Reading a Permit Notice

Here is an example of a permit notice as published by the Texas Commission on Environmental Quality. This permit seeks to modify an existing permit for a concrete batch plant facility.

**EXAMPLE A**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

**Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision**

**APPLICATION.** Campbell Concrete & Materials LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for the amendment of Permit No. 49005. This application would authorize modification of a Concrete Batch Plant located at 3935 Schurmier Road, Houston, Harris County, Texas 77047. This application is being processed in an expedited manner, as allowed by the commission’s rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This link to an electronic map of the site or facility’s general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.

http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.608611&lng=-95.358333&zoom=13&type=r. The proposed facility will emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on February 2, 2022. The executive director has completed the administrative and technical reviews of the application and determined that the application meets all of the requirements of a standard permit authorized by 30 TAC § 116.611, which would establish the conditions under which the plant must operate. The executive director has made a preliminary decision to issue the registration because it meets all applicable rules. The application, executive director’s preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and the Johnson Neighborhood Library, 3517 Reid Road, Houston, Harris County, Texas, beginning the first day of publication of this notice. The facility’s compliance file, if any exists, is available for public review at the TCEQ Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas. Visit www.tceq.texas.gov/goto/cbp to review the standard permit.

**Public Comment/Public Meeting.** You may submit public comments or request a public meeting. See Contacts section. The TCEQ will consider all public comments in developing a final decision on the application. The deadline to submit public comments or meeting requests is 30 days after newspaper notice is published. Issues such as property values, noise, traffic safety, and zoning are outside of the TCEQ’s jurisdiction to consider in the permit process.

The purpose of a public meeting is to provide the opportunity to submit comments or ask questions about the application. A public meeting about the application will be held if the executive director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing. If a public meeting is held, the deadline to submit public comments is extended to the end of the public meeting.

**Contested Case Hearing.** You may request a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court. Unless a written request for a contested case hearing is filed within 30 days from this notice, the executive director may approve the application.

A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. To request a hearing, a person must actually reside in a permanent residence within 440 yards of the proposed plant. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number; (2) applicant’s name and registration number; (3) the statement “[I/we request a contested case hearing];” (4) a specific description of how you would be

**Proposed Air Quality Permit No. 49005**

**Applicant**

Company name

**Permit type and number**

**Brief description of permit reason**

**Location of facility**

**Description of pollutants that will be released**

**Where the complete permit application can be viewed**

**When and how to submit comments and/or request a contested case hearing**

**Facility Name and Permit Number should be included in all correspondence about permit applications.**

Air Alliance Houston can assist you in any of the above actions and may be able to support/represent you if you are interested in challenging a permit.
Reading a Permit Notice

Here is an example of a permit application as announced by the Texas Commission on Environmental Quality. This application is to modify an existing permit for a concrete batch plant facility.

The Notice Issuance Date can be used as a guide for the start of the public comment period - which usually lasts 30 days from this date.

Where and how to submit comments.

Hearings and meetings are not automatically scheduled upon application. If a state official or elected representative requests a hearing, the TCEQ must hold one. Otherwise, the TCEQ can decide whether or not to hold one based on the level of public interest.

Air Alliance Houston can assist you in any of the above actions and may be able to support/represent you if you are interested in challenging a permit.