Everingham, Larry Ewald, Connie Sue Stroud Ewald, Dianne Fadok, Carole Farmer, Deborah Farrar, FDCC, Sandi Van Sandt Felux, Melinda Ferris,

LeAnne Fey, David N. Fletcher, Erin B. Foltz, Deborah Foster, Donna Foulds, Rochelle Fowler, Jeanne Fraga, Lori Frerman, Mark Friesenhahn, Belinda Frisk, Ronald A. Frisk, Linda Diane Fuchs, Connie Gaines, GEAA, Elizabeth Gerasimenko, Charles David Gerdes, Shirley Y. Gerdes, Alan Gibbs, Robert Paschal Gibson, Cheryl Allen Gilpin, Cece Given, George Glasby, Scott P. Graham, Terry L. Graham, Mary K. Grahmann, David Lee Granato, Debbie L. Granato, Chandler Gray, Debbie Sabins Grun, Edward A. Grun, Michael Guadagno, Milann Guckian, Pru Guckian, Daniel Guerra, Robin Guerra, Wendy Hahn, Shaun Hakim, Duane R. Hall, Jaclyn Hall, Nathanael Hall, Roger Hall, Terri Lynn Hall, Jacey Hall, McKenna Hall, Susan Halsell, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Grace Hannemann, Kenneth C. Hardcastle, Kathy Harrington, Denise Harris, Edward Harris, Rhonda Harris, Douglas Harrison, Matthew Harrison, Ruby Hartmann, Sally Harvey, Veronica Hawk, Heidi Hawkins, Mike Hazel, Lynda L. Heikes, Krystal Henagan, Eric Hermann, Susan Herr, Cathy Heshmat, Pam Hibler, Prentis Otis Hibler, Diane P. Higby, Kenneth Higby, King Hodson, Misty Hodson, David Hoey, Tyler Hoffmann, Chris M. Hopmann, Jeanne Howe, Fran Hutchins, Sarah Kassis Izzat, Steven Izzat, Kimberly Jackson, Rose Jacobs, Liz James, Mary B. Jeanes, Mary Lou Jenkins, Karen Johnson, Jane Johnson, Kendra Johnson, Craig Johnson, Stephen Johnson, Eric Johnson, Pierce Massie Broach, Terry Flahive, Nicholas Kanelopoulos, Richard C. Keady, Kilian Kean, Fred Scott Kee, Jameson Keller, Rachelle Keller, Greg Kiel, Betty G. Kight, Jennifer Kimmet, Allan King, Sheri Kitchen, Cody C. Koehler, Chris Kostrzewa, Judy Krup, Charles Kuentz III, Brenda L. Kurth, Jim Kurth, Darin Scott LaCour, Susan LaCour, Daniel J. LaRoe, Melissa Laster, Cara Laubach, Clint Laubach, Victoria Beth Laubach, Bruce Lee, Nilda M. Leon, Laura Levasseur, Julie Lipsey, Charles D. Logue, Susan R. Dooley-Logue, Chaylah Lomotey, Roger Phelps Mabee, Madeleine Maciula, Jim Dalton Maddox, Christine M. Magers, Charles R. Mann, Linda Mann, Elizabeth L. Martin, Linda T. Martin, Ted M. Martin, Elizabeth Martin, Maureen A. Martinez, Richard C. Mason, Brian Mather, Raymond G. Mathews, Michael L. Maurer Sr., Rose Maurer, Carrie Mauthe, Rachel Mayfield, William Mayfield, Sheryl Lynn Mays, David McCabe, Mike McCarthy, Ellen McClellan, Theresa Barden McClung, Hilary McVicker, Dawn Medeiros, Richard Medeiros, Scott Merillat, Steve Middlecamp, David Miksch, Balous Miller, Mason Minister, Tatum Minister, John Mohar, Linda Holley Mohr, Beth A. Moore, Laura Moorman, Jason Morgan, Martha Morin, Stacy L. Morrison, Gloria Morse, Maureen S. Mosher, Glen Muehlstein, Rhonda Muehlstein, Bruce P. Murphy, Grace Murphy, Richard Musgrove, Mary Jean Nebergall, Robert Francis Nebergall, Wesley Nelson, Andrew Edgar Newhouse, Butch Newman, Edward N. Newman, Linda Sue Newman, Reginald Nix, Lynda Nollkamper, Wendy Norris, Tami Norton, Sandy L. Nott, Susan Kay Novak, Deborah K. Ohlrich, Terry Olson, Kira Olson, Michael L. Olson, Nathan Olson, Tara O'Quinn, Colin Ousset, Amber Palmer, Chase V. Palmer, Jessica L. Palmer, Phillip K. Patin, Cole Paveglio, F.J. Payne, Michelle Cheree Payne, Yvette Payne, Tom Pearson, Gavin Pehl, Ronnie Pena, Theresa Pena, Patrick E. Pence, David Perelstein, Stephen Petty, Debra Phelps, Amy Piper, Richard G. Planas, Lori Polasek, Shawna Poor, Jill Pope, Johanna Posey, Kathleen Priebe, William Kyle Pringle, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Phelon Tyler Rammell, Russell Keith Randolph, Susan Randolph, Amy Elizabeth Raymond, Joan Reeh, Joseph Ritchey, Michael Roberts, Timothy Roberts, Thomas S. Robin, Beverly Rodriguez, Jorge L. Romeu, Jessica Rudewick, James Runnels, Lisa Rupp, Stephen Rupp, Lindsey Saathoff, Penni Salge,

Heather Snyder Samsel, Betty Jo Sargent, Jakki M. Saul, Vallye Sawyer, Janice Kay Scecina, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Amy L. Schorn, Kathleen M. Schultz, Arthur Seago, Pamela Seay, Donald Seeger, Robbi Shipley, Howard Shipman, Anita Jewell Smith, Gregory Snider, Jessica Snider, Margie Spaeth, Wilbert D. Spaeth, Donald G. Stackhouse, Mike B. Stemig, Nova Stephenson, Stefanie Stevenson, Sarah A. Stevick, James Huntley Stipe, Mary Lou Stone, Stop 3009 Vulcan Quarry, Trudy Striegel, Brenda R. Sturtevant, John W. Sturtevant, Cathy Sullivan, Lisa Swint, Connie Terao, Jeff R. Thomas, Carl Thompson, Mary Trujillo, R. Trujillo, Amanda Trussell, Tina Tsui, Sharron Tucker, Joe Tyler, Dragos Ungurean, Mariana Ungurean, Sherri Velez, Millie Vonstultz, Warren E. Wagner, Ina L. Waite, Sylvia Walker, Suzan Phyllis Warner, Mark Waters, Patti Waters, Cheryl Watson, Aurora Dozier White, Renee Wilson, Craig Witten, Nancy Witten, Brad Wuest, Calley Wyatt, Michael B. Wyatt, Diane P. Young, Deborah S. Zimmerman, Doug Wayne Zimmerman, Sandra Zimmerman, Sandra Dee Zimmerman, Steve Wayne Zimmerman, Michael J. Zimmerman, Rhonda Zunker, Kathryn A. Zwart

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COMMENT GROUP D: Manuel Adame, Karen Albright, Melissa Alonzo, Hector Amaya, Sabrina A. Houser Amaya, Jimmy Arreaga, Yvonne Ruiz Arreaga, Melissa Ashabrunner, Gary Baker, Nancy Baker, Kathleen Banse, Eric C. Barefoot, Alice Barger, Richard Barger, Clifford G. Barr, Lynda Batey, Ali Baugh, Dustin Beam, Mark Beard, Geri Rue Becker, Deborah Bell, Katherine Beshore, Katherine M. Bowers, Steven M. Brand, Troy Calvin Brand, Harold Broth, Kelly S. Brown, Ginger Browning, Barbara Brunson, Judy Morene Brupbacher, Kristine Brzozowski, Julie Burbank, Billy Wayne Burton, Dudley Buttler, Mary Calcote, Sheryl Calhoun, Windell Cannon, Erin P. Cantu, Candy Carpenter, Russell Cason, Ana Castro, Aubrey Castro, Pete Castro, Lynn Chapman, Yvonne L. Chapman, Sabrina Clisby, William B. Cobb, Milton Collier, Ayden Shane Correa, Belinda Correa, Mark Correa, Rebecca L. Cox, Kristina Craig, Catherine Croom, James L. Dalton, Krista L. Dalton, Richard Damron, Kimmie Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, Teresa Dophied, James Kevin Drake, Michele M. Drake, David A. Drewa, Tiffany Drewa, Susan L. Dunlap, George Eanes, Robin Ecks, Valerie Elishewitz, Thomas Banon Ellison, Lori Elmer, Don Everingham, Linda Everingham, Connie Sue Stroud Ewald, Larry Ewald, Deborah Farrar, FDCC, Sandi Van Sandt Felux, David N. Fletcher,

