

APO_AP0001696_RP_20190729_COMPLIANCE INVESTIGATION
Texas Commission on Environmental Quality
Investigation Report

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Customer: Holsey Mining, Inc.
Customer Number: CN605112168

Regulated Entity Name: HOLSEY MINING KNOX SITE

Regulated Entity Number: RN107282329

Investigation # 1581389

Investigator: DOUG ROBINSON

Conducted: 07/29/2019 -- 07/29/2019

Program(s): AGGREGATES

Investigation Type: Compliance Invest File Review

Additional ID(s): AP0001696
90412
157737

Address: 9812 STATE HIGHWAY 7 W,
CROCKETT, TX , 75835

Incident Numbers

Site Classification AGGREGATE PRODUCTION
OPERATION REGISTRATION

NAIC Code: 212322

SIC Code: 1446

Location: N SIDE OF HWY 7 APPROX 11.7 MI W OF
INTERX WITH 304

Local Unit: REGION 10 - BEAUMONT

Activity Type(s): APO - An activity code used to identify an investigation related to Aggregate Production Operations. This activity code can be associated to any investigation type for any media that is directly related to an aggregate production operation. It is not necessary
APOFRR - Review of records submitted to the agency in response to violations cited during an investigation

Principal(s):

Role	Name
RESPONDENT	HOLSEY MINING INC

Contact(s):

Role	Title	Name	Phone
PARTICIPATED IN	CONSULTANT	MR JERRY M DEMO	Phone (512) 259-3277
REGULATED ENTITY MAIL CONTACT	GENERAL MANAGER	MR MICHAEL NICHOLAS	Phone (936) 544-7200
REGULATED ENTITY CONTACT	GENERAL MANAGER	MR MICHAEL NICHOLAS	Phone (936) 544-7200

OFFICE TO
AUG 01 2019
AUGUST 1 2019

HOLSEY MINING KNOX SITE - CROCKETT

7/29/2019 Inv. # - 1581389

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Other Staff Member(s):

Role	Name
QA Reviewer	JOHN THIBODEAUX
Investigator	SAMANTHA BURGESS
Supervisor	RONALD HEBERT JR

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
AGGREGATE PRODUCTION OPERATION INVESTIGATION	Knox Facility

Investigation Comments:

INTRODUCTION:

A Notice of Violation (NOV) file review for Holsey Mining, Inc., Knox Site, was conducted on 07/29/2019. This review was conducted in response to compliance documentation submitted on 07/28/2019. Holsey Mining, Inc. was issued a NOV Resolution Letter.

GENERAL FACILITY AND PROCESS INFORMATION:

This site is located approximately 12 miles west of Crockett, Texas, off Highway 7, near the Trinity River. The site's current active mining use area is approximately 160 acres out of the 1,900 acre property. The remaining property is used for hay and cattle production. The mining operations area is surrounded by levees and berms to keep flood waters from the Trinity River out of the operations area. A system of channels conveys stormwater and ground water from the mining operations areas to a pond where the water is utilized to wash and screen sand from gravel and larger river rock. The site sizes sand into construction grade, concrete grade, and masonry grade, in addition to screening to sort gravel and larger river rock. The process water is then allowed to discharge/drain back to the pond.

The facility has 14 employees and operates Monday-Friday. Most of the aggregate produced at the facility is trucked to the Crockett Sand and Gravel concrete manufacturing facility located in Crockett, Texas where it is sold as is, or used in concrete production. See investigation #1548505 for additional details.

BACKGROUND:

An Aggregate Production Operations (APO) Comprehensive Compliance Investigation was conducted at the Holsey Mining Inc. Knox Site, located off Highway 7, west of Crockett, Texas, on 01/11/2019. This investigation was conducted to determine compliance with applicable APO rules for mining and quarrying operations. A Notice of Violation Letter was issued on 02/22/2019.

A Notice of Violation (NOV) file review was conducted on 05/21/2019, and a Compliance Documentation Deficiency letter was issued to Holsey Mining Inc. on 05/23/2019. See investigation #1569566 for additional details.

