

Document Control Sheet

Sheet Title:	AIR OP - OLS
Box ID:	33846
Control Sheet ID:	0000-0000-0071-4508
Record Series Name:	AIR / Federal Operating Permit
Record Series:	AIR OP
Primary ID:	2771
Secondary ID:	30975
Doc Type:	Permits
Security:	Public
Date:	8/2/2021 12:00AM
Title:	Public Notices & Comments
Tertiary ID	

NOTICE OF DOCUMENT QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**THE QUALITY OF THE FOLLOWING ORIGINAL PAPER
DOCUMENT(S) WAS SUCH THAT ALL OR PORTIONS OF THE
SCANNED IMAGE
MAY BE DIFFICULT TO READ OR ILLEGIBLE.**

Some reasons for poor quality:

There are multiple densities per page, different types of ink, faded document, and some documents are different colors. Many of the photographs, charts, graphs, maps are of poor quality.


GAF MATERIALS CORPORATION

2600 Singleton Boulevard, Dallas, TX 75212

Tel: 214-637-1060

July 30, 2021

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

RE: *Public Notice and Comment Hearing Requirements – Notice and Hearing Verification Form*
Title V Permit Number: O-2771
Building Materials Investment Corporation – Dallas Plant – Dallas County
CN 602717464, RN 100788959

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 AUG -2 PM 4:15
CHIEF CLERKS OFFICE
RECEIVED

NOV 03 2023

To Whom It May Concern:

TCEQ CENTRAL FILE ROOM

Building Materials Investment Corporation doing business as GAF Materials Corporation (GAF) owns and operates an existing asphalt roofing production facility in Dallas, Texas (Dallas Plant). The Texas Commission on Environmental Quality (TCEQ) Account No. for the Dallas Plant is DB-0378-S. The Plant operates under Title V Operating Permit No. O-2771 issued on June 6, 2018.

GAF submitted a Title V Operating Permit renewal application on July 23, 2020. Due to a hearing request received during the public comment period, TCEQ scheduled a notice and comment hearing. In accordance with the guidance package received from the TCEQ on June 4, 2021, GAF has completed the following:

- Published a formal public notice in the following newspapers circulated in Dallas, Dallas County:
 - The Dallas Observer (English) on June 17, 2021
 - La Prensa de la Comunidad (Spanish) on June 22, 2021
- A copy of the complete Title V renewal application, including subsequent revisions, statement of basis, and the draft permit are available online at www.Publicnotice.live/TCEQ-PN.pdf, for public viewing and copying, beginning January 21, 2021
- Signs posted at the Dallas Plant on January 21, 2021 are kept in place
- Submitted the newspaper clippings and affidavits to TCEQ on July 7, 2021

The Dallas Plant is required to submit the *Notice and Comment Hearing Verification Form* and *Form OP-CRO1* to the TCEQ within 10 business of the end of the public comment period. As such, GAF is submitting the *Notice and Comment Hearing Verification Form* and *Form OP-CRO1*. Photocopies of these submittals are being mailed to the following, per the Instructions for Public Notice:

TCEQ - Page 2
July 30, 2021

Texas Commission on Environmental Quality
Air Section Manager
Dallas/Fort Worth Regional Office
2309 Gravel Drive
Fort Worth, Texas 76118-6951

Texas Commission on Environmental Quality
Office of Air
Air Permits Division, MC-163
Mr. Alfredo Mendoza
Building C, Third Floor
12100 Park 35 Circle
Austin, Texas 78753-1808

Mr. Jesus Rodriguez, City of Dallas (electronic
copy)

If you have any questions, please feel free to contact Ms. Latha Kambham with Trinity Consultants at (504) 343-4593 or Mr. Kevin Bush of GAF at (214) 637-8933.

Sincerely,



Wayne Scott
Plant Manager

Attachments

cc: Mr. Alfredo Mendoza, TCEQ Air Permits Division
Mr. Jaret Wessel, TCEQ Regional Office 4
Mr. Jesus Rodriguez, City of Dallas
Mr. Kevin Bush, GAF
Ms. Latha Kambham, Trinity Consultants



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Federal Operating Permit (Title V)
Notice and Comment Hearing Verification Form

Applicant Name: Building Materials Investment Corporation

Site or Facility Name: Dallas Plant

TCEQ Account Number (if applicable): DB-0378S

Permit Number: O2771

Regulated Entity Number: RN100788959

Customer Number: CN602717464

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 AUG -2 PM 4:11
CHIEF CLERKS OFFICE

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice, refer to the instructions in the public notice package.

FEDERAL OPERATING PERMIT (TITLE V) NOTICE AND COMMENT HEARING VERIFICATION	
I verify that the required signs were posted in accordance with the regulations and instructions of the TCEQ.	<input checked="" type="radio"/> * YES * <input type="radio"/> NO
I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instruction of the TCEQ.	<input checked="" type="radio"/> * YES * <input type="radio"/> NO
I verify that a copy of the complete air quality application and draft permit, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.	<input checked="" type="radio"/> * YES * <input type="radio"/> NO
Name of Public Place: <u>www.Publicnotice.live/TCEQ-PN.pdf</u>	
Address of Public Place: <u>www.Publicnotice.live/TCEQ-PN.pdf</u>	
Signed by: <u>W. K. [Signature]</u>	
Title: <u>Plant Manager</u>	Date: <u>7/30/2021</u>

Form OP-CRO1
Certification by Responsible Official
Federal Operating Permit Program

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2021 AUG -2 PM 4: 15

All initial permit application, revision, renewal, and reopening submittals requiring certification must be addressed using this form. Updates to site operating permit (SOP) and temporary operating permit (TOP) applications, other than public notice verification materials, must be certified prior to authorization of public notice or start of public announcement. Updates to general operating permit (GOP) applications must be certified prior to receiving an authorization to operate under a GOP.

I. Identifying Information					
RN: RN100788959		CN: CN602717464		Account No.: DB-0378S	
Permit No.: O-2771			Project No.: 30975		
Area Name: Dallas Plant			Company Name: Building Materials Investment Corporation		
II. Certification Type <i>(Please mark the appropriate box)</i>					
<input checked="" type="checkbox"/> Responsible Official			<input type="checkbox"/> Duly Authorized Representative		
III. Submittal Type <i>(Please mark the appropriate box) (Only one response can be accepted per form)</i>					
<input type="checkbox"/> SOP/TOP Initial Permit Application		<input type="checkbox"/> Update to Permit Application			
<input type="checkbox"/> GOP Initial Permit Application		<input type="checkbox"/> Permit Revision, Renewal, or Reopening			
<input checked="" type="checkbox"/> Other: <u>Notice and Comment Hearing Verification Form for Title V Permit Renewal Application</u>					
IV. Certification of Truth					
<p>This certification does not extend to information which is designated by the TCEQ as information for reference only.</p> <p>I, <u>Wayne Scott</u> certify that I am the <u>RO</u> <i>(Certifier Name printed or typed)</i> <i>(RO or DAR)</i></p> <p>and that, based on information and belief formed after reasonable inquiry, the statements and information dated during the time period or on the specific date(s) below, are true, accurate, and complete:</p> <p><i>Note: Enter Either a Time Period OR Specific Date(s) for each certification. This section must be completed. The certification is not valid without documentation date(s).</i></p> <p>Time Period: From _____ to _____ <i>Start Date</i> <i>End Date</i></p> <p>Specific Dates: <u>7/30/2021</u> _____ <i>Date 1</i> <i>Date 2</i> <i>Date 3</i> <i>Date 4</i> <i>Date 5</i> <i>Date 6</i></p>					
Signature: <u></u>			Signature Date: <u>7/30/2021</u>		
Title: <u>Plant Manager</u>					

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, July 14, 2021 8:05 AM
To: PUBCOMMENT-APD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number 2771
Attachments: WD1_Request for In Person Hearing_7.6.211.pdf

FOP
122174

H

From: PUBCOMMENT-OCC
Sent: Wednesday, July 7, 2021 10:49 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-APD <PUBCOMMENT-APD@tceq.texas.gov>
Subject: FW: Public comment on Permit Number 2771

PM

From: champions@lanwt.org <champions@lanwt.org>
Sent: Tuesday, July 6, 2021 5:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Stephanie Champion

E-MAIL: champions@lanwt.org

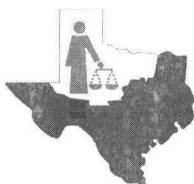
COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

PHONE: 2142432583

FAX:

COMMENTS: See attachment



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT

400 S. Zang Blvd., Ste. 1420, Dallas, Texas 75208

469-458-9009

email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

July 6, 2021

Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Electronic submission at: www14.tceq.texas.gov/epic/eComment/

Re: Request for in-person Notice and Comment Hearing on Draft Federal Operating Permit O2771: Building Materials Investment Corporation

Dear Ms. Gharis,

On February 19, 2021, Legal Aid of NorthWest Texas (LANWT) submitted public comments and a request for a Notice and Comment Hearing on Draft Federal Operating Permit No. O2771 on behalf of our client, West Dallas 1 (WD1) to the Texas Commission on Environmental Quality (TCEQ). On June 4, 2021, we received notice that our request for a hearing was granted and that the hearing would be held virtually via webcast on July 29, 2021 at 7:00pm. We submit these additional comments to request that the hearing be held in-person or, at the very least, that TCEQ provide an in-person forum to provide technical assistance to those who wish to engage in the virtual process.

In our original comments of February 2021, we specifically asked for an opportunity for residents to orally voice their concerns in person, especially on behalf of residents who may not have electronic access or who may be otherwise unable to easily engage in the traditional comment process. We also asked that TCEQ coordinate with WD1 members to determine an appropriate time and place for the hearing. Had that coordination taken place, we could have voiced our concerns regarding the lack of access to meaningful public participation that a purely online forum creates and worked together to coordinate a more accessible and equitable solution.

Ensuring “meaningful public participation in the decision-making process” is a core tenet of TCEQ’s Agency Philosophy.¹ In its Resolution Concerning Public Participation, the Commission stated its desire to “emphasize its commitment to increased and improved public participation” and resolved to “strengthen its public assistance and outreach activities to provide

¹ Texas Commission on Environmental Quality, *Mission Statement and Agency Philosophy*, (July 2nd 2021, 11:00 AM) <https://www.tceq.texas.gov/agency/mission.html>

Bringing justice to North and West Texans since 1951

greater responsiveness to the public and additional opportunities for public participation.”² In addition, the State of Texas prides itself on its efforts to promote open government and ensure that public decision making is transparent, open and accountable to all Texans³ via enforcement of the Texas Open Meetings Act which requires that meetings of governmental bodies be open to the public except for expressly authorized closed sessions.⁴ Courts have consistently held that the provisions of the Act are mandatory and are to be liberally construed in favor of open government.⁵ Towards this end, municipalities and state agencies across Texas have resumed in-person meetings.⁶ Recognizing the incomparable value of in-person over online forums, the Texas Department of Transportation (TxDOT) recently provided two in-person meeting options in tandem with a virtual public meeting for an upcoming feasibility study of I-345 right here in Dallas.⁷

By holding the Notice and Comment Hearing exclusively online and failing to provide an in-person option, TCEQ is substantially limiting the ability of the public to meaningfully participate in the permitting process. As we have previously emphasized, the West Dallas community is comprised of mostly low-income, minority households. The population within a 1-mile radius of the GAF facility is 91% people of color, 73% low-income and 17% linguistically isolated compared with state averages of 58% people of color, 35% low-income and 8% linguistically isolated.⁸ Dallas ranks among the nation’s worst cities for broadband internet connectivity,⁹ where internet access is largely correlated with socio-economic status and zip-code.¹⁰ In West Dallas’ zip code of 75212 where the GAF facility is located, nearly half of all households lack internet access, placing it in the bottom 5 of Dallas zip codes for connectivity.¹¹

² Texas Commission on Environmental Quality, *Resolution Concerning Public Participation*, April 22, 1996, (July 2, 2021, 11:15 AM), https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation/particip_res.html

³ “Open Meetings Act Handbook 2020,” Office of the Attorney General of Texas, 2020, https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/openmeetings_hb.pdf

⁴ TEX. GOV’T CODE § 551

⁵ See *City of Laredo v. Escamilla*, 219 S.W.3d 14, 19 (Tex. App.—San Antonio 2006, pet. denied); *Willmann v. City of San Antonio*, 123 S.W.3d 469, 473 (Tex. App.—San Antonio 2003, pet. denied); *Toyah Indep. Sch. Dist. v. Pecos-Barstow Indep. Sch. Dist.*, 466 S.W.2d 377, 380 (Tex. App.—San Antonio 1971, no writ)

⁶ Amaris E. Rodriguez, *Local governments move toward allowing public at meetings again* (June 7th, 2021), https://wacotrib.com/news/local/govt-and-politics/waco-local-governments-move-toward-allowing-public-at-meetings-again/article_e0a91fd0-c7e9-11eb-8620-0b945ef17ef.html

⁷ Texas Department of Transportation, *Virtual Public Meeting with In-Person Option – I-345 from I-30 to Woodall Rodgers Freeway (Spur 366)* (July 2nd, 2021, 11:00AM), <https://www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings/dallas/062221.html>

⁸ U.S. EPA, EJSCREEN Demographic Indicators, available at: <https://ejscreen.epa.gov>

⁹ Corbett Smith, “A third of Dallas families are without home internet, making online learning all the more difficult,” *The Dallas Morning News*, May 8, 2020, <https://www.dallasnews.com/news/public-health/2020/05/08/a-third-of-dallas-families-are-without-home-internet-making-online-learning-all-the-more-difficult/> be

¹⁰ Emily Donaldson, “Many Dallas families still don’t have reliable internet. Here are some possible solutions,” *The Dallas Morning News*, July 5, 2021, <https://www.dallasnews.com/news/education/2021/07/05/many-dallas-families-still-dont-have-reliable-internet-here-are-some-possible-solutions/>; See also Emily A. Vogels, “Digital divide persists even as Americans with lower incomes make gains in tech adoption,” *Pew Research Center*, June 22, 2021, <https://www.pewresearch.org/fact-tank/2021/06/22/digital-divide-persists-even-as-americans-with-lower-incomes-make-gains-in-tech-adoption/>

¹¹ Brooklyn Cooper, “How hot spots are bridging southern Dallas’ digital divide during the coronavirus pandemic,” *The Dallas Morning News*, August 28, 2020, <https://www.dallasnews.com/news/public-health/2020/08/28/how-hot-spots-are-bridging-southern-dallas-digital-divide-during-the-coronavirus-pandemic/>

Given the severity of the “digital divide” in West Dallas, holding a public meeting exclusively online on a topic concerning this area would significantly restrict the community’s ability to engage in the public decision making process.

In order to ensure that the Title V permit renewal process meets both the open meeting standards of the State of Texas as well as the stated mission and philosophy of TCEQ itself, it is imperative that the hearing be held in a manner that is accessible to the affected community. An online meeting concerning an area where half of all households lack internet access is neither open nor does it allow for meaningful public participation. As such, in order to ensure the integrity of government decision making and the permitting process, we urge TCEQ to hold the Notice and Comment Hearing on Draft Federal Operating Permit No. O2771 in-person in the affected community.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Champion'.

Stephanie Champion, *Attorney*
Kevin Sheneberger, *Law Clerk*
David Joseph Deutch, *Law Clerk*

Legal Aid of NorthWest Texas
Community Revitalization Project
400 S. Zang Blvd., Ste. 1420
Dallas, TX 75208
(214) 243-2583
champions@lanwt.org

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, March 1, 2021 8:54 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Sunday, February 28, 2021 7:27 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Fwd: I Strongly Object to the Renewal of GAF's Federal Permit

Sent from my iPhone

Begin forwarded message:

From: Elizabeth Alexander <ealexander@copper.net>
Date: February 28, 2021 at 7:22:30 PM CST
To: CHIEFCLK <chiefclk@tceq.texas.gov>, Laurie Gharis <Laurie.Gharis@tceq.texas.gov>, Omar.Narvaez@dallascityhall.com, jasminefor100@gmail.com, rafael.anchia@house.texas.gov, jessica.gonzalez@house.texas.gov, royce.west@senate.texas.gov, marc.veasey@mail.house.gov, Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit
Reply-To: ealexander@copper.net

RE: Federal Operating Permit Title V

Draft Permit #02771

Building Materials Investment Corporation/GAF

2600 Singleton Blvd. Dallas Tx 75212

RN100788959

Dear Chief Clerk and TCEQ Commissioners,

I object to the issuance of a new federal operating permit for the GAF asphalt shingle factory located in West Dallas and I'm **requesting a public meeting on this matter.**

According to the State of Texas 2019 official emissions inventory, **GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility**

power station. It is the 4th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.

As a West Dallas resident, this pollution is a threat to my own health, the health of my family, the enjoyment of my home and the value of my property. The surrounding residential neighborhoods are routinely invaded by the noxious smells produced by the factory's pollution.

This large polluter is operating in a central Dallas census tract with over 5000 people. An overwhelming majority are People of Color with a median income approximately one third of the Dallas average. **20% of the population is nine years of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory.** GAF's continued operation represents a major environmental health and justice insult to West Dallas residents.

GAF's factory was originally located in West Dallas as part of an industrial corridor meant to steer undesirable industries to Black and Brown neighborhoods. It's now a dangerous and obsolete leftover from that racist past. It should not be allowed to obtain a new federal operating permit.

Sincerely,

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:19 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Friday, February 19, 2021 2:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: CHIEFCLK <chiefclk@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: Carrie Schweitzer <Ceschweitzer@sbcglobal.net>
Sent: Friday, February 19, 2021 2:02 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov; jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov; Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit

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Sincerely,

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:23 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Thursday, February 18, 2021 11:44 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: CHIEFCLK <chiefclk@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>
Subject: Fwd: I Strongly Object to the Renewal of GAF's Federal Permit

Sent from my iPhone

Begin forwarded message:

From: Lisa Taylor <lisatmp@swbell.net>
Date: February 18, 2021 at 11:24:52 AM CST
To: CHIEFCLK <chiefclk@tceq.texas.gov>, Laurie Gharis <Laurie.Gharis@tceq.texas.gov>, Omar.Narvaez@dallascityhall.com, jasminefor100@gmail.com, rafael.anchia@house.texas.gov, jessica.gonzalez@house.texas.gov, royce.west@senate.texas.gov, marc.veasey@mail.house.gov, Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit
Reply-To: lisatmp@swbell.net

RE: Federal Operating Permit Title V

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Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:24 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Wednesday, February 17, 2021 8:08 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: CHIEFCLK <chiefclk@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>
Subject: Fwd: I Strongly Object to the Renewal of GAF's Federal Permit

Sent from my iPhone

Begin forwarded message:

From: Joyce Hall <hallmj@sbcglobal.net>
Date: February 16, 2021 at 10:37:56 PM CST
To: CHIEFCLK <chiefclk@tceq.texas.gov>, Laurie Gharis <Laurie.Gharis@tceq.texas.gov>, Omar.Narvaez@dallascityhall.com, jasminefor100@gmail.com, rafael.anchia@house.texas.gov, jessica.gonzalez@house.texas.gov, royce.west@senate.texas.gov, marc.veasey@mail.house.gov, Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit
Reply-To: hallmj@sbcglobal.net

RE: Federal Operating Permit Title V

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According to the State of Texas 2019 official emissions inventory, GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility

power station. It is the 4th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.

As a West Dallas resident, this pollution is a threat to my own health, the health of my family, the enjoyment of my home and the value of my property. The surrounding residential neighborhoods are routinely invaded by the noxious smells produced by the factory's pollution.

This large polluter is operating in a central Dallas census tract with over 5000 people. An overwhelming majority are People of Color with a median income approximately one third of the Dallas average. **20% of the population is nine year of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory.** GAF's continued operation represents a major environmental health and justice insult to West Dallas residents.

GAF's factory was originally located in West Dallas as part of an industrial corridor meant to steer undesirable industries to Black and Brown neighborhoods. It's now a dangerous and obsolete leftover from that racist past. It should not be allowed to obtain a new federal operating permit.

Sincerely,

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Tuesday, February 16, 2021 8:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

From: Norman Howden <rrgrandad@gmail.com>
Sent: Saturday, February 13, 2021 4:55 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>;
Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov;
jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov;
Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit

RE: Federal Operating Permit Title V

Draft Permit #02771

Building Materials Investment Corporation/GAF

2600 Singleton Blvd. Dallas Tx 75212

RN100788959

Dear Chief Clerk and TCEQ Commissioners,

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From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Tuesday, February 16, 2021 11:57 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: CHIEFCLK <chiefclk@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: Norman Howden <rrgrandad@gmail.com>
Sent: Saturday, February 13, 2021 4:55 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>;
Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov;
jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov;
Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit

RE: Federal Operating Permit Title V

Draft Permit #02771

Building Materials Investment Corporation/GAF

2600 Singleton Blvd. Dallas Tx 75212

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Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:28 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Sunday, February 14, 2021 11:59 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Fwd: I Strongly Object to the Renewal of GAF's Federal Permit

Sent from my iPhone

Begin forwarded message:

From: Norma Nelson <norma@readers2leaders.org>
Date: February 14, 2021 at 10:59:32 AM CST
To: CHIEFCLK <chiefclk@tceq.texas.gov>, Laurie Gharis <Laurie.Gharis@tceq.texas.gov>, Omar.Narvaez@dallascityhall.com, jasminefor100@gmail.com, rafael.anchia@house.texas.gov, jessica.gonzalez@house.texas.gov, royce.west@senate.texas.gov, marc.veasey@mail.house.gov, Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit
Reply-To: norma@readers2leaders.org

RE: Federal Operating Permit Title V

Draft Permit #02771

Building Materials Investment Corporation/GAF

2600 Singleton Blvd. Dallas Tx 75212

RN100788959

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Sincerely,

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:29 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Strongly Object to the Renewal of GAF's Federal Permit

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Saturday, February 13, 2021 5:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Fwd: I Strongly Object to the Renewal of GAF's Federal Permit

Sent from my iPhone

Begin forwarded message:

From: Evelyn Mayo <emayo@pgc.edu>
Date: February 13, 2021 at 4:49:46 PM CST
To: CHIEFCLK <chiefclk@tceq.texas.gov>, Laurie Gharis <Laurie.Gharis@tceq.texas.gov>, Omar.Narvaez@dallascityhall.com, jasminefor100@gmail.com, rafael.anchia@house.texas.gov, jessica.gonzalez@house.texas.gov, royce.west@senate.texas.gov, marc.veasey@mail.house.gov, Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit
Reply-To: emayo@pgc.edu

RE: Federal Operating Permit Title V

Draft Permit #02771

Building Materials Investment Corporation/GAF

2600 Singleton Blvd. Dallas Tx 75212

RN100788959

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Sincerely,

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:30 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Saturday, February 13, 2021 5:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Fwd: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

Sent from my iPhone

Begin forwarded message:

From: Esther Villarreal <espete0@gmail.com>
Date: February 13, 2021 at 2:48:02 PM CST
To: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Subject: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

Federal Operating Permit Title V
Draft Permit #02771
Building Materials Investment Corporation/GAF
2600 Singleton Blvd. Dallas Tx 75212
RN100788959

Dear Madam,

I object to the issuance of a new federal operating permit for the GAF asphalt shingle factory located in West Dallas and I'm requesting a public meeting on this matter.

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Sincerely

Esther Villarreal
1907 McBroom St, Dallas 75212
630-946-8496
espete0@gmail.com

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 2:22 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Comments on Renewal of Federal Operating Permit Title V Draft Permit #02771 /GAF
Attachments: Comments on GAF's TITLE V Permit Renewal.docx

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Friday, February 19, 2021 1:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: FW: Comments on Renewal of Federal Operating Permit Title V Draft Permit #02771 /GAF

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: schermbeck@aol.com <schermbeck@aol.com>
Sent: Friday, February 19, 2021 1:21 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Cc: Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov; jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov; Elba.GarciaDDS@dallascounty.org
Subject: Comments on Renewal of Federal Operating Permit Title V Draft Permit #02771 /GAF

Texas Commission on Environmental Quality
Office of the Chief Clerk

To Whom It May Concern,

Our comments on behalf of ourselves and West Dallas residents concerning the renewal of the Federal Operating Permit Title V Draft Permit #02771, for Building Materials Investment Corporation/GAF at 2600 Singleton Blvd. Dallas Tx 75212 @font-face {font-family:"Cambria Math"; panose-1:2 4 5 3 5 4 6 3 2 4; mso-font-charset:0; mso-generic-font-family:roman; mso-font-pitch:variable; mso-font-signature:3 0 0 0 1 0;}@font-face {font-family:"Calibri Light"; panose-1:2 15 3 2 2 2 4 3 2 4; mso-font-charset:0; mso-generic-font-family:swiss; mso-font-pitch:variable; mso-font-signature:-536859905 -1073732485 9 0 511 0;}p.MsoNormal, li.MsoNormal, div.MsoNormal {mso-style-unhide:no; mso-style-qformat:yes; mso-style-parent:""; margin:0in; mso-pagination:widow-orphan; font-size:12.0pt; font-family:"Times New Roman",serif; mso-fareast-font-family:"Times New Roman";}.MsoChpDefault {mso-style-type:export-only; mso-default-props:yes; font-family:"Calibri",sans-serif; mso-ascii-font-family:Calibri; mso-ascii-theme-font:minor-latin; mso-fareast-font-family:Calibri; mso-fareast-theme-font:minor-latin; mso-hansi-font-family:Calibri; mso-hansi-theme-font:minor-latin; mso-bidi-font-

family:"Times New Roman"; mso-bidi-theme-font:minor-bidi;}}div.WordSection1 {page:WordSection1;}are attached. Please let us know if you have any trouble downloading them. Thank you.

Jim Schermbeck
Downwinders at Risk
806-787-6567

Comments on:
Renewal of Federal Operating Permit Title V
Draft Permit #02771 RN100788959
Building Materials Investment Corporation/GAF
2600 Singleton Blvd. Dallas Tx 75212

Submitted by Downwinders at Risk Education Fund
February 19th, 2021
to the Texas Commission on Environmental Quality
Office of the Chief Clerk
MC 105, P.O. box 13087
Austin, Texas 78711-3087

Downwinders at Risk is a 27-year-old environmental justice and clean air organization with a long history of official regulatory intervention in the permitting and operation of various air polluting facilities in the DFW region, including cement plants, coal plants, lead smelters, gas compressor stations, and batch plants.

In this matter we specifically represent West Dallas resident Esther Villarreal who resides at 1907 McBroom St Dallas 75212, less than a mile northeast from the GAF asphalt shingle factory. Ms. Villarreal and her family's health, quality of life, and enjoyment of their property have been, and still are, directly impacted by GAF's pollution regulated by this federal Title V permit.

We also represent other Downwinders at Risk Education Fund supporters who live in West Dallas, Oak Cliff, Dallas, and Grand Prairie who are potentially or already affected by GAF's pollution regulated by this permit.

Downwinders at Risk Education Fund strongly objects to the renewal of this Title V federal operating permit for the GAF asphalt shingle factory located in West Dallas and **we're requesting a public meeting on this matter on behalf of Ms. Villarreal and our organization.**

Per Texas Administrative Code RULE §39.602, as persons who are filing public comment or hearing requests on or before the deadline for filing public comment or hearing requests, Downwinders at Risk requests to be mailed any correspondence related to the referenced permit application from this day forward at the address listed below.

We object to the renewal of GAF's Federal Title V Permit for the following reasons:

- I. **The Large Volume and Variety of Air Pollution from GAF should be Reviewed for Application of BACT and MACT as well as compliance with the National Ambient Air Quality Standards**

According to the State of Texas' 2019 official emissions inventory, GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility power station. It is the 4th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.

A. GAF's Particulate Matter Air Pollution

1. GAF is a Large PM Air Polluter

GAF is the largest PM polluter in West Dallas by a wide margin. Its annual volumes have ranged from 59 to 26 tons per year of PM 10, the majority of which was also the more dangerous PM 2.5. These numbers are only from the yearly EPA Priority Pollutant inventories and do not include fugitive emissions, factory on-site truck traffic, or the operation of auxiliary equipment.

2. PM Health Harms Can Occur at Low Levels

Particulate Matter pollution has been linked to a long list health harms at or below levels considered safe and regulated by the EPA and the Texas Commission on Environmental Quality. In the largest effort of its kind, a nationwide Harvard School of Public Health study of more than 60 million senior citizens published in 2017 linked long-term exposure to PM pollution to thousands of premature deaths annually, *even at levels well below the legal limits set by the U.S. Environmental Protection Agency*. The analysis found no sign of a "safe" level of pollution, below which the risk of dying early tapered off.

There's now a substantial body of studies associating PM exposure to neurological diseases. In 2014, Harvard scientists found women exposed to higher levels of fine particulate matter during pregnancy may face up to twice the risk of having a child with autism than mothers living in areas with low particulate matter exposure. In 2013, USC researchers had concluded the same thing based on the proximity of pregnant women living near freeways. PM exposure has also been tied to attention deficit hyperactivity disorder, or ADHD, in children.

Some of the same kinds of health impacts have been noticed at the other end of the age spectrum. Exposure to PM pollution has been tied to Parkinson's Disease, Dementia, Alzheimer's, and general "cognitive decline" in adults. PM has also been linked to immune and reproductive system damage.

All of these health harms were documented at exposure levels at or below the EPA's National Ambient Air Quality Standards but since there's no fence line monitoring of PM pollution at GAF, there's no proof the plant is even meeting NAAQS standards for that pollutant off site, and no way to map potential PM hotspots.

3. There's No Cumulative Total of PM Pollution from GAF

Official PM air pollution totals being self-reported by GAF through the EPA Priority Pollutant Inventory do not include fugitive emissions from raw materials piles, diesel emissions from truck traffic, or the air pollution from any other mobile equipment onsite such as locomotives or portable machinery.

To obtain an accurate assessment of the risks posed by GAF's pollution it's necessary to have an accurate inventory of that pollution. GAF's residential neighbors currently only see a partial picture of the factory's total PM burden. To ascertain whether additional anti-pollution measures

are necessary the factory and its property should be subject to a cumulative review of all sources of PM pollution, estimating the maximum impact of each.

That cumulative total should then be subject to new air modeling to determine potential hotspots and violations of the PM NAAQS.

GAF's PM pollution is being considered in isolation from all other sources of PM in the surrounding area which is not how residents actually experience the factory's pollution. They inhale GAF's air pollution in combination with the other industries and traffic along the Singleton corridor. To fully assess the impact of GAF's air pollution on its neighbors, cumulative modeling incorporating these other sources is required.

4. GAF's PM Pollution Should be Reviewed by EPA for Maximum Available Control Technology

Given GAF's close proximity to residential neighborhoods, the volume of its PM pollution, and the harmful nature of PM at even low levels of exposure, all state-of-the-art measures should be taken to reduce PM at the source. Beyond source reduction GAF should also be required to implement PM mitigation measures. EPA should fully review GAF's production processes and sources with the goal of going from enforcement of a NAAQS that's injurious to human health, to reducing total residential exposure as much as possible.

B. GAF's Sulfur Dioxide Pollution

1. GAF is Dallas County's Largest Sulfur Dioxide Air Polluter

For as long as it's been in operation, GAF has been among the largest industrial polluters of Sulfur Dioxide in Dallas County and North Texas. **Since at least 2014 it's been the largest SOx polluter in Dallas County, by a wide margin.** Its closest competitors are the County's two other asphalt shingle factories, although GAF's Sulfur Dioxide annual pollution easily eclipses their combined totals. In 2019 the factory reported releasing over 125 tons of the pollutant, more than many power plants and cement kilns.

2. Sulfur Dioxide is Hazardous to Human Health and the Source of Nuisance Conditions

Sulfur Dioxide is a gaseous pollutant with a strong odor. Its release often **triggers nuisance complaints associated with noxious smells and mild symptoms such as fatigue, headache, and nausea.** Ms. Villarreal, her family, and her neighbors already experience these kinds of nuisance conditions caused by GAF's SOx pollution and it's interfering with their quality of life and enjoyment of their property.

However anyone living near a source of Sulfur Dioxide pollution who can smell the pollution is also inhaling the pollution. Breathing Sulfur Dioxide can cause serious respiratory effects such as chest tightness and difficulty breathing. It also exacerbates existing respiratory diseases such as asthma. Children may be especially vulnerable to Sulfur Dioxide because they breathe larger volumes of air relative to their body weight than adults do. **Studies have shown that children exposed so SOx may develop more respiratory illnesses and make more emergency room visits than other children.** They may even develop other respiratory problems as they get older.

Children with asthma seem to be particularly sensitive to sulfur dioxide exposure. Sulfur Dioxide's harmful effects are magnified in combination with PM.

3. GAF Poses a Potential Non-Attainment Threat for SOx

Given how widespread GAF's neighbors' reports of nuisance odors are, the tremendous volume of SOx pollution being emitted, the relatively short GAF stacks that pollution is coming from, and the lack of fence line monitoring, **it's plausible that GAF is violating National Ambient Air Quality Standards for Sulfur Dioxide pollution.**

It's not unusual for a factory to be such a large polluter that it can single-handedly create a federal Non-Attainment area if control measures are not taken. In North Texas, the Exide lead smelter was solely responsible for a Non-Attainment Area for Lead in Central Frisco. More on point, in Midlothian the Holcim cement plant was forced to install scrubbers by EPA to prevent a Non-Attainment Area for **Sulfur Dioxide** encompassing all of Northern Ellis County.

