

Lowell Wolf

Dec. 2, 2024

To: Texas Commission on Environmental Quality
Reference: Non-Rule Project No.2024-018-OTH-NR

I am writing to express my concerns regarding the Proposed Air Quality Standard Permit for Temporary Concrete Batch Plants for Public Works Projects with respect to Senate Bill 1397.

While I understand the need for public works projects being done in a timely manner, I am very concerned that they not 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 temporary concrete batch plant. These emissions may cause breathing problems 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 a temporary concrete batch plant. Most 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 in the proposal, as identified below, are not made, I fear as a senior that I would develop significant respiratory conditions if a temporary concrete batch plant would locate near me.

I am very concerned that the proposed standard takes away the public notice and right to comment before a specific temporary permit can be issued. Therefore, in reviewing the proposed permit change I highly recommend that several areas be changed to ensure that public health interests are taken into consideration by the company and/or operator.

Per the proposed standard, a temporary concrete batch plant is allowed to operate for 180 consecutive days or may supply concrete for a single public work project. Public work projects can go on for a year or more. If a project is going to last more than a year, it should be considered ineligible for a temporary concrete batch plant permit.

Companies and operators should be required to meet dust suppression requirements. Permanent concrete batch plants are required to have dust suppressing fencing or barriers of 12 feet high. Why would temporary batch plants be allowed to skirt this requirement? You are proposing to permit operation of one of the most toxic plants in the industry next door to communities that are not

equipped either technically or financially to protect their citizens from the associated health dangers. This is unacceptable. A permit requirement must be added to include the necessary dust suppression equipment.

Permanent concrete batch plants are required to have cohesive hard surfaces to reduce dust and emissions. Such surfaces also allow for more effective cleaning of the hard surfaces. Why aren't temporary plants also required to have cohesive hard surfaces to protect the health of the community? A requirement must be added.

There is no limit to the number of temporary concrete batch plants that could be placed around a community but there is a limit for permanent concrete batch plants. Limit requirements must be established for temporary concrete batch plants. I oppose allowing a facility to operate for 12 hours during any 24-hour period. 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.

I oppose the change to the setback distance from property line to off-site receptor (residence, school, day-care, hospital, business or place of worship). This change would allow the company to set equipment right up to a homeowner's yard. The setback distance should be changed back to property line.

Temporary concrete batch plants could lead to the financial destruction of communities. The citizens of our State do not deserve to be exposed to this public health risk. Thank you for your willingness to protect our community.

Respectfully Yours,

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