ADDITIONAL INFORMATION

On 07/01/2019, Mr. Jerry Demo, consultant with Pollution Solutions, contacted the investigator to state that they would be working to address the permit by rule (PBR) requirements for the stationary engines located at the Knox Site. These engines are utilized to generate electricity to power the office building, and sand and gravel sorters.

On 07/23/2019, Mr. Demo stated by telephone that he had submitted the information for an Air New Source Permit via STEERS. Compliance documentation of the application submittal, and paid fees, was received by email on 07/28/2019 (see attachment 1).

A New Source Permits database search was conducted on 07/29/2019. This search showed that the application is pending until review, and that Permit No. 157737 has been assigned to the facility (see attachment 1).

This permit application addresses the failure to obtain an air permit for stationary engines greater than 240 horsepower located at the Holsey Mining, Inc. Knox Site.

Holsey Mining, Inc. was issued a Resolution Letter by mail.

Attachment 1 Compliance Documentation

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track Number: 706510

Resolution Status Date: 7/29/2019

Violation Start Date: Unknown

Violation End Date: 7/28/2019

30 TAC Chapter 106.512(1)

30 TAC Chapter 106.512(2)

Alleged Violation:

Investigation: 1548505

Comment Date: 02/19/2019

Failure by Holsey Mining Inc. to register stationary engines greater than 240 horsepower (HP) by filing form PI-7 to meet the Air Permit by Rule requirements.

During the investigation, it was noted that the two diesel-powered electric generators were greater than 240 HP. Mr. Nicholas contacted Mr. Perry, who stated that the two engines were approximately 420 HP, and 600 HP. No identification plate was found on the smaller engine. The larger engine contained a faded identification sticker that stated the manufacturer was Detroit Diesel with what appeared to be a HP rating of 647 HP.

Investigation: 1569566

Comment Date: 05/21/2019

A Notice of Violation file review for Holsey Mining, Inc., Knox Site, was conducted on 05/21/2019. No compliance documentation has been received to resolve the alleged violation.

Investigation: 1581389

Comment Date: 07/29/2019

On 07/23/2019, Mr. Jerry Demo, consultant, stated by telephone that he had submitted the information for an Air New Source Permit via STEERS. Compliance documentation of the application submittal, and paid fees, was received by email on 07/28/2019

Recommended Corrective Action: Holsey Mining Inc. must register the two diesel-powered electric generators, and any other stationary engines that meet the criteria of greater than 240 HP by filling out Form PI-7 (TCEQ Form-10228) within 30 days. Submit documentation that the engines have been registered and meet the permit by rule criteria to the TCEQ Beaumont Region Office.

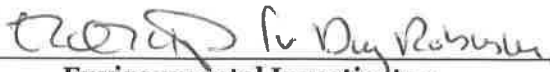
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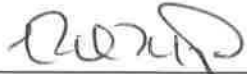
HOLSEY MINING KNOX SITE - CROCKETT

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Signed 
Environmental Investigator

Date 7-31-19

Signed 
Supervisor

Date 7-31-19

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☐ Maps, Plans, Sketches

☒ Letter to Facility (specify type) : Final
Letter

☐ Photographs

☐ Investigation Report

☒ Correspondence from the facility

☐ Sample Analysis Results

☐ Other (specify) :

☐ Manifests

✓ 129

☐ Notice of Registration

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 1, 2019

Mr. Michael Nicholas, General Manager
Holsey Mining, Inc.
P. O. Box 1124
Crockett, Texas 75835

Re: Notice of Compliance with Notice of Violation (NOV) dated February 22, 2019: Holsey Mining Knox Site, 9812 Highway 7, Crockett (Houston County), Texas; Regulated Entity No.: 107282329, TCEQ ID: AP0001696, Investigation No.: 1581389

Dear Mr. Nicholas:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Beaumont Region Office has received the compliance documentation required to resolve the alleged violations documented during the Aggregate Production Operation (APO) investigation conducted at the above-referenced regulated entity on January 11, 2019. TCEQ records indicate that compliance with the above-referenced NOV has been achieved.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Mr. Doug Robinson at the Beaumont Regional Office at (409) 898-3838.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Hebert".