Donna Foulds, Jeanne Fraga, Mary Lee Freeman, Mark Friesenhahn, Linda Diane Fuchs, GEAA, Nicole M. Geiger, Elizabeth Gerasimenko, Charles David Gerdes, Robert Paschal Gibson, Cheryl Allen Gilpin, Andrea M. Gonzalez, Terry L. Graham, Mary K. Grahmann, David Lee Granato, Debbie L. Granato, Debbie Sabins Grun, Edward A. Grun, Milann Guckian, Pru Guckian, Daniel Guerra, Robin Guerra, Shaun Hakim, Duane R. Hall, Jaclyn Hall, Terri Lynn Hall, Jacey Hall, McKenna Hall, Nathanael Hall, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Grace Hannemann, Kathy Harrington, Douglas Harrison, Ruby Hartmann, Sally Harvey, Veronica Hawk, Lynda L. Heikes, Krystal Henagan, Cathy Heshmat, Prentis Otis Hibler, Kenneth Higby, Lorianne Hodge, King Hodson, Misty Hodson, Chris M. Hopmann, Jeanne Howe, McKenna Hurst, Sarah Kassis Izzat, Steven Izzat, Liz James, Mary B. Jeanes, Mary Lou Jenkins, Karen Johnson, Kilian Kean, Rachelle Keller, Betty G. Kight, Jennifer Kimmet, Meg Kloesel, Kelly Knibbe, Richard Michael Krup, Judy Krup, Brenda L. Kurth, Jim Kurth, Daniel J. LaRoe, Melissa Laster, Cara Laubach, Kenneth C. Laubach, Nilda M. Leon, Byron L. Leonard, Charles D. Logue, Susan R. Dooley-Logue, Roger Phelps Mabee, Madeleine Maciula, Christine M. Magers, Charles R. Mann, Elizabeth L. Martin, Elizabeth Martin, Maureen A. Martinez, Brian Mather, Dianna Mathews, Terressa Mathews, Michael L. Maurer Sr., David McCabe, Ellen McClellan, Theresa Barden McClung, Marla E. McMahan, Hilary McVicker, Martha McWilliams, Dawn Medeiros, Richard Medeiros, Daniel Meneilly, Scott Merillat, Shuntell Meyers, Sterling B. Meyers, Steve Middlecamp, Judy Millspaugh, Brennan Miska, John Mohar, Beth A. Moore, Laura Moorman, Jason Morgan, Gloria Morse, Rhonda Muehlstein, Robert Francis Nebergall, Mary Jean Nebergall, Andrew Edgar Newhouse, Edward N. Newman, Linda Newman, Reginald Nix, David Nolan, Lynda Nollkamper, Sandy L. Nott, Teresa Nott, Susan Kay Novak, Deborah K. Ohlrich, Terry Olson, Kira Olson, Nathan Olson, Corissa Owens, Cole Pavaglio, David Perelstein, Paul Petrino, Stephen Petty, Debra Phelps, Amy Piper, Joe B. Pitcock, Richard G. Planas, Jill Pope, Johanna Posey, Kathleen Priebe, Susan Puype, Laura Allen Quisenberry, Michael Adam Rakowitz, Russell Keith Randolph, Susan Randolph, Joan Reeh, Michael Roberts, Timothy Roberts, Teresa Rogers, Jorge L. Romeu, Betty Jo Sargent, Jakki M. Saul, Vallye Sawyer, Janice Kay Scecina, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Kathleen M. Schultz, Annette Schwarz, Pamela Seay, Donald Seeger, Robbi Shipley, Howard Shipman, Anita Jewell Smith, Gregory Snider, Margie Spaeth, Wilbert D. Spaeth, Gina Stefanutti, Mike B. Stemig, Nova Stephenson, Sarah A. Stevick, Mary Lou Stone, Stop 3009 Vulcan Quarry, Trudy Striegel, Connie Terao, Carl Thompson, Amanda Trussell, Tina Tsui, Sharron Tucker, Joe Tyler, Shaine Tyler, Sherri Velez, Warren E. Wagner, Ina L. Waite, Francesca W. Watson, Aurora Dozier White, Kathryn M. Willdigg, Renee Wilson, Craig Witten, Nancy Witten, Michael B. Wyatt, Diane P. Young, Deborah S. Zimmerman, Michael J. Zimmerman

COMMENT GROUP E: Janet Abell, Manuel Adame, Aaron Aiza, Hector Amaya, Sabrina A. Houser Amaya, Beverly A. Andaloro, Yvonne Ruiz Arreaga, Melissa Ashabrunner, Lauri Sue Azzaro, Sean Vincent Azzaro, Lynda Batey, Dustin Beam, Mark Beard, Geri Rue Becker, Deborah Bell, Michael Bell, Katherine Beshore, Larry Beward, Nancy Ann Beward, Steven M. Brand, Christopher Brown, Kelly S. Brown, Ginger Browning, Judy Morene Brupbacher, Alyssa D. Brysch, Gene Busby, Mary Calcote, Sheryl Calhoun,

Erin P. Cantu, Candy Carpenter, Yvonne L. Chapman, James Albert Chew, Ayden Shane Correa, Belinda Correa, Mark Correa, Kristina Craig, Krista L. Dalton, Donna Holliday Dell, Robert Dell, Michele M. Drake, Jan Dunagan, Lori Elmer, Linda Everingham, Don Everingham, Connie Sue Stroud Ewald, Larry Ewald, Deborah Farrar, FDCC, David N. Fletcher, Donna Foulds, Mary Lee Freeman, Nicole M. Geiger, Charles David Gerdes, Robert Paschal Gibson, Cheryl Allen Gilpin, Andrea M. Gonzalez, Mary K. Grahmann, David Lee Granato, Debbie L. Granato, Debbie Sabins Grun, Pru Guckian, Daniel Guerra, Robin Guerra, Shaun Hakim, Jaclyn Hall, McKenna Hall, Nathanael Hall, Terri Lynn Hall, Jacey Hall, Johnny Hamilton, Alan M. Hammack, Rhonda Harris, Douglas Harrison, Ruby Hartmann, Krystal Henagan, Kenneth Higby, King Hodson, Misty Hodson, David Hoey, Chris M. Hopmann, Jeanne Howe, Kimberly Jackson, Liz James, Mary Lou Jenkins, Eric Johnson, Richard C. Keady, Rachelle Keller, Betty G. Kight, Jennifer Kimmet, Karen M. King, Richard Michael Krup, Brenda L. Kurth, Jim Kurth, Daniel J. LaRoe, Melissa Laster, Victoria Beth Laubach, Chaylah Lomotey, Elizabeth Martin, Dianna Mathews, Raymond G. Mathews, Terressa Mathews, Michael L. Maurer Sr., Ellen McClellan, Theresa Barden McClung, Martha McWilliams, Richard Medeiros. Daniel Meneilly, Steve Middlecamp, Judy Millspaugh, John Mohar, Linda Holley Mohr, Beth A. Moore, Jason Morgan, Rhonda Muehlstein, Richard Musgrove, Wesley Nelson, Andrew Edgar Newhouse, Terry Olson, Kira Olson, Mike Olson, Amber Palmer, David Perelstein, Carla Perry, Stephen Petty, Debra Phelps, Jill Pope, Kathleen Priebe, Susan Puype, James Quick, Laura Allen Quisenberry, Randal Craig Quisenberry, Phelon Tyler Rammell, Russell Keith Randolph, Amy Elizabeth Raymond, Timothy Roberts, Teresa Rogers, Jessica Rudewick, Lisa Rupp, Lindsey Saathoff, Heather Snyder Samsel, Betty Jo Sargent, Jakki M. Saul, Vallye Sawyer, Donna M. Schmidt, Kenneth Schmidt, Lauri Schule, Kathleen M. Schultz, Annette Schwarz, Pamela Seay, Donald Seeger, Robbi Shipley, Howard Shipman, Anita Jewell Smith, Gregory Snider, Gina Stefanutti, Mike B. Stemig, Sarah A. Stevick, Trudy Striegel, Connie Terao, Tina Tsui, Sharron Tucker, Joe Tyler, Sherri Velez, Warren E. Wagner, Ina L. Waite, Aurora Dozier White, Kathryn M. Willdigg, Renee Wilson, Craig Witten, Nancy Witten, Michael B. Wyatt, Diane P. Young, Michael J. Zimmerman, Kathryn A. Zwart

COMMENT GROUP F: Karen Albright, Hector Amaya, Sabrina A. Houser Amaya, Rick D. Aristeguieta, Gary B. Armstrong, Jimmy Arreaga, Yvonne Ruiz Arreaga, Lauri Sue Azzaro, Sean Vincent Azzaro, Kathleen Banse, Martha Barrett, Devin Bell, Deborah Bell, Erin Bell, Veronica Boone, William Boone, David Hampton Bounds, Troy Calvin Brand, Dawson Bremer, Harold Broth, Kristine Brzozowski, Katherine Butenas, Dudley Buttler, Suzanne Byrd, Mary Calcote, Sheryl Calhoun, Erin P. Cantu, Russell Cason, Ana Castro, Aubrey Castro, Pete Castro, Lynn Chapman, Wes Clark, Rebecca L. Cox, Joel Cunningham, Kimmie Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, James Kevin Drake, Michele M. Drake, Tiffany Drewa, Susan L. Dunlap, George Eanes, Robin Ecks, D. Lee Edwards, Thomas Banon Ellison, Don Everingham, Linda Everingham, Larry Ewald, Carole Farmer, Deborah Farrar, FDCC, Melinda Ferris, Donna Foulds, Linda Diane Fuchs, GEAA, Charles David Gerdes, Shirley Y. Gerdes, Thomas Paschal Gibson, George Glasby, Terry L. Graham, Scott P. Graham, Mary K. Grahmann, Debbie Sabins Grun, Edward A. Grun, Milann Guckian, Pru Guckian, Jacey Hall, Tex Hall, Terri Lynn Hall, Susan Halsell, Alan M. Hammack, Douglas Harrison, Sally Harvey, Heidi Hawkins,