GAF's maximum emission limits for SOx pollution as well as its annual self-reported SOx emissions should be independently modeled by EPA and long-term fence line monitoring should be deployed to determine GAF's compliance with NAAQS for Sulfur Dioxide.

4. GAF's Sulfur Dioxide Pollution Should be Reviewed by EPA for Maximum Available Control Technology

As noted, the SOx pollution from GAF dwarfs that of the other two asphalt shingle factories in Dallas County. The Owens Corning factory in Irving reported 76.4 tons of Sulfur Dioxide in 2019 and the TAMKO factory in Joppa reported 27.5 tons that year. **GAF says it released over 125 tons, or 36% of all Industrial SOx air pollution in Dallas County.** Although GAF's factory is larger, that difference in production doesn't alone account for how much more SOx GAF is releasing than its competitors.

Given the presence of nuisance conditions, the volume of pollution, the proximity of residential neighborhoods, and the lower SOx emissions of nearby similar factories, EPA should thoroughly review GAF to make sure the factory is employing all state-of-the-art measures to minimize Sulfur Dioxide pollution as much as possible.

C. GAF's Large Releases of Carbon Monoxide Pollution Could Indicate Poor Combustion Practices

Just as GAF's Sulfur Dioxide numbers are alarmingly larger than their asphalt shingle-making peers in Dallas County, their Carbon Monoxide pollution numbers also raise a red flag.

Owens Corning reports 15 tons of CO released in 2019, TAMKO 26.7. GAF reported its factory emitted 58.3 tons that same year, or more than the other two combined.

CO pollution can be a sign of poor combustion practices. Efficient combustion has a relatively low CO ratio and higher emissions can indicate Incomplete combustion taking place. Incomplete combustion can in turn lead to the release of toxic ***Products of Incomplete Combustion*** which are usually not accounted for in EPA Risk Assessments despite their documented harms at low levels of exposure.

EPA should fully review GAF's production processes and sources to insure the most efficient combustion possible in all sources of CO pollution.

II. GAF's Location and Voluminous Pollution Require a Comprehensive Environmental Justice Review

GAF's 2-300 tons of annual pollution is being released in a central Dallas census tract with over 5000 people, an overwhelming majority of which are People of Color with a median income approximately one third of the Dallas average.

20% of the population is nine year of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution, including PM and Sulfur Dioxide. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory.

GAF's location in West Dallas is a dangerous legacy of 20th Century racist zoning that allowed large polluting factories to locate within close proximity of People of Color neighborhoods and Dallas Housing Authority units. It's only one of many heavy industries doing business along the Singleton corridor where an entire industrial district was allowed to develop next door to Black and Brown neighborhoods. Until the early 1980's this corridor hosted the notorious RSR lead smelter. In the early 1990's the waste from RSR created the nation's largest Superfund site. From the 1980's on, West Dallas has been a national environmental justice symbol.

GAF's continued operation is furthering that racist legacy. It's releasing copious amounts of noxious air pollution into West Dallas residential neighborhoods with impunity. It's placing disproportionate pollution burdens on some of Dallas most vulnerable populations already impacted by decades of environmental racism.

It's time the EPA subjected the plant to the kind of thorough review it would have received a long time ago if it had been located north of the Trinity River. For these reasons and others, we urge the rejection of GAF's Title V permit at this time.

Submitted by
Downwinders at Risk Education Fund
Evelyn Mayo, Chair
Jim Schermbeck, Director
1808 South Good Latimer Expy #202
Dallas, TX 75226
972-230-3185

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 1:16 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

H

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Thursday, February 18, 2021 9:36 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

From: Esther Villarreal <espete0@gmail.com>
Sent: Saturday, February 13, 2021 2:49 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

Dear Sir or Madam,

I object to the issuance of a new federal operating permit for the GAF asphalt shingle factory located in West Dallas and I'm requesting a public meeting on this matter.

According to the State of Texas 2019 official emissions inventory, GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility power station. It is the 4 th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.

As a West Dallas resident, this pollution is a threat to my own health, the health of my family, the enjoyment of my home and the value of my property. The surrounding residential neighborhoods are routinely invaded by the noxious smells produced by the factory's pollution.

This large polluter is operating in a central Dallas census tract with over 5000 people. An overwhelming majority are People of Color with a median income approximately one third of the Dallas average. 20% of the population is nine year of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory. GAF's continued operation represents a major environmental health and justice insult to West Dallas residents.

GAF's factory was originally located in West Dallas as part of an industrial corridor meant to steer undesirable industries to Black and Brown neighborhoods. It's now a dangerous and obsolete leftover from that racist past. It should not be allowed to obtain a new federal operating permit.

Sincerely

Esther Villarreal
1907 McBroom St, Dallas TX 75212
630-946-8496

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 1:11 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: WD1_GAF Public Comment_2.19.21 w Attachements.pdf

H

From: champions@lanwt.org <champions@lanwt.org>
Sent: Friday, February 19, 2021 4:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Stephanie Champion

E-MAIL: champions@lanwt.org

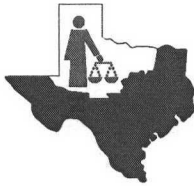
COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

PHONE: 4694589009

FAX:

COMMENTS: See attachment



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT

400 S. Zang Blvd., Ste. 1420, Dallas, Texas 75208

469-458-9009

email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

February 19, 2021

Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Electronic submission at: www14.tceq.texas.gov/epic/eComment/

Re: Public Comments and Request for Notice and Comment Hearing on Draft Federal
Operating Permit O2771: Building Materials Investment Corporation

Dear Ms. Gharis,

Legal Aid of NorthWest Texas' Community Revitalization Project, the Texas Law Environmental Clinic and the Environmental Integrity Project submit these comments, request for extension, and request for hearing on behalf of West Dallas 1, a coalition of West Dallas residents and neighborhood associations that comprise the residential neighborhoods immediately adjacent to and surrounding the GAF Materials facility located at 2600 Singleton Blvd, Dallas Texas 75212. West Dallas 1 and its members object to the renewal of the Building Materials Investment Corporation's Title V Operating Permit No. O2771 authorizing the operation of GAF Materials because it fails to include and assure compliance with all applicable requirements; fails to include monitoring, reporting and recordkeeping sufficient to assure compliance; and otherwise fails to meet the requirements of the federal Clean Air Act (CAA). Additionally, the renewal of Permit O2771 would violate the Civil Rights Act and related regulations which require the Texas Commission on Environmental Quality (TCEQ) to ensure that the administration of its programs, including its Title V program, does not create disparate impacts on the basis of race, color or national origin.

I. COMMENTERS

West Dallas 1 (WD1) is a coalition of West Dallas residents and neighborhood associations dedicated to advocating for the protection and preservation of its neighborhoods and the health and safety of its residents. WD1 members live in close proximity to the asphalt shingle and coating materials manufacturing facility operated by GAF Materials located at 2600 Singleton Blvd, Dallas TX 75212 and are directly impacted by the harmful emissions of the facility including sulfur dioxide (SO₂) and particulate matter (PM). Numerous members of WD1

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for Equal Justice
LEGAL SERVICES CORPORATION

have regularly observed plumes of air pollution coming from the facility and experience foul smells on a daily basis, generally in the mornings and evenings.

Esther Villarreal is a member of WD1 who resides at 1907 McBroom Street, Dallas TX 75212, less than a mile from the GAF facility with her husband and three young children. Esther along with two of her children, ages 5 and 8, suffer from asthma and must keep an Albuterol “rescue inhaler” nearby at all times. Both children have also experienced respiratory infections leading to the weakening of their pulmonary function in the past four years. The family has a nebulizer in their home and use it frequently throughout the year. Pre COVID-19, the family would frequent the Dallas West Branch Public Library which is located directly adjacent to the GAF facility on Singleton Blvd. When doing so, they would observe plumes of smoke rising from the smokestacks as well as gravel and dust being kicked up by vehicles on the property. They could see and smell the particulate matter in the air around them. It made them apprehensive about visiting the library as often as they would like to. Esther is also an avid gardener who grows plants and vegetables and even teaches Forest School to preschoolers in her extensive home garden. She spends a significant amount of time outdoors while at home and has grave concerns about the quality of the air in her neighborhood and its effect on her and her family’s health. As the mother of young children who are high-risk for COVID-19, she is especially concerned about emissions of particulate matter in her neighborhood that could exacerbate her family’s respiratory health. She adamantly opposes the renewal of the facility’s Title V air permit and its continued license to pollute her residential neighborhood.

Aaryaman Singhal is another member of WD1 who resides at 4019 Soloman Drive, Dallas TX 75212, within 1.2 miles of the facility. He moved to West Dallas two years ago and immediately noticed the smell of smoke in the early mornings as he would leave his home and walk to his car. It reminded him of the constant smell of smoke in New Delhi where his family is from, a city with some of the worst air pollution in the world. The smell also haunts him as he runs along the Trinity River levees – one of the most iconic running trails in Dallas with some of the best views of the Dallas skyline. Unfortunately, Aaryaman struggles to enjoy this beloved outdoor recreational activity because of the constant smell of smoke. He is deeply concerned to have seen reports of high levels of SO₂, PM_{2.5}, and other pollutants coming from the GAF facility in his neighborhood. He strongly opposes the renewal of the facility’s Title V air permit and the continued authorization of a noxious land use so close to where he lives and recreates.

In addition to Esther and Aaryman, WD1 has numerous other members who are directly and adversely impacted by emissions from GAF.

II. REQUEST FOR HEARING

WD1 formally requests that TCEQ hold a notice and comment hearing on the draft permit pursuant to the federal Clean Air Act, its implementing regulations and TCEQ’s Title V rules.¹ Residents of West Dallas who are affected by GAF’s emissions, including and especially those who may not have electronic access or are otherwise unable to easily submit written comments, request an opportunity to orally present their concerns about the GAF facility to the

¹ 42 U.S.C. § 7661a(b)(6); 40 CFR § 70.7(h); 30 Tex. Admin. Code § 122.340

Commission in person. In addition, WD1 requests that TCEQ coordinate with its members to determine an appropriate time and place for the hearing and whether language interpretation services and/or services for the hearing impaired are necessary.

The Clean Air Act requires state Title V programs to provide “an opportunity for public comment and a hearing.”² The Texas Administrative Code requires that, “[i]f a hearing is requested by a person who may be affected by emissions from a site regulated under this chapter, and that request is reasonable, the executive director shall hold a hearing.”³ Here, members of WD1 who live in close proximity to the GAF facility and who are directly affected by the site’s emissions, are requesting a hearing and that request is reasonable as further discussed below.

The GAF facility emits an excessive amount of sulfur dioxide (SO₂) along with large amounts of particulate matter (PM).⁴ In 2019, the facility emitted over 125 tons of SO₂ and was the largest SO₂ polluter in Dallas County.⁵ Short-term SO₂ exposure is known to have harmful effects on the respiratory system making breathing difficult and exacerbating the symptoms of asthma, particularly in children.⁶ High concentrations of SO₂ in the air lead to the formation of other sulfur oxides (SO_x) which can react with other compounds to form small particles which contribute to PM pollution.⁷ PM is made up of microscopic solids or liquid droplets so small they can be inhaled and penetrate the lungs and even enter the bloodstream, causing serious health problems.⁸ At high concentrations, SO_x can also harm plants and trees by damaging foliage and decreasing growth.

The West Dallas community, especially that immediately adjacent to the GAF facility, is comprised of mostly low-income, minority households. The population within a 1-mile radius of the GAF facility is 91% people of color, 73% low-income and 17% linguistically isolated compared with state averages of 58% people of color, 35% low-income and 8% linguistically isolated.⁹ Not only have these communities been historically disproportionately impacted by environmental injustices but recently by the COVID-19 pandemic as well. As such, they have an acute and urgent interest in reducing harmful air pollutants in their neighborhoods that adversely impact respiratory health.

Residents of West Dallas living near the facility who are exposed to its emissions on a daily basis have an interest in ensuring that GAF’s Title V permit includes all applicable CAA requirements, including provisions that assure protection of public health and welfare; is practicably enforceable; and includes sufficient monitoring, recordkeeping, and reporting to assure compliance. Where monitoring in the permit is deficient and thus may lead to inadequate enforcement of permit requirements, Title V requires that the TCEQ add additional monitoring

² 42 U.S.C. § 7661a(b)(6)

³ 30 Tex. Admin. Code § 122.340(d)

⁴ TCEQ, 2019 Point Source Emissions Inventory, available at: <https://www.tceq.texas.gov/airquality/point-source-ei/contaminant-summary-reports>

⁵ Id.

⁶ U.S. EPA, Sulfur Dioxide Basics, available at: <https://www.epa.gov/so2-pollution/sulfur-dioxide-basics>.

⁷ Id.

⁸ U.S. EPA, Particulate Matter (PM) Basics, available at: <https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#effects>

⁹ U.S. EPA, EJSCREEN Demographic Indicators, available at: <https://ejscreen.epa.gov>

and reporting requirements to assure compliance with applicable emissions limits and requirements.

III. REQUEST FOR EXTENSION OF COMMENT PERIOD

Due to the emergency conditions surrounding the ongoing winter storm and disaster declaration,¹⁰ WD1 requests a reasonable extension of the public comment period. Commenters and their attorneys, along with millions of Texans across the state, have been without power or internet access for most of this week and some continue to deal with a lack of access to clean water. Commenters and attorneys have been unable to communicate with each other or with TCEQ and unable to obtain documents relevant to their permit review. While we have included as much substance in these comments as possible under the circumstances, we request the opportunity to fully develop and detail the draft permit deficiencies we believe will adversely affect WD1 and its members.

IV. LEGAL REQUIREMENTS

GAF's Title V air permit renewal is subject to the requirements of the Clean Air Act, its implementing regulations, and Texas' applicable statutes and regulations. In addition, GAF's permit must comply with the requirements of the Civil Rights Act of 1964 and the U.S. Environmental Protection Agency (EPA) and Department of Justice (DOJ) implementing regulations.

a. Clean Air Act Requirements

The Clean Air Act (CAA) aims to "protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population."¹¹ Congress added Title V to the CAA in 1990 to better track and assure compliance with the CAA and to facilitate enforcement against facilities that do not comply.¹²

Every Title V permit must include enforceable emissions limitations and standards "and such other conditions as are necessary to assure compliance with applicable requirements," including monitoring, reporting and recordkeeping requirements.¹³ Where necessary, the permitting agency must supplement direct requirements with additional monitoring, reporting, or recordkeeping "to assure compliance with the permit terms and conditions."¹⁴

The TCEQ must assure that each Title V permit it issues complies with Title V of the CAA, its implementing regulations and the federally-approved state operating permit program rules.¹⁵

¹⁰ Office of the Texas Governor, available at:

https://gov.texas.gov/uploads/files/press/DISASTER_severe_weather_FINAL_02-12-2021.pdf

¹¹ 42 U.S.C. § 740(b)(1)

¹² 42 U.S.C. § 7661c(a)-(c)

¹³ 42 U.S.C. § 7661c(a)

¹⁴ 42 U.S.C. § 7661c(c)

¹⁵ 30 Tex. Admin. Code § 122.10-122.606

b. Civil Rights Act Title VI Requirements

Title VI of the Civil Rights Act of 1964 provides that “[n]o person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”¹⁶ As a recipient of federal funds from the EPA, TCEQ is subject to the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 as well as EPA’s Title VI regulations.

EPA’s Title VI regulations provide that an EPA aid recipient:

- Shall not administer its program in a manner that: 1) has the effect of subjecting individuals to discrimination because of their race, color, national origin, or sex; or 2) has the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular race, color, national origin, or sex.¹⁷
- Shall not choose a site or location of a facility that has the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program or activity...on the grounds of race, color, or national origin or sex; or with the purpose or effect of defeating or substantially impairing the objectives of [these regulations].¹⁸
- Shall take affirmative action to provide remedies to those who have been injured by past discrimination in administering a program.¹⁹

TCEQ must comply with the above requirements in administering its Title V permit program and all other environmental programs.

V. CLEAN AIR ACT DRAFT PERMIT DEFICIENCIES

GAF’s Draft Permit should not be issued as it does not comply with Title V’s minimum requirements for reasons including the following:

- The failure to include an adequate statement of basis;
- The failure to ensure compliance with all applicable requirements;
- The failure to include adequate monitoring, reporting, and recordkeeping; and
- The failure to include a compliance plan that would prevent the ongoing violations of General Condition 13 of NSR Permit 7711A.

A. The Draft Permit lacks an adequate Statement of Basis.

¹⁶ 42 U.S.C. § 2000d

¹⁷ 40 C.F.R. § 7.35(b)

¹⁸ 40 C.F.R. § 7.35(c)

¹⁹ 40 C.F.R. § 7.35(a)(7)

The Statement of Basis does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring. Nor does the Statement of Basis provide the reader enough information to verify the Basis of Determination contained in the Statement of Basis. More detailed information (including actual construction date) than provided by the computer-generated Basis of Determination section in the Statement of Basis is required for a statement of basis that meets Title V requirements and is actually useful to the public in understanding the draft permit and its incorporated requirements.

B. The Draft Permit fails to ensure compliance with applicable requirements and fails to include adequate monitoring, reporting, and recordkeeping.

The Draft Permit fails to ensure compliance with all applicable requirements and to include required monitoring for reasons including those detailed below.

1. The Draft Permit's incorporation by reference of Permits by Rule ("PBRs") is confusing, incomplete, and fails to ensure compliance with permit limits.

A PBR is a standardized permit that may be used to authorize construction of new facilities or changes at existing facilities. Each PBR is promulgated as a 30 Tex. Admin. Code, Chapter 106 rule by the TCEQ. PBRs streamline the permitting process, because individual case-by-case permits needn't be developed for each project authorized under a PBR. Instead, if a project is authorized under a PBR, the PBR (i.e., the applicable rule) is the permit authorizing that project. The TCEQ's rules allow PBRs to be used to authorize construction of new emission units or changes to existing emissions units, so long as these changes comply with the general requirements for all PBRs, listed at 30 Tex. Admin. Code § 106.4, and the specific requirements of the claimed PBR.

Emissions from units at the Facility regulated by PBR may cause emissions from the Facility overall to exceed permit limits. To prevent this eventuality, the Draft Permit must assure compliance with PBR requirements and emission limits. The Draft Permit must at least identify the applicable PBR conditions and limits, as well as monitoring and recordkeeping requirements used to demonstrate compliance with these limits.²⁰ While EPA has approved the use of incorporation by reference for permits by rule in Texas, the TCEQ's method of incorporating PBRs must "ensure that Title V permits are clear and unambiguous as to how emission limits [established by PBRs] apply to particular emission units."²¹

a. The Draft Permit fails to provide enough information about how claimed PBRs apply to GAF's asphalt plant.

²⁰ 30 Tex. Admin. Code § 106.8 requires owners and operators to maintain records demonstrating compliance with applicable PBR requirements, but does not specify how compliance with such requirements is to be demonstrated. The Executive Director must revise the Draft Permit to identify the method for determining compliance with each PBR limit.

²¹ Order Partially Granting and Partially Denying Petition for Objection to Permit 01498, Petition VI-2007-2 (January 8, 2007) at 6, n.2.

Each Title V permit must include terms and conditions sufficient to assure compliance with applicable requirements. 42 U.S.C. § 7661c(a). The Draft Permit fails to comply with this requirement because it fails to identify any units subject to the following incorporated PBRs: 106.227, 106.263, and 106.454. Because the Draft Permit fails to identify the emission units authorized by and subject to the requirements in these claimed rules, it is completely unclear as to how the PBR and standard exemptions apply to emission units at GAF's asphalt plant and thereby undermines the enforceability of PBR requirements. Objection to Title V Permit No. O2164, Chevron Phillips Chemical Company, Philtex Plant (Aug. 6, 2010) at ¶7 (draft permit fails to meet 40 C.F.R. § 70.6(a)(1) and (3) because it does not list any emission units authorized under specified PBRs); In the Matter of Shell Chemical LP and Shell Oil Co, Order on Petition Nos. VI2014-04 and VI-2014-05, at 11-15 (Sep. 24, 2015). Moreover, even if an interested party is able to determine which emission units should be subject to one or more of these PBRs, a court is unlikely to enforce these requirements, because the Draft Permit fails to identify them as applicable for any specific emission unit or units at GAF's asphalt plant. See, *United States v. EME Homer City Generation*, 727 F.3d 274, 300 (3d Cir. 2013) (explaining that court lacks jurisdiction to enforce requirements improperly omitted from a Title V permit). Because this is so, the Draft Permit fails to identify and assure compliance with all applicable requirements. 42 U.S.C. § 7661c(a).

b. The Draft Permit improperly omits GAF's certified PBR registration.

Texas's Chapter 106, Subchapter A rules state that "[a]n owner or operator may certify and register the maximum emission rates from facilities permitted by rule under this chapter in order to establish federally-enforceable allowable emission rates which are below the emission limitations in § 106.4[.]" 30 Tex. Admin. Code § 106.6(a). In cases where an operator certifies emission rates, "[a]ll representations with regard to construction plans, operating procedures, and maximum emission rates in any certified registration become conditions upon which the facility permitted by rule shall be constructed and operated." *Id.* at § 106.6(b). These source-specific PBR emission limits and conditions are applicable requirements that must be included in Title V permits and Title V permits must include conditions necessary to assure compliance with them.

GAF's certified PBR registration number 14740 establishes emission limits substantially lower than the emission limits in § 106.4(a)(1) and the specific claimed PBRs. The Draft Permit, however, does not identify GAF's certified registration as an applicable requirement. This omission incorrectly suggests that all emission units authorized by PBR(s) may emit up to the limits specified in § 106.4(a)(1) or the generic limits established by the particular claimed PBRs. The Draft Permit's omission of applicable source-specific certified registration requirements is contrary to 42 U.S.C. § 7661c(a) and renders them unenforceable under the prevailing doctrine of collateral attack. See *United States v. EME Homer City Generation*, 727 F.3d 274, 300 (3d Cir. 2013) (explaining that the Court lacks jurisdiction to enforce a requirement omitted from a Title V permit).

c. The Draft Permit fails to specify monitoring, testing, and recordkeeping conditions necessary to assure compliance with applicable PBR requirements.

Each Title V permit must contain monitoring, recordkeeping, and reporting conditions that assure compliance with all applicable requirements. 42 U.S.C. § 7661c(a) and (c); 40 C.F.R. § 70.6(a)(3) and (c)(1); In the Matter of Wheelabrator Baltimore (“Wheelabrator Order”), Permit No. 24-510-01886 at 10 (April 14, 2010). Emission limits in NSR permits, including PBRs, incorporated by reference into the Draft Permit are applicable requirements. 40 C.F.R. § 70.2; Draft Permit, Special Condition No. 7. The rationale for the selected monitoring requirements must be clear and documented in the permit record. 40 C.F.R. § 70.5(a)(5); In the Matter of United States Steel, Granite City Works (“Granite City I Order”), Order on Petition No. V-2009-03 at 7-8 (January 31, 2011). The Draft Permit is deficient, because it fails to establish monitoring, testing, and recordkeeping requirements that assure compliance with PBRs and standard exemptions that it incorporates by reference.

GAF has used the PBR at § 106.183 to authorize emissions from at least four heaters at its asphalt plant. This PBR establishes total sulfur fuel content limits, 30 Tex. Admin. Code § 106.183(2)(C), and provides that “[a]ll gas fired heaters and boilers with a heat input greater than ten million Btu per hour ... shall be designed such that the emissions of nitrogen oxides shall not exceed 0.1 pounds per million Btu heat input.” *Id.* § 106.183(4). This PBR fails to establish any monitoring or testing requirements to ensure compliance with the limits and operating requirements it establishes or the emission limits established by the general PBR rule at § 106.4.

GAF has claimed the PBR at § 106.227 to authorize brazing, soldering, or welding equipment at its asphalt plant. This PBR provides that such equipment may not emit more than 0.6 tons per year of lead, but it does not include any monitoring or testing requirements to ensure compliance with this limit or emission limits established by the general PBR rule at § 106.4.

GAF has claimed PBRs at §§ 106.261 and 262 to authorize emissions from EPN SEALAP, which appears to cover vents at the asphalt plant. *See* Draft Permit at 12. These PBRs may be used to authorize a broad range of different projects that result in emission increases for a broad range of contaminants. These PBRs establish hourly and annual emission limits for various contaminants, *id.* at §§ 106.261(a)(2) and (3), 106.262(a)(2), and prohibit visible emissions exceeding five percent. *Id.* at §§ 106.261(a)(5), 106.262(a)(5). Unfortunately, the claimed PBRs do not establish monitoring, testing, or recordkeeping conditions that assure compliance with applicable PBR-specific emission limits or the emission limits established by the TCEQ’s general PBR rule at § 106.4.

GAF has claimed PBR § 106.263, which applies to routine maintenance, startup, and shutdown of emission units and temporary units establishes daily emission limits, *id.* at § 106.263(d)(1), requires a case-by-case permit for activities that exceed these limits, *id.* at § 106.263(d)(2), incorporates by reference emission limits and conditions established by various other PBRs for specific source categories, *id.* at § 106.263(e)(1)-(5), requires a case-by-case permit for activities that exceed these limits, *id.* at § 106.263(e)(6), and incorporates emission limits listed in § 106.4(a)(1)-(3) in any rolling 12-month period. *Id.* at § 106.263(f). The Draft Permit, however, does not specify any units subject to requirements in this PBR. GAF may intend to use this PBR as a source-wide authorization for planned maintenance, startup, and shutdown activities. GAF, however, may not use the PBR in this way. PBRs are only available to authorize construction or modification of facilities that the TCEQ has determined are so small

that they are incapable of significantly affecting air quality. 30 Tex. Admin. Code § 106.1. The TCEQ has not determined that major source asphalt plants, like the one authorized by the Draft Permit, are such sources and, accordingly, PBRs may not be used as source-wide authorizations for GAF's asphalt plant. Regardless, and while this PBR does require facility owners to retain records containing sufficient information to demonstrate compliance with applicable emission limits, *id.* at § 106.263(g), neither the PBR nor the Draft Permit identify any monitoring or testing that assures compliance with PBR-specific emission limits or with the emission limits established by the TCEQ's general PBR rule at § 106.4.

GAF has claimed the PBR at § 106.474 to authorize emissions from at least eight tanks at its asphalt plant. This PBR may be used to authorize organic and inorganic loading and unloading activities identified by the PBR. While these emissions are subject to the emission limits established by the TCEQ's general PBR rule, the PBR does not include any monitoring, testing, or recordkeeping requirements that assure compliance with these limits.

Though the Draft Permit and Texas's rules require GAF to maintain records demonstrating compliance with applicable PBR requirements, *see, e.g.*, 30 Tex. Admin. Code §§ 106.8(c) and 106.263(g); Draft Permit, Special Condition No. 9, the Draft Permit is deficient because neither it nor the applicable rules specify the monitoring methods that GAF must use to assure compliance with applicable PBR requirements. Wheelabrator Order at 10. Instead, the Draft Permit outsources the TCEQ's obligation to specify monitoring methods that assure compliance with each applicable requirement to GAF. Draft Permit, Special Condition No. 9 (establishing a non-exhaustive list of data GAF may consider, at its discretion, to determine compliance with PBR requirements).

This outsourcing renders the Draft Permit deficient for three reasons: First, the Draft Permit is deficient because it fails to specify monitoring conditions that assure compliance with each applicable requirement. Second, the Draft Permit is deficient because the permit record does not explain how the Draft Permit assures compliance with PBR requirements. Finally, the Draft Permit is deficient because the Executive Director's failure to specify monitoring methods for applicable PBR requirements or to identify the monitoring methods GAF has selected prevented the public from evaluating whether Title V monitoring requirements have been met. *See In the Matter of United States Steel—Granite City Works* ("Granite City II Order"), Order on Petition No. V-2011-2 at 9- 12 (December 3, 2012) (granting petition for objection because the "permit fails to specify the monitoring methodology and also fails to provide a mechanism for review of the methodology by IEPA, the public, and EPA after the permit is issued."). For example, Commenters would likely review and challenge monitoring relying upon undefined engineering calculations to determine compliance without more information about how those calculations were to be made and evidence that operational conditions presumed by the calculations are consistent with actual conditions at GAF's asphalt plant.

2. The Draft Permit fails to establish a schedule for GAF to incorporate its PBR authorizations into Permit No. 7711A.

In cases where a Title V operator has failed to comply with an applicable requirement, the requested Title V permit must establish an enforceable schedule for the operator to come into

compliance. 42 U.S.C. §§ 7661b(b)(1), 7661c(a). The Draft Permit is deficient because it fails to establish a schedule for GAF to comply with State Implementation Plan ("SIP") provisions requiring GAF to incorporate certain PBR authorizations into Permit No. 7711A and Special Condition No. 19, which prohibits the use of PBR (and of Standard Permits) to authorize changes in representations for the permit site.

The TCEQ's rule at 30 Tex. Admin. Code § 116.116(d) allows operators of previously permitted sources to use PBRs in lieu of a permit amendment or alteration to authorize changes to the source, so long as the PBRs are incorporated in the existing permit the next time it is renewed or amended. 30 Tex. Admin. Code § 116.116(d)(2). As long as the TCEQ allows major sources of air pollution to use PBRs, compliance with the incorporation requirements is crucial for three reasons: (1) to clarify the controlling limits for units authorized or partially authorized by PBR, thereby making the limits enforceable; (2) to prevent circumvention of major NSR requirements that may be triggered by cumulative increases authorized by multiple PBRs; and (3) to ensure that cumulative increases authorized by multiple PBRs do not significantly diminish air quality.

GAF's certified PBR registration number 14740 specifically required GAF to incorporate the PBR into Permit No. 7711A when next renewed or amended. (Attachment A), Registration Letter for Certified PBR Registration No. 14740, Project No. 270215. This registration was issued in 2017 and was last revised on January 5, 2018. Permit No. 7711A was last amended on April 20, 2018. See TCEQ's NSR Permit Tracking Webpage at: https://www2.tceq.texas.gov/airperm/index.cfm?fuseaction=airpermits.project_report&proj_id=282350. GAF failed to incorporate its PBR registration into Permit No. 7711A when it was last amended. Accordingly, GAF is in violation of 30 Tex. Admin. Code § 116.116(d)(2) and the Draft Permit must include a compliance schedule to address this ongoing violation. 42 U.S.C. §§ 7661b(b)(1); 7661c(a).

Additionally, GAF has claimed the following unregistered PBRs that may establish limits for facilities authorized by Permit No. 7711A: 106.227, 106.263, and 106.454. Draft Permit at 48. Commenters are unable to say for certain whether one or more of these PBRs establishes requirements for facilities authorized by Permit No. 7711A, because the Draft Permit's New Source Review Authorization References by Emission Unit table fails to identify any unit authorized by these claimed PBRs. See Draft Permit at 49-50. If any of these PBRs were claimed prior to April 20, 2018, GAF's failure to incorporate them into Permit No. 7711A also constitutes a violation of 30 Tex. Admin. Code § 116.116(d)(2).

Commenters are aware that the TCEQ reads its rule at 30 Tex. Admin. Code § 116.116(d)(2) to provide two options for incorporating PBR requirements into previously issued permits: (1) consolidation by reference and (2) incorporation. *Memorandum Re: Revised Permit by Rule and Standard Permit Consolidation Into Permits*, Richard A. Hyde, Director, TCEQ Air Permits Division (September 26, 2006).²² According to the TCEQ:

²² Available electronically at: https://www.tceq.texas.gov/assets/public/permitting/air/memos/pbr_spc06.pdf

Consolidation of certain PBRs and SPs by reference is mandatory. All SPs and PBRs that directly affect the emissions of permitted facilities must, at a minimum, be referenced when a NSR permit is amended. . . . Referencing will not require a best available control technology (BACT) review but may require an impacts review based on commission guidance.

Consolidation of all other PBRs and SPs by incorporation is voluntary. If the permit holder requests incorporation (that is, reauthorization under the permit), PBRs and SPs may be incorporated but will undergo BACT and impacts review based on commission guidance. When incorporated into the permit, the original authorization becomes void. The incorporation of PBRs and SPs requires an amendment, but no additional forms or fees are required if a complete renewal package with the above information is submitted.

and

PBRs and SPs that are [consolidated by reference] . . . in permits during an amendment or renewal will remain authorized by the PBR or SP[.] . . . Registrations for these PBRs or SPs will not be voided.

Id. at 2-3.

This reading of 30 Tex. Admin. Code § 116.116(d)(2) (“All changes authorized under Chapter 106 of this title to a permitted facility *shall be incorporated* into that facility’s permit when the permit is amended or renewed”) (emphasis added) is facially inconsistent with the rule, because it makes “incorporation” voluntary. Because 116.116(d)(2) requires PBRs to be “incorporated” into a controlling permit on renewal or amendment and because the TCEQ’s guidance interprets “incorporation” as it is used in this rule to mean that PBRs are rolled into a controlling permit and voided, this process must be mandatory.