Ronald Hebert
Water Section Manager
Beaumont Regional Office

RH/DR/sb

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

HOLSEY MINING KNOX SITE

9812 STATE HIGHWAY 7 W
CROCKETT, HOUSTON COUNTY, TX 75835

Investigation #

1581389
Investigation Date: 07/29/2019

Additional ID(s): AP0001696
90412
157737

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Resolution: A New Source Permits database search was conducted on 07/29/2019. This search showed that the application is pending until review, and that Permit No. 157737 has been assigned to the facility.

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Texas Commission on Environmental Quality



Holsey Mining Knox Site

Attachment 1

Compliance Documentation

[Questions or Comments >>](#)[Search Options](#)[CR Query](#)[TCEQ Home](#)

Go To: Title V Federal Operating Permits

07/29/2019 -----AirPermits IMS - PROJECT RECORD -----

Project#: 304304

Status: PENDING

Project Administrative Name: PBR NEW REGISTRATION

Project Technical Name: HOLSEY MINING KNOX SITE

PROJECT ACTIONS

Permit	Action Type	Permit Type	Received Date	Permit Status	Renewal Date	Action Status	Complete Date
157737	INITIAL	PBR	07/22/2019	PENDING		PENDING	

Assigned Staff:

REVIEW ENG: CHAN, BENROY

Customer Name: HOLSEY MINING INC

Legal Name: Holsey Mining, Inc.

CN Number : CN605112168

Permit Information:

REGULATED ENTITY NUMBER: RN107282329

Permit	Account	Permittee Name	County	Region	City	State	Location
157737		HOLSEY MINING KNOX SITE	HOUSTON	REGION 10 - BEAUMONT	CROCKETT	TEXAS	9812 STATE HIGHWAY 7 W

FEE:

Permit	Action Type	Reference	Fee Receipt Number	Fee Amount Paid	Fee Refund Amount	Fee Receipt Date	Fee Payment Type
157737	INITIAL	426615	582EA000352855	450.00		07/22/2019	CC

TRACKING ELEMENTS

TE Name	Start Date	Complete Date
PROJECT RECEIVED BY ENGINEER (DATE)	07/23/2019	

PROJECT RULES:

Unit Desc	Rule Desc	On Application	Approve
ENGINES AND TURBINES	106.512	Y	Y

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Doug Robinson

From: Jerry Demo [REDACTED]
Sent: Sunday, July 28, 2019 4:03 PM
To: Doug Robinson
Subject: Registration Record Holsey Mining KNOX
Attachments: Copy of registration file to TCEQ.pdf

Doug
Copy of registration file from Steers for Holsey Mining KNOX site.

Jerry M. Demo, PE
Pollution Solutions
3000 Taku Road
Cedar Park, TX 78613

Phone: 512-259-3277
email [REDACTED]

Texas Commission on Environmental Quality

PBR New Registration

Site Information (Regulated Entity)

What is the name of the site to be authorized?	HOLSEY MINING KNOX SITE
Does the site have a physical address?	Yes
Physical Address	
Number and Street	9812 STATE HIGHWAY 7 W
City	CROCKETT
State	TX
ZIP	75835
County	HOUSTON
Latitude (N) (##.#####)	31.33758
Longitude (W) (-###.#####)	-95.64147
Primary SIC Code	
Secondary SIC Code	
Primary NAICS Code	212322
Secondary NAICS Code	
Regulated Entity Site Information	
What is the Regulated Entity's Number (RN)?	RN107282329
What is the name of the Regulated Entity (RE)?	HOLSEY MINING KNOX SITE
Does the RE site have a physical address?	Yes
Physical Address	
Number and Street	9812 STATE HIGHWAY 7 W
City	CROCKETT
State	TX
ZIP	75835
County	HOUSTON
Latitude (N) (##.#####)	31.33758
Longitude (W) (-###.#####)	-95.64147
Facility NAICS Code	212322
What is the primary business of this entity?	SAND PROCESSING PLANT