Mike Hazel, Prentis Otis Hibler, Kenneth Higby, King Hodson, Misty Hodson, Tyler Hoffmann, Chris M. Hopmann, Jeanne Howe, Fran Hutchins, Liz James, Jane Johnson, Stephen Johnson, Jennifer Kimmet, Meg Kloesel, Richard Michael Krup, Melissa Laster, Cara Laubach, Victoria Beth Laubach, Bruce Lee, Byron L. Leonard, Toni D'Angelo Lott, David Luna, Christine M. Magers, Elizabeth L. Martin, Elizabeth Martin, Raymond G. Mathews, Michael L. Maurer Sr., Sheryl Lynn Mays, David McCabe, Marla E. McMahan, Debra McSweeney, Daniel Meneilly, Mason Minister, Tatum Minister, Beth A. Moore, Laura Moorman, Martha Morin, Gloria Morse, Rhonda Muehlstein, Bruce P. Murphy, Robert Francis Nebergall, Mary Jean Nebergall, Lynda Nollkamper, Deborah K. Ohlrich, Kira Olson, Nathan Olson, Terry Olson, Tara O'Quinn, Corissa Owens, Phillip K. Patin, Annalisa Peace, Ronnie Pena, Amy Piper, Richard G. Planas, Susan Puype, James Quick, Michael Roberts, Teresa Rogers, Heather Snyder Samsel, Betty Jo Sargent, Jakki M. Saul, Stephanie Schaefer, Amy L. Schorn, Lauri Schule, Kathleen M. Schultz, Pamela Seay, Anita Jewell Smith, Gregory Snider, Stefanie Stevenson, Stop 3009 Vulcan Quarry, Connie Terao, Carl Thompson, Tina Tsui, Sharron Tucker, Millie Vonstultz, Francesca W. Watson, Renee Wilson, Kathryn A. Zwart

COMMENT GROUP G: City of Garden Ridge, City of Spring Branch, Manuel Adame, Aaron Aiza, Melissa Alonzo, Hector Amaya, Sabrina A. Houser Amaya, Beverly A. Andaloro, Lauri Sue Azzaro, Sean Vincent Azzaro, Gary Banse, Kathleen Banse, Eric C. Barefoot, Alice Barger, Richard Barger, Geri Rue Becker, Deborah Bell, Devin Bell, Michael Bell, Larry Beward, Nancy Ann Beward, David Hampton Bounds, Dawson Bremer, Donald Brooke, Harold Broth, Ginger Browning, Barbara Brunson, Alyssa D. Brysch, Kristine Brzozowski, Julie Burbank, Mary Calcote, Windell Cannon, Russell Cason, Yvonne L. Chapman, James Albert Chew, William B. Cobb, Herbert A. Coley, Belinda Correa, Rebecca L. Cox, Kristina Craig, Catherine Croom, James L. Dalton, Krista L. Dalton, Kimmie Davis, Nelda S. Davis, Ronald R. Davis, Grant Dean, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, James Kevin Drake, Michele M. Drake, David A. Drewa, Benjamin Alex Elbel, Thomas Banon Ellison, Linda Everingham, Don Everingham, Connie Sue Stroud Ewald, Larry Ewald, FDCC, Sandi Van Sandt Felux, LeAnne Fey, Donna Foulds, Mary Lee Freeman, Mark Friesenhahn, Ronald A. Frisk, Linda Diane Fuchs, GEAA, Elizabeth Gerasimenko, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, Mary K. Grahmann, Debbie Sabins Grun, Edward A. Grun, Milann Guckian, Pru Guckian, Jacey Hall, Tex Hall, Jaclyn Hall, McKenna Hall, Nathanael Hall, Terri Lynn Hall, Alan M. Hammack, Kathryn L. Hammack, Denise Harris, Edward Harris, Douglas Harrison, Matthew Harrison, Susanna Harrison, Ruby Hartmann, Sally Harvey, Lynda L. Heikes, Kenneth Higby, Chris M. Hopmann, Jeanne Howe, Liz James, Mary B. Jeanes, Kendra Johnson, Eric Johnson, Richard C. Keady, Kilian Kean, Karen M. King, Cody C. Koehler, Richard Michael Krup, Charles Kuentz III, Darin Scott LaCour, Susan LaCour, Daniel J. LaRoe, Kenneth C. Laubach, Victoria Beth Laubach, Nilda M. Leon, Charles D. Logue, Susan R. Dooley-Logue, Chaylah Lomotey, Gayle Manker, Charles R. Mann, Elizabeth L. Martin, Linda T. Martin, Raymond G. Mathews, Michael L. Maurer Sr., Theresa Barden McClung, Marla E. McMahan, Debra McSweeney, Martha McWilliams, Dawn Medeiros, Judy Millspaugh, Mason Minister, Tatum Minister, Linda Holley Mohr, Beth A. Moore, Holly Moore, Laura Moorman, Gloria Morse, Robert Francis Nebergall, Mary Jean Nebergall, David Nolan, Lynda Nollkamper, Sandy L. Nott, Teresa Nott,

Susan Kay Novak, Kira Olson, Nathan Olson, Terry Olson, Corissa Owens, Ronnie Pena, Patrick E. Pence, Paul Petrino, Richard G. Planas, Johanna Posey, Susan Puype, Laura Allen Quisenberry, Randal Craig Quisenberry, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Amy Elizabeth Raymond, Michael Roberts, Teresa Rogers, Jorge L. Romeu, Lisa Rupp, Penni Salge, Betty Jo Sargent, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Lauri Schule, Kathleen M. Schultz, Arthur Seago, Pamela Seay, Donald Seeger, Anita Jewell Smith, Gregory Snider, Margie Spaeth, Wilbert D. Spaeth, Nova Stephenson, Sarah A. Stevick, John W. Sturtevant, Cathy Sullivan, Jeff R. Thomas, Carl Thompson, Amanda Trussell, Tina Tsui, Sharron Tucker, Joe Tyler, Warren E. Wagner, Kathleen Walker, Francesca W. Watson, Diana Williamson, Steven Williamson, Renee Wilson, Craig Witten, Nancy Witten, Michael B. Wyatt, Diane P. Young, Michael J. Zimmerman, Kathryn A. Zwart

COMMENT GROUP H: Hector Amaya, Sabrina A. Houser Amaya, Jimmy Arreaga, Sean Vincent Azzaro, Deborah Bell, Michael Bell, Michael E. Bembenek, William B. Cobb, Catherine Croom, Donna Holliday Dell, Robert Dell, David A. Drewa, Don Everingham, FDCC, GEAA, Elizabeth Gerasimenko, Robert Paschal Gibson, Milann Guckian, Terri Lynn Hall, Jacey Hall, Kenneth Higby, Chris M. Hopmann, Nilda M. Leon, Christine M. Magers, Dianna Mathews, Michael L. Maurer Sr., Andrew Edgar Newhouse, Kira Olson, Nathan Olson, Patrick E. Pence, Lori Polasek, Jorge L. Romeu, Kathleen M. Schultz, Margie Spaeth, Wilbert D. Spaeth, Stop 3009 Vulcan Quarry, Mary Trujillo, R. Trujillo, Tina Tsui, Michael J. Zimmerman

COMMENT GROUP I: Aaron Aiza, Hector Amaya, Sabrina A. Houser Amaya, Jimmy Arreaga, Christopher Brown, Windell Cannon, Russell Cason, Richard Damron, David A. Drewa, GEAA, Milann Guckian, Pru Guckian, Heidi Hawkins, Kendra Johnson, Kira Olson, Amy Piper, Johanna Posey, Thomas S. Robin, Renee Wilson

COMMENT GROUP J: Marc Arias, Kathryn A. Black, Bruce Briney, Sabrina Clisby, James Kevin Drake, Michele M. Drake, Thomas Banon Ellison, FDCC, Erin B. Foltz, Mark Friesenhahn, Milann Guckian, Terri Lynn Hall, Krystal Henagan, Chris M. Hopmann, Meg Kloesel, Daniel J. LaRoe, Toni D'Angelo Lott, Kira Olson, Amy Piper, James Quick, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Russell Keith Randolph, Penni Salge, Heather Scherer, Donna M. Schmidt, Kenneth Schmidt, Kathleen M. Schultz, Anita Jewell Smith, Kenneth E. Wilson

COMMENT GROUP K: Hector Amaya, Sabrina A. Houser Amaya, Marc Arias, Kathryn A. Black, Bruce Briney, Ginger Browning, Daryl Brupbacher, Thomas Banon Ellison, Lori Elmer, Don Everingham, FDCC, GEAA, Cheryl Allen Gilpin, Milann Guckian, Daniel Guerra, Robin Guerra, Terri Lynn Hall, Alan M. Hammack, Krystal Henagan, Chris M. Hopmann, Daniel J. LaRoe, Michael L. Maurer Sr., Rose Maurer, Kira Olson, Nathan Olson, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Russell Keith Randolph, Susan Randolph, Kathleen M. Schultz, Stop 3009 Vulcan Quarry, Jack Sullivan, Renee Wilson

COMMENT GROUP L: Jimmy Arreaga, Yvonne Ruiz Arreaga, Kathleen Banse, Thomas Banon Ellison, Linda Everingham, FDCC, GEAA, Cheryl Allen Gilpin, Milann Guckian, Pru Guckian, Byron L. Leonard, Toni D'Angelo Lott, Kira Olson, Nathan Olson, Terry Olson, Nancy Pappas, Randall Pappas, Amy Piper, Jack Sullivan, Tina Tsui, Renee Wilson

COMMENT GROUP M: Debbie Bell, Billy Wayne Burton, Nelda S. Davis, Ronald R. Davis, FDCC, Donna Foulds, Linda Diane Fuchs, Cheryl Allen Gilpin, George Glasby, Jaclyn Hall, Denise Harris, Edward Harris, Sally Harvey, Chris M. Hopmann, Mary B. Jeanes, Kendra Johnson, Daniel J. LaRoe, Kira Olson, Nathan Olson, Terry Olson, Robert Remey, Amy L. Schorn, Connie Terao, Mary Trujillo, R. Trujillo, Tina Tsui, Renee Wilson, Michael J. Zimmerman