Putting aside the problem of the TCEQ’s puzzling equivocation over the meaning of “incorporation,” the TCEQ’s interpretation of “consolidation by reference” as a substitute for incorporation is also inconsistent with the Texas Clean Air Act provision that the TCEQ relied on to promulgate 30 Tex. Admin. Code § 116.116(d)(2). Tex. Health & Safety Code § 382.0511(a) provides that “[t]he commission may consolidate *into a single permit* any permits, special permits, standard permits, permits by rule, or exemptions for a facility or federal source” (emphasis added). The kind of “consolidation” contemplated by the TCEQ’s guidance is inconsistent with the Texas Clean Air Act, because it does not consolidate multiple permits “*into a single permit*” as the statute requires. The process of consolidating multiple permits into a single permit, as it applies to 30 Tex. Admin. Code § 116.116(d)(2) is properly characterized by the process of incorporation, as described by the TCEQ’s guidance. Thus, under the statute and the rule, the process of incorporating PBRs into existing permits on amendment or renewal is mandatory and not voluntary.

Additionally, Special Condition No. 19 of Permit No. 7711A provides that “[t]here shall be no changes in representations unless the permit is altered or amended.” This condition clearly prohibits the use of PBRs to make off-permit changes to the source area authorized by Permit No. 7411A. Accordingly, GAF should not have been allowed to use PBRs to revise

representations or to authorize construction of new equipment or modifications to existing equipment at the source area covered by Permit No. 7411A. 30 Tex. Admin. Code § 116.116(d)(1). Accordingly, any construction of new equipment or modifications to existing equipment that is inconsistent with representations in GAF's applications for Permit No. 7711A that has been authorized by PBR violates Permit No. 7711A and the Executive Director must establish a schedule for GAF to submit an amendment application to authorize such changes under Permit No. 7011A.

3. The Draft Permit improperly incorporates confidential applicable requirements.

Each Title V permit must include "enforceable emission limitations and standards,...and such other conditions as are necessary to assure compliance with applicable requirements of this chapter, including the requirements of the applicable implementation plan." 42 U.S.C. § 7661c(a); 40 C.F.R. § 70.6(a). Applicable requirements include requirements in preconstruction permits issued pursuant to the Texas SIP, like Permit No. 7711A, Standard Permit No. 91414, Certified PBR Registration No. 14740, and representations establishing GAF eligibility to claim unregistered PBRs. 40 C.F.R. § 70.2 (defining applicable requirements). The TCEQ's rule making application representations enforceable conditions of Texas preconstruction permits is also an applicable requirement. 40 C.F.R. §§ 52.2270(c) (identifying 30 Tex. Admin. Code § 116.116(a) as part of the Texas SIP), 70.2 (identifying SIP requirements as applicable requirements for purposes of Title V). EPA's Title V regulations provide that "[a]ll terms and conditions in a part 70 permit, including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Act." 40 C.F.R. § 70.6(b)(1). Confidential Title V permit terms are not enforceable by members of the public. (Attachment B), ExxonMobil Objection Order at 4 ("Because the production rates or limitations are confidential, the public does not know what these applicable requirements are, negating the ability of citizens to enforce these conditions.").

Additionally, both Title I and Title V make it clear that applicable requirements, including federally-enforceable conditions of preconstruction permits, are public information as a matter of law. Title V specifically provides that "[t]he contents of a permit shall not be entitled to protection [as confidential information] under section 7414(c) of this title." 42 U.S.C. § 7661b(e). EPA's Title I regulations provide that standards or limitations, are not entitled to confidential treatment. *See* CAA § 114(c) ("other than emissions data"); 40 C.F.R. § 2.301(f).

The Draft Permit is deficient because it improperly incorporates confidential permit terms. Specifically, Special Condition No. 30 of Permit No. 7711A requires compliance with material throughput rates and operating parameters listed in confidential file during stack tests. Though they are not contained on the face of Permit No. 7711A such rates and parameters are enforceable conditions of Permit No. 7711A. 30 Tex. Admin. Code § 116.116(a)(1). *See* also Dow Objection Order at 8 ("Therefore, as explained by TCEQ, 'the permit application, and all representations in it, is part of the permit when it is issued and as such is enforceable.'").²³ Additionally, the Technical Review Summary for GAF's certified PBR registration indicates that

²³ In the Matter Dow Chemical Co. Dow Salt Dome Operations, Order on Petition No. VI-2015-12 at 8 (February 18, 2020).

information in the application has been designated confidential and that the emission rate of a heater authorized under an unregistered PBR is confidential. (Attachment A), Technical Review, Certified PBR Registration No. 14140, Project No. 270215. The Technical Review Summary for a GAF's subsequent application to revise its certified PBR registration also contains confidential information. (Attachment C), Technical Review, Certified PBR Registration No. 14140, Project No. 278775. These representations, which establish enforceable operating requirements, physical operating limits, and calculation procedures that GAF will use to determine compliance with applicable emission limitations may not be kept confidential. The Executive Director must revise the Draft Permit to make all applicable requirements publicly accessible.

4. The Draft Permit fails to ensure compliance with the requirements of new source review permit number 7711A

The Draft Permit does not assure compliance with Special Condition 9 of NSR Permit 7711A: Special Condition 9 of Air NSR Permit 7711A states that "[n]o visible fugitive emissions from the asphalt processing and asphalt roofing manufacturing operations and facilities, roads, or travel areas shall leave the property."²⁴ The Draft Permit and NSR Permit 7711A lack conditions to assure compliance with this requirement. The Draft Permit should be amended to include monitoring requirements for Special Condition 9. To the extent that Special Condition 24 is viewed as supplying monitoring requirements for Special Condition 9, those monitoring requirements are woefully inadequate to prevent fugitive visible emissions from the Facility and must be strengthened. Similarly, the Draft Permit does not include language elaborating on exactly what GAF taking "immediate action (as appropriate)" should look like.²⁵ This permit term is vague and unenforceable, and the Draft Permit must clarify GAF's obligations under this Special Condition.

The Draft Permit does not assure compliance with Special Condition 17 of NSR Permit 7711A: Special Condition 17 of Air NSR Permit 7711A states:

[a]ll in-plant roads and areas subject to road vehicle traffic shall be paved with a cohesive hard surface and cleaned, as necessary, to maintain compliance with the TCEQ rules and regulations. Unpaved work areas shall be sprayed with water and/or environmentally sensitive chemicals upon detection of visible PM emissions to maintain compliance with all TCEQ rules and regulations.

The Draft Permit lacks monitoring provisions to assure compliance with this requirement.

The Draft Permit fails to assure compliance with the requirements of NSR permit 7711a during Maintenance, Startup, and Shutdown activities. NSR Permit 7711A briefly references MSS activities, stating:

²⁴ Air NSR Permit 7711A, Special Condition 9.

²⁵ Air NSR Permit 7711A, Special Condition 24 ("If visible emissions exceed 30 cumulative seconds in any six-minute period, the owner or operator shall take immediate action (as appropriate) to eliminate the excessive visible emissions.")

Emissions from planned startup and shutdown activities are authorized by this permit from an amendment approved in June 2013. Maintenance activities are authorized either under Permit by Rule or claimed under 30 Texas Administrative Code § 116.119, De Minimis Facilities or Sources. Startup and shutdown emissions are virtually indistinguishable from production emissions. Although there may be minor emissions associated with startup and shutdown, emission factors used to quantify production emissions are considered to have enough conservatism to include any incidental increases that may be attributed to startup and shutdown. In addition, emissions from planned startup and shutdown of combustion units should not result in any quantifiable hourly emissions change for products of combustion. Although there may be transitional and incidental spikes before units stabilize during startups (5 to 15 minutes), overall products of combustion are expected to be within hourly range limits for normal loads during production operations.²⁶

These conclusory statements cannot substitute for clear requirements applicable during MSS and adequate monitoring of emissions during MSS. First, neither the relevant language from the June 2013 permit amendment nor the permit amendment document appears in either the Draft Permit or either of the Facility's two active Air NSR Permits. Without the text of the putative amendment authorizing MSS emissions, West Dallas residents cannot be assured either that these emissions limitations are sufficient to ensure compliance with applicable permit terms. Likewise, because there are no additional monitoring requirements associated with MSS emissions, at least none that are evident in the Draft Permit or two NSR permits, West Dallas residents cannot be assured that emissions from these frequent events are not in fact burdening their community with illegal emissions of air pollutants.

Second, the referenced emission factors are not listed anywhere in the Draft Permit or in either of the two NSR permits. The Draft Permit is incomplete because these emission factors are not stated or incorporated by reference.

Finally, the fact that during startup the "overall products of combustion are expected to be within hourly range limits for normal loads during production operations"²⁷ is an assumption that neither the Draft Permit nor either NSR permit nor any PBR substantiates. Adequate monitoring of emissions from the Facility requires adequate monitoring during MSS. Permit No. 7711A includes several special conditions that appear intended to assure compliance with permit emission limits and pollution control requirements, but that lack sufficient specificity to fulfill this objective. Accordingly, the Executive Director must revise the Draft Permit to fill in gaps left by the language in Permit No. 7711A. *See In the Matter of Scherer Steam Electric Generating Plant, Order on Petition Nos. IV-2012-1, IV-2012-2, IV-2012-3, IV-2012-4, and IV-2012-5, at 18 (Jan. 31, 2011) (finding that where SIP-approved rule required operators to take "reasonable precautions" to minimize emissions without specifying which precautions were required at any particular source, the Title V permit should have established source-specific requirements to make the SIP rule enforceable).*

²⁶ Air NSR Permit 7711A, Source Analysis & Technical Review at 3 (March 27, 2018).

²⁷ *Id.*

Special Condition No. 21, which appears in a permit section entitled “Demonstration of Continuous Compliance” appears to contemplate the use of stack testing to assure ongoing compliance with MAERT emission limits for GAF’s thermal oxidizer. The stack testing requirement, along with temperature monitoring requirements established by Special Condition Nos. 27, 28 appear to be the only methods Permit No. 7711A requires to assure compliance with these limits. The stack testing requirement and the temperature monitoring conditions are deficient for several reasons. Most significantly, the permit fails to actually require GAF to undergo any future stack testing to determine actual emission rates at the asphalt plant. Reliance on an unspecified number of stack tests that were performed at an unspecified time cannot assure ongoing compliance with hourly and annual emission limits for the thermal oxidizer and other short and long-term control standards established by Permit No. 7711A for the entirety of the permit term, given that operational conditions at the plant likely varies in ways that affect the performance of control equipment.²⁸ Additionally, a stack test that occurs less frequently than once a permit term cannot assure ongoing compliance with MAERT emission limits because it bears no relation to the relevant compliance periods (annual and hourly). *See, e.g.,* In the Matter of Northeast Maryland Waste Disposal, Order on Petition No. III-2019-2 at 9 (December 11, 2020) (“An annual stack test alone is insufficient to assure compliance with a 1-hour HCl emission limit.”). Moreover, the Draft Permit is deficient because the Executive Director has not provided a reasoned explanation supporting his determination that past stack tests and temperature monitoring requirements in Permit No. 7711A assure ongoing compliance with applicable control requirements and MAERT limits for GAF’s thermal oxidizer. *Id.* at 8-9; *see also*, 40 C.F.R. § 70.7(a)(5). Permit No. 7711A is also unclear about which pollutants would be the subject of any testing required by the Executive Director. Special Condition No. 32 states that stack testing requested by the Executive Director “may,” but need not include PM, CO, SO₂, NO_x, and VOC. If stack testing is necessary to ensure ongoing compliance with MAERT limits for the thermal oxidizer, GAF’s permit should at least require testing of each pollutant listed in the MAERT. If the Executive Director believes that testing for one or more such pollutants is unnecessary, because emission rates of a tested pollutant are a reasonable surrogate for the emission rate of an untested pollutant, the permit record must provide a reasonable basis for the Executive Director’s belief. 40 C.F.R. § 70.7(a)(5).

The temperature monitoring requirements at Special Condition Nos. 27 and 28 are also deficient. Special Condition No. 27 requires GAF to “establish a minimum combustion temperature using the most recent performance test, manufacturer's Special Conditions Permit Number 7711A Page 5 recommendations, engineering calculations, and/or historical data.” The permit, however, does not indicate whether the minimum combustion temperature limit has been established, and if so, what it is and how it was determined. Combustion temperature is a critical variable that effects the performance of pollution controls, like thermal oxidizers and flares. The Draft Permit’s failure to identify the minimum temperature required to ensure GAF’s thermal oxidizer will continuously achieve the level of performance represented renders it deficient. 42 U.S.C. § 7661c(a). If GAF has established a minimum operating combustion temperature for its thermal oxidizer, the Draft Permit is still deficient because that limit is not listed in the permit and members of the public did not have an opportunity to review it and evaluate its sufficiency.

²⁸ This fact is underscored by Special Condition No. 30, which provides that permitted throughput rates and operating ranges may be modified if the plant cannot perform at maximum rates during a stack test.

Likewise, Special Condition No. 28 establishes inlet temperature and pressure drop requirements necessary to assure effective operation of GAF's Coalescing Filter Mist Elimination Systems. The Special Condition provides that these requirements are to be calculated consistent with directives established by EPA's Part 63 NESHAP regulations. The Special Condition, however, fails to identify the enforceable inlet temperature and pressure drop requirements calculated using the calculation methods mandated by federal regulations. These requirements are applicable requirements that must be included in the Draft Permit. The Draft Permit's failure to specify the calculated values makes it impossible for members of the public or regulators to determine whether they were calculated correctly and to consider whether these requirements—in conjunction with stack testing and visual monitoring required by the permit—assure compliance with applicable emission limits and pollution control requirements. Accordingly, the Draft Permit is deficient. 42 U.S.C. § 7661c(a), (c); 40 C.F.R. § 70.7(a)(5).

5. The Draft Permit does not provide clarity on how the emission units listed in the Applicable Requirements section correlate to the emission units listed in the MAERT.

The identifiers of the emissions units with allowable PM emissions specified in the Maximum Achievable Emission Rate Table ("MAERT") do not correlate with the names of emissions units listed in the Applicable Requirements or Periodic Monitoring sections in the Draft Permit. For example, the Draft Permit indicates that SOP 60UU-4 (a component of Line 3) is subject to five separate PM monitoring requirements, as is SOP 60UU-3 (another component of Line 3); one is a parametric monitoring requirement (temperature of the exhaust of the thermal oxidizer control equipment), and the other four require PM to be measured using opacity as a proxy. Neither SOP 60UU-3 or SOP 60UU-4 appears anywhere in the MAERT, though components of Line 3 not identified anywhere in the Draft Permit do (e.g 26A, Stabilizer Storage Baghouse A Stack). Likewise, the Unit Summary section of the Draft Permit provides no clarity on just how the Emission Point Numbers of the MAERT correlate with the Unit/Group/Process ID Number or SOP Index Numbers of the Draft Permit.

It is not clear how West Dallas residents are supposed to ascertain which emissions units are subject to which emissions limits, especially in regards to Line 3. Community members cannot discern whether the components identified in the MAERT are a part of 60UU-4, or vice versa. Thus, requirements listed as applicable to 60UU-4 in the Draft Permit may or may not be applicable to the Emission Point Numbers listed in Air NSR Permit 7711A. Basically, there is no way to tell (even with the Draft Permit and Air NSR Permit 7711A in front of you) how much PM Line 3 is allowed to emit and specifically how those emissions are monitored. This may cause failure to ensure compliance with applicable requirements. This error should be remedied before granting the Draft Permit so that the requirements that are applicable to each emission point within each emission unit are completely clear.

6. The Draft Permit's Periodic Monitoring does not ensure adequate monitoring of PM releases from the Facility's uncontrolled emissions units.

Title V operating permits must include additional monitoring that yields reliable data from a relevant time period that are representative of emission units' compliance with the

applicable emission limitation or standard for applicable requirements that lack periodic or instrumental monitoring. The Draft Permit does not do so. West Dallas 1 appreciates that the TCEQ required at least some additional monitoring of PM emissions from emission units at this Facility other than the thermal oxidizer control device,²⁹ but respectfully contends that daily, if not hourly, opacity monitoring of these units would better ensure compliance with the underlying PM emission standards than the current weekly requirement.

The Periodic Monitoring in the Draft Permit requirements are copied verbatim from the Special Condition section of Air NSR Permit 7711A.³⁰ The underlying opacity monitoring requirements do not specify a frequency with which monitoring must be undertaken to demonstrate continuing compliance. The TCEQ opted for weekly measurements, which provide only an infrequent snapshot into the functioning of different emissions units that are components of Line 3. While the quarter-hourly parametric monitoring of the thermal oxidizer control device provides the community assurance that as much PM as possible³¹ is prevented from leaving the emission units, weekly opacity measurements from the uncontrolled sources of PM within the facility are inadequate to demonstrate compliance with the underlying standard. The Draft Permit can and should be amended to include more frequent opacity monitoring for Line 3.

Likewise, for emission units subject to the emissions and monitoring requirements of the TAC, the once-per-quarter monitoring of emission units 1-1 and 1-3 (with fabric filter control equipment), and COOL1 (with no control equipment) is too infrequent. The underlying regulation does not specify how often opacity monitoring is to occur. West Dallas respectfully contends that monitoring frequency for the controlled equipment (1-1 and 1-3) be increased to at least once per week, and monitoring frequency for the uncontrolled equipment (COOL1) be increased to at least once per day.

C. The Executive director has not demonstrated that negative applicability determinations listed in the Draft Permit's Permit Shield are justified.

The Draft Permit includes a permit shield that covers many emission units. According to the Draft Permit, the Executive Director "has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process" listed in the permit shield.³² For each such determination, the Draft Permit includes a brief and often vague statement of the basis of the determination.

EPA has objected to negative applicability determinations where state permitting agencies fail to properly investigate whether those determinations are appropriate. For example, EPA has objected to negative applicability determinations based on the construction date of an emission unit where the permitting agency failed to demonstrate that construction or modifications to the unit did not occur after the effective date of an otherwise applicable

²⁹ Air NSR Permit 7711A Special Conditions at 3-4; Draft Permit at 32 *et seq.*

³⁰ Draft Permit at 32 *et seq.*

³¹ Air NSR 7711A Permit Amendment Source Analysis and Technical Review, at 2 ("Emissions from the blowing stills, loading racks, and storage tanks vent to a thermal oxidizer (direct-flame incinerator). The thermal incinerator has a rated destruction efficiency of 95% for PM/PM10 . . .").

³² Draft Permit at 44-46.

regulatory standard.³³ It is important that the public and federal regulators are able to discern how the Executive Director decided which conditions to include in a permit shield. If such conditions are clearly not applicable to this facility, why do they need to be included in the shield at all? If the shield is being granted based on representations made by GAF, then those representations should be identified and made enforceable conditions in the Draft Permit. The Draft Permit and the Statement of Basis are deficient, because they fail to provide meaningful information demonstrating that the negative applicability determinations listed in the Permit Shield were properly made.

As EPA has previously explained to the Executive Director in the Title V permitting context:

[B]lanket statements such as those contained in the draft Title V permit and the accompanying SOB do not meet the permit shield requirements of 40 C.F.R. § 70.6(f) [Such permits are objectionable], because the permit shield provisions . . . are only supported by conclusory statements in the SOB. The SOB fails to provide an adequate discussion of the legal and factual basis for the determinations made under 40 C.F.R. § 70.6(f) used to support the non-applicability of those requirements identified in the "Permit Shield" attachment to the Title V permit.³⁴

To address this deficiency, EPA stated:

the Title V permit renewal application must be revised to include all potentially relevant facts supporting a request for a determination of non-applicability, and the SOB must be revised to provide an adequate discussion [of] TCEQ's legal and factual basis for all determinations of non-applicability for those requirements identified in the "Permit Shield" attachment to the permit.³⁵

For example:

[W]hen there is a construction date for which a permit shield applies, the permit should list the facility's construction start-up date. When a shield applies for tanks of a specific size, the permit should list the tank sizes of the units in question.³⁶

The Permit Shield section of the Draft Permit must be edited to assure West Dallas community members that applicable requirements are not being shirked by the Facility. Also, language must be added to the Draft Permit stating that the permit shield cannot excuse past violation to ensure compliance with 40 C.F.R. § 70.6(f)(3)(ii).

³³ See, e.g., Objection to Federal Part 70 Operating Permit Goodyear Tire & Rubber Company, Houston Chemical Plant, TCEQ Permit No. a 1227 (January 8, 2010).

³⁴ Objection to Federal Part 70 Operating Permit ExxonMobil Corporation, Colonial Storage Facility (March 5, 2010).

³⁵ *Id.*

³⁶ Letter from Carl E. Edlund, P.E., Director, Multimedia Planning & Permitting Division, EPA Region 6 to Richard Hyde, P.E., Director, Office of Permitting, Remediation, and Registration, TCEQ, Re: Title V Objections (March 18, 2011).

D. The Draft Permit does not adequately recognize or include a compliance plan to address the nuisances posed to the West Dallas community by the Facility.

General Condition 13 of NSR permit 7711A prohibits GAF from causing or contributing to a condition of air pollution, which is defined as the emission of air pollutants in such concentrations as: (1) are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property; or (2) interfere with the normal use or enjoyment of animal life, vegetation, or property. Tex. Health & Safety Code § 382.003(3). Yet GAF is a source of near-constant nuisance in the West Dallas neighborhood, especially to the nearby multifamily housing blocks, schools, and nursing home.

Residents have not filed complaints with TCEQ because they did not know how to file such complaints. Despite this, West Dallas residents report regularly seeing and smelling emissions from the Facility, with waxy black substances frequently building up on outdoor surfaces and automobiles. NSR permit 7711A states that “[a]n opacity violation or an odor nuisance condition, as confirmed by the TCEQ or any local air pollution control program with jurisdiction, may be cause for additional controls.”³⁷ No additional controls, however, have been required that are sufficient to abate the nuisance. The Draft Permit should be amended to include a compliance plan to eliminate these nuisance conditions.

VI. CIVIL RIGHTS ACT VIOLATIONS

The issuance of GAF’s Title V permit renewal would result in unjustified, disparate and serious adverse impacts to minority and low-income populations living near the GAF facility and perpetuate past discrimination against those who have been historically injured by environmental harms.

a. The issuance of GAF’s Title V permit would have an adverse impact that disproportionately affects people of color and people with lower incomes

TCEQ’s approval of GAF’s Title V permit renewal would have a disproportionately negative impact on people of color, particularly African Americans, by exposing them to harmful levels of SO₂, PM and other emissions. It would also adversely impact households with lower incomes. The GAF facility is located in Dallas County Census Tract 205 which is a majority-minority Census tract. Over 60% of the population in Census Tract 205 is Black or African American and nearly 30% is Hispanic or Latino.³⁸ According to the EPA’s own EJSCREEN tool, the population within a 1-mile radius of the GAF facility is 91% people of color, 73% low-income and 17% linguistically isolated.³⁹ The percentage of African Americans in the affected area is nearly triple that of Dallas County and over four times that of the state of Texas.

³⁷ Air NSR Permit 7711A, Special condition 16.

³⁸ 2019 ACS 5-Year Estimates Data Profiles available at:

<https://data.census.gov/cedsci/table?g=1400000US48113020500&tid=ACSDP5Y2019.DP05&hidePreview=false>

³⁹ U.S. EPA, EJSCREEN Demographic Indicators, available at: <https://ejscreen.epa.gov>

In 2019, GAF was the highest emitter of SO₂ in Dallas County with over 125 tons emitted and the fourth highest emitter of PM_{2.5} with 26.31 tons emitted.⁴⁰ As discussed in more detail above, short-term SO₂ exposure is known to have harmful effects on the respiratory system making breathing difficult and exacerbating the symptoms of asthma, particularly in children.⁴¹ Long-term exposure to persistent levels of SO₂ has been linked to lasting and detrimental changes to lung function.⁴² High concentrations of SO₂ in the air also contributes to PM pollution, small particles which can penetrate the lungs and bloodstream, causing serious health problems.⁴³

The facility is located within a half mile of two public schools, a daycare center, a public senior housing development, a church, a public library, a public community center and numerous single-family residences and small businesses. So not only do the facility's harmful emissions adversely affect the minority residents who live in the affected area but all of the residents who utilize the community amenities, resources and businesses located within the area as well.

b. The issuance of GAF's Title V permit will have the effect of perpetuating past discrimination against the residents of West Dallas who have historically borne disproportionate environmental impacts

Studies have found that communities of color have higher exposure rates to air pollution than their white, non-Hispanic counterparts⁴⁴ and that landfills, hazardous waste sites and other industrial facilities are most often located in communities of color.⁴⁵ The West Dallas community is a prime example of this injustice. West Dallas is home to one of the nation's largest Superfund sites created by the RSR lead smelting facility that operated for over 50 years with impunity, poisoning the air and soil of West Dallas residents for multiple generations. While the RSR plant was closed in the 1980's West Dallas remains plagued with environmental injustices. Even today, West Dallas has the highest concentration of heavy industrial zoning of any zip code in the City of Dallas and some of the worst air pollution.⁴⁶ A recent study by UT Southwestern Medical Center found that there is up to a 15-year difference in life expectancy depending on the zip code in which one resides in the City of Dallas.⁴⁷ West Dallas residents are impacted by the cumulative harmful emissions from numerous industrial operators in the area

⁴⁰ TCEQ, 2019 Point Source Emissions Inventory, available at: <https://www.tceq.texas.gov/airquality/point-source-ei/contaminant-summary-reports>

⁴¹ U.S. EPA, Sulfur Dioxide Basics, available at: <https://www.epa.gov/so2-pollution/sulfur-dioxide-basics>

⁴² U.S. EPA, Integrated Science Assessment for Sulfur Oxides - Health Criteria. EPA/600/R-08/047F (Sept. 2008) available at: <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=198843&CFID=67772989&CFTOKEN=91583296>

⁴³ U.S. EPA, Particulate Matter (PM) Basics, available at: <https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#effects>

⁴⁴ Center for American Progress, 5 Things to Know About Communities of Color and Environmental Justice (Apr. 2016) available at: <https://www.americanprogress.org/issues/race/news/2016/04/25/136361/5-things-to-know-about-communities-of-color-and-environmental-justice/>

⁴⁵ Id.

⁴⁶ Paul Quinn College, Poisoned by Zip Code, (Spring 2020) available at: https://static1.squarespace.com/static/5bf84b434611a034b52113b9/t/5ec5b8a8b4ac6740e2506c26/1590016170482/Executive+Summary_V1_R1.pdf

⁴⁷ UT Southwestern Medical Center, Life Expectancy by ZIP Code in Texas (Feb. 2019), available at: <https://www.texashealthmaps.com/lfx>

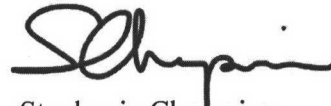
including GAF and at least two concrete batch plants, all of which contribute to the degradation of air quality, human health, and safety in the West Dallas community.

Approving the Draft Permit will have the effect of perpetuating past discrimination against Black and Latino residents of West Dallas who have historically borne disproportionate environmental impacts. This adverse and disparate impact is not justified and TCEQ should require less discriminatory permit conditions.

VII. CONCLUSION

For the aforementioned reasons, the Draft Permit fails to comply with the federal Clean Air Act and its implementing regulations. The Commission must correct these deficiencies before the final renewed Federal Operating Permit No. 02771 may be issued. Due to the adverse impact GAF's facility is having on West Dallas residents and the ongoing severe weather crisis and state of disaster, we request additional time to submit further comments and a that notice and comment hearing be scheduled to allow additional members of the West Dallas community an opportunity to comment. Should you have any questions about these comments, please call Stephanie Champion at (469) 458-9009 ext. 8903.

Respectfully,



Stephanie Champion
Legal Aid of NorthWest Texas
Community Revitalization Project
400 S. Zang Blvd., Ste. 1420
Dallas, TX 75208
(469) 458-9009 ext. 8903
champions@lanwt.org

Matthew Frederick
Clinic Student
University of Texas School of Law
Environmental Clinic
727 E. Dean Keaton
Austin, TX 78705

Gabriel Clark-Leach
Environmental Integrity Project
1206 San Antonio
Austin, TX 78701

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	John Gott, P.E.
Project No.:	270215	Unit Name:	GAF Materials	PBR No(s):	106.261, 106.262, 106.472

GENERAL INFORMATION			
Regulated Entity No.:	RN100788959	Project Type:	Permit by Rule Application
Customer Reference No.:	CN605251487	Date Received by TCEQ:	June 7, 2017
City/County:	Dallas, Dallas County	Date Received by Reviewer:	June 12, 2017
Physical Location:	2600 Singleton Blvd		

CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Mr. Bruce Dahlgren Plant Manager	Phone No.:	(214) 637-8970	Email:	BDAHLGREN@GAF.CO M
Technical Contact/ Consultant Name and Title:	Mr. Kevin Bush Environmental Engineer	Fax No.:	(214) 637-5202	Email:	KBUSH@GAF.COM
		Phone No.:	(214) 637-8933		
		Fax No.:	(214) 637-5202		

GENERAL RULES CHECK	YES	NO	COMMENTS
Is confidential information included in the application?	X		Confidential version of PBR submittal.
Has the PBR fee been paid?	X		
Is this registration certified?	X		
Is this an APWL site?		X	
Are there any upstream or downstream affects associated with this registration?		X	All emissions are included.
Is planned MSS included in the registration?		X	
Are there affected NSR or Title V authorizations for the project?	X		If yes, what is the number(s): NSR 7711A, O-2771
Is each PBR > 25/250 tpy?		X	
Are PBR sitewide emissions > 25/250 tpy?	N/A	N/A	Site has been to public notice.
Are there permit limits on using PBRs at the site?		X	
Is PSD or Nonattainment netting required?		X	
Do NSPS, NESHAP, or MACT standards apply to this registration?		X	
Does NOx Cap and Trade apply to this registration?		X	
Is the facility in compliance with all other applicable rules and regulations?	X		

DESCRIBE OVERALL PROCESS AT THE SITE
Building Materials Investment Corporation doing business as GAF Materials Corporation (GAF) owns and operates asphalt roofing production facility located in Dallas, Texas (Dallas Plant). Operations at GAF Dallas Plant are authorized under New Source Review (NSR) Permit No. 7711A, Standard Permit No. 91414 and several non-registerable Permits by Rule (PBRs).

DESCRIBE PROJECT AND INVOLVED PROCESS
GAF has certified the emissions under PBR106.261, 106.262 and 106.472 to authorize Line 3 sealant application system that includes one new Line 3 sealant run tank, associated self-seal applicator, laminate self-seal applicator, asphalt fume filter and a Heatec heater. The Heatec heater is authorized under PBR 106.183 which does not require registration.
Self-seal asphalt based dots are applied to the asphalt roofing sheets before they are cut into shingles and automatically packaged. Adhesive stripes are applied to the laminated shingles in Line 3 before the shingles are cut and packaged. As part of this project, GAF is planning to install Line 3 sealant application system to apply self-seal asphalt and laminate self-seal asphalt to the asphalt roofing sheets. The proposed Line 3 sealant application system includes one new Line 3 sealant run tank, associated self-seal applicator, laminate self-seal applicator, asphalt fume filter and a Heatec heater. The company is claiming all emissions under PBR 106.261 and 106.262. The company is using the TCEQ memo by Mr. Richard Hyde dated September 1, 2006 to construct the sealant run tank under PBR 106.472 (1) while the emissions are approved under PBR 106.261 and 106.262.
The emissions from the Line 3 sealant run tank, associated self-seal applicator, laminate self-seal applicator will be controlled by Line 3 Mist Elimination System (Emission Point Number [EPN]: CFL2). The Line 3 Mist Elimination System is a filter system that controls the asphalt fumes from the Line 3 sealant run tank, associated self-seal applicator, and laminate self-seal applicator. GAF does not expect any increase in actual emission increases from upstream or downstream processes as a result of the proposed project.
The Heatec heater is used to provide heat required by the Line 3 sealant application system, and the heater is authorized under PBR 106.183. The Dallas Plant maintains onsite documentation and as such, emissions associated with this heater are not included in this PRB registration. The natural gas heater has less than 1 tpy for each criteria pollutant emissions. The company submitted the emission rates as confidential.

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	John Gott, P.E.
Project No.:	270215	Unit Name:	GAF Materials	PBR No(s).:	106.261, 106.262, 106.472

TECHNICAL SUMMARY - DESCRIBE HOW THE PROJECT MEETS THE RULES

PBR 106.261/262 Compliance Demonstration

- The emission point(s) associated with the facilities or changes to facilities are located at least 100 ft from the nearest off-site receptor.
- The total new or increase emissions will comply with the applicable hourly and annual emission limits as represented in the table below.
- There are no changes to or addition of any pollution abatement equipment.
- Visible emissions to the atmosphere, from any point or fugitive source, do not exceed 5.0 % opacity in any six-minute period.
- This registration is not for authorization for construction or to change a facility authorized under another section of this chapter or under standard permit.