Customer (Applicant) Information

How is this applicant associated with this site?	Owner Operator
What is the applicant's Customer Number (CN)?	CN605112168
Type of Customer	Corporation
Full legal name of the applicant:	
Legal Name	Holsey Mining, Inc.
Texas SOS Filing Number	802355028
Federal Tax ID	
State Franchise Tax ID	32059135783
State Sales Tax ID	
Local Tax ID	
DUNS Number	964473016
Number of Employees	
Independently Owned and Operated?	No
I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas.	Yes
Responsible Authority Contact	
Organization Name	Holsey Mining, Inc.
Prefix	MR
First	Michael
Middle	
Last	Nicholas
Suffix	
Credentials	
Title	General Manager
Responsible Authority Mailing Address	
Enter new address or copy one from list:	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	PO BOX 389
Routing (such as Mail Code, Dept., or Attn:)	
City	CROCKETT
State	TX
ZIP	75835
Phone (###-###-####)	9365447200
Extension	
Alternate Phone (###-###-####)	

Fax (###-###-####)

E-mail

Responsible Official Contact

Person TCEQ should contact for questions
about this application:

Same as another contact?

Organization Name

Pollution Solutions

Prefix

MR

First

Jerry

Middle

Last

Demo

Suffix

Credentials

PE

Title

Consultant

Enter new address or copy one from list:

Mailing Address

Address Type

Domestic

Mailing Address (include Suite or Bldg.
here, if applicable)

3000 TAKU RD

Routing (such as Mail Code, Dept., or Attn:)

City

CEDAR PARK

State

TX

ZIP

78613

Phone (###-###-####)

5122593277

Extension

Alternate Phone (###-###-####)

5122593277

Fax (###-###-####)

E-mail

jdemo@austin.rr.com

Technical Contact

Person TCEQ should contact for questions
about this application:

Same as another contact?

Organization Name

Pollution Solutions

Prefix

MR

First

Jerry

Middle

Last

Suffix	
Credentials	PE
Title	Consultant
Enter new address or copy one from list:	
Mailing Address	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	3000 TAKU RD
Routing (such as Mail Code, Dept., or Attn:)	
City	CEDAR PARK
State	TX
ZIP	78613
Phone (###-###-####)	5122593277
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	

PBR General Information - New Sites

1) To determine fee amount does this business qualify as a small business, non-profit organization, or small government entity?	No
2) Are there any other registered air authorizations at this site?	No
3) Is this project located at a major site?	No
4) Does this registration require certification or is certification being submitted voluntarily?	Yes
5) Is the facility in compliance with all PBRs claimed?	Yes
6) Is the facility in compliance with all other applicable state/federal rules and regulations?	Yes
7) Is the facility in compliance with all applicable distance requirements?	Yes

Section 1 Rule Selection

Rule#: 1

ENGINES AND TURBINES

Select the type of unit that is being registered.

Select the rule(s) associated to the unit specified.

106.512

Section 1 106.512 Engines and Turbines

Engine#: 1

Please provide the horsepower (hp) of the engine(s) / turbine(s).

325

Engine#: 2

Please provide the horsepower (hp) of the engine(s) / turbine(s).

420

Engine#: 3

Please provide the horsepower (hp) of the engine(s) / turbine(s).

600

Engine#: 4

Please provide the horsepower (hp) of the engine(s) / turbine(s).

325

106.512(2) Rule Compliance

1) Is gas fuel limited to: sweet natural gas or liquid petroleum gas, fuel gas containing no more than ten grains total sulfur per 100 dry standard cubic feet, or field gas?

Yes

2) Has formaldehyde been included in the VOC short-term and annual emissions totals?

Yes

3) Are any engine(s)/turbine(s) rated ≥ 500 hp?

Yes

3.1. Will the engine(s) / turbine(s) meet any applicable NOx limits as stated in the rule?

Yes

4) Will the hourly and annual emissions meet any applicable NAAQs?

Yes

5) Will the engine(s) / turbine(s) be used to generate electricity?

Yes

5.1. Are the engine(s) / turbine(s) being used to generate electricity because it is not feasible to connect to the grid?

Yes

6) Please select any/all State or Federal Standards that apply to this site:

MACT ZZZZ

No

7) Is this facility being authorized at an oil and gas site that is using 106.352 (I) to claim, register, or certify their operation?