COMMENT GROUP N: Hector Amaya, Sabrina A. Houser Amaya, Yvonne Ruiz Arreaga, Kathleen Banse, Harold Broth, Christopher Brown, Ginger Browning, Kristine Brzozowski, Windell Cannon, Russell Cason, William B. Cobb, Rebecca L. Cox, James Kevin Drake, Michele M. Drake, David A. Drewa, Valerie Elishewitz, Thomas Banon Ellison, Don Everingham, FDCC, Lori Ferman, Ronald A. Frisk, Linda Diane Fuchs, Alan Gibbs, Cheryl Allen Gilpin, Milann Guckian, Pru Guckian, Terri Lynn Hall, Kathryn L. Hammack, Douglas Harrison, Sally Harvey, Kenneth Higby, Liz James, Eric Johnson, Shari Keller, Judy Krup, Daniel J. LaRoe, Michael L. Maurer Sr., Steve Middlecamp, Grace Murphy, David Nolan, Kira Olson, Nathan Olson, Terry Olson, Ronnie Pena, Theresa Pena, Stephen Petty, Johanna Posey, Amy Elizabeth Raymond, Pamela Seay, Margaret Smith, Sr., Mary Trujillo, R. Trujillo, Warren E. Wagner, Renee Wilson, Michael J. Zimmerman

COMMENT GROUP O: Hector Amaya, Sabrina A. Houser Amaya, Yvonne Ruiz Arreaga, Jimmy Arreaga, Kathleen Banse, Eric C. Barefoot, Lynda Batey, Troy Calvin Brand, Harold Broth, Christopher Brown, Ginger Browning, Windell Cannon, Russell Cason, William B. Cobb, Rebecca L. Cox, James Kevin Drake, Michele M. Drake, David A. Drewa, Valerie Elishewitz, Thomas Banon Ellison, Linda Everingham, FDCC, Cheryl Allen Gilpin, Milann Guckian, Terri Lynn Hall, Alan M. Hammack, Kathryn L. Hammack, Douglas Harrison, Chris M. Hopmann, Liz James, Richard C. Keady, Daniel J. LaRoe, Elizabeth Martin, Richard C. Mason, Steve Middlecamp, David Nolan, Nathan Olson, Michelle Cheree Payne, Ronnie Pena, Theresa Pena, Amy Elizabeth Raymond, Kathleen M. Schultz, Sr., Donald G. Stackhouse, Warren E. Wagner, Renee Wilson, Michael J. Zimmerman

COMMENT GROUP P: City of Bulverde, Hector Amaya, Sabrina A. Houser Amaya, Hal Broth, Kristine Brzozowski, David A. Drewa, Thomas Banon Ellison, Connie Sue Stroud Ewald, Larry Ewald, FDCC, Cheryl Allen Gilpin, Pru Guckian, Terri Lynn Hall, Douglas Harrison, Krystal Henagan, Chris M. Hopmann, Shari Keller, Rod Marin, Nathan Olson, Joan Reeh, Carl Thompson, Renee Wilson, Michael J. Zimmerman

COMMENT GROUP Q: Hector Amaya, Sabrina A. Houser Amaya, Hal Broth, Kristine Brzozowski, Billy Wayne Burton, Erin P. Cantu, David A. Drewa, FDCC,

Cheryl Allen Gilpin, Pru Guckian, Terri Lynn Hall, Edward Harris, Veronica Hawk, Krystal Henagan, Chris M. Hopmann, Kelly Knibbe, Toni D'Angelo Lott, Kira Olson, Nathan Olson, Terry Olson, Stop 3009 Vulcan Quarry, Kathleen M. Schultz, Mike B. Stemig, Renee Wilson, Michael J. Zimmerman

COMMENT GROUP R: Aaron Aiza, Christopher Brown, Billy Wayne Burton, Windell Cannon, Amber Clowney, Rebecca L. Cox, Rocco L. Defelice, James Kevin Drake, David A. Drewa, Thomas Banon Ellison, FDCC, David N. Fletcher, Cheryl Allen Gilpin, Pru Guckian, Jacey Hall, Jaclyn Hall, Terri Lynn Hall, Douglas Harrison, Sally Harvey, Krystal Henagan, Liz James, Kelly Knibbe, Richard Michael Krup, Judy Krup, Toni D'Angelo Lott, David Luna, Elizabeth L. Martin, Kira Olson, Nathan Olson, Terry Olson, Amy Piper, Johanna Posey, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Betty Jo Sargent, Donald G. Stackhouse, Renee Wilson, Stop 3009 Vulcan Quarry

COMMENT GROUP S: Aaron Aiza, Hector Amaya, Sabrina A. Houser Amaya, Christopher Brown, Rebecca L. Cox, Rocco L. Defelice, James Kevin Drake, Michele M. Drake, David A. Drewa, Don Everingham, FDCC, David N. Fletcher, Jacey Hall, Jaclyn Hall, Terri Lynn Hall, Krystal Henagan, Kelly Knibbe, Elizabeth L. Martin, Johanna Posey, Stop 3009 Vulcan Quarry, Betty Jo Sargent, Donald G. Stackhouse

COMMENT GROUP T: Donna Eccleston (Comal County Commissioner Precinct 1), City of Garden Ridge, City of Spring Branch, Aaron Aiza, Karen Albright, Hector Amaya, Sabrina A. Houser Amaya, Gary B. Armstrong, Jimmy Rene Arreaga, Jimmy Arreaga, Yvonne Ruiz Arreaga, Lauri Sue Azzaro, Sean Vincent Azzaro, Nancy Baker, Kathleen Banse, Eric C. Barefoot, Lynda Batey, Ali Baugh, Randy Bruce Becker, Debbie Bell, Erin Bell, Michael Bell, Deborah Bell, Verma Bellah, Michael E. Bembenek, Katherine Beshore, Kathryn A. Black, Veronica Boone, William Boone, David Hampton Bounds, Troy Calvin Brand, Harold Broth, Christopher Brown, Barry Daryl Brupbacher, Judy Morene Brupbacher, Kristine Brzozowski, Julie Burbank, Billy Wayne Burton, Katherine Butenas, Suzanne Byrd, Teri Callihan, Windell Cannon, Robert Carrillo, Russell Cason, Ana Castro, Aubrey Castro, Pete Castro, Sabrina Clisby, Milton Collier, Rebecca L. Cox, Angelica Cronan, Joel Cunningham, Richard Damron, Nelda S. Davis, Ronald R. Davis, Rosa Linda Delacerda, Donna Holliday Dell, Robert Dell, James Kevin Drake, Michele M. Drake, David A. Drewa, Jan Dunagan, Susan L. Dunlap, D. Lee Edwards, Benjamin Alex Elbel, Dianna Kay Elbel, Valerie Elishewitz, Dillon Ellis, Thomas Banon Ellison, Maria A. Esparza, Don Everingham, Linda Everingham, Dianne Fadok, Carole Farmer, FDCC, Sandi Van Sandt Felux, Melinda Ferris, LeAnne Fey, Donna Foulds, Rochelle Fowler, Jeanne Fraga, Mark Friesenhahn, Belinda Frisk, Ronald A. Frisk, Sam Gaines, GEAA, Charles David Gerdes, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, George Glasby, Scott P. Graham, Terry L. Graham, David Lee Granato, Chandler Gray, Debbie Sabins Grun, Milann Guckian, Pru Guckian, Jacey Hall, Jaclyn Hall, Roger Hall, Terri Lynn Hall, Tex Hall, Alan M. Hammack, Kathryn L. Hammack, Kathy Harrington, Denise Harris, Edward Harris, Douglas Harrison, Ruby Hartmann, Sally Harvey, Heidi Hawkins, Mike Hazel, Lynda L. Heikes, Prentis Otis Hibler, Diane P. Higby, Kenneth Higby, King Hodson, Misty Hodson, Tyler Hoffmann, Chris M. Hopmann, Jeanne Howe, Fran Hutchins, Julie Kay Hutchins, Matthew G. Hutchins, Sarah Kassis Izzat, Steven Izzat,

Liz James, Craig Johnson, Eric Johnson, Karen Johnson, Shari Keller, Greg Kiel, Jennifer Kimmet, Karen M. King, Charles Kuentz III, Jim Kurth, Daniel J. LaRoe, Melissa Laster, Cara Laubach, Clint Laubach, Kenneth C. Laubach, Victoria Beth Laubach, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Charles D. Logue, Susan R. Dooley-Logue, David Luna, Elizabeth L. Martin, Linda T. Martin, Elizabeth Martin, Raymond G. Mathews, Michael L. Maurer Sr., Rose Maurer, Matthew Dylan Mayo, Sheryl Lynn Mays, David McCabe, Mike McCarthy, Debra McSweeney, Dawn Medeiros, Daniel Meneilly, Steve Middlecamp, Judy Millspaugh, John Mohar, Beth A. Moore, Martha Morin, Glen Muehlstein, Rhonda Muehlstein, Grace Murphy, Richard Musgrove, Reginald Nix, Wendy Norris, Sandy L. Nott, Teresa Nott, Deborah K. Ohlrich, Jack Oliver, Jack Olivier, Kira Olson, Michael L. Olson, Terry Olson, Nathan Olson, Tara O'Quinn, Colin Ousset, Corissa Owens, Nancy Pappas, Randall Pappas, Cole Paveglio, Annalisa Peace, Ronnie Pena, Theresa Pena, Amy Piper, Joe B. Pitcock, Jill Pope, Johanna Posey, Kathleen Priebe, Laura Allen Quisenberry, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Phelon Tyler Rammell, Joan Reeh, Joseph Ritchey, Teresa Rogers, Jorge L. Romeu, Jessica Rudewick, Penni Salge, Jakki M. Saul, Vallye Sawyer, Janice Kay Scecina, Heather Scherer, Amy L. Schorn, Lauri Schule, Pamela Seay, Anita Jewell Smith, Margaret Smith, Margie Spaeth, Wilbert D. Spaeth, Donald G. Stackhouse, Gina Stefanutti, Lynda Streater, Trudy Striegel, Jack Sullivan, Lisa Swint, Connie Terao, Jeff R. Thomas, Carl Thompson, Mary Trujillo, R. Trujillo, Tina Tsui, Sharron Tucker, Millie Vonstultz, Warren E. Wagner, Francesca W. Watson, Diana Williamson, Steven Williamson, Renee Wilson, Brad Wuest, Michael B. Wyatt, Michael Yocom, Diane P. Young, and Michael J. Zimmerman