§106.472 (March 14, 1997 amended September 4, 2000)

Liquid loading or unloading equipment for railcars, tank trucks, or drums; storage containers, reservoirs, tanks; and change of service of material loaded, unloaded, or stored is permitted by rule, provided that no visible emissions result and the chemicals loaded, unloaded, or stored are limited as cited by the company to:

- (1) the following list: asphalt, resins, soaps lube oils, fuel oils, polymers, detergents, lube oil additives, vegetable oils;
- (2) water or wastewater;
- (3) aqueous salt solutions;
- (4) aqueous caustic solutions, except ammonia solutions;
- (5) inorganic acids except oleum, hydrofluoric, and hydrochloric acids;
- (6) aqueous ammonia solutions if vented through a water scrubber;
- (7) hydrochloric acid if vented through a water scrubber;
- (8) acetic acid if vented through a water scrubber; and
- (9) organic liquids having an initial boiling point of 300 degrees Fahrenheit or greater.

PBR 106.261(2)							
Air Contaminant				Emission Limit		Actual Emissions	
				Lb/hr	Tpy	lb/hr	tpy
CO				6.00	10.00	0.00335	0.01
PBR 106.262							
Air Contaminant	L	D	K	Emission Limit		Actual Emissions	
	mg/m ³	ft		lb/hr	Tpy	lb/hr	tpy
Asphalt Petroleum "Fume"	5	450	92.5	0.0541	0.2368	0.050273	0.1900729
H2S	1.1	450	92.5	0.0119	0.0521	0.00166	0.00621
PBR 106.261(3)							
Air Contaminant				Emission Limit		Actual Emissions	
				lb/hr	tpy	lb/hr	tpy
Carbonyl Sulfide				1.00	4.38	4.36E-5	1.63E-4
TOTAL VOC EMISSIONS:						0.05*	0.19*

*The total speciated emissions both lbs/hr and tpy are equal to the 0.05 lbs/hr and 0.19 tpy of VOC in the ESTIMATED EMISSIONS block below and are acceptable speciated emission estimates.

COMMUNICATION LOG

Date	Time	Name/Company	Subject of Communication
6-15-2017	1115	To: Mr. Kevin Bush	Voicemail- I need the emissions that you are claiming under an unregistered PBR 183.
6/15/2017	1617	Fm: Lele Bao lbao@trinityconsultants.com 972-661-8100	Email--please find attached the emission calculation for the Line 3 Heatec Heater that includes the heater size and hours of operations for the proposed Line 3 Sealant Application System project.
7/11/2017	1500	To: Lele Bao, 972-661-8100	Discussed the asphalt. Is it blown asphalt or virgin asphalt?
7/11/2017	1642	Fm: Lele Bao lbao@trinityconsultants.com 972-661-8100	Email-Thanks for the time to discuss the asphalt question this afternoon. The laminate sealant is approximately 90% blown asphalt and 10% polymer modified asphalt. The self-seal sealant is laminate sealant blended with approximately 20% limestone.



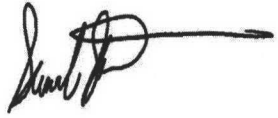
EPN / Emission Source	VOC		CO		PM		PM ₁₀		PM _{2.5}		H ₂ S		Carbonyl Sulfide	
	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
CFL2 / Line Sealant System- Mist Elimination System	0.05	0.19	<0.01	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	0.01	<0.01	<0.01

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	John Gott, P.E.
Project No.:	270215	Unit Name:	GAF Materials	PBR No(s).:	106.261, 106.262, 106.472

TOTAL EMISSIONS (TPY):		0.19		0.01		<0.01		<0.01		<0.01		0.01		<0.01
MAXIMUM OPERATING SCHEDULE:	Hours/Day			Days/Week			Weeks/Year			Hours/Yr		8,760		

SITE REVIEW/DISTANCE LIMIT	Y	N	Description/Outcome	Date	Reviewed by
Site Review Required?		X		6/15/2017	John C. Gott, P.E.
PBR Distance Limits Met?	X		The company claims that 110' exists to the nearest property line and 450' to the nearest off-property structure.	6/15/2017	John C. Gott, P.E.

	TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:			
PRINTED NAME:	Mr. John Gott, P.E.	Sushil Gautam, Ph.D.	Mr. Samuel Short, Mgr.
DATE:	June 15, 2017	June 19, 2017	July 12, 2017



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

January 23, 2020

Ms. Tonya Baer, Deputy Director
Office of Air
Texas Commission on Environmental Quality (MC 122)
P.O. Box 13087
Austin, TX 78711-3087

Re: Objection to Title V Permit No. O2269
ExxonMobil Corporation, Baytown Chemical Plant
Harris County, Texas

Dear Ms. Baer:

This letter is in response to the Texas Commission on Environmental Quality (TCEQ) submittal to our office containing the proposed renewal of the Title V permit for the ExxonMobil Baytown Chemical Plant referenced above. TCEQ indicated in the cover letter of the submittal that EPA's 45-day review period would begin on December 10, 2019, and end on January 24, 2020. We have reviewed the proposed title V permit action including TCEQ's response to comments and Statement of Basis. In accordance with 40 CFR § 70.8(c) and 42 U.S.C. § 7661d(b)(1), EPA is objecting to the proposed permitting action. Section 505(b)(1) of the federal Clean Air Act (Act) requires EPA to object to the issuance of a proposed Title V permit during its 45-day review period if EPA determines that the permit is not in compliance with applicable requirements of the Act or requirements under 40 CFR Part 70. The Enclosure to this letter provides the specific reasons for each objection and a description of the terms and conditions that the permit must include to respond to the objections.

Section 505(c) of the Act and 40 CFR § 70.8(c)(4) provide that if the permitting authority fails, within 90 days of the date of the objection, to submit a permit revised to address the objections, then EPA will issue or deny the permit in accordance with the requirements of 40 CFR Part 71. Because the State must respond to our objection within 90 days, we suggest that the revised permit be submitted with sufficient advance notice so that any outstanding objection issues may be resolved prior to the expiration of the 90-day period.

We are committed to working with the TCEQ to ensure that the final title V permit is consistent with all applicable title V permitting requirements and the EPA approved Texas Title V air permitting program. If you have questions or wish to discuss this further, please contact Cynthia Kaleri, Air Permits Section Chief at (214) 665-6772, or Aimee Wilson, Texas Permit Coordinator at (214) 665-7596. Thank you for your cooperation.

Sincerely,

1/23/2020

X David F Garcia

Signed by: DAVID GARCIA
David F. Garcia, P.E.
Director
Air & Radiation Division

Enclosure

cc: Baytown Chemical Plant Site Manager
ExxonMobil Corporation

Mr. Sam Short, Director
Air Permits Division
Texas Commission on Environmental Quality (MC-163)

Objections to Title V Permit O2269

1. Objection to Improperly Incorporating Confidential Operational Limits and Emission

Calculations. The proposed title V permit incorporates by reference NSR permits 96220, 28441, and 8586. Each of these NSR permits contains special conditions which references confidential information submitted in permit applications.

- NSR permit 96220 includes references to the initial permit application's confidential file dated November 2011 at special conditions 4(A), 11, and 12. Special Condition 4(A) in permit 96220, establishes a production rate for polymer production. Special Condition 11 in permit 96220, enforces a limitation on the products to be stored in seven storage tanks. Special Condition 12 in permit 96220, enforces a limitation on the products to be loaded and unloaded at three loading racks.
- NSR permit 28441, at Special Condition 4, references confidential information contained in the associated August 2014 permit amendment application. Special Condition 4 in permit 28441 establishes an operational production limitation on the Toluene Disproportionation Unit.
- NSR permit 8586, at Special Condition 4, references confidential information contained in the associated February 2003 application. Special Condition 4 in NSR permit 8586 provides an operational limitation on the production rates of polypropylene for all production lines.

The Clean Air Act ("CAA") limits the types of information that may be treated as confidential in a title V permit, and therefore withheld from the public. In this instance, NSR applications containing confidential information have been incorporated into corresponding NSR permits and, in turn, are now incorporated by reference into the proposed title V permit as a term of that permit. As a general matter, some information may be protected as a trade secret under section 114(c) of the CAA. 42 U.S.C. § 7414(c). However, the CAA specifically limits this protection: "The contents of a [title V] permit shall not be entitled to [confidential] protection under section [114(c)]." 42 U.S.C. § 7661b(e). Regarding the contents of a title V permit, the CAA further requires that "Each permit issued under this subchapter shall include enforceable emission limitations and standards, ... and such other conditions as are necessary to assure compliance with applicable requirements" 42 U.S.C. § 7661c(a). EPA regulations further require that the contents of a title V permit include "emissions limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance." 40 C.F.R. §70.6(a)(1). Further, "terms and conditions in a part 70 permit... are enforceable by the Administrator and citizens under the Act." 40 C.F.R. §70.6(b)(1). Additionally, information which is considered emission data, as well as standards or limitations, are also not entitled to confidential treatment. *See* CAA § 114(c) ("other than emissions data"); 40 C.F.R. §2.301(f).

The EPA has previously evaluated the use of confidential requirements in permits issued by TCEQ. *See In the Matter of ExxonMobil Corporation, Baytown Refinery*, Order on Petition No. VI-2016-14 (April 2, 2018) (Baytown Order). In granting that petition, the EPA acknowledged that a potential conflict exists between TCEQ's regulatory scheme and the CAA mandate that does not afford confidential protections to the contents of a permit.

Here, the confidential information that is referenced in NSR permits 96220, 28441, and 8586 and subsequently incorporated into the proposed title V permit establishes binding requirements

governing operations of the plant related to production limits of various products. Since the limitations from the NSR permits and associated applications are incorporated into the proposed title V permit, these production rates would be part of the contents of the title V permit. Therefore, for purposes of title V permitting, they are not entitled to protection as confidential pursuant to CAA § 503(e). Further, since these limitations on production are applicable requirements for purposes of title V, they must be enforceable by citizens in addition to the EPA. *See* CAA § 504(a); 42 U.S.C. § 7414(b)(2); *id.* § 7604(a)(1), (f)(4). Because the production rates or limitations are confidential, the public does not know what these applicable requirements are, negating the ability of citizens to enforce these conditions. TCEQ asserts that according to the Texas Health & Safety Code § 382.041 that as an agent of the commission they “may not disclose information submitted to the commission relating to secret processes or methods of manufacture or production that is identified as confidential when submitted.” The Texas Health & Safety Code § 382.041 cannot override 503(e) of the CAA. The CAA states that permit terms of the title V permit cannot be withheld from the public. TCEQ failed to provide a sufficient response to comments received on this issue by failing to adequately explain why the claimed confidential information does not establish binding, enforceable permit terms (or other information necessary to assure compliance with a permit term). Since these special conditions are incorporated by reference into the title V permit, they appear to be “contents of a [title V] permit” and therefore ineligible for confidential treatment.

In addition, while EPA was in the process of reviewing PBR registrations applicable to ExxonMobil Baytown Chemical Plant, we identified PBR applications which had the emission calculations marked as confidential and these PBR applications were for registering the PBR establishing federally enforceable emission limits, and thus incorporated by reference into the title V permit. The following PBR registrations establishing federally enforceable emission limits had the emission calculations identified as confidential on the application (identified by registration and PBR rule number): 39070 (106.262), 50952 (106.261 and 106.124), 74542 (106.261), 83400 (106.261 and 106.262), 151078 (106.261 and 106.262), 151047 (106.261 and 106.262), 151017 (106.261 and 106.262), 149708 (106.261 and 106.262), 148321 (106.261 and 106.262), 148861 (106.261 and 106.262), 148600 (106.261 and 106.262), 148594 (106.261 and 106.262), 147480 (106.262), 147270 (106.261 and 106.262), 145967 (106.262), 145938 (106.261), 144055 (106.261 and 106.262), 144054 (106.261 and 106.262), 143521 (106.261 and 106.262), 138869 (106.261 and 106.262), 141229 (106.261 and 106.262), 140847 (106.262), 139477 (106.261 and 106.262), 138601 (106.261 and 106.262), 136257 (106.261 and 106.262), 136019 (106.262), 136006 (106.261 and 106.262), 135448 (106.262), 134883 (106.261 and 106.262), 132686 (106.261 and 106.262), 131804 (106.261 and 106.262), 131373 (106.261), 131037 (106.261, 106.262, and 106.478), 130000 (106.261 and 106.262), 129961 (106.262), 129931 (106.261 and 106.262), 126098 (106.262), 124201 (106.262 and 106.472), 124055 (106.261 and 106.262), 124140 (106.262), 123832 (106.261 and 106.262), 123403 (106.261 and 106.262), 123247 (106.262), 122827 (106.261 and 106.262), 122598 (106.261 and 106.262), 151221 (106.261), 153201 (106.261 and 106.262), and 151078 (106.261 and 106.262). The emissions calculations in the PBR registrations are emissions data under CAA 114(c) and 40 C.F.R. § 2.301(a)(2)(i)(B) and should not be treated as confidential. TCEQ should evaluate if the emission calculations that support the enforceable limits established in the PBR registration are emissions data.

For each of these issues—the claimed confidential information in the title V permit and the claimed confidential emissions calculations—TCEQ should conduct a reevaluation to ensure that this information is neither part of the title V permit, establishing binding, enforceable permit terms, nor

considered emissions data for purposes of CAA 503(e) and 40 C.F.R. § 2.301(a)(2)(i)(B). If TCEQ can establish that this information is not part of the title V permit operational limit or emissions data, TCEQ will still need to establish the basis or details in the permit record for why it is not necessary to enforce these as a term or condition of the title V permit.

2. **Objection for Failure to Include all Applicable Requirements.** The proposed title V permit fails to meet the requirements of CAA § 504(a) for “(e)ach permit issued under this subchapter shall include enforceable emission limitations and standards, . . . and such other conditions as are necessary to assure compliance with applicable requirements of this chapter, including the requirements of the applicable implementation plan.” TCEQ’s definition of “applicable requirement” (found at 30 TAC § 122.10(2)) includes an extensive list of federal and state provisions. Minor NSR permits and Permits by Rule (PBRs) are included in TCEQ’s definition of applicable requirement and are applicable requirements as defined under 40 CFR § 70.2. TCEQ’s response to a comment on this issue did not fully respond to the public comment received and was not entirely correct, as explained in more detail below.

The proposed title V permit does not contain enough information to clearly identify if all applicable requirements have been included in the title V permit. The table *New Source Review Authorization References* lists the following PBR authorizations as applicable requirements: 106.122, 106.183, 106.261, 106.262, 106.263, 106.264, 106.266, 106.371, 106.478, and 106.512. The proposed title V permit does not list any emission units to be authorized under PBR 106.122, 106.183, 106.266, 106.371, or 106.512 and does not identify, in the statement of basis, that these PBRs only apply to insignificant units.

PBRs 106.261, 106.262, 106.263, 106.478, and 106.512 require registration. The TCEQ database¹ shows over 50 PBR registrations each for PBRs 106.261 and 106.262. There are entries in the permit associated with emission units, but it is unclear if all are represented since not all have the registration number identified. The database shows two registrations for PBR 106.478, but only one is identified with an emission unit and it does not include the registration number. In the *Motiva Order*, signed May 31, 2018, and the *ExxonMobil Baytown Refinery Order*, signed April 2, 2018, we granted a petition for an objection on facts closely resembling this type of incorporation by reference issue. In those orders, EPA objected because the “Permit contains no direct reference to certain source-specific requirements (e.g., certified emission limits) derived from registered PBRs, it is not clear that the Permit currently includes or incorporates all requirements that are applicable to the facility, as required by the CAA, the EPA’s regulations.” *ExxonMobil Baytown Refinery Order* at 22; *Motiva Order* at 30. Notably, the EPA and TCEQ also agreed as part of the Operating Permits Program approval process that “PBRs will be cited to the lowest level of citation necessary to make clear what requirements apply to the facility.” See 66 Fed Reg. 63322 n.4. (December 6, 2001). This agreement is evident in TCEQ’s regulations approved by the EPA. See 30 TAC 122.142(b)(2)(B)(i) (“Each permit shall also contain specific terms and conditions for each emission unit regarding the following: ... the specific regulatory citations in each applicable requirement or state-only requirement identifying the emission limitations and standards.”). This is also consistent with the EPA’s longstanding position that materials incorporated by reference must be clearly identified in the permit. See, e.g., White Paper Number 2 at 37 (“Referenced documents must also be specifically identified.”) Pursuant to 40 CFR § 70.8(c)(1), EPA objects to the issuance of the proposed title V

¹ https://www.tceq.texas.gov/permitting/air/nav/air_status_permits.html

permit since it is not in compliance with the requirements of CAA § 504(a) and 40 CFR § 70.6(a)(1) & (3). In responding to this objection, the TCEQ should identify which PBRs apply to which emission units or process areas, and which PBRs apply generally or site-wide to the facility or only to insignificant units. Once TCEQ identifies which PBRs apply to which emission units, TCEQ should revise the permit and/or the permit record to ensure the permit itself is clear as to this point. TCEQ should also ensure that the title V permit includes all current PBRs authorized at the source and that it does not reference minor NSR permits or PBRs that are no longer applicable. TCEQ had initially proposed changes to their OP-REQ1 form of their title V permit application to include an additional table for applicants to fill out that would identify registered/certified PBRs, PBRs that were claimed as site-wide, and those PBRs which were claimed for insignificant emission units. EPA encourages TCEQ to reconsider these changes as were proposed in their June 13, 2018 letter to EPA, Re: Executive Director's Response to EPA Objections Regarding Permits by Rule.

EPA has discovered that ExxonMobil has requested that several registered PBRs and Standard Exemptions (SEs) be incorporated by consolidation into NSR permit 20211 upon issuance of its renewal. The renewal application for NSR permit 20211 was submitted to TCEQ on December 23, 2016. The renewal of the NSR permit has not been issued and it is premature not to include the PBRs and Standard Exemptions from the title V permit at this time. Once TCEQ consolidates by incorporating the PBRs and Standard Exemptions into the NSR permit and voids the PBR's and SE's, then their removal from the title V permit could be warranted after that process is completed. At this time, none of the PBRs that have been proposed to be consolidated into NSR permit 20211 are listed in the title V permit. Once NSR permit 20211 is issued, ExxonMobil should submit a minor revision application for the title V permit upon the issuance of the renewal for NSR permit 20211. The following PBRs are shown to be consolidated by incorporation into the renewal of NSR permit 20211:

- PBR 106.261, registrations 102554, 123403, 41621, 43766, 52417, 71653, 75416, 76270, and 87877
- PBRs 106.262, registrations 123403, 43700, 48743, 76179, 76270, 79993
- PBR 106.264, registrations 102544, 102545, 102549, 102550, 102551, 102552, 102553, 102558
- PBR 106.478, registration 39479
- PBR 106.533, registrations 39222, 71466
- Standard Exemption 76, registrations 103414, 103151
- Standard Exemption 46, registration 103165
- Standard Exemption 51, registration 22750
- Standard Exemption 86, registrations 22764, 22765, 22766, 34349
- Standard Exemption 87, registration 23981
- Standard Exemption 106 registrations 103133, 103152, 103159, 103167, 103170, 103175, 103179, 23448, 31854, 32592, 34522, 34849
- Standard Exemption 118 registration 23260, 23989, 31317, 34522, 34849
- Standard Exemption 7, registration 103178
- Standard Exemptions without a rule specified, registrations 14744, 14948, 14949, 15786

An update to the renewal application submitted on November 16, 2018, indicates that PBR registration 152890 (PBRs 106.261 and 106.262) for unit ID BTCPFUG and PBR registration

153201 (PBRs 106.261 and 106.262) for unit ID FS12 were to be added to the title V permit. The EPA has been unable to find these registration numbers in the proposed title V permit. In addition, Standard Permit 117789 was added to the title V permit but was not identified as being associated with any emission unit. It appears that standard permit 117789 should be included as an NSR authorization for RHB Fugitives (FGRHB). TCEQ should ensure that all applicable requirements are identified in the title V permit as requested by the applicant.

A review of the TCEQ NSR database shows that the following permits (with issuance dates prior to the title V renewal application) appear to be effective and are not identified in the title V permit (identified below by PBR/SE rule number and registration number): SE 76 (25071), SE 76 (25944), SE 75 (26135), SE 27 (103169), SE 76 (32622), SE 76 (103141), SE 76 (103147), SE 106 (33518), SE 106 (103134), SE 76 (103139), PBR 106.262 (35507), PBR 106.261 (102559), PBR 106.261 and 106.262 (36806), PBR 106.264 (102557), PBR 106.512 (38991), PBR 106.261 (38990), PBR 106.262 (39020), PBR 106.262 (39070), PBR 106.261 (39364), PBR 106.262 (39823), PBR 106.262 (39822), PBR 106.261 and 106.262 (40139), PBR 106.262 (40429), PBR 106.262 (40627), PBR 106.264 (102548), PBR 106.261 (45380), PBR 106.183 (45876), PBR 106.373 (102547), PBR 106.264 (102546), PBR 106.433 (50951), PBR 106.261 (51028), PBR 106.433 (52624), PBR 106.262 (53222), PBR 106.493 (55061L001), PBR 106.124 (55900), PBR 106.124 (70174), PBR 106.262 (71881), PBR 106.261 (72234), PBR 106.261 (74542), PBR 106.262 (124140), PBR 106.216, 106.262, and 106.478 (131037), and PBR 106.261 and 106.262 (144055). If these permits are still effective and are applicable requirements, they should be included in the title V permit. Please verify whether these PBRs have either been consolidated by reference or consolidated by incorporation into an NSR permit, or whether they should be included in the title V permit.

In addition, the EPA does not agree with the TCEQ's interpretation that *White Paper Number 1* and *White Paper Number 2* support the practice of not listing in the title V permit those emission units to which generic requirements apply. As both White Papers state, such an approach is only appropriate where the emission units subject to generic requirements can be unambiguously defined without a specific listing and such requirements are enforceable. *See, e.g., White Paper Number 1* at 14; *White Paper Number 2* at 31. Thus, not listing emission units for PBRs that apply site-wide or only to insignificant units may be appropriate in some cases. However, for other PBRs that apply to multiple and different types of emission units and pollutants, the proposed title V permit and the final title V permit should specify to which units and pollutants those PBRs apply. Further, PBRs are applicable requirements for title V purposes. The TCEQ's interpretation of how *White Paper Number 1* and *White Paper Number 2* would apply to insignificant emission units does not inform how PBR requirements must be addressed in a title V permit. *See, e.g., 30 TAC 122.10(2)(H)*. The TCEQ should provide a list of emission units for which only general requirements are applicable, and if an emission unit is considered insignificant, it should be identified in the Statement of Basis as such. Further, if a PBR only applies to insignificant units, it should also be identified in the Statement of Basis as such. The TCEQ must revise the permits accordingly to address the ambiguity surrounding PBRs.

3. Objection to the Lack of Assurance to Comply with Emission Limits and Operating Requirements. Commenters identified the following PBRs as not having monitoring or testing methods identified that assure compliance with applicable emission limits and operating requirements: 106.122, 106.183, 106.261, 106.262, 106.263, 106.264, 106.371, 106.472, 106.473, and 106.511. In responding to comments, TCEQ explained that PBRs were approved as part of the

Texas SIP under 30 TAC Chapter 106, Subchapter A, and are applicable requirements as defined by the Texas operating permit program under 30 TAC Chapter 122. RTC Response 9. TCEQ stated in their response to public comments, “Any challenges to the validity of an NSR permit or PBR, including whether it is federally enforceable, references confidential information, or any other comment regarding the completeness or content of the NSR permit; should have been raised or should be raised through the appropriate NSR permit process. It is not appropriate for Commenters to attempt to challenge these issues in a Title V permit action”. This response was given in response to multiple comments with TCEQ citing the *PacificCorp-Hunter (Hunter) Order* at 8, 13-18; *Big River Steel Order* at 8-9, 14-20; and the *ExxonMobil Baytown Olefins Plant Order* at 14. See response to comments at Response 1, 3, 4, 8, and 9. This is a misinterpretation by TCEQ of the *PacificCorp-Hunter Order* (Petition No. VIII-2016-4, Order issued October 16, 2017). As the EPA has previously explained, “claims concerning whether a title V permit contains enforceable permit terms, supported by monitoring [recordkeeping, and reporting] sufficient to assure compliance with an applicable requirement or permit term (such as an emission limit established in a [NSR] permit), are properly reviewed during title V permitting. The statutory obligations to ensure that each title V permit contains ‘enforceable emission limitations and standards’ supported by ‘monitoring . . . requirements to assure compliance with the permit terms and conditions,’ 42 U.S.C. § 7661c(a), (c), apply independently from and in addition to the underlying regulations and permit actions that give rise to the emission limits and standards that are included in a title V permit.” See *South Louisiana Methanol Order* at 10; *Yuhuang II Order* at 7-8; *PacificCorp-Hunter Order* at 16, 17, 18, 18 n.33, 19; *Big River Steel Order* at 17, 17 n.30, 19 n.32, 20. Therefore, regardless of the monitoring, recordkeeping, and reporting initially associated with a minor NSR permit or PBR, TCEQ has a statutory obligation independent of the process of issuing those permits to evaluate monitoring, recordkeeping, and reporting in the title V permitting process to ensure that these terms are sufficient to assure compliance with all applicable requirements and title V permit terms. *Sierra Club v. EPA*, 536 F.3d 673 (D.C. Cir. 2008); see *Motiva Order* at 25-26.²

Below are the specific concerns associated with the title V permit incorporating individual PBRs by reference:

- PBR 106.122 Bench Scale Laboratory Equipment— permit does not specify any monitoring and testing methods that assure compliance with the emission limits assumed under 106.4. This PBR is a “one-liner” that TCEQ has identified in previous correspondence to EPA on June 13, 2018 as being for insignificant emission units.
- PBR 106.183 Boilers, Heaters, and Other Combustion Devices – permit does not specify any monitoring or testing requirements that assure compliance with emission limits and operating requirements established in the PBR. PBR contains an operational limit on the hours per year the unit can be fired and the fuel used. It also establishes a nitrogen oxide limit of 0.1 pounds per million Btu heat input in addition to the emission limits assumed under 106.4. This PBR requires registration. The PBR was registered on October 23, 2000 and given permit number 45876 by TCEQ. The permit files for this permit authorization are not available electronically from TCEQ’s Central File Room Online. According to the permit entry on the TCEQ site all we know about this authorization is that it is apparently for the synthesis gas unit and assumed to limit standby mode to 330

² TCEQ’s argument that EPA’s interpretation in *Hunter* and *Big River Steel* makes it inappropriate to consider whether information be kept confidential is likewise misplaced. Nothing in *Hunter* or *Big River Steel* reached that issue. As explained above in Objection 1, the CAA is clear regarding the requirements for information to be publicly available and nothing in *Hunter* or *Big River Steel* even purported to change that.

days/year. The EPA assumes that this PBR authorization is for Air Preheater 1106 (F1106SG) and/or Air Preheater 1206 (F1206SGU). Both of these emission units are in NSR permit 36476/PSDTX996M1. However, the NSR permit does not indicate that there is a limit on the days the unit can be in standby mode. Further, it may be that the limit applies to both units combined. It is impossible to know how PBR 106.183 applies to the emission units and what additional requirements it imposed on the units without having the PBR registration file from TCEQ.

- PBR 106.261 Facilities (Emission Limitations) and PBR 106.262 Facilities (Emission and Distance Limitations) are very general and can be utilized to authorize a wide range of emission units. Often claimed together to permit a particular project, these PBRs have very generic terms and do not specify clearly what emissions are authorized nor which emission limits from 106.4 are applicable - each of these PBRs has a list for specific emission limits for some compounds. These PBRs do not contain any monitoring or testing requirements to assure compliance with the applicable emission limits or operational requirements.
- PBR 106.263 Routine Maintenance, Start-up and Shutdown of Facilities, and Temporary Maintenance Facilities – This PBR is also very generic as it can be applied to a variety of emission units. This PBR establishes several emission limits and incorporates requirements from other PBRs. This makes it impossible to determine what the PBR covers without the title V permit containing more information. The PBR and title V permit do not contain any monitoring or testing methods to assure compliance with any emission limits or operational requirements assumed under the PBR or 106.4.
- PBR 106.264 Replacement of Facilities – This is another fairly generic PBR that TCEQ has that may be used to authorize a variety of emission units. As the PBR is very generic, it contains no monitoring or testing requirements to show compliance with the 25 TPY of any contaminant emission limitation in the PBR. There are 8 registrations for this PBR, but none of the files are available from the TCEQ central fileroom online to determine what emission units it applies to, to determine if there is adequate monitoring or testing in the title V permit. The title V permit only shows one emission unit with this PBR as an applicable requirement and it is a tank (TK0063). This tank is also authorized by the flexible permit and PAL permit.
- PBR 106.371 Cooling Water Units – This PBR contains an operational limit that prohibits the unit from being in direct contact with a list of compounds. However, the PBR does not contain any monitoring or testing requirements to assure compliance with the emission limits assumed under 106.4 or the operational requirements of the PBR. This PBR was identified by TCEQ as being for insignificant emission units in previous correspondence to EPA on June 13, 2018.

In responding to this objection, TCEQ should amend the title V permit and permit record as necessary to specify monitoring, recordkeeping, and reporting requirements that assure compliance with the PBRs referenced above. As part of this process, it may be necessary for TCEQ to amend an underlying NSR permit and then incorporate the amended NSR permit into the title V permit. If the title V permit, the underlying PBR permit, or the enforceable representations in the application already contain adequate terms to assure compliance with these PBRs, then TCEQ should amend the permit and/or permit record to identify such terms and explain how these requirements assure compliance with these emission limits and operational requirements for an individual emission unit, process area, or site-wide where such permit applies site-wide.

To the extent that any units authorized by the PBRs listed above are insignificant units for title V purposes, TCEQ should make those clarifications in the permit and permit record, as necessary, and evaluate whether the general monitoring conditions are sufficient. EPA sent a letter to TCEQ on August 26, 2019 that identified steps TCEQ should take to identify insignificant emission units authorized by PBRs. If TCEQ determines that some units authorized by the PBRs listed above are insignificant emission units, then TCEQ should evaluate whether the general monitoring conditions contained in special condition 32 are adequate monitoring, recordkeeping, and reporting. The EPA has explained that if a regular program of monitoring, recordkeeping, and reporting for insignificant units would not significantly enhance the ability of the permit to assure compliance with the applicable requirements, no monitoring can sometimes satisfy title V and 40 CFR § 70.6(a)(3)(i). *White Paper Number 2* at 32. In addition, if TCEQ still believes monitoring is necessary for insignificant units subject to a generally applicable requirement, a streamlined approach to periodic monitoring, recordkeeping, and reporting may be appropriate. *Id.* If TCEQ amends the record or title V permit to identify those PBRs that only apply to insignificant units and includes a basis for their determination that the permit, including special condition 32, contains adequate monitoring for those PBR requirements that apply to those insignificant units, the EPA anticipates such an approach would be consistent with our guidance and the requirements of title V of the CAA.

Other Issues:

EPA has identified other areas of concern, that while we find these of concern, we are not raising specific objections in this letter. However, it is important to bring these issues forward as they compound the problems identified by the objections above.

1. PBR Consolidation into NSR Permits. TCEQ, in a September 1, 2006 memorandum, identified two different scenarios that determined when and how a PBR or a standard permit should be consolidated in a permit for a facility when the permit is amended or renewed: consolidation by reference and consolidation by incorporation. TCEQ states that "All SP and PBRs that directly affect the emissions of permitted facilities must, at a minimum be referenced when a NSR permit is amended." Consolidation by reference under these circumstances is mandatory. Consolidation by incorporation however is voluntary. Under consolidation by incorporation, a reauthorization of the permitted action occurs under the NSR permit triggering BACT and impacts review. Consolidation by incorporation also results in the voiding of the PBR authorization. When PBRs are consolidated by reference, it becomes more difficult to determine if and when they were consolidated as the PBR authorization remains active. It is unclear how TCEQ handles identifying PBRs in the title V permit once they are consolidated by reference. As the PBRs that are consolidated by reference still remain active authorizations, are they still applicable requirements under the title V permit?
2. PBRs issued for temporary sources or for a one-time emission event. There were multiple PBRs that were issued for pilot plants; e.g. PBR 106.261 with registration # 51028 issued August 20, 2002 for BCIT-MTO Pilot Plant. As the authorization and application are not available electronically from the TCEQ file room online, EPA was unable to determine what the extent of the pilot plant was. However, it seems improbable that a pilot plant would still be in operation 18 years later, but the PBR is still shown to be "effective" on the TCEQ website. Another example is PBR 106.261/106.262 issued on June 29, 2004 and given registration number 72234. This PBR registration was available electronically from the TCEQ file room online. In this

authorization the company was requesting authorization to conduct a test of the water wash BAPP line which was to take seven days. This PBR is also still shown on the TCEQ website to be "effective." What procedures does TCEQ have in place to ensure that PBRs are voided when they are no longer needed or valid? As these PBRs are registered and have federally enforceable limits, they should be identified in the title V permit. If they are no longer valid authorizations, TCEQ should take steps to ensure they are voided.

