

Texas Commission on Environmental Quality Investigation Report

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Customer: Benjamin, F, Gonzalez
Customer Number: CN604935742

Regulated Entity Name: 12230 N HWY 183
Regulated Entity Number: RN108266412

Investigation # 1286720 Investigator: ROBERT SADLIER Conducted: 10/08/2015 -- 10/08/2015 Program(s): AIR NEW SOURCE PERMITS Investigation Type: Site Assessment File Review Additional ID(s): 136156 Address: 12230 N HIGHWAY 183, FLORENCE, TX , 76527	Incident Numbers Site Classification MINOR SOURCE No Industry Code Assigned Location: Local Unit: REGION 11 - AUSTIN Activity Type(s): PMSI116IH - AIR PMSI116IH - IN HOUSE CH 116 PERMIT SITE REVIEW
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Principal(s):

Role	Name
RESPONDENT	BENJAMIN F GONZALEZ

Contact(s):

Role	Title	Name	Phone
REGULATED ENTITY CONTACT		BENJAMIN GONZALES	Phone (830) 624-7201

Other Staff Member(s):

Role	Name
Supervisor	JASON NEUMANN
Supervisor	ELIJAH GANDEE

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
AIR PERMIT SITE REVIEW	Diamond Gunite

RECEIVED

DEC 08 2015

TCEQ
CENTRAL FILE ROOM

Investigation Comments:

INTRODUCTION

On October 8, 2015, Mr. Robert Sadlier ("investigator"), Environmental Investigator with the Texas Commission on Environmental Quality (TCEQ) Austin Region Office, conducted a site assessment file review in response to a request for comments (RFC) from the TCEQ Air Permits Division (APD). The RFC was regarding a permit-by-rule registration application for Diamond Gunite owned by Benjamin F. Gonzales (see Attachment A: Request for Comments).

Daily Narrative:

On October 2, 2015 the TCEQ APD submitted the RFC to the Austin Regional Office.

On October 8, 2015, the investigator conducted the in house site assessment. The nearest property line was measured at approximately 11 feet to the southeast. The nearest off-site receptor, a residential structure, was measured to be approximately 350 feet to the southeast. There are no schools within 3,000 feet. The surrounding land use is residential.

Any potential for nuisance or odor is rated as moderate; any potential for hazard is rated low.

Exit Interview:
Not applicable.

GENERAL FACILITY AND PROCESS INFORMATION

Process Description

Diamond Gunitite is a bulk mineral handling facility.

BACKGROUND

Current Enforcement Actions

No violations were documented during the course of this investigation.

Agreed Orders, Court Orders, and Other Compliance Agreements

A file review indicated that the regulated entity has not been issued any agreed orders within the past five years.

Prior Enforcement Issues

The regulated entity has been issued Notices of Violation within the past five years.

Complaints

A file review indicated the Austin Region Office has received air complaints against the facility within the past five years. Details concerning these air complaints can be found in the public files.

ADDITIONAL INFORMATION

During the site review there were no complications noted that would prohibit this permit renewal from proceeding in the review process. The RFC was scanned and e-mailed to Ms. Amanda Berry, with APD on October 13, 2015 (see Attachment A).

No Violations Associated to this Investigation

Signed



Environmental Investigator

Date

10/13/2015

Signed



Supervisor

Date

10/13/2015

12230 N HWY 183 - FLORENCE

10/8/2015 Inv. # - 1286720

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Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Maps, Plans, Sketches

___ Letter to Facility (specify type) : _____

___ Photographs

Investigation Report

___ Correspondence from the facility

___ Sample Analysis Results

A Other (specify) :

___ Manifests

RFC

___ Notice of Registration

TCEQ

Region 11 - Austin



Attachment A

Request for Comments

Date of Investigation: October 8, 2015

Robert Sadlier

From: Robert Sadlier
Sent: Tuesday, October 13, 2015 8:10 AM
To: Amanda Berry
Subject: RE: Site Review/Request for Comments for Project Number 242751
Attachments: Response_242751-RFC-Oct-02-2015.Docx

Ms. Berry,

Attached is the response to the RFC received by the Austin Region.