COMMENT GROUP U: Donna Eccleston (Comal County Commissioner Precinct 1), Scott Haag (Comal County Commissioner Precinct 2), City of Bulverde, City of Garden Ridge, City of Spring Branch, Barron Casteel (Mayor of the City of New Braunfels), Wayne Peters (Mayor Pro Tem of the City of New Braunfels), Francisco Agraz, Aaron Aiza, Melissa Alonzo, Hector Amaya, Sabrina A. Houser Amaya, Beverly A. Andaloro, Jimmy Rene Arreaga, Yvonne Ruiz Arreaga, Lauri Sue Azzaro, Sean Vincent Azzaro, Gary Baker, Gary Banse, Eric C. Barefoot, Martha Barrett, Geri Rue Becker, Randy Bruce Becker, Deborah Bell, Devin Bell, Erin Bell, Michael Bell, Katherine Beshore, Larry Beward, Nancy Ann Beward, Kathryn A. Black, Veronica Boone, William Boone, David Hampton Bounds, Katherine M. Bowers, Troy Calvin Brand, Dawson Bremer, Donald Brooke, Harold Broth, Christopher Brown, Ginger Browning, Kristine Brzozowski, David Bullock, Julie Burbank, Billy Wayne Burton, Katherine Butenas, Dudley Buttler, Windell Cannon, Erin P. Cantu, Plack Carr, Robert Carrillo, Russell Cason, Yvonne L. Chapman, Sabrina Clisby, William B. Cobb, Herbert A. Coley, Milton Collier, Rebecca L. Cox, Kristina Craig, Angelica Cronan, Catherine Croom, Joel Cunningham, Nelda S. Davis, Steven Davis, Ronald R. Davis, Rocco L. Defelice, Rosa Linda Delacerda, Donna Holliday Dell, Robert Dell, Teresa Dophied, James Kevin Drake, Michele M. Drake, David A. Drewa, Tiffany Drewa, Jan Dunagan, George Eanes, Benjamin Alex Elbel, Valerie Elishewitz, Dillon Ellis, Kim Ellison, Thomas Banon Ellison, Maria A. Esparza, Don Everingham, Linda Everingham, Connie Sue Stroud Ewald, Larry Ewald, Carole Farmer, FDCC, Sandi Van Sandt Felux, LeAnne Fey, Donna Foulds, Jeanne Fraga, Mary Lee Freeman, Linda Diane Fuchs, Sam Gaines, GEAA, Nicole M. Geiger, Charles David Gerdes, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, Scott P. Graham,

Terry L. Graham, Edward A. Grun, Milann Guckian, Pru Guckian, Shaun Hakim, Jacey Hall, Jaclyn Hall, Nathanael Hall, Tex Hall, Terri Lynn Hall, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Denise Harris, Edward Harris, Susanna Harrison, Douglas Harrison, Ruby Hartmann, Sally Harvey, Mike Hazel, Lynda L. Heikes, Eric Hermann, Kenneth Higby, King Hodson, Misty Hodson, Chris M. Hopmann, Jeanne Howe, Fran Hutchins, Sarah Kassis Izzat, Steven Izzat, Liz James, Karen Johnson, Eric Johnson, Kendra Johnson, Richard C. Keady, Kilian Kean, Fred Scott Kee, Rachelle Keller, Betty G. Kight, Allan King, Meg Kloesel, Judy Krup, Darin Scott LaCour, Susan LaCour, Gloria Lamoureux, Daniel J. LaRoe, Melissa Laster, Clint Laubach, Kenneth C. Laubach, Victoria Beth Laubach, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Charles D. Logue, Susan R. Dooley-Logue, David Luna, Madeleine Maciula, Christine M. Magers, Gayle Manker, Elizabeth L. Martin, Elizabeth Martin, Linda T. Martin, Maureen A. Martinez, Richard C. Mason, Dianna Mathews, Raymond G. Mathews, Michael L. Maurer Sr., Rose Maurer, William Mayfield, Sheryl Lynn Mays, Mike McCarthy, Ellen McClellan, Theresa Barden McClung, Peggye McDonald, Marla E. McMahan, Debra McSweeney, Hilary McVicker, Martha McWilliams, Daniel Meneilly, Shuntell Meyers, Balous Miller, Judy Millspaugh, Kyle Minister, Mason Minister, Tatum Minister, Brennan Miska, John Mohar, Beth A. Moore, Holly Moore, Laura Moorman, Gloria Morse, Glen Muehlstein, Rhonda Muehlstein, Grace Murphy, Richard Musgrove, Robert Francis Nebergall, Butch Newman, Linda Sue Newman, Reginald Nix, David Nolan, Sandy L. Nott, Tereasa Nott, Jack Olivier, Kira Olson, Terry Olson, Nathan Olson, Corissa Owens, Nancy Pappas, Randall Pappas, Phillip K. Patin, Cole Paveglio, Ronnie Pena, Patrick E. Pence, Wayne Peters, Paul Petrino, Amy Piper, Joe B. Pitcock, Jill Pope, Johanna Posey, Kathleen Priebe, Susan Puype, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Phelon Tyler Rammell, Russell Keith Randolph, Susan Randolph, Amy Elizabeth Raymond, Joan Reeh, Robert Remey, Teresa Rogers, Jorge L. Romeu, Jessica Rudewick, Penni Salge, Betty Jo Sargent, Jakki M. Saul, Heather Scherer, Amy L. Schorn, Lauri Schule, Kathleen M. Schultz, Pamela Seay, Donald Seeger, Elias Shaer, Margaret Smith, Sr., Donald G. Stackhouse, Mike B. Stemig, Nova Stephenson, Lynda Streater, Trudy Striegel, Cathy Sullivan, Jeff R. Thomas, Carl Thompson, Tina Tsui, Warren E. Wagner, Kathleen Walker, Francesca W. Watson, Kathryn M. Willdigg, Diana Williamson, Steven Williamson, Renee Wilson, Kenneth E. Wilson, Brad Wuest, Michael B. Wyatt, Deborah S. Zimmerman, and Rhonda Zunker

COMMENT GROUP V: Donna Eccleston (Comal County Commissioner Precinct 1), Scott Haag (Comal County Commissioner Precinct 2), Bill Krawietz (Mayor of the City of Bulverde), City of Bulverde, City of Garden Ridge, City of Spring Branch, Barron Casteel (Mayor, City of New Braunfels), Alan K. Albers, Karen Albright, Melissa Alonzo, Haley Altomare, Hector Amaya, Sabrina A. Houser Amaya, Beverly A. Andaloro, Rick D. Aristeguieta, Gary B. Armstrong, Yvonne Ruiz Arreaga, Jimmy Rene Arreaga, Melissa Ashabranner, Lauri Sue Azzaro, Sean Vincent Azzaro, Eric C. Barefoot, Alice Barger, Richard Barger, Bob Baranowski, Martha Barrett, Lynda Batey, Ali Baugh, Mark Beard, Geri Rue Becker, Deborah Bell, Devin Bell, Erin Bell, Michael Bell, Michael E. Bembenek, Moses Berban, Katherine Beshore, Larry Beward, Nancy Ann Beward, Ron Bigbee, Amy Boland, Veronica Boone, David Hampton Bounds, Katherine M. Bowers, Steven M. Brand, Troy Calvin Brand, Dawson Bremer, Donald Brooke, Harold Broth,