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	Amber Huddle
Project No.:	278775	Unit Name:	GAF Materials Revision: Add Adhesive Storage Tank	PBR No(s).:	106.261, 106.262, 106.472

GENERAL INFORMATION			
Regulated Entity No.:	RN100788959	Project Type:	Permit by Rule Application
Customer Reference No.:	CN605251487	Date Received by TCEQ:	December 6, 2017
City/County:	Dallas, Dallas County	Date Received by Reviewer:	December 8, 2017
Physical Location:	2600 Singleton Blvd		

CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Mr. Bruce Dahlgren Plant Manager	Phone No.:	214-637-8970	Email:	BDAHLGREN@GAF.COM
Technical Contact/ Consultant Name and Title:	Mr. Kevin Bush Environmental Engineer	Phone No.:	214-637-8933	Email:	KBUSH@GAF.COM

GENERAL RULES CHECK	YES	NO	COMMENTS
Is confidential information included in the application?	X		Confidential information included in application
Has the PBR fee been paid?	X		Voucher no. 343838
Is this registration certified?	X		PI-7 CERT
Is this an APWL site?		X	
Are there any upstream or downstream affects associated with this registration?		X	
Is planned MSS included in the registration?		X	
Are there affected NSR or Title V authorizations for the project?	X		NSR Permit no. 7711A, Standard Permit No. 91414, O-2771
Is each PBR > 25/250 tpy?		X	
Are PBR sitewide emissions > 25/250 tpy?		X	N/A – Site has been to public notice
Are there permit limits on using PBRs at the site?		X	
Is PSD or Nonattainment netting required?		X	Project emissions are below netting thresholds
Do NSPS, NESHAP, or MACT standards apply to this registration?		X	
Does NOx Cap and Trade apply to this registration?		X	Not located in HGB
Is the facility in compliance with all other applicable rules and regulations?	X		

DESCRIBE OVERALL PROCESS AT THE SITE
GAF is a nationwide manufacturer of building material products. The GAF Dallas Plant manufactures asphalt shingles for the roofing industry. There are two asphalt roofing lines at the GAF Dallas Plant: Line 1 and Line 3. Self-seal asphalt based dots are applied to the asphalt roofing sheets before they are cut into shingles and automatically packaged. Adhesive stripes are applied to the laminated shingles in Line 3 before the shingles are cut and packaged. The existing Line 3 sealant application system is installed to apply self-seal asphalt and laminate self-seal asphalt to the asphalt roofing sheets. The Line 3 sealant application system includes one new Line 3 sealant run tank (Facility Identification Number [FIN]: T-22), associated self-seal applicator (FIN: SEALAP), laminate self-seal applicator (FIN: SEALAP), and a Heatec heater (FIN: HTR9).

DESCRIBE PROJECT AND INVOLVED PROCESS
Building Materials Investment Corporation, doing business as GAF Materials Corporation (GAF) has submitted a PI-7 CERT through ePermits to revise Permit no. 147140 for their asphalt roofing production facility located in Dallas As part of the PBR Revision Application, GAF proposes to install the 3120 Adhesive Storage Tank (FIN: TK-AD [authorized under §106.472]) for the existing Line 3 sealant application. The proposed 3120 Adhesive Storage Tank will also feed the existing self-seal applicator and laminate self-seal applicator to apply dots/stripes to the shingles system (authorized under §106.261 and §106.262). The Line 3 Heatec heater (FIN: HTR9) authorized under PBR 106.183 that is currently used to provide heat required by the Line 3 sealant application system will be decommissioned as part of this project. The Line 3 sealant application system will utilize the heat from the existing Line 1 Heatec heater (FIN: HTR1) claimed under PBR §106.183. No changes are proposed to the existing Line 3 sealant run tank. Currently, the Line 3 sealant run tank, self-seal applicator, and the laminate self-seal applicator are controlled by the Line 3 Mist Elimination System (Emission Point Number [EPN]: CFL2). The emissions from the proposed 3120 Adhesive Storage Tank will also be routed to the Line 3 Mist Elimination System (EPN: CFL2) for control. GAF does not expect any increase in actual emission increases from upstream or downstream processes as a result of the proposed project.

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	Amber Huddle
Project No.:	278775	Unit Name:	GAF Materials Revision: Add Adhesive Storage Tank	PBR No(s).:	106.261, 106.262, 106.472

TECHNICAL SUMMARY - DESCRIBE HOW THE PROJECT MEETS THE RULES

PBR 106.261/262 Compliance Demonstration

- The emission point(s) associated with the facilities or changes to facilities are located at least 450 ft. from the nearest off-site receptor.
- The total new or increase emissions will comply with the applicable hourly and annual emission limits as represented in the table below.
- There are no changes to or addition of any pollution abatement equipment.
- Visible emissions to the atmosphere, from any point or fugitive source, do not exceed 5.0 opacity in any six-minute period.
- This registration is not for authorization for construction or to change a facility authorized under another section of this chapter or under standard permit.

§106.472 Organic and Inorganic Liquid Loading and Unloading

Liquid loading and unloading equipment are permitted by rule, provided that no visible emissions result, and the chemical is limited to asphalt.

PBR 106.261(2)							
Air Contaminant				Emission Limit		Actual Emissions	
				lb/hr	tpy	lb/hr	tpy
CO				6.00	10.00	0.01	0.02
PBR 106.262							
Air Contaminant	L	D	K	Emission Limit		Actual Emissions	
	mg/m ³	ft		lb/hr	tpy	lb/hr	tpy
Asphalt Fume (VOC)	5	450	92.5	0.05	0.24	0.02	0.08
Asphalt Fume (PM)	5	450	92.5	0.05	0.24	<0.01	<0.01
PBR 106.261(3)							
Air Contaminant				Emission Limit		Actual Emissions	
				lb/hr	tpy	lb/hr	tpy
Carbonyl Sulfide				1.00	4.38	<0.01	<0.01


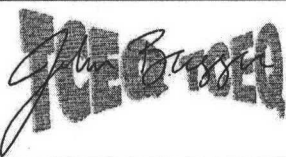
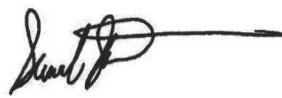
ESTIMATED EMISSIONS

EPN / Emission Source	VOC		CO		PM		PM ₁₀		PM _{2.5}		H ₂ S		Carbonyl Sulfide	
	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
CFL2 / Line 3 Sealant Adhesive System – Mist Elimination System	0.98	0.58	0.06	0.05	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	0.03	0.02	<0.01	<0.01
TOTAL EMISSIONS (TPY):		0.58		0.05		<0.01		<0.01		<0.01		0.02		<0.01

COMMUNICATION LOG

Date	Time	Name/Company	Subject of Communication
1/2/2018	Morning	Ms. Lele Bao / Trinity	Phone/Email: Reviewer called to request an updated emission summary table or 261/262 table. There is a discrepancy between the two. Ms. Bao provided updated 261/262 table.

SITE REVIEW/DISTANCE LIMIT	Y	N	Description/Outcome	Date	Reviewed by
Site Review Required?		X	No site review required.	1/2/2018	Amber Huddle
PBR Distance Limits Met?	X		Distance limits are met.		

	TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:			
PRINTED NAME:	Ms. Amber Huddle	Mr. John Bregger	Mr. Samuel Short, Manager
DATE:	January 3, 2018	January 3, 2018	January 5, 2018

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 22, 2021 1:13 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: Comments on GAF's TITLE V Permit Renewal4.docx

H

From: evelynmayo13@gmail.com <evelynmayo13@gmail.com>
Sent: Friday, February 19, 2021 1:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Evelyn Mayo

E-MAIL: evelynmayo13@gmail.com

COMPANY: Downwinders At Risk

ADDRESS: 1808 S GOOD LATIMER EXPY
DALLAS TX 75226-2202

PHONE: 8067876567

FAX:

COMMENTS: Comments attached as word document.

Comments on:
Renewal of Federal Operating Permit Title V
Draft Permit #02771 RN100788959
Building Materials Investment Corporation/GAF
2600 Singleton Blvd. Dallas Tx 75212

Submitted by Downwinders at Risk Education Fund
February 19th, 2021
to the Texas Commission on Environmental Quality
Office of the Chief Clerk
MC 105, P.O. box 13087
Austin, Texas 78711-3087

Downwinders at Risk is a 27-year-old environmental justice and clean air organization with a long history of official regulatory intervention in the permitting and operation of various air polluting facilities in the DFW region, including cement plants, coal plants, lead smelters, gas compressor stations, and batch plants.

In this matter we specifically represent West Dallas resident Esther Villarreal who resides at 1907 McBroom St Dallas 75212, less than a mile northeast from the GAF asphalt shingle factory. Ms. Villarreal and her family's health, quality of life, and enjoyment of their property have been, and still are, directly impacted by GAF's pollution regulated by this federal Title V permit.

We also represent other Downwinders at Risk Education Fund supporters who live in West Dallas, Oak Cliff, Dallas, and Grand Prairie who are potentially or already affected by GAF's pollution regulated by this permit.

Downwinders at Risk Education Fund strongly objects to the renewal of this Title V federal operating permit for the GAF asphalt shingle factory located in West Dallas and **we're requesting a public meeting on this matter on behalf of Ms. Villarreal and our organization.**

Per Texas Administrative Code RULE §39.602, as persons who are filing public comment or hearing requests on or before the deadline for filing public comment or hearing requests, Downwinders at Risk requests to be mailed any correspondence related to the referenced permit application from this day forward at the address listed below.

We object to the renewal of GAF's Federal Title V Permit for the following reasons:

- I. **The Large Volume and Variety of Air Pollution from GAF should be Reviewed for Application of BACT and MACT as well as compliance with the National Ambient Air Quality Standards**

According to the State of Texas' 2019 official emissions inventory, GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility power station. It is the 4th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.

A. GAF's Particulate Matter Air Pollution

1. GAF is a Large PM Air Polluter

GAF is the largest PM polluter in West Dallas by a wide margin. Its annual volumes have ranged from 59 to 26 tons per year of PM 10, the majority of which was also the more dangerous PM 2.5. These numbers are only from the yearly EPA Priority Pollutant inventories and do not include fugitive emissions, factory on-site truck traffic, or the operation of auxiliary equipment.

2. PM Health Harms Can Occur at Low Levels

Particulate Matter pollution has been linked to a long list health harms at or below levels considered safe and regulated by the EPA and the Texas Commission on Environmental Quality. In the largest effort of its kind, a nationwide Harvard School of Public Health study of more than 60 million senior citizens published in 2017 linked long-term exposure to PM pollution to thousands of premature deaths annually, *even at levels well below the legal limits set by the U.S. Environmental Protection Agency*. The analysis found no sign of a "safe" level of pollution, below which the risk of dying early tapered off.

There's now a substantial body of studies associating PM exposure to neurological diseases. In 2014, Harvard scientists found women exposed to higher levels of fine particulate matter during pregnancy may face up to twice the risk of having a child with autism than mothers living in areas with low particulate matter exposure. In 2013, USC researchers had concluded the same thing based on the proximity of pregnant women living near freeways. PM exposure has also been tied to attention deficit hyperactivity disorder, or ADHD, in children.

Some of the same kinds of health impacts have been noticed at the other end of the age spectrum. Exposure to PM pollution has been tied to Parkinson's Disease, Dementia, Alzheimer's, and general "cognitive decline" in adults. PM has also been linked to immune and reproductive system damage.

All of these health harms were documented at exposure levels at or below the EPA's National Ambient Air Quality Standards but since there's no fence line monitoring of PM pollution at GAF, there's no proof the plant is even meeting NAAQS standards for that pollutant off site, and no way to map potential PM hotspots.

3. There's No Cumulative Total of PM Pollution from GAF

Official PM air pollution totals being self-reported by GAF through the EPA Priority Pollutant Inventory do not include fugitive emissions from raw materials piles, diesel emissions from truck traffic, or the air pollution from any other mobile equipment onsite such as locomotives or portable machinery.

To obtain an accurate assessment of the risks posed by GAF's pollution it's necessary to have an accurate inventory of that pollution. GAF's residential neighbors currently only see a partial picture of the factory's total PM burden. To ascertain whether additional anti-pollution measures

are necessary the factory and its property should be subject to a cumulative review of all sources of PM pollution, estimating the maximum impact of each.

That cumulative total should then be subject to new air modeling to determine potential hotspots and violations of the PM NAAQS.

GAF's PM pollution is being considered in isolation from all other sources of PM in the surrounding area which is not how residents actually experience the factory's pollution. They inhale GAF's air pollution in combination with the other industries and traffic along the Singleton corridor. To fully assess the impact of GAF's air pollution on its neighbors, cumulative modeling incorporating these other sources is required.

4. GAF's PM Pollution Should be Reviewed by EPA for Maximum Available Control Technology

Given GAF's close proximity to residential neighborhoods, the volume of its PM pollution, and the harmful nature of PM at even low levels of exposure, all state-of-the-art measures should be taken to reduce PM at the source. Beyond source reduction GAF should also be required to implement PM mitigation measures. EPA should fully review GAF's production processes and sources with the goal of going from enforcement of a NAAQS that's injurious to human health, to reducing total residential exposure as much as possible.

B. GAF's Sulfur Dioxide Pollution

1. GAF is Dallas County's Largest Sulfur Dioxide Air Polluter

For as long as it's been in operation, GAF has been among the largest industrial polluters of Sulfur Dioxide in Dallas County and North Texas. **Since at least 2014 it's been the largest SOx polluter in Dallas County, by a wide margin.** Its closest competitors are the County's two other asphalt shingle factories, although GAF's Sulfur Dioxide annual pollution easily eclipses their combined totals. In 2019 the factory reported releasing over 125 tons of the pollutant, more than many power plants and cement kilns.

2. Sulfur Dioxide is Hazardous to Human Health and the Source of Nuisance Conditions

Sulfur Dioxide is a gaseous pollutant with a strong odor. Its release often **triggers nuisance complaints associated with noxious smells and mild symptoms such as fatigue, headache, and nausea.** Ms. Villarreal, her family, and her neighbors already experience these kinds of nuisance conditions caused by GAF's SOx pollution and it's interfering with their quality of life and enjoyment of their property.

However anyone living near a source of Sulfur Dioxide pollution who can smell the pollution is also inhaling the pollution. Breathing Sulfur Dioxide can cause serious respiratory effects such as chest tightness and difficulty breathing. It also exacerbates existing respiratory diseases such as asthma. Children may be especially vulnerable to Sulfur Dioxide because they breathe larger volumes of air relative to their body weight than adults do. **Studies have shown that children exposed to SOx may develop more respiratory illnesses and make more emergency room visits than other children.** They may even develop other respiratory problems as they get older.

Children with asthma seem to be particularly sensitive to sulfur dioxide exposure. Sulfur Dioxide's harmful effects are magnified in combination with PM.

3. GAF Poses a Potential Non-Attainment Threat for SO_x

Given how widespread GAF's neighbors' reports of nuisance odors are, the tremendous volume of SO_x pollution being emitted, the relatively short GAF stacks that pollution is coming from, and the lack of fence line monitoring, it's plausible that GAF is violating National Ambient Air Quality Standards for Sulfur Dioxide pollution.

It's not unusual for a factory to be such a large polluter that it can single-handedly create a federal Non-Attainment area if control measures are not taken. In North Texas, the Exide lead smelter was solely responsible for a Non-Attainment Area for Lead in Central Frisco. More on point, in Midlothian the Holcim cement plant was forced to install scrubbers by EPA to prevent a Non-Attainment Area for Sulfur Dioxide encompassing all of Northern Ellis County.

GAF's maximum emission limits for SO_x pollution as well as its annual self-reported SO_x emissions should be independently modeled by EPA and long-term fence line monitoring should be deployed to determine GAF's compliance with NAAQS for Sulfur Dioxide.

4. GAF's Sulfur Dioxide Pollution Should be Reviewed by EPA for Maximum Available Control Technology

As noted, the SO_x pollution from GAF dwarfs that of the other two asphalt shingle factories in Dallas County. The Owens Corning factory in Irving reported 76.4 tons of Sulfur Dioxide in 2019 and the TAMKO factory in Joppa reported 27.5 tons that year. **GAF says it released over 125 tons, or 36% of all Industrial SO_x air pollution in Dallas County.** Although GAF's factory is larger, that difference in production doesn't alone account for how much more SO_x GAF is releasing than its competitors.

Given the presence of nuisance conditions, the volume of pollution, the proximity of residential neighborhoods, and the lower SO_x emissions of nearby similar factories, EPA should thoroughly review GAF to make sure the factory is employing all state-of-the-art measures to minimize Sulfur Dioxide pollution as much as possible.

C. GAF's Large Releases of Carbon Monoxide Pollution Could Indicate Poor Combustion Practices

Just as GAF's Sulfur Dioxide numbers are alarmingly larger than their asphalt shingle-making peers in Dallas County, their Carbon Monoxide pollution numbers also raise a red flag.

Owens Corning reports 15 tons of CO released in 2019, TAMKO 26.7. GAF reported its factory emitted 58.3 tons that same year, or more than the other two combined.

CO pollution can be a sign of poor combustion practices. Efficient combustion has a relatively low CO ratio and higher emissions can indicate Incomplete combustion taking place. Incomplete combustion can in turn lead to the release of toxic *Products of Incomplete Combustion* which are usually not accounted for in EPA Risk Assessments despite their documented harms at low levels of exposure.

EPA should fully review GAF's production processes and sources to insure the most efficient combustion possible in all sources of CO pollution.

II. GAF's Location and Voluminous Pollution Require a Comprehensive Environmental Justice Review

GAF's 2-300 tons of annual pollution is being released in a central Dallas census tract with over 5000 people, an overwhelming majority of which are People of Color with a median income approximately one third of the Dallas average.

20% of the population is nine year of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution, including PM and Sulfur Dioxide. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory.

GAF's location in West Dallas is a dangerous legacy of 20th Century racist zoning that allowed large polluting factories to locate within close proximity of People of Color neighborhoods and Dallas Housing Authority units. It's only one of many heavy industries doing business along the Singleton corridor where an entire industrial district was allowed to develop next door to Black and Brown neighborhoods. Until the early 1980's this corridor hosted the notorious RSR lead smelter. In the early 1990's the waste from RSR created the nation's largest Superfund site. From the 1980's on, West Dallas has been a national environmental justice symbol.

GAF's continued operation is furthering that racist legacy. It's releasing copious amounts of noxious air pollution into West Dallas residential neighborhoods with impunity. It's placing disproportionate pollution burdens on some of Dallas most vulnerable populations already impacted by decades of environmental racism.

It's time the EPA subjected the plant to the kind of thorough review it would have received a long time ago if it had been located north of the Trinity River. For these reasons and others, we urge the rejection of GAF's Title V permit at this time.

Submitted by
Downwinders at Risk Education Fund
Evelyn Mayo, Chair
Jim Schermbeck, Director
1808 South Good Latimer Expy #202
Dallas, TX 75226
972-230-3185

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, February 1, 2021 12:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Request for public hearing
Attachments: Dear Neighbor (2).pdf; 20 12 30 Operating O2771.pdf

H

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, February 1, 2021 9:58 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Request for public hearing

From: Alfredo Mendoza <alfredo.mendoza@tceq.texas.gov>
Sent: Friday, January 29, 2021 2:31 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Cc: Kim Strong <kim.strong@tceq.texas.gov>
Subject: Fw: Request for public hearing

Brad,

Can you please send the attached comment/hearing request for permit O2771 to the appropriate staff so that it gets logged into CID?

Thanks,
Alfredo

From: Kim Strong <kim.strong@tceq.texas.gov>
Sent: Friday, January 29, 2021 11:16 AM
To: Alfredo Mendoza <alfredo.mendoza@tceq.texas.gov>
Cc: Jesse Chacon <jesse.chacon@tceq.texas.gov>
Subject: FW: Request for public hearing

Alfredo – Can you make sure this letter gets logged with the chief clerk?

From: Lorenzo Danielson <Lorenzo.Danielson@tceq.texas.gov>
Sent: Thursday, January 28, 2021 4:09 PM
To: Samuel Short <samuel.short@tceq.texas.gov>; Beryl Thatcher <Beryl.Thatcher@Tceq.Texas.Gov>
Cc: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>
Subject: FW: Request for public hearing

Hi Sam and Beryl—I spoke with freshman Rep. Crockett this morning and she would like to request a public meeting for the attached permit. Since this is a renewal I told her I would check if it was subject to a public hearing. Please advise.

She said she had other general questions regarding notice requirements for air permits so I suggested getting on a conference call. I'll bug yall about that when she sends me dates/times.

Thanks!

Legislative Liaison
Texas Commission on Environmental Quality
512-963-9730

From: Jasmine Crockett <Jasmine.Crockett@house.texas.gov>
Sent: Thursday, January 28, 2021 4:00 PM
To: Lorenzo Danielson <Lorenzo.Danielson@tceq.texas.gov>
Cc: Jacqueline Curatola <Jacqueline.Curatola@house.texas.gov>
Subject: Request for public hearing

Lorenzo,

Thanks for taking my call... Please see the attached documents.

-Rep. Crockett



JASMINE CROCKETT

TCEQ Petition for Public Hearing

The West Dallas community has a right to voice their concerns about the renewal of the Federal Operating Permit to GAF 02771 (also known as Building Materials Investment Corp.). The facility is a major source of particulate material (PM) and Sulphur Oxides. Despite the health and environmental implications of this permit, at the moment, there is no scheduled public hearing for this permit.

We must understand that this issue is firstly one of environmental justice. The majority of residents living near the plant are Black or Hispanic, and for far too long, Black and Latino Americans have been exposed to 40 to 45% more fine particulate air pollution than their white counterparts. This is why it is important to note that GAF's plant in West Dallas is a major source of particulate matter air pollution. Higher levels of exposure to this air pollution has led to more health issues, such as asthma and lung disease, within these communities. Similarly, prolonged exposure to sulphur oxides can cause various types of lung disease. These factors have led to one of the most jarring realities: in the city of Dallas, where this permit is being granted, there is a 15-year difference in life expectancy depending on zip code and how bad air pollution in the area is. Considering the direct impact that the emissions from this plant have on the health of those in the Dallas community, it is unconscionable to grant this permit without input from the public.

Additionally, with the COVID-19 pandemic disproportionately impacting the Black and Latino populations within Texas, it is critical for community members to be given the opportunity to publicly vocalize their issues with the plant's production of air pollutants. It is also pertinent to note that many of the pre-existing health issues that contribute to worse COVID-19 cases are directly caused by air pollution. Therefore, when we take into account both the unchecked spread of the coronavirus pandemic within Texas and the disproportionate impact that this respiratory pandemic has had upon Black and Latino Texans, we must recognize that granting this permit without the input or consent of the community only further perpetuates the racial and economic health disparities within Texas.

For this decision to be made without any notice to the community being impacted and without any public input is a subversion of the democratic process. Texans deserve to be informed of how granting this permit will impact them and given formal notice. In addition to that, however, they deserve to publicly testify regarding the issuing of this permit. Transparency and the will of the people are essential components of our democracy. In granting a public hearing, we continue to be committed to those values.

A handwritten signature in black ink, appearing to read "J. Crockett", written over a faint background image of the Texas State Capitol building.

State Representative Jasmine Crockett, Esq.
House District 100

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Notice of Draft Federal Operating Permit

Draft Permit No.: O2771

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, TX 75212-3738, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal and revision of Federal Operating Permit (herein referred to as Permit) No. O2771, Application No. 30975, to authorize operation of the Dallas Plant, an Asphalt Shingle and Coating Materials Manufacturing facility. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. 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 the application. You can find an electronic map of the facility at: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.777777&lng=-96.863333&zoom=13&type=r>. This application was received by the TCEQ on July 29, 2020.

The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code § 122.10 (30 TAC § 122.10). The draft permit, if approved, will codify the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of the application and has made a preliminary decision to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas 76118-6951; and the Dallas West Branch Library, 2332 Singleton Blvd, Dallas, Texas 75212-3734, beginning the first day of publication of this notice. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

Public Comment/Notice and Comment Hearing. Any person may submit written comments on the draft permit. Comments relating to the accuracy, completeness, and appropriateness of the permit conditions may result in changes to the draft permit.

A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment hearing. The purpose of the notice and comment hearing is to provide an additional opportunity to submit comments on the draft permit. The permit may be changed based on comments pertaining to whether the permit provides for compliance with 30 TAC Chapter 122 (examples may include that the permit does not contain all applicable requirements or the public notice procedures were not satisfied). The TCEQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper notice. The hearing request must include the basis for the request, including a description of how the person may be affected by the emission of air pollutants from the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify how the preliminary decision to issue or deny the permit is inappropriate. All reasonably ascertainable issues must be raised and all reasonably available arguments must be submitted by the end of the public comment period. If a notice and comment hearing is granted, all individuals that submitted written comments or a hearing request will receive written notice of the hearing. This notice will identify the date, time, and location for the hearing.

Written public comments and/or requests for a notice and comment hearing should be submitted to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/

and be received within 30 days after the date of newspaper publication of this notice. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted public comments, a hearing request, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Mr. Kevin Bush at (972) 872-2325.

Notice Issuance Date: December 30, 2020

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

Date: July 29, 2021

To: Office of the Chief Clerk Docket Room

From: Brad Patterson, Office of the Chief Clerk *BP*

Re: Building Materials Investment Corporation; Draft Permit No. 02771

Attached please find the following materials from the notice and comment hearing on Building Materials Investment Corporation's Draft Permit No. 02771, held virtually July 29, 2021:

1. 2CDs, and
2. the registration list

Approximately 90 people participated in the meeting. The following 36 individuals provided formal oral comments:

Martin Reveles
Janie Cisneros
Stephanie Champion
Esther Villarreal
Kathryn Bazan
Evelyn Mayo
Victoria Howard
Omar Narvaez
Alberto Bravo
Carrie Schweitzer
Sophie Nakato
David Griggs
Rita Beving
James Armstrong
Erica Solis
John Martinez
Jeff Howard
Kidus Girma
Victor Toledo

Richard Mark Grace
Starlet Ramirez
Raul Reyes
Jim Schermbeck
Marsha Jackson
Victoria Ferrell Ortiz
Lynn Jenkinson
Joe Carreon
Scherron Richard on behalf of Congressman Mark Veasey
Sharon Howard
Allen McGill
David Villalobos
Jackie Curatola on behalf Rep. Jasmine Crockett
Debbie Solis
Abel Mulugheta on behalf of Rep. Rafael Anchia
Destany Ramirez
Kevin Sheneberger

cc: Alfredo Mendoza, Air Permits Division
Ashley Rich, Environmental Law Division

First Name	Last Name	Email	Address	City	State/Province	Zip/Postal Code	Organization	Would you like to be added to the mailing list (Y/N)?	Would you like to provide oral comments during the hearing (Y/N)?
Ashley	Hutto	ashleyhutto@me.com	1433 Casa vale dr	Dallas	Texas	75218		N	N
Sona	Chaudhary	sonachaud@gmail.com	Apt 116, 4214 Rawlins St	Dallas	Texas	75219-3816		Y	N
Joe	Vu	Joseph.vu@dallascityhall.com						N	N
James	Bader	no@yahoo.com						n	n
David	Villalobos	dvillalobos@organizetexas.org	4144 Pluto	Dallas	Texas	75212	Texas Organizing Project	Y	Y
Laura	Chavez	Laquintero@dallasisd.org	330 Linkwood	Duncanville	Texas	75137		N	N
Adair	Aranda	adairaranda@gmail.com	2946 S Sunbeck Cir	Farmers Branch	Texas	75234		N	N
mary	paras	ml_paras@yahoo.com	2703 kingston st	dallas	Texas	75211		n	n
Paula	Hutchison	plh781124@sbcglobal.net	623 Calyx Cir	Dallas	Texas	75216-6723	Retired Veteran	Y	N
Allen	McGill	amc1229@aol.com	1445 Firebird Dr	Dallas	Texas	75241	n/a	y	y
Elizabeth	Alexander	ealexander@copper.net	11412 Park Central Place	Dallas	Texas	75230	Downwinders	y	N
Claire	Howell	Howell.claire.e@gmail.com				75219		Y	N
	Howard	sharonyhoward@gmail.com	4116 Plum Leaf Ct	Dallas	Texas	75212	Greenleaf Village Homeowner	Yes	Yes
	Randolph	accumax14@gmail.com						N	N
Connor	Cranshette	ConnorCranshette@protonmail.com	1410 W Long	Stephenville	Texas	76401		n	n
Sophie	Austin	Sophie.austin@dallasnews.com						Y	N
Gabrielle	Howells	gabrielle.howells@house.texas.gov						N	N
Latha	Kambham	kkalpalatha@gmail.com						No	No
Arnulfo	Garza	arnulfo.garza@senate.texas.gov	5930 Birchbrook Dr., 204	Dallas	Texas	75206	https://senate.texas.gov/member.php?d=23	no	no
Isaac	Roberts	isaacroberts250@gmail.com	321 W Hickory St	Denton	Texas	76201		N	N
Martin	Reveles	revelesroofing16@gmail.com						N	Y
Collin	Yarbrough	cryarbrough@smu.edu		Dallas	Texas		Southern Methodist University	Y	N
SCHERRON	RICHARD	scherron.richard@mail.house.gov	1881 N Sylvan Ave, Suite 108	Dallas	Texas	76002	US House of Representatives	n	y
Jesus	Arzate	jesus.arzate@gaf.com			Texas	75013	GAF	N	N
Dan	Landig	pizzadude307@yahoo.com						N	N
PAUL	SOKAL	paul@paulsokal.com	6721 CHEVY CHASE AV	DALLAS	Texas	75225		y	n
Wayne	Scott	wayne.scott@gaf.com	2600 Singleton Blvd	Dallas	Texas	75212	GAF	N	N
Danny	Worrell	danny.worrell@bakerbotts.com	98 San Jacinto, Suite 1500	Austin	Texas	78701	Baker Botts	N	N
Joe	Carreon	jcarreon@smu.edu	3150 Kendale Dr	Dallas	Texas	75220		N	Y
Kevin	Sheneberger	ksheneberger@smu.edu			Texas			Y	N
Genifer	Harrison	genifer.harrison@outlook.com	617 S Ravinia Dr	DALLAS	Texas	75211	Amnesty International	n	n
Jayce	Proctor	jayceproctor5@gmail.com		Irving	Texas			No	No
Ruth	Emerson	edit.assistant@dmagazine.com			Texas			Y	N
Jasmine	Crockett	jasmine.crockett@house.texas.gov	P.O. Box 2910	Austin	Texas	78768	Texas House of Representatives	N	Y
FREDRICK	ERVING	ferving14@gmail.com	516 EDMONDS WAY	DESOTO	Texas	75115	Dallas	Y	N
Martine	Trinka	martine.trinka@gmail.com	1005 Tea Olive Land	Dallas	Texas	75212		Y	N
Sharon	Richey	srichey7@gmail.com	4900 Vega Ct West	Ft Worth	Texas	76133		Y	Y
Abel	Mulugheta	abel.mulugheta@house.texas.gov						N	N
	Hilton	andy.hilton@gaf.com						N	N
	Jenkinson	mlynnjenkinson@gmail.com			Texas			Y	Y
Brooks	Love	brooks.love@dallascounty.org	411 Elm Street, Second Floor	Dallas	Texas	75208	Office of Dallas County commissioner Elba Garcia	Y	N
Julio	Florez	julio@regionalhca.org	julio@regionalhca.org	Dallas	Texas	75212	RHCA	Y	No
Victoria	Ferrell Ortiz	victoria1ferrell@gmail.com	1215 Hoke Smith Dr	Dallas	Texas	75224	Individual	No	Yes
Marsha	Jackson	mmmchey@sbcglobal.net	4920 Choate Rd	Dallas	Texas	75241-7334	SSR	Y	Y
Trustee Maxie	Johnson	maxielpastor@yahoo.com	2021 Argyle	Dallas	Texas	75203	New Morning Star	n	n
Richard	Guldi	RLGuldi77@gmail.com						N	N
Brittani	Hite	hello@ethosequityconsulting.com			Texas		Ethos Equity Consulting	N	N
Laura	Cadena	laura.cadena@dallascityhall.com	1500 Marilla St #5FS	Dallas	Texas	75201	City of Dallas	Yes	No
Ronnie	Mestas	ronnie.mestas@yahoo.com	3215 Rutz Street	Dallas	Texas	75212	resident	yes	yes
Jim	Scherbeck	downwindersatrisk@gmail.com	1808 South Good Latimer Expy #202	Dallas	Texas	75266	Downwinders at Risk	Y	Y
Kaylee	Chien	kaylee.chien@gmail.com	1409 Glendover Drive	Allen	Texas	75013		N	N
Patsy	Jackson	ladypat57@hotmail.com	1953 Shaw St	Dallas	Texas	75212-2538	USA	Y	Y
Debbie	Solis	solis.debbie@gmail.com	4120 GENTRY DR	Dallas	Texas	75212	Voice of Hope Ministries	n	Yes
Raul	Reyes	reyespsm@gmail.com	3455 Borger St,	Dallas	Texas	75212		yes	yes
Destany	Ramirez	destanyramirez93@gmail.com	4146 Weisenberger Dr	Dallas		75212	West Dallas Resident	Y	Yes
Starlet	Ramirez	ramirez_starlet@yahoo.com	4146 Weisenberger Dr	Dallas	Texas	75212	West Dallas Resident	Y	Yes I would.
Richard MARK	Grace	gracenwilk@gmail.com	5427 Fannie Street	Dallas	Texas	75212	DAR Air Monitoring	y	y
Victor	Toledo	Victor.GreenleafVentures@gmail.com	11700 Preston Road, #660-192	Dallas	Texas	75230	Greenleaf Ventures, LLC	Yes	Yes
Taj	Harris	tajanae.senior.16@gmail.com	2530 Blue Myrtle Way	Dallas	Texas	75212	West Dallas1	N	N
Kidus	Girma	kidusgirma460@gmail.com						N	Y

Jeff	Howard	jhoward3030@gmail.com	4116 Plum Leaf Court	Dallas	Texas	75212	West Dallas 1	Yes	Yes
John	Martinez	john@regionalhca.org	3918 N. Hampton	Dallas	Texas	75212	Regional Hispanic Contractors Association (RHCA)	Yes	Yes
Erica	Solis	ericasolis@gmail.com				75212		N	Y
James	Armstrong	jarmstrong@bohcdc.com	1839 Leath	Dallas	Texas	75212	Builders of Hope Community Development Corp.	Y	Y
Emmanuel	Glover	drloverjnr@gmail.com	2411 N Winnetka Ave	Dallas	Texas	75212	Gilbert Emory Neighborhood Association	N	Y
Rita	Beving	rita.beving@gmail.com	13214 Glad Acres Drive, Farmers Branch	Farmers Branch	Texas	75234	Public Citizen	Y	Y
David	Griggs	texvol@aol.com	13214 Glad Acres Dr.	Dallas	Texas	75234		Y	Y
Sophie	Nakato	Sophienak6@yahoo.com	5117 Fannie St	Dallas	Texas	75212		Y	Y
Celeste	Levine	celeste.levine@standardindustries.com	1 Campus Drive	Parsippany	New Jersey	0705	Standard Industries	Y	N
angela	faz	angela@angelafaz.com		Dallas	Texas	75212		Y	Y
Kevin	Overton	kevin.overton@dallascityhall.com	1500 Marilla 7AN	Dallas	Texas	75201	Dallas Office of Environmental Quality & Sustainability	Y	N
Matthew	Loncar	matthew.loncar@gaf.com						N	N
Joe	Perri	joe.perri@gaf.com			None			N	N
Carrie	Schweitzer	ceschweitzer@sbcglobal.net	5639 Eastside Ave	Dallas	Texas	75214		Y	Y
Susan	Alvarez	Susan.alvarez@dallascityhall.com	1500 Marilla, Room 7AN	Dallas	Texas	75201	City of Dallas - OEQS	Y	N
Alberto	Bravo	alberto.m.bravo@gmail.com	2821 BEDFORD ST	Dallas	Texas	75212		Y	Y
Omar	Narvaez	omar.narvaez@dallascityhall.com	1500 Marilla 5FS	Dallas	Texas	75201	City of Dallas	Yes	Yes
ine	Guldi	caguldi03@gmail.com	7228 La Sobrina Dr	Dallas	Texas	75248	Dallas Sierra Club	N	Y
Victoria	Nash	Nashcarol@sbcglobal.net	7701 Fisher Rd	Dallas	Texas	75214		Y	Y
KIRK	Howard	Victoria@dallassierraclub.org	105 W Main St	Allen	Texas	75013	Dallas Sierra Club	N	Y
Evelyn	MILLER	KIRKMILLER@JUNO.COM	517 CAP ROCK DRIVE	RICHARDSON	Texas	75080		NO	YES
Kathryn	Mayo	emayo@ppc.edu			Texas	75208	Paul Quinn College	Y	Y
Esther	Bazan	kathryn.bazan@gmail.com						N	Y
Stephanie	Villarreal	espete0@gmail.com	1907 McBroom Street	Dallas	Texas	75212	Victory Gardens Neighborhood Association	Y	Y
Janie	Champion	champions@lanwt.org	400 S. Zang Blvd., Ste. 1420	Dallas	Texas	75208	Legal Aid of NorthWest Texas	Y	Y
Martin	Cisneros	janie.cisneros@gmail.com	2821 Bedford St.	Dallas	Texas	75212		Y	Y
Stacy	Reveles	Info@revelesroofing.com							
	Ungar	stacy.ungar@gaf.com							

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 24, 2021

The Honorable Jasmine Crockett
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910

Re: Building Materials Investment Corporation / Application No. O2771

Dear Representative Crockett:

Thank you for your letter to the Texas Commission on Environmental Quality (TCEQ) requesting a public meeting regarding Building Materials Investment Corporation / Application No. O2771, to authorize operation of the Dallas Plant, an Asphalt Shingle and Coating Materials Manufacturing facility. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738.

