

Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 2, 2025

The Honorable Carol Alvarado
Texas Senate
P.O. Box 12068
Capitol Station
Austin, Texas 78711-2068

Re: Texas Concrete Enterprise, L.L.C / Air Quality Registration No. 121798

Dear Senator Alvarado:

Thank you for your letter to the Texas Commission on Environmental Quality (TCEQ) requesting a public meeting to discuss the renewal application submitted by Texas Concrete Enterprise, L.L.C / Air Quality Registration No. 121798 that would authorize the continued operation of a Concrete Batch Plant located at 3506 Cherry Street, Houston, Harris County, Texas 77026.

A renewal is required to continue the operation for which a registration was originally sought and is not intended to authorize changes in operation, physical modifications, or construction of new facilities that would increase or add emissions. In addition, Texas Health and Safety Code (THSC) § 382.055 limits the commission's authority to impose requirements more stringent than the existing permit at the time of permit renewal.

As part of the air permitting renewal process, an applicant is required to publish a formal public notice in a newspaper of general circulation in the municipality which the plant is located. When notice is published, the public is informed of their right to submit public comments, or to request a contested case hearing. TCEQ will consider all public comments in developing a final decision on an application. The deadline to submit public comments for renewals is 15 days after the final newspaper notice is published. After the deadline for public comments, the executive director will prepare a formal Response to Comments (RTC) to all timely comments received.

By statute under THSC § 382.056(g), "the commission may not seek further comment or hold a public hearing [meeting]" for a permit renewal that would not result in an increase in emissions, therefore, a public meeting is not being provided for this renewal application. While public participation is an integral part of the permitting process, it requires a significant resource investment for TCEQ. Expending those limited resources to provide public meetings that are not statutorily required or warranted would not be consistent with the responsible management of state resources as entrusted by the Legislature.

If you have any further questions, please contact me at (512) 239-3900.

Sincerely,

A handwritten signature in black ink that reads "K Keel".

Kelly Keel
Executive Director