Christopher Brown, Kelly S. Brown, Judy Morene Brupbacher, Alyssa D. Brysch, Kristine Brzozowski, David Bullock, Julie Burbank, Billy Wayne Burton, Katherine Butenas, Suzanne Byrd, Trude Cables, Mary Calcote, Sheryl Calhoun, Colleen Callihan, Windell Cannon, Mike L. Carnett, Sharon Carnett, Candy Carpenter, Plack Carr, Mary L. Carter, Russell Cason, Cheryl Chamness, Jerrie Champlin, Glenda Chandler, Yvonne L. Chapman, Wes Clark, Sabrina Clisby, William B. Cobb, Milton Collier, John Corkill, Ayden Shane Correa, Belinda Correa, Mark Correa, Rebecca L. Cox, Kristina Craig, Catherine Croom, James L. Dalton, Richard Damron, Dion Davis, Kimmie Davis, Nelda S. Davis, Ronald R. Davis, Steven Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, James Kevin Drake, Michele M. Drake, David A. Drewa, Jan Dunagan, Susan L. Dunlap, George Eanes, Robin Ecks, D. Lee Edwards, Benjamin Alex Elbel, Dianna Kay Elbel, Rick Elftmann, Valerie Elishewitz, Kim Ellison, Thomas Banon Ellison, Maria A. Esparza, Don Everingham, Linda Everingham, Larry Ewald, Connie Sue Stroud Ewald, FDCC, LeAnne Fey, David N. Fletcher, Erin B. Foltz, Deborah Foster, Donna Foulds, Mary Lee Freeman, Belinda Frisk, Ronald A. Frisk, Linda Diane Fuchs, Sam Gaines, Nicole M. Geiger, Charles David Gerdes, Shirley Y. Gerdes, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, Cece Given, George Glasby, Scott P. Graham, Terry L. Graham, David Lee Granato, Chandler Gray, Thomas P. Greneaux, Debbie Sabins Grun, Edward A. Grun, Milann Guckian, Pru Guckian, Daniel Guerra, Robin Guerra, Jacey Hall, Jaclyn Hall, Roger Hall, Terri Lynn Hall, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Grace Hannemann, Kenneth C. Hardcastle, Denise Harris, Edward Harris, Rhonda Harris, Douglas Harrison, Ruby Hartmann, Sally Harvey, Heidi Hawkins, Mike Hazel, Lynda L. Heikes, Susan Herr, Cathy Heshmat, Kenneth Higby, Lorianne Hodge, David Hoey, Tyler Hoffmann, Chris M. Hopmann, McKenna Hurst, Julie Kay Hutchins, Matthew G. Hutchins, Fran Hutchins, Sarah Kassis Izzat, Kimberly Jackson, Liz James, Mary Lou Jenkins, Jane Johnson, Kendra Johnson, Stephen Johnson, Craig Johnson, Eric Johnson, Pierce Massie Broach, Kilian Kean, Justin Kelly, Jennifer Kimmet, Allan King, Karen M. King, Meg Kloesel, Judy Krup, Charles Kuentz III, Brenda L. Kurth, Gloria Lamoureux, Daniel J. LaRoe, Cara Laubach, Clint Laubach, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Chaylah Lomotey, David Luna, Madeleine Maciula, Christine M. Magers, Elizabeth L. Martin, Ted M. Martin, Brian Mather, Raymond G. Mathews, Terressa Mathews, Michael L. Maurer Sr., Carrie Mauthe, William Mayfield, Matthew Dylan Mayo, Sheryl Lynn Mays, David McCabe, Ellen McClellan, Marla E. McMahan, Debra McSweeney, Hilary McVicker, Dawn Medeiros, Richard Medeiros, Daniel Meneilly, Sterling B. Meyers, Steve Middlecamp, David Miksch, Judy Millspaugh, Brennan Miska, Beth A. Moore, Gloria Morse, Glen Muehlstein, Rhonda Muehlstein, Bruce P. Murphy, Grace Murphy, Richard Musgrove, Mary Jean Nebergall, Robert Francis Nebergall, David Nolan, Lynda Nollkamper, Wendy Norris, Tami Norton, Susan Kay Novak, Deborah K. Ohlrich, Jack Oliver, Kira Olson, Nathan Olson, Terry Olson, Mike Olson, Tara O'Quinn, Corissa Owens, Amber Palmer, Chase V. Palmer, Jessica L. Palmer, Nancy Pappas, Randall Pappas, Phillip K. Patin, Yvette Payne, Tom Pearson, Theresa Pena, Patrick E. Pence, Carla Perry, Paul Petrino, Stephen Petty, Amy Piper, Joe B. Pitcock, Jill Pope, Johanna Posey, Kathleen Priebe, William Kyle Pringle, Susan Puype, James Quick, Randal Craig Quisenberry, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Phelon Tyler Rammell, Russell Keith Randolph, Susan Randolph, Joan Reeh, Allyson Remak, Robert Remey, Michael Roberts, Timothy Roberts, Andy Roca, Jorge L. Romeu,

Jessica Rudewick, James Runnels, Lisa Rupp, Stephen Rupp, Lindsey Saathoff, Penni Salge, Heather Snyder Samsel, Jakki M. Saul, Vallye Sawyer, Stephanie Schaefer, Heather Scherer, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Amy L. Schorn, Lauri Schule, Kathleen M. Schultz, Arthur Seago, Pamela Seay, Donald Seeger, Elias Shaer, Nadine Sheehan, Margaret Smith, Gregory Snider, Sarah Stagg, Gina Stefanutti, Mike B. Stemig, Nova Stephenson, Stefanie Stevenson, Charles Stewart, Stop 3009 Vulcan Quarry, James Huntley Stipe, Lynda Streater, Trudy Striegel, Cathy Sullivan, Connie Terao, Jeff R. Thomas, Carl Thompson, Mary Trujillo, R. Trujillo, Sharron Tucker, Joe Tyler, Dragos Ungurean, Mariana Ungurean, Deborah Vazquez, Warren E. Wagner, Ina L. Waite, Kathleen Walker, Sylvia Walker, Suzan Phyllis Warner, Mark Waters, Aurora Dozier White, Kathryn M. Willdigg, Gary Williams, Diana Williamson, Steven Williamson, Renee Wilson, Kenneth E. Wilson, Michael B. Wyatt, Diane P. Young, Michael J. Zimmerman, Kathryn A. Zwart

COMMENT GROUP W: Haley Altomare, Gary B. Armstrong, Jimmy Arreaga, Yvonne Ruiz Arreaga, Sean Vincent Azzaro, Kathleen Banse, Alice Barger, Richard Barger, Erin Bell, Michael Bell, Michael E. Bembenek, Katherine Beshore, Matt Bettersworth, Ron Bigbee, David Hampton Bounds, Hettie Ann Bowker, Hal Broth, Harold Broth, Christopher Brown, Ginger Browning, Kristine Brzozowski, David Bullock, Julie Burbank, Billy Wayne Burton, Sheryl Calhoun, Erin P. Cantu, Russell Cason, Rebecca L. Cox, Joel Cunningham, Nelda S. Davis, Ronald R. Davis, Steven Davis, Rocco L. Defelice, Teresa Dophied, James Kevin Drake, Michele M. Drake, David A. Drewa, Tiffany Drewa, Jan Dunagan, Valerie Elishewitz, Thomas Banon Ellison, Don Everingham, Linda Everingham, FDCC, Sandi Van Sandt Felux, LeAnne Fey, Donna Foulds, Mary Lee Freeman, Belinda Frisk, Ronald A. Frisk, Linda Diane Fuchs, Cheryl Allen Gilpin, Terry L. Graham, Debbie Sabins Grun, Milann Guckian, Shaun Hakim, Jacey Hall, Jaclyn Hall, Terri Lynn Hall, Tex Hall, Alan M. Hammack, Kathryn L. Hammack, Trey Hancock, Kathy Harrington, Denise Harris, Edward Harris, Matthew Harrison, Douglas Harrison, Sally Harvey, Veronica Hawk, Heidi Hawkins, Prentis Otis Hibler, David Hoey, Chris M. Hopmann, McKenna Hurst, Matthew G. Hutchins, Sarah Kassis Izzat, Liz James, Craig Johnson, Eric Johnson, Karen Johnson, Justin Kelly, Kelly Knibbe, Cody C. Koehler, Richard Michael Krup, Darin Scott LaCour, Susan LaCour, Daniel J. LaRoe, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Jim Dalton Maddox, Christine M. Magers, Rod Marin, Linda T. Martin, Richard C. Mason, Sheryl Lynn Mays, Marla E. McMahan, Debra McSweeney, Dawn Medeiros, Daniel Meneilly, Steve Middlecamp, Beth A. Moore, Holly Moore, Gloria Morse, Glen Muehlstein, Rhonda Muehlstein, Robert Francis Nebergall, Lynda Nollkamper, Tami Norton, Deborah K. Ohlrich, Kira Olson, Nathan Olson, Terry Olson, Ronnie Pena, Patrick E. Pence, David Perelstein, Amy Piper, Lori Polasek, William Kyle Pringle, Susan Puype, Laura Allen Quisenberry, Phelon Tyler Rammell, Susan Randolph, Robert Remey, Timothy Roberts, Andy Roca, Teresa Rogers, Jorge L. Romeu, Jessica Rudewick, Betty Jo Sargent, Janice Kay Seccina, Stephanie Schaefer, Heather Scherer, Lydia Schmalsteig, Pamela Seay, Sr., Donald G. Stackhouse, Gina Stefanutti, Mike B. Stemig, Charles Stewart, Trudy Striegel, Cathy Sullivan, Jeff R. Thomas, Mary Trujillo, R. Trujillo, Joe Tyler, Warren E. Wagner, Mark Waters, Francesca W. Watson, Kathryn M. Willdigg, Gary Williams, Diana Williamson, Steven Williamson, Renee Wilson, Michael B. Wyatt, Michael Yocom, Diane P. Young

