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Gwen Ricco

MC 205 Office of Legal Services

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

Dear Ms. Ricco:

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 Work Projects. While I understand the need for public work 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 and as well as respiratory and cardiovascular diseases.

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 standard I highly recommend that several areas need to be changed to ensure that the public health interests are taken into consideration by the company and/or operator.

Per the proposed standard, a temporary concrete batch plant is for 180 consecutive days or that supplies 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 and require public comments.

Companies and operators should be required to have dust suppressing 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 not meet this requirement? You are proposing to place one of the most toxic plants in the industry in communities with no dust suppressing requirements. This is unacceptable. A requirement needs to be added.

Permanent concrete batch plants are required to have cohesive hard surfaces to reduce dust and emissions. It also allows for cleaning the hard surfaces. Why aren't temporary plants being required to have cohesive hard surfaces to protect the health of the community? A requirement needs to be added.

There is no limit on a stockpile for temporary concrete patch plant but there is a limit for permanent concrete patch plants. Limit requirements should be established.

I oppose that a facility can 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 less hours, 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 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 have equipment right up to their property line and provide no buffer for their neighbor's property. The setback distance should be changed back to property line.

In reviewing the Proposed Air Quality Standard Permit for Temporary Public Works Projects, I finding it alarming that restrictions required for a permanent concrete batch plant were lessened or removed for a temporary concrete batch plant. Almost all 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 above are not made, I fear as a senior that I would develop significant respiratory conditions if a temporary concrete patch plant would locate near me.

Sincerely,

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