Contact me if there are questions/concerns.

Thanks,

Robert Sadlier
Environmental Investigator
Emergency Response Coordinator
Texas Commission on Environmental Quality
Region 11, Austin
P: (512) 339-2929
F: (512) 339-3795

**Permit By Rule
Request for Comments -- Site Review
TCEQ New Source Review Program**

REGIONAL OFFICES: This notice is being sent to all programs with jurisdiction over the proposed site as noted below. Please return comments ASAP, but no later than the comments deadline which is **10 days** from the submittal date. Permit by rule disposition will proceed after comments are received. If a local program has assumed the responsibility of responding to this notice, you must respond to this notice informing Air Permits Division of who is responsible for the RFC reply.

LOCAL PROGRAMS: This Request for Comment is being sent to all applicable local programs. Please coordinate site review with the TCEQ Regional Office.

To Region: 11	City: Florence	County: Williamson
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Date Request Submitted: 10/02/2015

Comments deadline is 10 calendar days from the date request submitted.

Date Application Received by Air Permits Initial Review Team: September 28, 2015

EXEMPTION TYPE

Permit by Rule No. 106.144	Division: APD General/Standard Rule Permit
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Permit No.: 136156	TCEQ Account No.:
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Regulated Entity No.: RN108266412	Customer No.: CN604935742
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Company Name: Benjamin, F, Gonzalez

Site Name: Diamond Gunite	City: Florence	County: Williamson
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Location: 12230 N Highway 183

Unit Name: Silo

Plant Contact: Benjamin F Gonzalez	Phone: (830) 624-7201
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Local Program: ___Yes ___X No Local Programs:

Note: For sites in a region that has a local program with jurisdiction, MSS projects for those sites will be reviewed by TCEQ Regional Offices only.

Project No.: 242751

PLEASE SEND COMMENTS TO THE PERSON IDENTIFIED BELOW. (To avoid delays, please do not send this back to the Air Permits Initial Review Team.):

To: Amanda Berry	E-Mail: Amanda.Berry@tceq.texas.gov	Phone: (512) 239-5708	Fax: (512) 239-2101
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From Region: 11	County: Williamson	City: Florence
Comments Deadline: 10/12/2015	Date RFC Received: 10/2/2015	
Company Name: Benjamin, F, Gonzalez		
TCEQ Account Number:		
Permit No.: 136156	Project No. 242751	
Copy of Registration Received by Your Office: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Received: (If not received, please contact company representative listed above for copy)		
Site Visit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date of Investigation: 10/8/2015	
Investigator's Name (Please Print): Robert Sadlier		
Organization: TCEQ	Phone: 512.339.2929	
Is the site review being conducted by City or County Local Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If "Yes," name of Local Program:		
SITE INFORMATION:		
Nuisance/Odor Potential: <input type="checkbox"/> Low <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> High		
Type of Material to be Handled: Sand		
Surrounding Land Use: Residential		
School within 3000 feet? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Name of School:		
Distance to Nearest Off-Property Receptor: ~350 feet		
Receptor Type: <input type="checkbox"/> School <input checked="" type="checkbox"/> Residence <input type="checkbox"/> Other (explain):		
Describe area surrounding nearest receptor: Residential		
Distance from unit to nearest property line: ~11 feet		
Does the request for this PBR registration have a distance requirement?: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
Does the proposed site meet the distance requirement of the PBR?: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
SITE REVIEW:		
In light of the proximity of sensitive receptors and the surrounding land use, please discuss any concerns you have concerning a facility of this type locating at the proposed site.		
The following MSS activities in the application are insufficient or inconsistent with our knowledge of MSS at the facility, and why:		
The following activities are typically considered planned MSS and are not found in the registration. These activities should be added or addressed:		
RECOMMENDED ACTION:		
Proceed with Air Permits Division Review <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Deny for following reasons:		
Investigator Name/Phone Number/Email: Robert Sadlier/Robert.sadlier@tceq.texas.gov Date: 10/8/2015		
Section Manager Name/Phone Number/Email: Jason Neumann/Jason.neumann@tceq.texas.gov Date:		
Date Comments Returned to Air Permits Division: 10/13/2015		