COMMENT GROUP X: City of Bulverde, City of Garden Ridge, City of Spring Branch, Bill Krawietz, Mayor of the City of Bulverde, Hector Amaya, Sabrina A. Houser Amaya, Gary B. Armstrong, Jimmy Arreaga, Yvonne Ruiz Arreaga, Sean Vincent Azzaro, Gary Banse, Kathleen Banse, Alice Barger, Richard Barger, Martha Barrett, Michael Bell, Deborah Bell, Verma Bellah, Michael E. Bembenek, Matt Bettersworth, David Hampton Bounds, Hettie Ann Bowker, Troy Calvin Brand, Dawson Bremer, Harold Broth, Christopher Brown, Alyssa D. Brysch, Kristine Brzozowski, Julie Burbank, Billy Wayne Burton, Teri Callihan, Windell Cannon, Plack Carr, Russell Cason, Ana Castro, Aubrey Castro, Pete Castro, Lynn Chapman, Wes Clark, Sabrina Clisby, William B. Cobb, Herbert A. Coley, Rebecca L. Cox, Catherine Croom, Brenda Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, James Kevin Drake, Michele M. Drake, David A. Drewa, D. Lee Edwards, Benjamin Alex Elbel, Dianna Kay Elbel, Valerie Elishewitz, Don Everingham, Linda Everingham, Carole Farmer, Deborah Farrar, FDCC, Sandi Van Sandt Felux, LeAnne Fey, Donna Foulds, Mark Friesenhahn, Belinda Frisk, Linda Diane Fuchs, GEAA, Elizabeth Gerasimenko, Charles David Gerdes, Shirley Y. Gerdes, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, Cece Given, George Glasby, Chandler Gray, Milann Guckian, Pru Guckian, Jacey Hall, Nathanael Hall, Jaclyn Hall, Roger Hall, Terri Lynn Hall, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Denise Harris, Edward Harris, Matthew Harrison, Susanna Harrison, Sally Harvey, Kenneth Higby, Tyler Hoffmann, Chris M. Hopmann, Jeanne Howe, McKenna Hurst, Rose Jacobs, Liz James, Mary Lou Jenkins, Kendra Johnson, Craig Johnson, Karen Johnson, Eric Johnson, Pierce Massie Broach, Richard C. Keady, Shari Keller, Justin Kelly, Karen M. King, Meg Kloesel, Cody C. Koehler, Judy Krup, Jim Kurth, Darin Scott LaCour, Susan LaCour, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Charles D. Logue, Susan R. Dooley-Logue, Gayle Manker, Charles R. Mann, Rod Marin, Elizabeth L. Martin, Linda T. Martin, Richard C. Mason, Dianna Mathews, Raymond G. Mathews, Michael L. Maurer Sr., Matthew Dylan Mayo, Sheryl Lynn Mays, Ellen McClellan, Debra McSweeney, Dawn Medeiros, Daniel Meneilly, Scott Merillat, Balous Miller, Judy Millspaugh, Brennan Miska, Holly Moore, Laura Moorman, Martha Morin, Gloria Morse, Glen Muehlstein, Rhonda Muehlstein, Bill Nauschuetz, Karen Nauschuetz, Mary Jean Nebergall, Robert Francis Nebergall, Andrew Edgar Newhouse, Reginald Nix, David Nolan, Wendy Norris, Sandy L. Nott, Teresa Nott, Deborah K. Ohlrich, Kira Olson, Nathan Olson, Mike Olson, Tara O'Quinn, Corissa Owens, Nancy Pappas, Randall Pappas, Phillip K. Patin, Ronnie Pena, Patrick E. Pence, Paul Petrino, Stephen Petty, Amy Piper, Joe B. Pitcock, Richard G. Planas, Lori Polasek, William Kyle Pringle, Laura Allen Quisenberry, Randal Craig Quisenberry, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Joan Reeh, Robert Remy, Teresa Rogers, Jorge L. Romeu, Jessica Rudewick, Stephen Rupp, Betty Jo Sargent, Janice Kay Scecina, Stephanie Schaefer, Amy L. Schorn, Lauri Schule, Kathleen M. Schultz, Pamela Seay, Donald Seeger, Nadine Sheehan, Anita Jewell Smith, Margie Spaeth, Wilbert D. Spaeth, Donald G. Stackhouse, Charles Stewart, Lynda Streater, Cathy Sullivan, Jeff R. Thomas, Carl Thompson, Mary Trujillo, R. Trujillo, Tina Tsui, Joe Tyler, Warren E. Wagner, Mark Waters, Francesca W. Watson, Steven Williamson, Kenneth E. Wilson, Renee Wilson, Brad Wuest, Michael J. Zimmerman

COMMENT GROUP Y: City of Garden Ridge, City of Spring Branch, Bill Krawietz, Mayor of the City of Bulverde, Manuel Adame, Hector Amaya, Sabrina A. Houser Amaya,

Gary B. Armstrong, Jimmy Arreaga, Yvonne Ruiz Arreaga, Sean Vincent Azzaro, Gary Banse, Kathleen Banse, Eric C. Barefoot, Alice Barger, Richard Barger, Martha Barrett, Deborah Bell, Devin Bell, Erin Bell, Michael Bell, Verma Bellah, Michael E. Bembenek, David Hampton Bounds, Hettie Ann Bowker, Dawson Bremer, Harold Broth, Christopher Brown, Kelly S. Brown, Judy Morene Brupbacher, Kristine Brzozowski, Julie Burbank, Billy Wayne Burton, Teri Callihan, Erin P. Cantu, Russell Cason, Lynn Chapman, Wes Clark, Sabrina Clisby, William B. Cobb, Herbert A. Coley, Rebecca L. Cox, Brenda Davis, Nelda S. Davis, Ronald R. Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, Teresa Dophied, James Kevin Drake, Michele M. Drake, David A. Drewa, Tiffany Drewa, D. Lee Edwards, Benjamin Alex Elbel, Dianna Kay Elbel, Rick Elftmann, Valerie Elishewitz, Dillon Ellis, Kim Ellison, Don Everingham, Linda Everingham, Larry Ewald, Carole Farmer, Deborah Farrar, FDCC, Sandi Van Sandt Felux, Melinda Ferris, LeAnne Fey, Donna Foulds, Belinda Frisk, Ronald A. Frisk, Linda Diane Fuchs, Charles David Gerdes, Shirley Y. Gerdes, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, Cece Given, George Glasby, Scott P. Graham, Terry L. Graham, Chandler Gray, Milann Guckian, Pru Guckian, Jacey Hall, Jaclyn Hall, Nathanael Hall, Terri Lynn Hall, Alan M. Hammack, Kathryn L. Hammack, Kathy Harrington, Denise Harris, Edward Harris, Douglas Harrison, Matthew Harrison, Susanna Harrison, Sally Harvey, Kenneth Higby, Tyler Hoffmann, Chris M. Hopmann, Jeanne Howe, McKenna Hurst, Fran Hutchins, Rose Jacobs, Liz James, Mary Lou Jenkins, Craig Johnson, Eric Johnson, Jane Johnson, Kendra Johnson, Stephen Johnson, Karen Johnson, Pierce Massie Broach, Richard C. Keady, Jameson Keller, Meg Kloesel, Cody C. Koehler, Judy Krup, Jim Kurth, Darin Scott LaCour, Susan LaCour, Bruce Lee, Nilda M. Leon, Byron L. Leonard, Christine M. Magers, Gayle Manker, Charles R. Mann, Elizabeth L. Martin, Linda T. Martin, Richard C. Mason, Dianna Mathews, Raymond G. Mathews, Michael L. Maurer Sr., Matthew Dylan Mayo, Sheryl Lynn Mays, Mike McCarthy, Ellen McClellan, Debra McSweeney, Dawn Medeiros, Daniel Meneilly, Balous Miller, John Mohar, Holly Moore, Laura Moorman, Gloria Morse, Glen Muehlstein, Rhonda Muehlstein, Bill Nauschuetz, Karen Nauschuetz, Mary Jean Nebergall, Robert Francis Nebergall, Andrew Edgar Newhouse, Reginald Nix, Wendy Norris, Sandy L. Nott, Teressa Nott, Deborah K. Ohlrich, Kira Olson, Nathan Olson, Tara O'Quinn, Corissa Owens, Nancy Pappas, Randall Pappas, Ronnie Pena, Theresa Pena, Patrick E. Pence, Paul Petrino, Amy Piper, Joe B. Pitcock, Lori Polasek, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Joan Reeh, Jorge L. Romeu, Jessica Rudewick, Stephen Rupp, Betty Jo Sargent, Janice Kay Seccina, Amy L. Schorn, Lauri Schule, Kathleen M. Schultz, Pamela Seay, Donald Seeger, Nadine Sheehan, Anita Jewell Smith, Margie Spaeth, Wilbert D. Spaeth, Donald G. Stackhouse, Mary Trujillo, R. Trujillo, Tina Tsui, Joe Tyler, Shaine Tyler, Kathleen Walker, Diana Williamson, Steven Williamson, Renee Wilson, Kenneth E. Wilson, Michael J. Zimmerman

COMMENT GROUP Z: Beverly A. Andaloro, Yvonne Ruiz Arreaga, Harold Broth, Kelly S. Brown, Suzanne Byrd, Colleen Callihan, Erin P. Cantu, Steven Davis, James Kevin Drake, Benjamin Alex Elbel, Don Everingham, Charles David Gerdes, Cheryl Allen Gilpin, Debbie Sabins Grun, Terri Lynn Hall, Johnny Hamilton, Denise Harris, Edward Harris, Sally Harvey, King Hodson, Misty Hodson, Chris M. Hopmann, Liz James, David Luna, Michael L. Maurer Sr., Sheryl Lynn Mays, Debra McSweeney, Beth A. Moore, Grace Murphy, Kira Olson, Nathan Olson, Stephen Petty, Ann Marie Bruno-Rakowitz,

Michael Adam Rakowitz, Phelon Tyler Rammell, Susan Randolph, Timothy Roberts, Tyler Rosh, Heather Snyder Samsel, Heather Scherer, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Amy L. Schorn, Renee Wilson