The agency is continuing to carry out its mission to protect our states public health and natural resources consistent with sustainable economic development during these unprecedented times. As Texas has adapted to the ever-changing situation, the TCEQ has implemented solutions to move forward with agency business. Public participation is an integral part of the permitting process. The agency believes that both in-person and virtual meetings have proven successful in allowing the public to participate in the permitting process.

The proposed public meeting, whether held virtually or in-person, will provide an opportunity for the public to voice their concerns and comments while following Centers for Disease Control and Prevention recommendations. We recognize that not everyone has access to the internet, or their access may be limited; therefore, we also provide an opportunity to participate via telephone during virtual public meetings. In addition, a public meeting is not the only avenue for the public to express their concerns and ask questions. The public may also provide written comments to the TCEQ anytime during the public comment period. The TCEQ takes both type of comments into consideration during the permitting process.

The Office of the Chief Clerk will facilitate the public meeting and are available to answer any questions the public may have concerning the public meeting. If you have any questions, please contact me at (512) 239-3900 or Laurie Gharis, Chief Clerk, at (512) 239-3300.

Sincerely,

A handwritten signature in black ink, appearing to read "Toby Baker".

Toby Baker
Executive Director

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 30, 2021

Genaro Viniegra Jr.
genaroviniegra@gmail.com

Re: Building Materials Investment Corporation / Federal Operating Permit No. O2771

Thank you for your comments. A copy will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the permit application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. You will receive a copy of the formal written response to all timely filed comments.

You may track the status of matters pending approval by the commissioners or the executive director, as well as view comments and requests, by using the Commissioners' Integrated Database, which can be found here: <https://www14.tceq.texas.gov/epic/eCID/>. The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

* Comments can also be submitted online at www.tceq.texas.gov/goto/comments *

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customersurvey

printed on recycled paper

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: Public comment on Permit Number 2771
Attachments: MV letter to TCEQ re GAF Materiels in West Dallas2.pdf

FOP
122174

From: scherron.richard@mail.house.gov <scherron.richard@mail.house.gov>
Sent: Thursday, July 29, 2021 9:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Scherron Richard

E-MAIL: scherron.richard@mail.house.gov

COMPANY: Office of Congressman Marc Veasey

ADDRESS: 1881 SYLVAN AVE STE 108
DALLAS TX 75208-2084

PHONE: 2144377497

FAX:

COMMENTS: Statement from Congressman Marc Veasey



Congress of the United States
House of Representatives
Washington, DC 20515-4333

July 29, 2021

Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Permit 2771

To Whom it May Concern:

I am addressing you today in regard to the renewal of Permit 2771 for GAF Materials, located in West Dallas. I understand that surrounding neighbors have expressed their opposition to this renewal due the emissions and air pollutants from this facility that affect surrounding communities. As the representative for Texas Congressional District 33, which includes most of West Dallas, I stand with the community in opposition to a renewal of the permit under the current circumstances. I and urge you to take the concerns of the community seriously and ensure that you are giving full consideration to the health effects that a facility of this type might have on nearby residents.

As I am sure you are aware, West Dallas has for generations been the unlucky host of heavy industry and their side effects. From asthma inducing concrete plants to lead-leaking battery facilities, West Dallas has been home to some of the most dangerous and polluting industries in existence and has seen higher rates of cancer and other chronic illnesses as a result. Given this history, it is incumbent on all policy makers to ensure that we are not continuing the mistakes of the past by continuing to allow one portion of our city to bear a disproportionate share of the burden. We all know that in the past, West Dallas was chosen to house these industries because its residents, due to their racial and economic makeup, were powerless to protest. Please join me in proving that that is no longer the case.

Thank you for your consideration. If you have any questions or concerns, please contact my district director, Anne Hagan, at (214) 741-1387 or anne.hagan@mail.house.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Veasey', with a stylized flourish at the end.

Marc Veasey
Member of Congress

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, July 7, 2021 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: WD1_Request for In Person Hearing_7.6.211.pdf

PM

FOP
122174

From: champions@lanwt.org <champions@lanwt.org>
Sent: Tuesday, July 6, 2021 5:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Stephanie Champion

E-MAIL: champions@lanwt.org

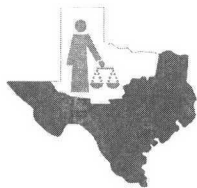
COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

PHONE: 2142432583

FAX:

COMMENTS: See attachment



Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT
400 S. Zang Blvd., Ste. 1420, Dallas, Texas 75208
469-458-9009 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

July 6, 2021

Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Electronic submission at: www14.tceq.texas.gov/epic/eComment/

Re: Request for in-person Notice and Comment Hearing on Draft Federal Operating Permit O2771: Building Materials Investment Corporation

Dear Ms. Gharis,

On February 19, 2021, Legal Aid of NorthWest Texas (LANWT) submitted public comments and a request for a Notice and Comment Hearing on Draft Federal Operating Permit No. O2771 on behalf of our client, West Dallas 1 (WD1) to the Texas Commission on Environmental Quality (TCEQ). On June 4, 2021, we received notice that our request for a hearing was granted and that the hearing would be held virtually via webcast on July 29, 2021 at 7:00pm. We submit these additional comments to request that the hearing be held in-person or, at the very least, that TCEQ provide an in-person forum to provide technical assistance to those who wish to engage in the virtual process.

In our original comments of February 2021, we specifically asked for an opportunity for residents to orally voice their concerns in person, especially on behalf of residents who may not have electronic access or who may be otherwise unable to easily engage in the traditional comment process. We also asked that TCEQ coordinate with WD1 members to determine an appropriate time and place for the hearing. Had that coordination taken place, we could have voiced our concerns regarding the lack of access to meaningful public participation that a purely online forum creates and worked together to coordinate a more accessible and equitable solution.

Ensuring “meaningful public participation in the decision-making process” is a core tenet of TCEQ’s Agency Philosophy.¹ In its Resolution Concerning Public Participation, the Commission stated its desire to “emphasize its commitment to increased and improved public participation” and resolved to “strengthen its public assistance and outreach activities to provide

¹ Texas Commission on Environmental Quality, *Mission Statement and Agency Philosophy*, (July 2nd 2021, 11:00 AM) <https://www.tceq.texas.gov/agency/mission.html>

Bringing justice to North and West Texans since 1951

greater responsiveness to the public and additional opportunities for public participation.”² In addition, the State of Texas prides itself on its efforts to promote open government and ensure that public decision making is transparent, open and accountable to all Texans³ via enforcement of the Texas Open Meetings Act which requires that meetings of governmental bodies be open to the public except for expressly authorized closed sessions.⁴ Courts have consistently held that the provisions of the Act are mandatory and are to be liberally construed in favor of open government.⁵ Towards this end, municipalities and state agencies across Texas have resumed in-person meetings.⁶ Recognizing the incomparable value of in-person over online forums, the Texas Department of Transportation (TxDOT) recently provided two in-person meeting options in tandem with a virtual public meeting for an upcoming feasibility study of I-345 right here in Dallas.⁷

By holding the Notice and Comment Hearing exclusively online and failing to provide an in-person option, TCEQ is substantially limiting the ability of the public to meaningfully participate in the permitting process. As we have previously emphasized, the West Dallas community is comprised of mostly low-income, minority households. The population within a 1-mile radius of the GAF facility is 91% people of color, 73% low-income and 17% linguistically isolated compared with state averages of 58% people of color, 35% low-income and 8% linguistically isolated.⁸ Dallas ranks among the nation’s worst cities for broadband internet connectivity,⁹ where internet access is largely correlated with socio-economic status and zip-code.¹⁰ In West Dallas’ zip code of 75212 where the GAF facility is located, nearly half of all households lack internet access, placing it in the bottom 5 of Dallas zip codes for connectivity.¹¹

² Texas Commission on Environmental Quality, *Resolution Concerning Public Participation*, April 22, 1996, (July 2, 2021, 11:15 AM), https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation/particip_res.html

³ “Open Meetings Act Handbook 2020,” Office of the Attorney General of Texas, 2020, https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/openmeetings_hb.pdf

⁴ TEX. GOV’T CODE § 551

⁵ See *City of Laredo v. Escamilla*, 219 S.W.3d 14, 19 (Tex. App.—San Antonio 2006, pet. denied); *Willmann v. City of San Antonio*, 123 S.W.3d 469, 473 (Tex. App.—San Antonio 2003, pet. denied); *Toyah Indep. Sch. Dist. v. Pecos-Barstow Indep. Sch. Dist.*, 466 S.W.2d 377, 380 (Tex. App.—San Antonio 1971, no writ)

⁶ Amaris E. Rodriguez, *Local governments move toward allowing public at meetings again* (June 7th, 2021), https://wacotrib.com/news/local/govt-and-politics/waco-local-governments-move-toward-allowing-public-at-meetings-again/article_e0a91fd0-c7e9-11eb-8620-0b945efe17ef.html

⁷ Texas Department of Transportation, *Virtual Public Meeting with In-Person Option – I-345 from I-30 to Woodall Rodgers Freeway (Spur 366)* (July 2nd, 2021, 11:00AM), <https://www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings/dallas/062221.html>

⁸ U.S. EPA, EJSCREEN Demographic Indicators, available at: <https://ejscreen.epa.gov>

⁹ Corbett Smith, “A third of Dallas families are without home internet, making online learning all the more difficult,” *The Dallas Morning News*, May 8, 2020, <https://www.dallasnews.com/news/public-health/2020/05/08/a-third-of-dallas-families-are-without-home-internet-making-online-learning-all-the-more-difficult/> be

¹⁰ Emily Donaldson, “Many Dallas families still don’t have reliable internet. Here are some possible solutions,” *The Dallas Morning News*, July 5, 2021, <https://www.dallasnews.com/news/education/2021/07/05/many-dallas-families-still-dont-have-reliable-internet-here-are-some-possible-solutions/> ; See also Emily A. Vogels, “Digital divide persists even as Americans with lower incomes make gains in tech adoption,” *Pew Research Center*, June 22, 2021, <https://www.pewresearch.org/fact-tank/2021/06/22/digital-divide-persists-even-as-americans-with-lower-incomes-make-gains-in-tech-adoption/>

¹¹ Brooklyn Cooper, “How hot spots are bridging southern Dallas’ digital divide during the coronavirus pandemic,” *The Dallas Morning News*, August 28, 2020, <https://www.dallasnews.com/news/public-health/2020/08/28/how-hot-spots-are-bridging-southern-dallas-digital-divide-during-the-coronavirus-pandemic/>

Given the severity of the “digital divide” in West Dallas, holding a public meeting exclusively online on a topic concerning this area would significantly restrict the community’s ability to engage in the public decision making process.

In order to ensure that the Title V permit renewal process meets both the open meeting standards of the State of Texas as well as the stated mission and philosophy of TCEQ itself, it is imperative that the hearing be held in a manner that is accessible to the affected community. An online meeting concerning an area where half of all households lack internet access is neither open nor does it allow for meaningful public participation. As such, in order to ensure the integrity of government decision making and the permitting process, we urge TCEQ to hold the Notice and Comment Hearing on Draft Federal Operating Permit No. O2771 in-person in the affected community.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Champion'.

Stephanie Champion, *Attorney*
Kevin Sheneberger, *Law Clerk*
David Joseph Deutch, *Law Clerk*

Legal Aid of NorthWest Texas
Community Revitalization Project
400 S. Zang Blvd., Ste. 1420
Dallas, TX 75208
(214) 243-2583
champions@lanwt.org

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, July 28, 2021 10:28 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: antonioargote1780@gmail.com <antonioargote1780@gmail.com>
Sent: Tuesday, July 27, 2021 8:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Deron Valjean Patterson

E-MAIL: antonioargote1780@gmail.com

COMPANY:

ADDRESS: 7619 APPLECROSS LN
DALLAS TX 75248-2317

PHONE: 4698493090

FAX:

COMMENTS: I have read about the enormous amount of pollution that this plant emits to the families surrounding this plant. At a minimum this permit should ONLY be granted if scrubbing equipment is installed to reduce the emissions of pollution. I live in North Dallas and we have no such plants like this near our neighborhoods. I would welcome this plant moving far outside the DFW metroplex.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 29, 2021 9:51 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: karenjacobs@sbcglobal.net <karenjacobs@sbcglobal.net>
Sent: Thursday, July 29, 2021 9:49 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTITY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Karen Owens Jacobs

E-MAIL: karenjacobs@sbcglobal.net

COMPANY:

ADDRESS: 1800 N FIELD ST APT 3510
DALLAS TX 75202-2778

PHONE: 9728858297

FAX:

COMMENTS: GAF Materials is asking for a 5 year renewal of their Title V Federal Operating Permit. This should be denied unless they add a sulfur dioxide scrubber. They are the largest polluter of sulfur dioxide in Dallas County. West Dallas neighborhoods have long suffered through excessive pollutants. It is time to stop this practice.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 29, 2021 9:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: TCEQ CEPAC Letter _ CM BLACKMON_ 7.28.2021.docx

From: Clifford.Sparks@dallascityhall.com <Clifford.Sparks@dallascityhall.com>
Sent: Wednesday, July 28, 2021 8:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: MRS Paula Blackmon

E-MAIL: Clifford.Sparks@Dallascityhall.com

COMPANY: City of Dallas

ADDRESS: 1500 MARILLA ST
DALLAS TX 75201-6318

PHONE: 4692229481

FAX:

COMMENTS: In addition to my comments please feel free to reference the City of Dallas' CECAP plan here:
<https://www.dallasclimateaction.com>



CITY OF DALLAS

July 28, 2021

Toby Baker
Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Baker:

I am writing on behalf of the City of Dallas to express our concerns with the operating permit renewal effort for the Building Materials Investment Corporation, at 2600 Singleton Blvd., Dallas, Texas 75212-3738. This is an asphalt shingle and coating materials manufacturing facility, locally known as the GAF facility, that has applied to the TCEQ for a renewal of federal operating Permit, No. O2771, Application No. 30975, to authorize operation of the Dallas plant.

Dallas is a leader in reducing emissions and addressing climate and environmental risk with effective, equitable, and common-sense solutions like the creation of our comprehensive environmental and climate action plan (CECAP) back in May. The CECAP is an innovative municipal policy framework meant to ensure a healthier and cleaner environment and allow Dallas to be a regional leader in addressing climate change.

My hope is that the Texas Commission of Environmental Quality will take an approach that is not only favorable to the citizens in the affected area but one that also considers the City of Dallas' Comprehensive Environmental and Climate Action Plan (CECAP). I've included a link to the CECAP for your review. Please don't hesitate to reach out to me personally should you have any questions.

Sincerely,

Paula C. Blackmon
Dallas City Council Member
Environment & Sustainability Committee Chair

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 29, 2021 9:54 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: I Oppose the Renewal of GAF's Federal Permit

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Thursday, July 29, 2021 9:29 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Subject: FW: I Oppose the Renewal of GAF's Federal Permit

From: Genaro Viniegra Jr <genaroviniegra@gmail.com>
Sent: Thursday, July 29, 2021 9:10 AM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov; jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov; Elba.GarciaDDS@dallascounty.org
Subject: I Oppose the Renewal of GAF's Federal Permit

RE: Federal Operating Permit Title V
Draft Permit #02771
Building Materials Investment Corporation/GAF
2600 Singleton Blvd. Dallas Tx 75212
RN100788959

Dear Chief Clerk, TCEQ Commissioners, EPA, City of Dallas, and Dallas County

I object to the issuance of a new federal operating permit for the GAF asphalt shingle factory located in West Dallas. This facility is too old, too polluting, and too much of a public health menace to remain operating in its current location.

GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility power station. It is the 4th largest source of industrial Particulate Matter pollution.

Over the past year independent air monitoring has shown **levels of Particulate Matter pollution in violation of the Clean Air Act, and far above the World Health Organization recommended level of concern**, making its operation an on-going threat to public health. EPA should place its own Particulate Matter monitors around GAF to capture these violations and force GAF to reduce its pollution.

Much of GAF's air pollution is "grandfathered," or exempt from modern controls, including scrubbers that could eliminate most of its Sulfur Dioxide pollution. This exemption is unacceptable in the middle of urban residential neighborhoods. EPA must require GAF to install the best, most protective pollution control technologies or shut it down.

It was recently learned that GAF doesn't have a Certificate of Occupancy or the correct zoning status to be operating

in the City of Dallas, and yet it continues to do so. A federal operating permit should consider whether a polluting factory is complying with all applicable state and local laws before granting its own permit. If GAF doesn't have the necessary permits, it shouldn't be operating.

GAF operates in a census tract with over 5000 people. An overwhelming majority are People of Color with a median income approximately one third of the Dallas average. **20% of the population is nine year of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution. At least three early childhood program or day care centers and six school campuses are near this factory. GAF's continued operation represents a major environmental health and justice insult to West Dallas residents.**

GAF's factory was originally located in West Dallas as part of an industrial corridor meant to steer undesirable industries to Black and Brown neighborhoods. It's now a dangerous and obsolete leftover from that racist past. It should not be allowed to obtain a new federal operating permit.

Sincerely,

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 29, 2021 1:33 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: ashelley@citizen.org <ashelley@citizen.org>
Sent: Thursday, July 29, 2021 12:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: MS Rita J Beving

E-MAIL: ashelley@citizen.org

COMPANY: Public Citizen

ADDRESS: 309 E 11TH ST Suite 2
AUSTIN TX 78701-2787

PHONE: 5124771155

FAX:

COMMENTS: Office of the Chief Clerk Texas Commission on Environmental Quality MC-105 P.O. Box 13087 Austin, TX 78711-3087 Electronic submission at: www14.tceq.texas.gov/epic/eComment/ Re: Public Comment on Draft Federal Operating Permit 2771: Building Materials Investment Corporation or GAF Materials Public Citizen appreciates the opportunity to provide these comments regarding the renewal of the federal Title V permit for the Building Materials Investment Corporation, more aptly known as GAF Materials. We would welcome the opportunity to discuss our

recommendations further. Please contact Adrian Shelley at ashelley@citizen.org, 512-477-1155. Public Citizen is requesting that the renewal of the federal Title V permit for GAF Materials be denied. We agree with comments received by the agency from Legal Aid of NorthWest Texas, the Texas Law Environmental Clinic and the Environmental Integrity Project, that as written, this permit: 1) Fails to include an adequate Statement of Basis. The current Statement of Basis within this permit does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring. Therefore, the Statement of Basis makes it impossible to verify the Basis of Determination due to the lack of information. Detailed information, rather than a computer-generated Basis of Determination section, is required to assure that one can determine that the permit meets Title V requirements. 2) Fails to include adequate information regarding GAF's Permit By Rule (PBR) emission sources in order to ensure compliance with all applicable requirements. The TCEQ allows for a Permit By Rule (PBR) to authorize the construction of new emission units or changes to units at an existing facility as long as it complies with the requirements in 30 Texas Administrative Code §106.4 and the PBR's requirements. The draft permit fails to identify any facilities subject to the incorporated PBRs as outlined in §§106.227, 106.263 and 106.454, therefore it is impossible for the public to determine how the PBR and standard exemptions apply to these emission units. Title V also requires that the source specific PBR emission limits and conditions necessary to ensure compliance be included within the permit. The draft permit fails to do so. Therefore, the lack of this information on individual units could cause GAF to exceed its overall permit limitations. The lack of this information also undermines the ability to enforce compliance to PBR emission limits. 3) Fails to specify monitoring, testing, reporting and recordkeeping conditions sufficient to assure compliance and otherwise fails to meet the requirements of the federal Clean Air Act. A Title V permit requires that monitoring, testing, reporting and recordkeeping information be included to ensure compliance with all applicable requirements. Emission limits, along with the rationale for monitoring, must be documented. GAF has used PBRs for four heaters, eight tanks, along with brazing, welding, and soldering equipment. Yet the PBR fails to establish any monitoring conditions or testing requirements to ensure compliance with its emission limits or operating requirements as outlined in PBR rule §106.4. Further, though the draft permit and TCEQ rules require GAF to maintain records documenting and demonstrating compliance, the draft federal permit is deficient as the TCEQ fails to specify the monitoring methods GAF is required to follow to ensure that compliance with all applicable PBR requirements are met. 4) Fails to meet the standard for TCEQ to ensure its administration of the Title V program, and does not create disparate impacts based on race, color, or national origin. According to EPA's EJ screening data for the area, the demographics of nearby residents who live within one mile of the GAF facility represent neighborhoods with more than 90% being people of color. More than 70% are of low income. Recent census data indicates that 60% of the residents are black and almost 30% are Hispanic. This West Dallas community is one of the most highly industrialized areas of Dallas. Historically, it is home to one of the largest superfund sites created by the RSR lead smelter and currently hosts twenty concrete batch plants. According to TCEQ's own Air Quality Contaminant Summary reports, GAF was the highest emitter of SO₂ in Dallas County, spewing more than 125 tons in 2019. GAF was the fourth highest emitter of PM_{2.5}, releasing more than 26.31 tons that same year. According to the Agency for Toxic Substances and Disease Registry, short term exposure to SO₂ is known to have harmful effects on the respiratory system making breathing difficult and exacerbating the symptoms of asthma, particularly in children. Long-term exposure to persistent levels of SO₂ has been linked to lasting and detrimental changes to lung function. High concentrations of SO₂ in the air also contributes to PM pollution, small particles which can penetrate the lungs and bloodstream, causing serious health problems. The facility is located within a half mile of two public schools, a daycare center, a public senior housing development, an assisted living center and several churches. A public library, park and a community center are also located within the affected area. More than 48 homes border the facility on either side of the plant's fence line with small businesses located nearby. GAF's harmful emissions will not only adversely affect these nearby minority residents who live in the affected area but also will impact all those who utilize these facilities and resources in the immediate neighborhood. Request for Denial of this Title V Renewal Permit The renewal of GAF Materials' federal permit renewal is subject to comply with not only the requirements of the Clean Air Act in its applicable statutes and regulations, but also comply with the Civil Rights Act of 1964 and the Department of Justice. Therefore, due to the deficiencies outlined above, we request that the renewal of this Title V permit be denied. Respectfully Submitted, Adrian Shelley Director, Public Citizen's Texas Office 512.477.1155 Rita Beving North Texas Representative 214.557.2271

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 29, 2021 1:32 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: caguldi03@gmail.com <caguldi03@gmail.com>
Sent: Thursday, July 29, 2021 11:43 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Christine A Guldi

E-MAIL: caguldi03@gmail.com

COMPANY: Dallas Sierra Club

ADDRESS: 7228 LA SOBRINA DR
DALLAS TX 75248-3048

PHONE: 9722395878

FAX:

COMMENTS: In 2019, just eighty days before a renewal application for permit 2771 was submitted, TCEQ investigated GAF and found that the company had twice failed to comply with the federal regulations that applied to its permit. Apparently TCEQ wrote this off at the time as an OOPSY by the company and ignored this history when reviewing permit 2771. The report on the non compliance was dated 7/29/2019. The report on the agency review was dated 10/9/2019. The deviations do not appear at all in the annual enforcement report that covers 2019. I did not comb through the entire

history of permit 2771, but I take this example as indicative of laxness by GAF and TCEQ. TCEQ has a pretty miserable history of helping North Texas comply with the federal clean air since 1991. GAF is acknowledged to be a significant emitter of SO₂ and particulates. Its NO_x emissions are ignored. The company apparently shows no interest in cleaning up its process by switching from natural gas to electricity in the future. Such a switch would eliminate most of the onsite pollution it currently spews over the adjoining residential neighborhoods. TCEQ enables GAF to ignore the extent to which it is contributing to the sickness and deaths of its neighbors. GAF does not deserve a permit renewal when it demonstrates no concern for its neighbors.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 29, 2021 1:30 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: 210729 - GAF Facility Comment Letter.pdf

From: omar.narvaez@dallascityhall.com <omar.narvaez@dallascityhall.com>
Sent: Thursday, July 29, 2021 1:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: THE HONORABLE Omar Narvaez

E-MAIL: omar.narvaez@dallascityhall.com

COMPANY: City of Dallas

ADDRESS: 1500 MARILLA ST #5FS
DALLAS TX 75201-6318

PHONE: 2146704199

FAX:

COMMENTS: Please find attached comments from Council Member Omar Narvaez, City of Dallas District 6



July 29, 2021

Office of the Chief Clerk, MC 105
TCEQ
PO Box 13087
Austin, TX 78711-3087
FAX: 512-239-3311

RE: Draft Permit No.: 02771
Building Materials Investment Corporation
2600 Singleton Blvd., Dallas, TX 75212-3738

The above referenced Asphalt Shingle and Coating Materials Manufacturing facility, locally known as the GAF facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (Draft Permit No. 02771, Application No. 30975). This draft permit raises concerns on local air quality, plant controls to best control air pollution, and most critically, this plant is operating in an area with significant ongoing environmental justice concerns.

I understand the main purpose of a federal operating permit and the state's permitting process is to improve overall compliance with the rules governing air pollution control. The DFW Air Quality region has been deemed to be in "severe non-attainment" for ground level ozone. DFW was unable to meet compliance deadlines for ground level ozone by 2020, which resulted in the change in status that will likely result in a revised, more stringent State Implementation Plan, which we would anticipate would apply to most air quality constituents. In 2020, Dallas-Fort Worth was ranked 17th in the "American Lung Association's 25 Most Ozone-Polluted Cities." Pediatric asthma is the leading cause of absenteeism, with about 30 percent of schools exceeding 28 percent asthma-related absenteeism rates.

The draft permit raises questions regarding the existing air quality and emissions from this facility. The 2019 emissions release data for this facility indicate this site had the highest emissions of sulfur dioxide (SO₂) in Dallas – and these emissions are near what the TCEQ terms "sensitive receptors" such as multiple homes, schools, daycare, churches, libraries, community centers, parks and other similar gathering places that are all located less than a mile from the site.

The draft permit does not appear to make improvement in the permit requirements, nor many of the plants' controls and procedures that have been grandfathered into this renewal. Upgrades should include the current best available pollution control technologies, performing modelling of the emissions, and looking at a detailed breakdown of the constituents coming out of the stacks.

Our offices receive complaints about odor and potential pollution from this site and our residents have expressed strong concerns about the odors and pollution that may impact community health.

This facility GAF manufactures asphalt and fiberglass shingles whose process has been documented to be harmful to human health such as:

- Limestone (ACGIH 3mg/m³)
- Oxidized Asphalt (ACGIH 0.5 mg/m³)
- Crystalline Silica (ACGIH 0.025 mg/m³)
- Fiberglass Mat (fibers) (ACGIH 1 fiber per cubic centimeter)
- Titanium Dioxide (10 mg/m³)

Note: ACGIH is American Conference of Industrial Hygienists. They have established Threshold Limit Values (TLV) and Biological Exposure Indices (BEI) that can be used to determine safe exposure levels

The current Title V permit nor the current draft permit application include an estimated breakdown of these Hazardous Air Pollutants (HAPs) nor is there any effort to set emission limits for these materials. These are serious concerns. There are residences directly across the street from the facility, and there is a day care center just a few hundred feet away.

Since 1990, when the Federal Operating Permit regulations were originally created as Title V of the Clean Air Act, the science of air pollution has grown and the impact of many of these hazardous materials on nearby sensitive receptors was not fully known. The science and research into human health has greatly outpaced the ability of rule makers to keep up over the past 30 years. We need to bring this permit into the current state of the science.

There are tools and techniques available to TCEQ and GAF that can be used to help address these issues. Atmospheric modeling techniques are commonly used in major New Source Review-type processes to estimate the impact of pollutants on communities and areas near the emission source. There is a record of Nitrogen Dioxide modeling for the facility, but no record of particulate matter or Sulfur Dioxide modeling. A simple modeling analysis of Sulfur dioxide, particulate matter, and hazardous air pollutant emissions from the facility would provide clarity on how GAF emissions relate to public health impacts.

Many industries use continuous air monitors on large sources of emissions to document compliance and identify emission surges or equipment malfunctions. Despite large emissions of particulate matter and sulfur dioxide, there is no record this facility is using this technology. Particulate compliance within the permit is based on visual opacity of the air by a trained observer. Water vapor in particular can make visual opacity difficult and less accurate. Particulates in asphalt shingle manufacturing may include crystalline silica, condensed vapors from asphalt, fiberglass fibers, and other hazardous materials, it suggested that the facility install opacity monitors to determine the opacity more accurately, and subsequent regulatory compliance. There are also compliance stack monitors available for sulfur dioxide.

