

December 1, 2024

Ms. Gwen Ricco
MC 205 Office of Legal Services
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Non- Rule Project No.2024-018-OTH-NR

Dear Ms. Ricco,

I am writing to express my objection regarding the Proposed Air Quality Standard Permit for Temporary Concrete Batch Plants for Public Work Projects. I am very concerned that these projects be done at the expense of my health. As a senior I am concerned about the high concentrations of silica, carbon monoxide, sulfur oxide, and nitrogen oxides that could be put in the air by a just this type of plant. These emissions are known to cause breathing problems and as well as respiratory and cardiovascular diseases.

In reviewing the Proposed Air Quality Standard Permit for Temporary Public Works Projects, I find it alarming that restrictions required for a permanent concrete batch plant were lessened or removed for temporary concrete batch plants. Studies have found a positive association between cement plant exposure and respiratory disease symptoms as well as an excess risk of cancer incidences in both children and adults. Unless significant changes as identified below are not made, I fear as a senior that I would be adversely affected if a temporary concrete batch plant would locate near me.

The proposed standard takes away the public notice and right to comment before a specific temporary permit can be issued, this is not acceptable.

I believe that these areas must be changed to ensure that the public health interests are taken into consideration by the company and/or operator:

1. Any project is going to last more than a year should be considered ineligible for a temporary concrete batch plant permit and require public comments.
2. Companies and operators should be required to have and meet dust suppressing standards. Permanent concrete batch plants are required to have dust suppressing fencing or barriers of 12 feet high. Temporary batch plants need to also meet this requirement.
3. Permanent concrete batch plants are required to have cohesive hard surfaces to reduce dust and emissions. It also allows for cleaning the hard surfaces. This requirement needs to be added for temporary batch plants.
4. Limit requirements should be established for temporary batch plants on stockpiling materials.
5. Since these plants can be located near residential areas, schools, etc., they should be limited to fewer, set hours, such as 8 a.m. to 5 p.m. and set days of the week such as Monday through Saturday. This would ensure that plants located near residential areas, schools, and heavily congested commuter roads provide for safe transportation for school buses and commuters.

6. The change to setback distance from property line to off-site receptor (residence, school, day-care, hospital, business or place of worship). A proper setback distance from the property line should be required.

Respectfully Yours,

A handwritten signature in black ink that reads "James Gerry". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James A. Gerry
225 Rebecca Dr.
Alamo, Tx 78516