106.4 Rule Compliance

1) What are the annual VOC emissions in tons per year (tpy) for this registration?	9.1696
2) What are the total annual SO2 emissions in tpy for this registration?	7.4769
3) What are the total annual NOx emissions in tpy for this registration?	88.45
4) What are the total annual CO emissions in tpy for this registration?	24.3638
5) What are the total annual PM emissions in tpy for this registration?	8.024
6) What are the total annual PM10 emissions in tpy for this registration?	8.024
7) What are the total annual PM2.5 emissions in tpy for this registration?	8.024
8) What are the total annual H2S emissions in tpy for this registration?	0
9) What are the total annual HAP emissions in tpy for this registration?	0.0301

PBR Attachments

Please attach one PDF with all required documents to complete the project.

[File Properties]

File Name	KNOX registration PL-7 CERT File.pdf
Hash	6FB593078E56A8673C99517586F380400D52E10CF96DA0E30A8CB879DC0C54A2
MIME-Type	application/pdf
Confidential	No

Please attach any other necessary information needed to complete the registration.

Expedite

1) Per Texas Health and Safety Code, Section 382.05155, does the applicant want to expedite the processing of this application?	No
---	----

Certification

The electronic signature below indicates that the Responsible Official has knowledge of the facts herein set forth and that the same are true, accurate, and complete to the best of my knowledge and belief. By this signature, the maximum emission rates listed on this certification reflect the maximum anticipated emissions due to the operation of this facility, and all representations in this certification of emissions are conditions upon which the facilities and sources will operate. It is understood that it is unlawful to vary from these representations unless the certification is first revised. The signature certifies that to the best of the Responsible Official's knowledge and belief, the project will satisfy the conditions and limitations of the indicated exemption or permit by rule and the facility will operate in compliance with all regulations of the Texas Commission on Environmental Quality and with Federal U.S. Environmental Protection Agency regulations governing air pollution. The signature below certifies that, based on information and belief formed after reasonable inquiry, the statements and information above and contained in the attached document(s) are true, accurate, and complete. If you have any questions on how to fill out this form or about air permits, please call (512) 239-1250. Individuals are entitled to request and review their personal information that the agency gathers on its forms.

1. I am Jerry M Demo, the owner of the STEERS account ER028173.
2. I have the authority to sign this data on behalf of the applicant named above.
3. I have personally examined the foregoing and am familiar with its content and the content of any attachments, and based upon my personal knowledge and/or inquiry of any individual responsible for information contained herein, that this information is true, accurate, and complete.
4. I further certify that I have not violated any term in my TCEQ STEERS participation agreement and that I have no reason to believe that the confidentiality or use of my password has been compromised at any time.
5. I understand that use of my password constitutes an electronic signature legally equivalent to my written signature.
6. I also understand that the attestations of fact contained herein pertain to the implementation, oversight and enforcement of a state and/or federal environmental program and must be true and complete to the best of my knowledge.
7. I am aware that criminal penalties may be imposed for statements or omissions that I know or have reason to believe are untrue or misleading.
8. I am knowingly and intentionally signing PBR New Registration.
9. My signature indicates that I am in agreement with the information on this form, and authorize its submittal to the TCEQ.

OWNER OPERATOR Signature: Jerry M Demo OWNER OPERATOR

Account Number:	ER028173
Signature IP Address:	70.113.119.74
Signature Date:	2019-07-22
Signature Hash:	5CA246DE9492735A9D5FD46794D02CC1B25EF5A18B9E3F7F3C9132DA4F8DFE97
Form Hash Code at time of Signature:	0090BACB65512C89831E49E951AF0E37BFA7C445EC7F93A055643FD93484432E

Fee Payment

Transaction by:	The application fee payment transaction was made by ER028173/Jerry M Demo
Paid by:	

Fee Amount:

The application fee was paid by JERRY M DEMO

\$450.00

Paid Date:

The application fee was paid on 2019-07-22

Transaction/Voucher number:

The transaction number is 582EA000352855 and the voucher number is 426615

Submission

Reference Number:

The application reference number is 319789

Submitted by:

The application was submitted by ER028173/Jerry M Demo

Submitted Timestamp:

The application was submitted on 2019-07-22 at 18:16:21 CDT

Submitted From:

The application was submitted from IP address 70.113.119.74

Confirmation Number:

The confirmation number is 274065

Steers Version:

The STEERS version is 6.27

Additional Information

Application Creator: This account was created by Jerry M Demo