Another important consideration is the concept of Environmental Justice (EJ). The EPA defines EJ as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or

income with respect to the development, implementation and enforcement of environmental laws, regulations and policies (<https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>).” The EPA also includes in EJ that no group or community should bear a disproportionate share of environmental burden from industrial, government, or commercial operations. The EPA states that:

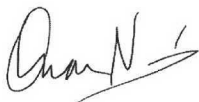
- People should have an opportunity to participate in decisions about activities that may affect their environment and/or health;
- The public's contribution can influence the regulatory agency's decision;
- Community concerns will be considered in the decision-making process; and
- Decision makers will seek out and facilitate the involvement of those potentially affected.

As you know, this part of Dallas has a long history related to Environmental justice concerns: The West Dallas neighborhood where GAF is operating is a 90% minority neighborhood with low income. Many residents are foreign born and English may not be their primary language. This neighborhood has a history of disproportionate impacts from the air pollution of industrial facilities. This is highlighted by the long battle with Revere Smelting and Refining (RSR) a secondary lead smelter that was located nearby that operated for nearly 50 years in the neighborhood. RSR ceased operations in 1984, but clean-up issues took many years.

It is the TCEQ's responsibility to ensure that the EPA's environmental justice mandate is carried out in this Title V application. Therefore, the TCEQ and GAF should consider the impact of Hazardous Air Pollutants and the health impacts of other associated priority pollutants such as Particulate matter, Nitrogen dioxide, Carbon Monoxide and sulfur dioxide PM₁₀, PM 2.5, NO₂, CO, and SO₂ on the community around the GAF facility beyond the general scope set in 30 TAC.

The facility should provide sufficient modelling to show that there are no impacts to adjacent sensitive receptors, and at a minimum to add the stack monitoring, and scrubbers to the thermal stack with high sulfur dioxide emissions. This facility is in my lifelong neighborhood and should take all reasonably available measures to protect the neighborhoods, local businesses, churches, parks, and residents.

Sincerely,



Omar Narvaez

City of Dallas, Council District 6

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:57 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: reyespdsm@gmail.com <reyespdsm@gmail.com>
Sent: Thursday, July 29, 2021 9:42 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Raul Reyes

E-MAIL: reyespdsm@gmail.com

COMPANY:

ADDRESS: 3455 BORGER ST
DALLAS TX 75212-2724

PHONE: 4698803811

FAX:

COMMENTS: My name is Raul Reyes, I reside at 3455 Borger St. in West Dallas, Dallas County. I am current President of West Dallas1, but most important I am father of 3 children and have lived in west Dallas all 47 years of my life and in the last 26 years I have raised a family and worked in West Dallas. I am here to speak against the renewal or issuance of Draft Permit No. O2771 been requested by Building Materials Investment Corporation or GAF Materials locally called. I oppose such permit because the permit is deficient in proving it protects the health of people and the environment. The

permit doesn't tell us, the community or the employees of GAF what specific emissions they're breathing in, although we know it uses many things hazardous to human health in its process. Also, this plant is no longer a compatible business to a growing and getting denser residential community. GAF has been operating in west Dallas for decades and since I have been situationally aware of my community, it has made its presence known by the noise and smell which emanates at all hours of the day from the plant on 2600 Singleton Blvd. I attended high school at L. G. Pinkston in the 1990's and practice sports, football in the fall and baseball in the spring, we were always reminded of the facility because on hot and humid days of practice you could choke on the harsh sulfur smell, it was difficult to breathe on humid days after yo-yos sprints up and down the field. Our public library is situated across the street from the facility and as a teenager I visited the library and as an adult I took my children to visit the library and use the internet and watch movies and, in both instances, 20 years apart, the plant was nuisance with its loud buzzing noise and horrible egg smell, this whole time the plant has been noise polluting and polluting our air. This pandemic has made me and many of my neighbors aware that what we breathe in can make us sick, in this case this facility produces particulate matter and Sulphur Dioxide which is PM2.5 and PM10 in size and both are harmful and can lead to respiratory illnesses or cancer after many years of exposure. At a community meeting we were informed GAF emits 260 tons of pollution per year and is the largest polluter in the area. Prove me wrong that decades of emitting that much pollution into the air you can rule out with confidence it hasn't cause some of my neighbors to be ill or have some pulmonary disease or complication. Lets start with their own employees who literally are covered every day with what it releases into the air, we have homes who share a fence line and have to breathe in what it emits in higher concentration than rest of us who reside farther from the plant. I am homeowner and have no intentions of leaving West Dallas, I have attended school, I work in the community, I have raised my family, I shop at the shopping center that is literally counter cornered to this large plant site, I at times attend service at the church across the street, I travel up and down Singleton Blvd because it's the major traffic artery east to west through West Dallas, so there is not time that I am not breathing the emissions of the GAF plant. What worries me is that this facility will continue to emit tons of pollution into the air and like I did when I was a teen I go home after practice tell my mother and complaint of the nasty egg odor, my son too came home and complaint to me of the foul odor, my question to this panel is how many generations will have to continue to be victim of this abuse or to the indifference of a money-making industry. My neighbors and I refuse to accept to live in these conditions, today and in our future, I ask TCEQ to not renew this permit and GAF be a good corporate neighbor and work with the community in an amortization plan, find a home elsewhere, because GAF is no longer welcomed next to ours. Thank you for you time.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:57 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: janie.cisneros@gmail.com <janie.cisneros@gmail.com>
Sent: Thursday, July 29, 2021 9:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Janie Cisneros

E-MAIL: janie.cisneros@gmail.com

COMPANY:

ADDRESS: 2821 BEDFORD ST
DALLAS TX 75212-4906

PHONE: 2147080990

FAX:

COMMENTS: Follow up to my previous comments: the GAF renewal permit was not publicly available. I went to the West Dallas Branch Public Library and it was not present. The staff also searched and did not find it. I was not able to find it online either. This does not give the public the opportunity to understand exactly what is included in that permit request. I think its great that one can access offline at a local library however it needs to be there. Consider an online option as well.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:55 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: Letter- Comment to TCEQ on GAF Materials Permit- 072921.docx

From: elba.garciadds@dallascounty.org <elba.garciadds@dallascounty.org>
Sent: Thursday, July 29, 2021 5:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: DR. Elba Garcia

E-MAIL: elba.garciadds@dallascounty.org

COMPANY: Dallas County (Commissioner)

ADDRESS: 411 ELM ST Second Floor
DALLAS TX 75202-3301

PHONE: 2146536670

FAX:

COMMENTS: July 29, 2021 Office of the Chief Clerk Texas Commission on Environmental Quality MC-105 P.O. Box 13087 Austin, TX 78711-3087 Electronic submission at: www14.tceq.texas.gov/epic/eComment/ Re: Public Comment on Draft Federal Operating Permit 2771: Building Materials Investment Corporation or GAF Materials Dear TCEQ Staff, Our office has been made aware of the application for the renewal of a federal Title V permit for the Building Materials Investment

Corporation, more commonly known as GAF Materials. It is our understanding that this federal permit is for a five-year renewal. We have affected residents within our district who live directly across the street from this facility who currently are and would be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation in the future. We are requesting that the renewal of the federal Title V permit for GAF Materials be denied for the following reasons:

Lack of Required Information Makes the Permit Deficient:

- The current "Statement of Basis" within this permit does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring.
- Administrative rules within the TCEQ provide for the authorization of new emission units to be constructed or more units to be added at an existing facility without a full review of the overall permit. However, the draft permit fails to detail many of the plant's individual units and their emission limits to develop a complete picture of the plant's overall emission limits.
- Though the draft permit and TCEQ rules require GAF to maintain records documenting and demonstrating compliance, the draft federal permit is deficient as the TCEQ fails to specify the monitoring methods the plant is required to follow to assure that all units are compliant.
- A Title V permit requires that ongoing monitoring, testing, reporting and recordkeeping information be included to assure compliance with all applicable requirements. Emission limits along with the rationale for monitoring must be documented. There is not sufficient data regarding any of these tasks for various units.
- Lack of complete information regarding emission limits on individual units at the plant could cause GAF to exceed its overall permit limitations. Due to the lack of information, this lack of transparency would hinder the ability to enforce adherence to those emission limits by the agency or other political subdivisions.

GAF is a Major Pollution Source with Little Accountability:

- The emissions from this facility are significant, and the TCEQ and GAF should consider the impact of the Hazardous Air Pollutants and Criteria Pollutants on the health of the community around GAF.
- Especially concerning are the 125 tons per year of sulfur dioxide (SO₂), which makes this facility the highest emitting sulfur dioxide facility in all of Dallas County (2019 emissions data). Despite this, the facility lacks Best Available Control Technology like a scrubber, which would have a beneficial impact on the health of the community.
- Although it is known that GAF emits Hazardous Air Pollutants (HAPs), GAF's permit does not break down which Hazardous Air Pollutants it emits in its permit, nor does it set emissions limits for them. This is a serious concern, because there are residential properties on three sides of the facility.
- There is also a concern with the threat these emissions pose to the employees at the facility, since we know that the asphalt shingle process produces numerous pollutants hazardous to human health. The information provided in the permit makes it impossible for employees to know their risk in prolonged exposure. These risks are documented by NIOSH and OSHA.
- It is also inadequate that GAF relies on visual, human observation for opacity testing to detect upsets and to document compliance. Large sources of emissions should utilize continuous air monitors to ensure accurate monitoring of particulates, crystalline silica, asphalt vapors, fiberglass fibers and other hazardous particulates.
- A simple modeling analysis of sulfur dioxide, particulate matter, and hazardous air pollutant emissions from the facility would greatly increase confidence that GAF was operating in a manner consistent with the protection of public health.

Environmental Justice Considerations are Mandated for this Permit:

- West Dallas is a vibrant, culturally rich community of color, that is thriving with new growth of residential developments and businesses. But the life-long residents are still dealing with noxious odors, poor air quality and noises from directly adjacent industrial facilities unseen in other parts of the city.
- According to EPA's EJ screening data for the area, the demographics of nearby residents that live within one mile of the GAF facility represent neighborhoods with more than 90% being people of color. More than 70% are of low income. Recent census data indicates that 60% of the residents are black and almost 30% are Hispanic.
- West Dallas has a well known history of disproportionate impacts from industrial facilities and is one of the most highly industrialized parts of the city. The community battled the Revere Smelting and Refining (RSR) lead smelter and the Portland cement manufacturing facility and still contends with the impacts of twenty different concrete batch plants in the immediate area.
- The TCEQ must act to ensure that the EPA's Environmental Justice mandate is carried out in this Title V application. No group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial operations or policies.
- Because GAF Materials is located directly adjacent to residential properties, a daycare, a middle school, a public library, a community center and affordable housing developments, this permit must be denied until it can demonstrate that it considers the protection of public health and the environment.

Therefore, due to the reasons outlined above, I request that this permit be denied and remanded back to the applicant as it is incomplete and not protective of public health and safety. Sincerely, Dr. Elba Garcia Dallas County Commissioner District 4



DR. ELBA GARCIA
DALLAS COUNTY COMMISSIONER
DISTRICT 4

July 29, 2021

Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087
Electronic submission at: www14.tceq.texas.gov/epic/eComment/

**Re: Public Comment on Draft Federal Operating Permit 2771: Building Materials Investment Corporation
or GAF Materials**

Dear TCEQ Staff,

Our office has been made aware of the application for the renewal of a federal Title V permit for the Building Materials Investment Corporation, more commonly known as GAF Materials.

It is our understanding that this federal permit is for a five-year renewal. We have affected residents within our district who live directly across the street from this facility who currently are and would be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation in the future.

We are requesting that the renewal of the federal Title V permit for GAF Materials be denied for the following reasons:

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- Because GAF Materials is located directly adjacent to residential properties, a daycare, a middle school, a public library, a community center and affordable housing developments, this permit must be denied until it can demonstrate that it considers the protection of public health and the environment.

Therefore, due to the reasons outlined above, I request that this permit be denied and remanded back to the applicant as it is incomplete and not protective of public health and safety.

Sincerely,



Dr. Elba Garcia
Dallas County Commissioner
District 4

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:54 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: Letter- Comment to TCEQ on GAF Materials Permit- 072921.docx

From: elba.garciadds@dallascounty.org <elba.garciadds@dallascounty.org>
Sent: Thursday, July 29, 2021 6:42 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: DR. Elba Garcia

E-MAIL: elba.garciadds@dallascounty.org

COMPANY: Dallas County (Commissioner)

ADDRESS: 411 ELM ST Second Floor
DALLAS TX 75202-3301

PHONE: 2146536670

FAX:

COMMENTS: July 29, 2021 Office of the Chief Clerk Texas Commission on Environmental Quality MC-105 P.O. Box 13087 Austin, TX 78711-3087 Electronic submission at: www14.tceq.texas.gov/epic/eComment/ Re: Public Comment on Draft Federal Operating Permit 2771: Building Materials Investment Corporation or GAF Materials Dear TCEQ Staff, Our office has been made aware of the application for the renewal of a federal Title V permit for the Building Materials Investment

Corporation, more commonly known as GAF Materials. It is our understanding that this federal permit is for a five-year renewal. We have affected residents within our district who live directly across the street from this facility who currently are and would be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation in the future. We are requesting that the renewal of the federal Title V permit for GAF Materials be denied for the following reasons:

Lack of Required Information Makes the Permit Deficient:

- The current "Statement of Basis" within this permit does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring.
- Administrative rules within the TCEQ provide for the authorization of new emission units to be constructed or more units to be added at an existing facility without a full review of the overall permit. However, the draft permit fails to detail many of the plant's individual units and their emission limits to develop a complete picture of the plant's overall emission limits.
- Though the draft permit and TCEQ rules require GAF to maintain records documenting and demonstrating compliance, the draft federal permit is deficient as the TCEQ fails to specify the monitoring methods the plant is required to follow to assure that all units are compliant.
- A Title V permit requires that ongoing monitoring, testing, reporting and recordkeeping information be included to assure compliance with all applicable requirements. Emission limits along with the rationale for monitoring must be documented. There is not sufficient data regarding any of these tasks for various units.
- Lack of complete information regarding emission limits on individual units at the plant could cause GAF to exceed its overall permit limitations. Due to the lack of information, this lack of transparency would hinder the ability to enforce adherence to those emission limits by the agency or other political subdivisions. GAF is a Major Pollution Source with Little Accountability:
- The emissions from this facility are significant, and the TCEQ and GAF should consider the impact of the Hazardous Air Pollutants and Criteria Pollutants on the health of the community around GAF.
- Especially concerning are the 125 tons per year of sulfur dioxide (SO₂), which makes this facility the highest emitting sulfur dioxide facility in all of Dallas County (2019 emissions data). Despite this, the facility lacks Best Available Control Technology like a scrubber, which would have a beneficial impact on the health of the community.
- Although it is known that GAF emits Hazardous Air Pollutants (HAPs), GAF's permit does not break down which Hazardous Air Pollutants it emits in its permit, nor does it set emissions limits for them. This is a serious concern, because there are residential properties on three sides of the facility.
- There is also a concern with the threat these emissions pose to the employees at the facility, since we know that the asphalt shingle process produces numerous pollutants hazardous to human health. The information provided in the permit makes it impossible for employees to know their risk in prolonged exposure. These risks are documented by NIOSH and OSHA.
- It is also inadequate that GAF relies on visual, human observation for opacity testing to detect upsets and to document compliance. Large sources of emissions should utilize continuous air monitors to ensure accurate monitoring of particulates, crystalline silica, asphalt vapors, fiberglass fibers and other hazardous particulates.
- A simple modeling analysis of sulfur dioxide, particulate matter, and hazardous air pollutant emissions from the facility would greatly increase confidence that GAF was operating in a manner consistent with the protection of public health.

Environmental Justice Considerations are Mandated for this Permit:

- West Dallas is a vibrant, culturally rich community of color, that is thriving with new growth of residential developments and businesses. But the life-long residents are still dealing with noxious odors, poor air quality and noises from directly adjacent industrial facilities unseen in other parts of the city.
- According to EPA's EJ screening data for the area, the demographics of nearby residents that live within one mile of the GAF facility represent neighborhoods with more than 90% being people of color. More than 70% are of low income. Recent census data indicates that 60% of the residents are black and almost 30% are Hispanic.
- West Dallas has a well known history of disproportionate impacts from industrial facilities and is one of the most highly industrialized parts of the city. The community battled the Revere Smelting and Refining (RSR) lead smelter and the Portland cement manufacturing facility and still contends with the impacts of twenty different concrete batch plants in the immediate area.
- The TCEQ must act to ensure that the EPA's Environmental Justice mandate is carried out in this Title V application. No group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial operations or policies.
- Because GAF Materials is located directly adjacent to residential properties, a daycare, a middle school, a public library, a community center and affordable housing developments, this permit must be denied until it can demonstrate that it considers the protection of public health and the environment.

Therefore, due to the reasons outlined above, I request that this permit be denied and remanded back to the applicant as it is incomplete and not protective of public health and safety. Sincerely, Dr. Elba Garcia Dallas County Commissioner District 4



DR. ELBA GARCIA
DALLAS COUNTY COMMISSIONER
DISTRICT 4

July 29, 2021

Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087
Electronic submission at: www14.tceq.texas.gov/epic/eComment/

**Re: Public Comment on Draft Federal Operating Permit 2771: Building Materials Investment Corporation
or GAF Materials**

Dear TCEQ Staff,

Our office has been made aware of the application for the renewal of a federal Title V permit for the Building Materials Investment Corporation, more commonly known as GAF Materials.

It is our understanding that this federal permit is for a five-year renewal. We have affected residents within our district who live directly across the street from this facility who currently are and would be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation in the future.

We are requesting that the renewal of the federal Title V permit for GAF Materials be denied for the following reasons:

Lack of Required Information Makes the Permit Deficient:

- The current "Statement of Basis" within this permit does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring.
- Administrative rules within the TCEQ provide for the authorization of new emission units to be constructed or more units to be added at an existing facility without a full review of the overall permit. However, the draft permit fails to detail many of the plant's individual units and their emission limits to develop a complete picture of the plant's overall emission limits.
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- A Title V permit requires that ongoing monitoring, testing, reporting and recordkeeping information be included to assure compliance with all applicable requirements. Emission limits along with the rationale for monitoring must be documented. There is not sufficient data regarding any of these tasks for various units.
- Lack of complete information regarding emission limits on individual units at the plant could cause GAF to exceed its overall permit limitations. Due to the lack of information, this lack of transparency would hinder the ability to enforce adherence to those emission limits by the agency or other political subdivisions.

GAF is a Major Pollution Source with Little Accountability:

- The emissions from this facility are significant, and the TCEQ and GAF should consider the impact of the Hazardous Air Pollutants and Criteria Pollutants on the health of the community around GAF.
- Especially concerning are the 125 tons per year of sulfur dioxide (SO₂), which makes this facility the highest emitting sulfur dioxide facility in all of Dallas County (2019 emissions data). Despite this, the facility lacks Best Available Control Technology like a scrubber, which would have a beneficial impact on the health of the community.
- Although it is known that GAF emits Hazardous Air Pollutants (HAPs), GAF's permit does not break down which Hazardous Air Pollutants it emits in its permit, nor does it set emissions limits for them. This is a serious concern, because there are residential properties on three sides of the facility.
- There is also a concern with the threat these emissions pose to the employees at the facility, since we know that the asphalt shingle process produces numerous pollutants hazardous to human health. The information provided in the permit makes it impossible for employees to know their risk in prolonged exposure. These risks are documented by NIOSH and OSHA.
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- A simple modeling analysis of sulfur dioxide, particulate matter, and hazardous air pollutant emissions from the facility would greatly increase confidence that GAF was operating in a manner consistent with the protection of public health.

Environmental Justice Considerations are Mandated for this Permit:

- West Dallas is a vibrant, culturally rich community of color, that is thriving with new growth of residential developments and businesses. But the life-long residents are still dealing with noxious odors, poor air quality and noises from directly adjacent industrial facilities unseen in other parts of the city.
- According to EPA's EJ screening data for the area, the demographics of nearby residents that live within one mile of the GAF facility represent neighborhoods with more than 90% being people of color. More than 70% are of low income. Recent census data indicates that 60% of the residents are black and almost 30% are Hispanic.
- West Dallas has a well known history of disproportionate impacts from industrial facilities and is one of the most highly industrialized parts of the city. The community battled the Revere Smelting and Refining (RSR) lead smelter and the Portland cement manufacturing facility and still contends with the impacts of twenty different concrete batch plants in the immediate area.
- The TCEQ must act to ensure that the EPA's Environmental Justice mandate is carried out in this Title V application. No group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial operations or policies.
- Because GAF Materials is located directly adjacent to residential properties, a daycare, a middle school, a public library, a community center and affordable housing developments, this permit must be denied until it can demonstrate that it considers the protection of public health and the environment.

Therefore, due to the reasons outlined above, I request that this permit be denied and remanded back to the applicant as it is incomplete and not protective of public health and safety.

Sincerely,



Dr. Elba Garcia
Dallas County Commissioner
District 4

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: texana_flora@yahoo.com <texana_flora@yahoo.com>
Sent: Thursday, July 29, 2021 7:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Julie Ryan

E-MAIL: texana_flora@yahoo.com

COMPANY:

ADDRESS: 5801 PRESTON OAKS RD
DALLAS TX 75254-8780

PHONE: 4692432422

FAX:

COMMENTS: Dear TCEQ Representatives, I am writing to urge your DENIAL of Permit 2771, being heard now regarding a 5-year renewal for GAF Materials, located at 2600 Singleton Boulevard, Dallas, TX. This asphalt shingle manufacturer has operated in West Dallas for more than 40 years. GAF is located directly adjacent to single-family homes, a daycare, a church, the Dallas West Branch Library and the West Dallas Multipurpose Center. Just 400 feet away is a low-income housing managed by the Dallas Housing Authority. Thomas A. Edison Middle Learning Center, once abandoned after the

relocation of the Argos concrete plant next door, is fewer than 700 feet from GAF's facility-- now occupied by students from Thomas Jefferson High School who were displaced by a tornado in 2019. GAF emits more than 260 tons per year of harmful pollutants including sulfur dioxide, PM 2.5, PM 10, carbon dioxide, nitrogen oxide and volatile organic compounds into the neighborhood. They are the largest source of sulfur dioxide emissions in all of Dallas County, according to the 2019 Annual Emissions Inventory, and the 4th largest source of industrial emissions in the entire county. GAF, categorized as a major source of sulfur dioxide emissions, has not installed a scrubber, technology that could eliminate up to 99% of the pollutant. West Dallas 1, a community coalition of neighborhood associations in the 75215 ZIP code, submitted comments on behalf of the community, who believe that numerous deficiencies in GAF's permit must be addressed before the authorization could be renewed. West Dallas1 began air-quality monitoring in the area in 2019. After reviewing the data, they believe that further investigation and monitoring must be done to ensure compliance with all applicable permit and Clean Air Act provisions, before any permit renewal be granted. GAF is only one of many industrial polluters in West Dallas that cumulatively affect residents' quality of life. These emissions affect not only West Dallas neighborhoods, but contribute to the overall poor air quality in the Dallas-Fort Worth area that makes it non-compliant with the Clean Air Act. These pollutants contribute to respiratory health problems as well as other pulmonary cardiac diseases including stroke and chronic heart disease. Several studies also have shown that young people's immune systems, reproductive systems and developmental functions can be harmed, leading to poor quality of life and a higher risk of premature death. Thank you, Julie Ryan

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: alberto.m.bravo@gmail.com <alberto.m.bravo@gmail.com>
Sent: Thursday, July 29, 2021 8:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Alberto Bravo

E-MAIL: alberto.m.bravo@gmail.com

COMPANY:

ADDRESS: 2821 BEDFORD ST
DALLAS TX 75212-4906

PHONE: 3122035166

FAX:

COMMENTS: Please describe current staffing level of the inspectors available to monitor GAF operations and whether the community can expect a certain level of self initiated inspections or do non-scheduled inspections only result from formal complaints that are outlined by TCEQ guidance.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:52 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: janie.cisneros@gmail.com <janie.cisneros@gmail.com>
Sent: Thursday, July 29, 2021 8:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Janie Cisneros

E-MAIL: janie.cisneros@gmail.com

COMPANY:

ADDRESS: 2821 BEDFORD ST
DALLAS TX 75212-4906

PHONE: 2147080990

FAX:

COMMENTS: Please honor human lives. Deny this permit. I have a Purple Air Monitor and I live feet from GAF. The monitor captured that the particulate matter 2.5 (PM 2.5) pollution in my neighborhood is high. In both 2020 and so far in 2021, the level of PM 2.5 pollution exceeded the EPA's annual standard. There were also a number of days when the 24-hour average exceeded the World Health Organization's (WHO) 24-hour standard. This is unacceptable. It baffles me that GAF is not required to upgrade its technology and implement scrubbers. Why? West Dallas is a historically

underserved low income community. My community already endures enough given this fact. I urge you to really consider the impact of approving this permit. Put human lives first. Deny this permit.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: ericasolis@gmail.com <ericasolis@gmail.com>
Sent: Thursday, July 29, 2021 6:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: DR. Erica Solis

E-MAIL: ericasolis@gmail.com

COMPANY:

ADDRESS: 2322 KENESAW DR
DALLAS TX 75212-5629

PHONE: 2145873834

FAX:

COMMENTS: I'm a 4th generation West Dallas resident and I currently live about 3 miles from GAF. I'm a Pediatrician and I'm concerned because the smell of rotten eggs and burnt rubber that comes from GAF is not just a nuisance but also has a negative impact on children's health. The harmful consequences of air pollution on the respiratory system has been recognized for decades in the medical community and it's the TCEQ's responsibility to ensure compliance of the EPA's environmental justice mandate in West Dallas. Breathing is fundamental to life. Adults breathe about 20,000 times

a day. Children and infants have a higher breathing rate, with children breathing more than 30,000 times a day and infants breathing the fastest, more than 40,000 times in one day! This makes infants and children uniquely sensitive because they receive higher doses of air pollution when their bodies are rapidly growing and developing. Children with chronic diseases such as asthma are particularly susceptible to air pollution. This leads to asthma exacerbations with symptoms of wheezing, decreased lung function, use of rescue inhalers, visits to their Pediatrician, and if severe going to the ER or being hospitalized. Asthma exacerbations have an economic impact with parents missing work, and an educational impact with asthma being the leading cause of absenteeism. Additionally, studies have linked air pollution to other pediatric health outcomes, such as low infant birth weight, premature births, development of asthma, pediatric cancer, abnormal lung development, and neurodevelopment disorders. Air pollution is an environmental injustice in West Dallas. If GAF is allowed to continue to operate next to our public library, schools, daycares, and homes, TCEQ needs to update their permit. First, the community has the right to know exactly what is being emitted from GAF. So, GAF should be required to use continuous air monitors instead of visual monitoring and a TCEQ monitor should be installed near the site instead of relying on a regional monitor. Also, the title V permit should include hazardous air pollutants that are associated with shingle manufacturing, which are currently not included, such as oxidized asphalt, crystalline silica, and fiberglass, all of which have been shown to be harmful to human health. Lastly, GAF should be required to use current best available pollution control technologies, such as a sulfur dioxide scrubber. I am asking the TCEQ to hold industrial emissions from GAF accountable with up to date, science based regulation and effective enforcement so that everyone in our community, especially the vulnerable children, can breathe clean air.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: KIRKMILLER@juno.com <KIRKMILLER@juno.com>
Sent: Thursday, July 29, 2021 6:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: MR KIRK MILLER

E-MAIL: KIRKMILLER@JUNO.COM

COMPANY:

ADDRESS: 517 CAP ROCK DR
RICHARDSON TX 75080-2307

PHONE: 9726991687

FAX:

COMMENTS: I urge the TCEQ to deny GAF's permit for several reasons • It is a major contributor to air pollution. • It is detrimental to human health. • It poses a threat to neighboring residences, schools, churches, and other sensitive facilities. Some people in my family suffer from chronic breathing problems. Breathing emissions from the GAF plant would make those people's conditions worse. And the plant's emissions make the overall air quality worse for the entire community. Dallas has very poor air quality and has been in violation of the Clean Air Act for 20 years. GAF contributes

to this problem by releasing myriad pollutants: sulphur dioxide, particulate matter, nitrogen oxides, volatile organic compounds, crystalline silica, and others. The TCEQ's name includes the words Environmental Quality. Our environmental quality would be degraded by approving GAF's permit. Therefore, please deny the permit.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771
Attachments: 2021 - LCadena Comments.pdf

From: Lauraacadena@gmail.com <Lauraacadena@gmail.com>
Sent: Thursday, July 29, 2021 2:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: MISS Laura Cadena

E-MAIL: Lauraacadena@gmail.com

COMPANY:

ADDRESS: 6815 AMERICAN WAY
DALLAS TX 75237-2409

PHONE: 2146163058

FAX:

COMMENTS: Please find attached comments from Laura A. Cadena regarding Draft Permit No. 02771

July 29, 2021

Office of the Chief Clerk, MC 105
TCEQ
PO Box 13087
Austin, TX 78711-3087
FAX: 512-239-3311

RE: Draft Permit No.: 02771
Building Materials Investment Corporation
2600 Singleton Blvd., Dallas, TX 75212-3738

The above referenced Asphalt Shingle and Coating Materials Manufacturing facility, known as GAF facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (Draft Permit No. 02771, Application No. 30975). This draft permit raises concerns on local air quality, plant controls to best control air pollution, and most critically, this plant is operating in an area close to vulnerable populations.

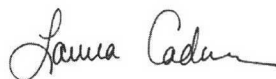
Many of my friends and family live in the West Dallas area. I own property approximately 3 miles from the GAF facility and my father owns property approximately 1.5 miles from the facility. I drive through the neighborhood on a regular basis and have smelled the emissions coming from this plant on several occasions. It is an awful smell that I would not wish anyone experience. In addition, I have witnessed the long line of trucks idling outside of the plant trying to enter the GAF facility. This area of West Dallas has dealt with a long history of environmental racism. My mother and father who both grew up in the area, have told me stories of the RSR Lead Smelter plant and how community members were given battery parts to use as fill dirt on their property. The plants was closed in 1984 but I still remember driving by the facility as a child and seeing the plume of smoke emitted from the RSR smelter facility.

While I understand that this plant has been in the area for a long time, if the permit is extended the plant should be required to meet todays operating standard. Ideally this type of plant located next to residential areas and schools should no longer be permitted. But if it is allowed, it should meet and exceed safety stands for vulnerable populations living in the area.

The 2019 emissions release data for this facility indicate this site had the highest emissions of sulfur dioxide (SO₂) in Dallas – and these emissions are near what the TCEQ terms “sensitive receptors” such as multiple homes, schools, daycare, churches, libraries, community centers, parks and other similar gathering places that are all located less than a mile from the site.

This facility should take all reasonably available measures to protect neighborhoods, local businesses, churches, parks, and residents.

Sincerely,



Laura A. Cadena

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:41 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 2771

From: RLGuldi77@gmail.com <RLGuldi77@gmail.com>
Sent: Thursday, July 29, 2021 3:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: DR. Richard L Guldi

E-MAIL: RLGuldi77@gmail.com

COMPANY:

ADDRESS: 7228 LA SOBRINA DR
DALLAS TX 75248-3048

PHONE: 9722395878

FAX:

COMMENTS: I strongly oppose the granting of this permit to pollute the neighborhood and the air in the City of Dallas where I live. TCEQ has issued permits to polluters for far too long. It's time to look out for the health and the rights of Texas Citizens instead of letting the Big Polluters use our air as their own Private Sewers. Do the right thing. Refuse the permit.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public Comments on Draft Federal Operating Permit No. O2771
Attachments: WD1_GAF Amended Public Comment 7.29.21 w Attachments-min.pdf

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Thursday, July 29, 2021 1:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Public Comments on Draft Federal Operating Permit No. O2771

From: Stephanie Champion <champions@lanwt.org>
Sent: Thursday, July 29, 2021 1:30 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Public Comments on Draft Federal Operating Permit No. O2771

Dear Office of the Chief Clerk,

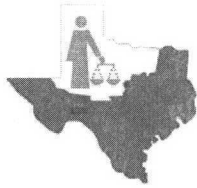
Please find attached public comments on Draft Federal Operating Permit No. O2771: Building Materials Investment Corporation submitted on behalf of West Dallas 1. Please confirm upon receipt.