COMMENT GROUP AA: Texas State Senator Donna Campbell, Hector Amaya, Sabrina A. Houser Amaya, Gary B. Armstrong, Michael Bell, Ron Bigbee, Kelly S. Brown, Mary Calcote, Colleen Callihan, Windell Cannon, Russell Cason, Amber Clowney, Ayden Shane Correa, Mark Correa, Nelda S. Davis, Ronald R. Davis, Grant Dean, David A. Drewa, Don Everingham, Donna Foulds, Ronald A. Frisk, Charles David Gerdes, Cheryl Allen Gilpin, David Lee Granato, Debbie L. Granato, Milann Guckian, Daniel Guerra, Robin Guerra, Jaclyn Hall, Douglas Harrison, Sally Harvey, Krystal Henagan, Chris M. Hopmann, Sarah Kassis Izzat, Steven Izzat, Liz James, Kendra Johnson, Justin Kelly, Judy Krup, Elizabeth L. Martin, Michael L. Maurer Sr., Sheryl Lynn Mays, Debra McSweeney, Grace Murphy, Kira Olson, Nathan Olson, Terry Olson, Mike Olson, Paul Petrino, Stephen Petty, Susan Randolph, Jessica Rudewick, Donna M. Schmidt, Kenneth Schmidt, Amy L. Schorn, Amanda Trussell, Deborah Vazquez, Kenneth E. Wilson, Renee Wilson, Diane P. Young, Michael J. Zimmerman

COMMENT GROUP BB: Eric C. Barefoot, Windell Cannon, Valerie Elishewitz, Don Everingham, Donna Foulds, Ronald A. Frisk, Cheryl Allen Gilpin, Milann Guckian, Roger Hall, Denise Harris, Edward Harris, David Hoey, Chris M. Hopmann, Sarah Kassis Izzat, Steven Izzat, Rod Marin, Jack Oliver, Diana Williamson, Steven Williamson

COMMENT GROUP CC: City of Bulverde, City of Garden Ridge, Janet Abell, Francisco Agraz, Aaron Aiza, Melissa Alonzo, Haley Altomare, Carie Andrews, Daniel Andrews, Gary B. Armstrong, Yvonne Ruiz Arreaga, Sean Vincent Azzaro, Lauri Sue Azzaro, Gary Baker, Jennifer Banse, Eric C. Barefoot, Alice Barger, Richard Barger, Lynda Batey, Ali Baugh, Mark Beard, Michael Bell, Verma Bellah, Michael E. Bembenek, Moses Berban, Katherine Beshore, Kathryn A. Black, Amy Boland, Steven M. Brand, Hal Broth, Harold Broth, Christopher Brown, Kelly S. Brown, Ginger Browning, Barbara Brunson, Barry Daryl Brupbacher, Judy Morene Brupbacher, Kristine Brzozowski, Julie Burbank, Gene Busby, Trude Cables, Mary Calcote, Colleen Callihan, Teri Callihan, Windell Cannon, Erin P. Cantu, Jennifer Cardenas, Missy Carlson, Candy Carpenter, Plack Carr, Mary L. Carter, Mason Cawley, Cheryl Chamness, Glenda Chandler, Lynn Chapman, Kelly Cheddie, Wes Clark, Sabrina Clisby, Amber Clowney, Milton Collier, Shirley Corkill, Ayden Shane Correa, Belinda Correa, Evan Correa, Mark Correa, Noah Correa, Rebecca L. Cox, Kristina Craig, Joel Cunningham, Steven Davis, Brenda Davis, Rocco L. Defelice, Donna Holliday Dell, Robert Dell, Leon Dominick, Teresa Dophied, Debra Dorazil, Richard J. Dorazil, James Kevin Drake, Michele M. Drake, David A. Drewa, Tiffany Drewa, Jan Dunagan, Chadwick Eiring, Rick Elftmann, Valerie Elishewitz, Kim Ellison, Thomas Banon Ellison, Lori Elmer, Don Everingham, Linda Everingham, Carole Farmer, FDCC, Melinda Ferris, Erin B. Foltz, Donna Foulds, Lori Frerman, Belinda Frisk, Ronald A. Frisk, Connie Gaines, GEAA, Nicole M. Geiger, Charles David Gerdes, Shirley Y. Gerdes, Robert Paschal Gibson, Tom Gidley, Cheryl Allen Gilpin, George Glasby, Sharon Gonzales, Terry L. Graham, Mary K. Grahmann, Chandler Gray, Cynthia Green, Michael Guadagno, Milann Guckian, Pru Guckian, Daniel Guerra, Robin Guerra, Jacey Hall,

Jaclyn Hall, Terri Lynn Hall, McKenna Hall, Nathanael Hall, Johnny Hamilton, Alan M. Hammack, Kathryn L. Hammack, Grace Hannemann, Patricia Hanson, Kenneth C. Hardcastle, Rhonda Harris, Matthew Harrison, Douglas Harrison, Krystal Henagan, Susan Herr, Cathy Heshmat, Pam Hibler, Diane P. Higby, Kenneth Higby, Lorianne Hodge, King Hodson, Misty Hodson, David Hoey, Tyler Hoffmann, Chris M. Hopmann, McKenna Hurst, Julie Kay Hutchins, Matthew G. Hutchins, Fran Hutchins, Sarah Kassis Izzat, Kimberly Jackson, Liz James, Eric Johnson, Jane Johnson, Stephen Johnson, Fred Scott Kee, Jameson Keller, Justin Kelly, Jennifer Kimmet, Karen M. King, Meg Kloesel, Judy Krup, Charles Kuentz III, Brenda L. Kurth, Jim Kurth, Daniel J. LaRoe, Melissa Laster, Cara Laubach, Victoria Beth Laubach, Nilda M. Leon, Byron L. Leonard, Chaylah Lomotey, Toni D'Angelo Lott, David Luna, Jim Dalton Maddox, Christine M. Magers, Charles R. Mann, Linda Mann, Elizabeth L. Martin, Linda T. Martin, Ted M. Martin, Elizabeth Martin, Maureen A. Martinez, Brian Mather, Dianna Mathews, Michael L. Maurer Sr., Carrie Mauthe, Matthew Dylan Mayo, Sheryl Lynn Mays, David McCabe, Ellen McClellan, Peggye McDonald, Marla E. McMahan, Debra McSweeney, Dawn Medeiros, Richard Medeiros, Scott Merillat, Shuntell Meyers, Sterling B. Meyers, David Miksch, Judy Millspaugh, Beth A. Moore, Holly Moore, Stacy L. Morrison, Maureen S. Mosher, Mary Jean Nebergall, Robert Francis Nebergall, Andrew Edgar Newhouse, Butch Newman, Edward N. Newman, Linda Newman, Linda Sue Newman, David Nolan, Lynda Nollkamper, Wendy Norris, Tami Norton, Sandy L. Nott, Teressa Nott, Kira Olson, Nathan Olson, Mike Olson, Corissa Owens, Phillip K. Patin, Michelle Cheree Payne, Patrick E. Pence, Joe B. Pitcock, Richard G. Planas, Lori Polasek, Jill Pope, Johanna Posey, William Kyle Pringle, Susan Puype, James Quick, Ann Marie Bruno-Rakowitz, Michael Adam Rakowitz, Phelon Tyler Rammell, Susan Randolph, Russell Keith Randolph, Allyson Remak, Timothy Roberts, Thomas S. Robin, Beverly Rodriguez, Teresa Rogers, Jorge L. Romeu, Tyler Rosh, James Runnels, Lisa Rupp, Betty Jo Sargent, Heather Scherer, Lydia Schmalsteig, Donna M. Schmidt, Kenneth Schmidt, Lauri Schule, Kathleen M. Schultz, Arthur Seago, Pamela Seay, Donald Seeger, Elias Shaer, Howard Shipman, Anita Jewell Smith, Gregory Snider, Gina Stefanutti, Mike B. Stemig, Nova Stephenson, James Huntley Stipe, Stop 3009 Vulcan Quarry, Lynda Streater, Trudy Striegel, Brenda R. Sturtevant, John W. Sturtevant, Lisa Swint, Jeff R. Thomas, Sharron Tucker, Shaine Tyler, Deborah Vazquez, Warren E. Wagner, Kathleen Walker, Francesca W. Watson, Aurora Dozier White, Kathryn M. Willdigg, Diana Williamson, Steven Williamson, Renee Wilson, Craig Witten, Nancy Witten, Diane P. Young, Deborah S. Zimmerman, Michael J. Zimmerman, Rhonda Zunker, Kathryn A. Zwart

COMMENT GROUP DD: Francisco Agraz, Hector Amaya, Sabrina A. Houser Amaya, Beverly A. Andaloro, Gary B. Armstrong, Jimmy Rene Arreaga, Bob Baranowski, Martha Barrett, Veronica Boone, William Boone, Harold Broth, Russell Cason, Jerrie Champlin, Kimmie Davis, Steven Davis, Rosa Linda Delacerda, James Kevin Drake, Michele M. Drake, Valerie Elishewitz, Don Everingham, FDCC, David N. Fletcher, Donna Foulds, Scott P. Graham, Debbie Sabins Grun, Milann Guckian, Denise Harris, Edward Harris, Douglas Harrison, Chris M. Hopmann, Cody C. Koehler, Richard Michael Krup, Charles Kuentz III, Laura Levasseur, Elizabeth Martin, Michael L. Maurer Sr., Sheryl Lynn Mays, Judy Millspaugh, Beth A. Moore, Robert Francis Nebergall, Susan Kay Novak,

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Jack Olivier, Nathan Olson, Terry Olson, Paul Petrino, Robert Remy, Donald G. Stackhouse, Mike B. Stemig, Trudy Striegel, Mary Trujillo, R. Trujillo, Michael Yocom.