

Nancy Hicks
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Alamo, TX 78516

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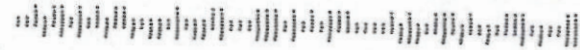
OFFICE OF LEGAL SERVICES

DEC 5 2024

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

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November 30, 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 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 are being done at the expense of other's health. As a retired healthcare professional (RN) 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. This is especially true for the senior population.

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. 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.

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? Your proposal to place one of the most toxic plants in the industry in communities with no dust suppressing requirements 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 batch plant but there is a limit for permanent concrete batch 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 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 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.

My husband and I are active seniors and enjoy outdoor activities such as daily bicycling, pickleball play on outdoor courts, and water aerobics. Unless significant changes as identified above are not made, I fear as a senior and someone with asthma, that I would develop significant respiratory conditions if a temporary concrete batch plant would locate near me. I have had to move from one home previously due to environmental respiratory issues and having one of these temporary batch plants located near me would likely force me to relocate again. I am sure your intent is not to force senior citizens to relocate from their homes, but we may have no choice if you move forward with the proposal to allow temporary batch plants to bypass reasonable and necessary safety protection.

Respectfully,



Nancy Hicks
427 Belinda Dr.
Alamo, TX 78516