Thank you,

Stephanie Champion
Staff Attorney | Community Revitalization Project
LEGAL AID OF NORTHWEST TEXAS
400 S. Zang Blvd. Ste. 1420 Dallas, TX 75208
Tel. (214) 243-2583
champions@lanwt.org

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Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT

400 S. Zang Blvd., Ste. 1420, Dallas, Texas 75208

469-458-9009 email: crp@lanwt.org

With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock

July 29, 2021

Ms. Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Electronic submission at: www14.tceq.texas.gov/epic/eComment/

Re: Public Comments on Draft Federal Operating Permit O2771: Building Materials
Investment Corporation

Dear Ms. Gharis,

Legal Aid of NorthWest Texas' Community Revitalization Project, the Texas Law Environmental Clinic and the Environmental Integrity Project submit these comments on behalf of West Dallas 1, a coalition of West Dallas residents and neighborhood associations that comprise the residential neighborhoods immediately adjacent to and surrounding the GAF Materials facility located at 2600 Singleton Blvd, Dallas Texas 75212.¹ West Dallas 1 and its members object to the renewal of the Building Materials Investment Corporation's Title V Operating Permit No. O2771 authorizing the operation of GAF Materials because it fails to include and assure compliance with all applicable requirements; fails to include monitoring,

¹ These comments expand upon and add details to the comments filed on February 19, 2021. In the prior comments, we requested a notice and comment hearing pursuant to the Clean Air Act, EPA's implementing regulations and TCEQ's rules. 42 U.S.C. §7661a(b)(6); 40 CFR §70.7(h); 30 Tex. Admin. Code § 122.340. In addition, those comments requested an extension of time for filing comments given the February storm and disaster declaration in Texas. A notice and comment hearing has been scheduled for July 29, 2021 and the deadline for filing comments has been extended until that date.

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for Equal Justice
LEGAL SERVICES CORPORATION

reporting and recordkeeping sufficient to assure compliance; and otherwise fails to meet the requirements of the federal Clean Air Act (CAA). Additionally, the renewal of Permit O2771 would violate the Civil Rights Act and related regulations which require the Texas Commission on Environmental Quality (TCEQ) to ensure that the administration of its programs, including its Title V program, does not create disparate impacts on the basis of race, color or national origin.

I. COMMENTERS

West Dallas 1 (WD1) is a coalition of West Dallas residents and neighborhood associations dedicated to advocating for the protection and preservation of its neighborhoods and the health and safety of its residents. WD1 members live in close proximity to the asphalt shingle and coating materials manufacturing facility operated by GAF Materials located at 2600 Singleton Blvd, Dallas TX 75212 and are directly impacted by the harmful emissions of the facility including sulfur dioxide (SO₂) and particulate matter (PM). Numerous members of WD1 have regularly observed plumes of air pollution coming from the facility and experience foul smells on a daily basis, generally in the mornings and evenings.

The GAF facility emits an excessive amount of sulfur dioxide (SO₂) along with large amounts of particulate matter (PM).² In 2019, the facility emitted over 125 tons of SO₂ and was the largest SO₂ polluter in Dallas County.³ Short-term SO₂ exposure is known to have harmful effects on the respiratory system making breathing difficult and exacerbating the symptoms of asthma, particularly in children.⁴ High concentrations of SO₂ in the air lead to the formation of other sulfur oxides (SO_x) which can react with other compounds to form small particles which contribute to PM pollution.⁵ PM is made up of microscopic solids or liquid droplets so small they can be inhaled and penetrate the lungs and even enter the bloodstream, causing serious health problems.⁶ At high concentrations, SO_x can also harm plants and trees by damaging foliage and decreasing growth.

In addition to TCEQ's own emissions data, independent citizen air monitoring efforts in the area have shown alarming levels of PM_{2.5} over the past year. Two separate PurpleAir monitors located in the residential neighborhood immediately adjacent to GAF recorded daily averages of PM_{2.5} that exceeded the WHO 24-hour standard for air quality on numerous occasions as well as the EPA's National Ambient Air Quality Standards' (NAAQS) 24-hour average at least 3 times between June of 2020 and June of 2021.⁷ What's more alarming is that

² TCEQ, 2019 Point Source Emissions Inventory, available at: <https://www.tceq.texas.gov/airquality/point-sourceeei/contaminant-summary-reports>

³ Id.

⁴ U.S. EPA, Sulfur Dioxide Basics, available at: <https://www.epa.gov/so2-pollution/sulfur-dioxide-basics>.

⁵ Id.

⁶ U.S. EPA, Particulate Matter (PM) Basics, available at: <https://www.epa.gov/pm-pollution/particulate-matter-pmbasics#effects>

⁷ See PurpleAir, Sensor: Bedford, available at: <https://www.purpleair.com/map?opt=1/mAQI/a10/cC0&select=28151#14/32.78262/-96.86538>; PurpleAir, Sensor:

both monitors recorded annual averages that exceed both the WHO and EPA standards for 2020 and 2021, with increasing levels of PM_{2.5} in 2021 than the previous year.⁸

While GAF may not be the only source of PM pollution in the area, it is certainly one of the largest and WD1 members are especially concerned about GAF's emissions and its impact on the air quality in their residential neighborhoods given the facility's proximity to homes, schools, and highly-trafficked community centers and amenities. WD1 also recently learned that GAF is currently and has been operating without the appropriate local land use zoning and permits required under the Dallas City Code.⁹ WD1 members have filed code complaints with the City of Dallas and an investigation is currently underway.

The West Dallas community, especially that immediately adjacent to the GAF facility, is comprised of mostly low-income, minority households. The population within a 1-mile radius of the GAF facility is 91% people of color, 73% low-income and 17% linguistically isolated compared with state averages of 58% people of color, 35% low-income and 8% linguistically isolated.¹⁰ Not only have these communities been historically disproportionately impacted by environmental injustices but recently by the COVID-19 pandemic as well. As such, they have an acute and urgent interest in reducing harmful air pollutants in their neighborhoods that adversely impact respiratory health.

Residents of West Dallas living near the facility who are exposed to its emissions on a daily basis have an interest in ensuring that GAF's Title V permit includes all applicable CAA requirements, including provisions that assure protection of public health and welfare; is practicably enforceable; and includes sufficient monitoring, recordkeeping, and reporting to assure compliance. Where monitoring in the permit is deficient and thus may lead to inadequate enforcement of permit requirements, Title V requires that the TCEQ add additional monitoring and reporting requirements to assure compliance with applicable emissions limits and requirements.

Esther Villarreal is a member of WD1 who resides at 1907 McBroom Street, Dallas TX 75212, less than a mile from the GAF facility with her husband and three young children. Esther along with two of her children, ages 5 and 8, suffer from asthma and must keep an Albuterol "rescue inhaler" nearby at all times. Both children have also experienced respiratory infections leading to the weakening of their pulmonary function in the past four years. The family has a nebulizer in their home and use it frequently throughout the year. Pre COVID-19, Esther and her family would frequent the Dallas West Branch Public Library which is located directly adjacent to the GAF facility on Singleton Blvd. When doing so, she would often experience strong odors

Bedford 2, available at: <https://www.purpleair.com/map?opt=1/mAQI/a10/cC0&select=27891#16/32.779966/-96.867821>

⁸ Id. (The WHO annual standard for PM_{2.5} is 10 µg/m³ while the EPA annual standard is 12 µg/m³. In 2020, the Bedford monitor recorded an annual average of 13.456 µg/m³ and the Bedford 2 monitor recorded an annual average of 12.256 µg/m³. These numbers have increased in 2021, showing current annual averages of 15.266 µg/m³ and 13.508 µg/m³, respectively.)

⁹ Under the Dallas City Code, main uses that manufacture asphalt or asphalt products are "potentially incompatible industrial uses" and are permitted by Special Use Permits (SUP) only in the IM district. GAF does not have an SUP, nor is it zoned IM. See Dallas City Code Sec. 51A-4.203.

¹⁰ U.S. EPA, EJSCREEN Demographic Indicators, available at: <https://ejscreen.epa.gov>

of burnt rubber as well as a loud and constant humming noise coming from the facility. She would observe plumes of gray smoke rising from the smokestacks as well as clouds of dust and gravel being kicked up by vehicles on the property. It made her apprehensive about visiting the library as often as she would like to. Esther is an avid gardener who grows plants and vegetables and even teaches Forest School to preschoolers in her extensive home garden. In her free time, she also volunteers at the West Dallas Multipurpose Center Community Garden next door to GAF. She spends a significant amount of time outdoors both at home and in her community and has grave concerns about the quality of the air in her neighborhood and its effect on her and her family's health. As the mother of young children who are high-risk for COVID-19, she is especially concerned about emissions of particulate matter in her neighborhood that could exacerbate her family's respiratory health. She adamantly opposes the renewal of the facility's Title V air permit and its continued license to pollute her residential neighborhood.

Aaryaman Singhal is another member of WD1 who resides at 4019 Soloman Drive, Dallas TX 75212, within 1.2 miles of the facility. He moved to West Dallas two years ago and immediately noticed the smell of smoke in the early mornings as he would leave his home and walk to his car. It reminded him of the constant smell of smoke in New Delhi where his family is from, a city with some of the worst air pollution in the world. The smell also haunts him as he runs along the Trinity River levees – one of the most iconic running trails in Dallas with some of the best views of the Dallas skyline. Unfortunately, Aaryaman struggles to enjoy this beloved outdoor recreational activity because of the constant smell of smoke. He is deeply concerned to have seen reports of high levels of SO₂, PM_{2.5}, and other pollutants coming from the GAF facility in his neighborhood. He strongly opposes the renewal of the facility's Title V air permit and the continued authorization of a noxious land use so close to where he lives and recreates.

In addition to Esther and Aaryman, WD1 has numerous other members who are directly and adversely impacted by emissions from GAF.

II. LEGAL REQUIREMENTS

GAF's Title V air permit renewal is subject to the requirements of the Clean Air Act, its implementing regulations, and Texas' applicable statutes and regulations. In addition, GAF's permit must comply with the requirements of the Civil Rights Act of 1964 and the U.S. Environmental Protection Agency (EPA) and Department of Justice (DOJ) implementing regulations.

A. Clean Air Act Requirements

The Clean Air Act (CAA) aims to “protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population.”¹¹ Congress added Title V to the CAA in 1990 to better track and assure compliance with the CAA and to facilitate enforcement against facilities that do not comply.¹¹

¹¹ 42 U.S.C. § 7661c(a)-(c)

Every Title V permit must include enforceable emissions limitations and standards “and such other conditions as are necessary to assure compliance with applicable requirements,” including monitoring, reporting and recordkeeping requirements.¹² Where necessary, the permitting agency must supplement direct requirements with additional monitoring, reporting, or recordkeeping “to assure compliance with the permit terms and conditions.”¹³

The TCEQ must assure that each Title V permit it issues complies with Title V of the CAA, its implementing regulations and the federally-approved state operating permit program rules.¹⁴

B. Civil Rights Act Title VI Requirements

Title VI of the Civil Rights Act of 1964 provides that “[n]o person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”¹⁵ As a recipient of federal funds from the EPA, TCEQ is subject to the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 as well as EPA’s Title VI regulations.

EPA’s Title VI regulations provide that an EPA aid recipient:

- Shall not administer its program in a manner that: 1) has the effect of subjecting individuals to discrimination because of their race, color, national origin, or sex; or 2) has the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular race, color, national origin, or sex.¹⁶
- Shall not choose a site or location of a facility that has the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program or activity...on the grounds of race, color, or national origin or sex; or with the purpose or effect of defeating or substantially impairing the objectives of [these regulations].¹⁷
- Shall take affirmative action to provide remedies to those who have been injured by past discrimination in administering a program.¹⁸

TCEQ must comply with the above requirements in administering its Title V permit program and all other environmental programs.

¹² 42 U.S.C. § 7661c(a)

¹³ 42 U.S.C. § 7661c(c)

¹⁴ 30 Tex. Admin. Code § 122.10-122.606

¹⁵ 42 U.S.C. § 2000d

¹⁶ 40 C.F.R. § 7.35(b)

¹⁷ 40 C.F.R. § 7.35(c)

¹⁸ 40 C.F.R. § 7.35(a)(7)

III. CLEAN AIR ACT DRAFT PERMIT DEFICIENCIES

GAF's Draft Permit should not be issued as it does not comply with Title V's minimum requirements for reasons including the following:

- The failure to include an adequate statement of basis;
- The failure to ensure compliance with all applicable requirements;
- The failure to include adequate monitoring, reporting, and recordkeeping; and
- The failure to include a compliance plan that would prevent the ongoing violations of General Condition 13 of NSR Permit No. 7711A.

A. The Draft Permit fails to adequately incorporate applicable requirements and lacks an adequate Statement of Basis.

The Draft Permit's Statement of Basis ("SOB") does not meet the minimum standards for a Title V Statement of Basis. The SOB does not adequately describe the facility, each emission unit and its applicable requirements, or the rationale for determining that the monitoring is sufficient to ensure compliance with applicable requirements. Furthermore, the SOB does not provide the reader enough information to verify the bases of determinations contained in the SOB.¹⁹ In its current form, the SOB is largely indecipherable – and does not assist the public in understanding GAF's Title V permit.²⁰

EPA has informed the TCEQ that "a statement of basis should include, but is not limited to, a description of the facility, a discussion of any operational flexibility that will be utilized at the facility, the basis for applying the permit shield, any federal regulatory applicability determinations, and the rationale for the monitoring methods selected."²¹ EPA has provided further guidance on what the SOB must include in specific orders responding to petitions on other Title V permits. For example, in the *Onyx Title V Order*, EPA explained:

A statement of basis must describe the origin or basis of each permit condition or exemption. However, it is more than just a short form of the permit. It should *highlight elements that U.S. EPA and the public would find important to review*. Rather than restating the permit, it should list anything that deviates from simply a straight recitation of applicable requirements. The statement of basis should highlight items such as the permit shield, streamlined conditions, or any monitoring that is required under 40 C.F.R. § 70.6(a)(3)(i)(B). *Thus, it should include a discussion of the decision-making that went into the development of the title V permit and provide the permitting authority, the public, and U.S. EPA a*

¹⁹ Statement of Basis at 9-22.

²⁰ 30 Tex. Admin. Code § 122.201(a)(4); id. § 122.320(b); 40 C.F.R. § 70.7(a)(5).

²¹ Id. at 735.

*record of the applicability and technical issues surrounding the issuance of the permit.*²²

The SOB must explain the selection of the specific monitoring, including parametric monitoring and recordkeeping, and operational requirements.²³ It must also specifically reference all supporting materials relied upon.²⁴ And it must provide factual information such as: the construction and permitting history of the source and its compliance history, including inspections, any violations noted, a listing of consent decrees into which the permittee has entered and corrective action(s) taken to address noncompliance.²⁵ The GAF SOB does not meet these standards and leaves the public little better-informed.

The GAF SOB does not include some of the most basic requirements that the EPA has repeatedly stated are necessary:

- *Factual Information:* The SOB should include a description of the facility, a listing of prior Title V permits issued to the same applicant at the plant, attainment status, and construction, permitting, and compliance history of the plant.²⁶

There is no discussion or explanation in the GAF SOB of the prior permits issued to GAF or of the construction or permitting history for NSR permits that the Draft Permit proposes to incorporate. And while the SOB includes a description of asphalt roofing production generally, it does not include a description of GAF's facility, the emission units at the facility or the controls on those emissions units.²⁷

Additionally, the SOB does not adequately describe the applicant's compliance history. Page 41 of the SOB includes a cursory statement that the site received a 0.25

²² In the Matter of Onyx Environmental Services, Order on Petition No. V-2005-1, 2006 WL 6672985 (Feb. 1, 2006) (Onyx Order), https://www.epa.gov/sites/production/files/2015-08/documents/onyx_decision2004.pdf at 13-14 (emphasis added) (citing e.g., In RePort Hudson Operations, Georgia Pacific, Petition No. 6-03-01, at 37-40 (May 9, 2003)); In Re Doe Run Company Buick Mill and Mine, Petition No. VII-1999-001, at 24-25 (July 31, 2002); In Re Fort James Camas Mill, Petition No. X-1999-1, at 8 (Dec. 22, 2000).

²³ See EPA Air Programs Chief, Letter to OH EPA to provide guidelines on the content of an adequate statement of basis (Dec. 20, 2001), <https://www.epa.gov/sites/production/files/2015-08/documents/sbguide.pdf> (“[An agency]’s selection of the specific monitoring, including parametric monitoring and recordkeeping, and operational requirements must be explained in the SB. For example, if the permitted compliance method for a grain-loading standard is maintaining the baghouse pressure drop within a specific range, the SB must contain sufficient information to support the conclusion that maintaining the pressure drop within the permitted range demonstrates compliance with the grain-loading standard.”) (emphasis added).

²⁴ Id.

²⁵ Id.

²⁶ EPA, Implementation Guidance on Annual Compliance Certification Reporting and Statement of Basis Requirements for Title V Operating Permits (Apr. 30, 2014), <https://www.epa.gov/sites/production/files/2015-08/documents/20140430.pdf>; see also EPA Air Programs Chief, Letter to OH EPA to provide guidelines on the content of an adequate statement of basis (Dec. 20, 2001), <https://www.epa.gov/sites/production/files/2015-08/documents/sbguide.pdf>; EPA Report, Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized Report No. 2005-P-00010 (Mar. 9, 2005), <https://www.epa.gov/sites/production/files/2015-12/documents/20050309-2005-p-00010.pdf>.

²⁷ For a more detailed, site-specific description of a Title V facility, see e.g., Statement of Basis, Title V Air Quality Operating Permit – Permit Renewal #1: Yakama Forest Products (Sep. 21, 2020), https://www.epa.gov/sites/production/files/2020-09/documents/200921_title_v_statement_of_basis_yakama_forest_products_r10t5120100.pdf.

(satisfactory) rating pursuant to TCEQ's compliance history regulations, that there were no out of compliance units listed in the Title V application, and that no compliance plan or schedule is included in the permit. This summary gives no information about why the rating was merely satisfactory, what complaints have been received about the facility, what deviations have been identified by the facility, or whether any notices of violation or compliance orders have been issued by TCEQ or other enforcement actions taken by TCEQ or others. The statements in the SOB provide no substantive information at all about any noncompliance identified by or at the facility.

- *Description of applicable requirements, applicability determinations, and a description and explanation of any difference in form of permit terms and conditions, as compared to the applicable requirement upon which the condition was based:* The SOB does not include essential information needed to evaluate the basis for permit terms and conditions, including emission-related information, underlying calculation methods, and existing emissions control requirements. This denies the public the ability to comment on, and undermines its ability to evaluate, whether the permit satisfies federal and state Title V requirements.

The Determinations of Applicable Requirements chart included in the SOB is largely indecipherable to the public. The TCEQ has cited the underlying applicable requirements in a shorthand that is difficult for a layperson to evaluate and understand. The statements under the Basis of Determination column appear to be computer generated and do not present information in a manner that is meaningful to the public. For example, there is no explanation of the actual substance of the underlying applicable requirement and how the information in the Basis of Determination Column is related to that requirement.

There is no discussion of any difference in the form of Draft Permit terms and conditions compared to the applicable requirements. While the chart includes a column for TCEQ to note changes made to the computer-generated output, it is unclear whether this column would reflect any changes to underlying applicable requirements.

Further, the listing of New Source Review permit numbers in the New Source Review Authorization References chart in the SOB is insufficient to allow the public to determine the underlying applicable requirements included in those permits or to assess the adequacy of any monitoring, reporting and recordkeeping included in those underlying permits. Further, the SOB includes no information regarding the TCEQ's review of those applicable requirements and whether they include sufficient provisions to assure compliance. While the SOB states that the permits can be obtained from files at the TCEQ's Central File Room or from the TCEQ's Central File Room Online, neither of those venues make the underlying applicable requirements sufficiently accessible to the public. First, members of WD1 live in Dallas and to expect them to travel the four hours to Austin is unreasonable. Second, the Central File Room online does not make the underlying permits adequately accessible. Documents are not individually labeled, and the site is not searchable in a manner that allows the public to retrieve specific versions of complete permits. Even when the public can find a portion of the applicable permit, it is often only a portion of the permit and fails to include the complete General Conditions, Special Conditions, and Maximum Allowable Emission Rate Table.

In addition, the TCEQ's use of Permits by Rule (as detailed further in Section V.B.1.) makes it more important that the SOB include a history of the new source review

authorizations issued to GAF and the units and emissions authorized, as well as the projects pursuant to which each authorization was related. The SOB should detail the emissions limits for each PBR, which units they apply to, and whether they are limited to certain activities or time periods. In addition, to the extent the PBR applies to a unit with a preconstruction permit, the SOB should explain how the emissions authorized by the PBR relate to the emissions limits in the preconstruction authorization. The SOB should clearly indicate whether the PBR authorizes emissions up to the limits in 30 Tex. Admin. Code §106.4 or the limits in the specific PBR or is subject to limits included in a PI-7.

- *“Clear and documented” rationale for selected monitoring:*²⁸ The SOB includes very limited explanation of or rationale for the Draft Permit’s inclusion of additional periodic monitoring requirements for certain emissions units and not others. As discussed below (Section V.B.6, *infra*), the SOB lacks any discussion evaluating the adequacy of the monitoring for many applicable requirements. As further explained below, the relevance of the many PM/Opaicity periodic monitoring requirements to overall PM monitoring at the site and applicable PM emission limitations is very difficult for the public to decipher (Section V.B.5 & V.B.6). For example, there is no explanation for why the weekly opaicity monitoring requirements applicable to LINE3 60UU-3 and 60UU-4 are adequate to ensure compliance with the underlying emissions limitation. Similarly, there is no discussion in the SOB about how GAF’s compliance history impacted the TCEQ’s decision to apply weekly Opaicity standards to LINE3, 1-1, 1-3, and COOL1.
- *Description and explanation of any complex non-applicability determinations:* The SOB does not adequately explain non-applicability determinations, including permit shield issuances. Nor does it reference any relevant materials used to make these determinations (e.g., source tests, state guidance documents, etc.).

Instead, the SOB includes the Determination of Applicable Requirements tables, which fail to explain what evidence or information non-applicability determinations in the table were based on, or how it reached the determinations of applicability or non-applicability. The SOB includes no reference to any relevant materials used to make these determinations, such as source tests or guidance documents.²⁹ The table corresponds so opaquely to the Draft Permit’s requirements as to be virtually meaningless to the public and appears to include information that is inconsistent with the Draft Permit’s permit shield.³⁰ Unlike other states’ statements of basis, which lay out specifically which

²⁸ 40 CFR § 70.7(a)(5); EPA 2014 Guidance, *supra* note 62 (“The rationale, including the identification of authority, for any Title V monitoring decision”); In the Matter of CITGO Refining and Chemicals Company LP (CITGO), Order on Petition No. VI-2007-01 (May 28, 2009) at 7; see also In the Matter of Fort James Camas Mill (Fort James), Order on Petition No. X-1999-1 (Dec. 22, 2000) at 8.

²⁹ See EPA Air Programs Chief, Letter to OH EPA to provide guidelines on the content of an adequate statement of basis (Dec. 20, 2001), <https://www.epa.gov/sites/production/files/2015-08/documents/sbguide.pdf> (“At a minimum, the SB should provide sufficient information for the reader to understand [an agency]’s conclusion about the applicability of the source to a specific rule.”); This is a recurring problem, see e.g., Objection to Federal Part 70 Operating Permit ExxonMobil Corporation, Colonial Storage Facility (March 5, 2010).

³⁰ Statement of Basis at 11-12.

requirements in the Code of Federal Regulations apply to which emissions units,³¹ the SOB does nothing to clarify the basis and rationale behind which regulatory requirements apply to each of GAF's emission units.

A salient example of this problem is found in the SOB's treatment of Index Numbers 60UU-1 and 60UU-2 of Unit ID LINE1. The Permit Shield exempts all of LINE1 from 40 CFR Part 60, Subpart UU requirements and states "[u]nit was constructed prior to and not modified after 11/18/1980."³² The Basis of Determination appears to state that the Saturators of LINE1 were constructed/modified before November 8, 1980, and that the Blowing Stills and Storage Tanks of LINE1 were constructed/modified after May 26, 1981.³³ It also appears to indicate that the blowing still produces and the storage tanks store "material other than non-roofing asphalt."

40 CFR Part 60, Subpart UU itself states:

(a) The affected facilities to which this subpart applies are each saturator and each mineral handling and storage facility at asphalt roofing plants; and each asphalt storage tank and each blowing still at asphalt processing plants, petroleum refineries, and asphalt roofing plants.

(b) Any saturator or mineral handling and storage facility under paragraph (a) of this section that commences construction or modification after November 18, 1980, is subject to the requirements of this subpart. Any asphalt storage tank or blowing still that processes and/or stores asphalt used for roofing only or for roofing and other purposes, and that commences construction or modification after November 18, 1980, is subject to the requirements of this subpart.

Any asphalt storage tank or blowing still that processes and/or stores only nonroofing asphalts and that commences construction or modification after May 26, 1981, is subject to the requirements of this subpart.³⁴

The SOB appears to state that the asphalt storage tanks and blowing still store and process asphalt used for roofing only or roofing and other purposes³⁵ and that they were constructed after May 26, 1981. While the May 26, 1981 date would seem inapplicable to

³¹ See, e.g., Statement of Basis, Title V Air Quality Operating Permit – Permit Renewal #1: Yakama Forest Products (Sep. 21, 2020), https://www.epa.gov/sites/production/files/2020-09/documents/200921_title_v_statement_of_basis_yakama_forest_products_r10t5120100.pdf.

³² Permit Shield, Draft Permit p. 44.

³³ Statement of Basis at 11-12. We note again that the Determination of Applicable Requirements chart is almost indecipherable.

³⁴ 40 C.F.R. § 60.470(a),(b).

³⁵ This is not entirely clear because the regulation references two types of materials (1) asphalt used for roofing only or roofing and other purposes and (2) non roofing asphalt. The Basis of Determination, however, refers to "material other than non-roofing asphalt." Because the Basis of Determination does not actually identify the material, we assume it is asphalt used for roofing only or roofing and other purposes. This is an example, however, of the Statement of Basis' lack of meaningful information.

these units because they store and process material “other than nonroofing asphalt,” the date is after the apparently applicable November 18, 1980, trigger date.³⁶

The example above demonstrates how difficult it is to interpret the SOB’s Determination of Applicable Requirements Table, how confusing it is for the public, and how little the table explains the TCEQ’s rationale for determining that certain requirements are not applicable to GAF. It also exemplifies the problem with using a computer-generated output that fails to include the specific details about the facility at issue – such as the actual construction or modification dates (and documentation regarding the accuracy of such dates), as well as the actual materials stored in the tanks and processed in the blowing still.

B. The Draft Permit fails to ensure compliance with applicable requirements and fails to include adequate monitoring, reporting, and recordkeeping.

The Draft Permit fails to ensure compliance with all applicable requirements and to include required monitoring for reasons including those detailed below.³⁷

1. *The Draft Permit’s incorporation by reference of Permits by Rule (“PBRs”) is confusing, incomplete, and fails to ensure compliance with permit limits.*

A PBR is a standardized permit that may be used to authorize construction of new facilities or changes at existing facilities. Each PBR is promulgated as a 30 Tex. Admin. Code, Chapter 106 rule by the TCEQ. PBRs streamline the permitting process, because individual case-by-case permits needn’t be developed for each project authorized under a PBR. Instead, if a project is authorized under a PBR, the PBR (i.e., the applicable rule) is the permit authorizing that project. The TCEQ’s rules allow PBRs to be used to authorize construction of new emission units or changes to existing emissions units, so long as these changes comply with the general requirements for all PBRs, listed at 30 Tex. Admin. Code § 106.4, and the specific requirements of the claimed PBR.

Emissions from units at a facility regulated by PBR may cause emissions from the facility overall to exceed permit limits. To prevent this eventuality, the Draft Permit must assure compliance with PBR requirements and emission limits. The Draft Permit must at least identify the applicable PBR conditions and limits, as well as monitoring and recordkeeping requirements used to demonstrate compliance with these limits.³⁸ While the EPA has approved the use of incorporation by reference for permits by rule in Texas, the TCEQ’s method of incorporating PBRs must “ensure that Title V permits are clear and unambiguous as to how emission limits

³⁶ It is of course not possible for all of Line 1 to have been “constructed prior to and not modified after 11/18/1980” as the permit shield states and for Line 1’s blowing still and storage tanks to have been constructed or modified “after May 26, 1981” as the Determination of Applicable Requirements table states.

³⁷ 40 CFR § 70.6(a)(3)(i)(B); 30 TAC § 122.142(c).

³⁸ 30 Tex. Admin. Code § 106.8 requires owners and operators to maintain records demonstrating compliance with applicable PBR requirements, but does not specify how compliance with such requirements is to be demonstrated. The Executive Director must revise the Draft Permit to identify the method for determining compliance with each PBR limit.

[established by PBRs] apply to particular emission units.”³⁹

- a. The Draft Permit fails to provide enough information about how claimed PBRs apply to GAF’s facility.

Each Title V permit must include terms and conditions sufficient to assure compliance with applicable requirements.⁴⁰ The Draft Permit fails to comply with this requirement because it fails to identify any units subject to the following incorporated PBRs: 106.227, 106.263, and 106.454. Because the Draft Permit fails to identify the emission units authorized by and subject to the requirements in these claimed rules, it is completely unclear as to how the PBR and standard exemptions apply to emission units at GAF’s facility and thereby undermines the enforceability of PBR requirements.⁴¹ Moreover, even if an interested party is able to determine which emission units should be subject to one or more of these PBRs, a court is unlikely to enforce these requirements, because the Draft Permit fails to identify them as applicable for any specific emission unit or units at GAF’s facility.⁴² Because this is so, the Draft Permit fails to identify and assure compliance with all applicable requirements.⁴³

- b. The Draft Permit improperly omits GAF’s certified PBR registration.

Texas’s Chapter 106, Subchapter A rules state that “[a]n owner or operator may certify and register the maximum emission rates from facilities permitted by rule under this chapter in order to establish federally-enforceable allowable emission rates which are below the emission limitations in § 106.4[.]”⁴⁴ In cases where an operator certifies emission rates, “[a]ll representations with regard to construction plans, operating procedures, and maximum emission rates in any certified registration become conditions upon which the facility permitted by rule shall be constructed and operated.”⁴⁵ These source-specific PBR emission limits and conditions are applicable requirements that must be included in Title V permits and Title V permits must include conditions necessary to assure compliance with them.

GAF’s certified PBR registration number 14740 establishes emission limits substantially lower than the emission limits in § 106.4(a)(1) and the specific claimed PBRs. The Draft Permit, however, does not identify GAF’s certified registration as an applicable requirement. This omission incorrectly suggests that all emission units authorized by PBR(s) may emit up to the limits specified in § 106.4(a)(1) or the generic limits established by the particular claimed PBRs.

³⁹ Order Partially Granting and Partially Denying Petition for Objection to Permit 01498, Petition VI-2007-2 (January 8, 2007) at 6, n.2.

⁴⁰ 42 U.S.C. § 7661c(a).

⁴¹ Objection to Title V Permit No. O2164, Chevron Phillips Chemical Company, Philtex Plant (Aug. 6, 2010) at ¶7 (draft permit fails to meet 40 C.F.R. § 70.6(a)(1) and (3) because it does not list any emission units authorized under specified PBRs); In the Matter of Shell Chemical LP and Shell Oil Co, Order on Petition Nos. VI2014-04 and VI-2014-05, at 11-15 (Sep. 24, 2015).

⁴² See, *United States v. EME Homer City Generation*, 727 F.3d 274, 300 (3d Cir. 2013) (explaining that court lacks jurisdiction to enforce requirements improperly omitted from a Title V permit).

⁴³ 42 U.S.C. § 7661c(a).

⁴⁴ 30 Tex. Admin. Code § 106.6(a).

⁴⁵ Id. at § 106.6(b).

The Draft Permit's omission of applicable source-specific certified registration requirements is contrary to 42 U.S.C. § 7661c(a) and renders them unenforceable under the prevailing doctrine of collateral attack.⁴⁶

- c. The Draft Permit fails to specify monitoring, testing, and recordkeeping conditions necessary to assure compliance with applicable PBR requirements.

Each Title V permit must contain monitoring, recordkeeping, and reporting conditions that assure compliance with all applicable requirements.⁴⁷ Emission limits in NSR permits, including PBRs, incorporated by reference into the Draft Permit are applicable requirements.⁴⁸ The rationale for the selected monitoring requirements must be clear and documented in the permit record.⁴⁹ The Draft Permit is deficient, because it fails to establish monitoring, testing, and recordkeeping requirements that assure compliance with PBRs and standard exemptions that it incorporates by reference.

GAF has used the PBR at § 106.183 to authorize emissions from at least four heaters at its asphalt plant. This PBR establishes total sulfur fuel content limits,⁵⁰ and provides that “[a]ll gas fired heaters and boilers with a heat input greater than ten million Btu per hour ... shall be designed such that the emissions of nitrogen oxides shall not exceed 0.1 pounds per million Btu heat input.”⁵¹ This PBR fails to establish any monitoring or testing requirements to ensure compliance with the limits and operating requirements it establishes or the emission limits established by the general PBR rule at § 106.4.

GAF has claimed the PBR at § 106.227 to authorize brazing, soldering, or welding equipment at its asphalt plant. This PBR provides that such equipment may not emit more than 0.6 tons per year of lead, but it does not include any monitoring or testing requirements to ensure compliance with this limit or emission limits established by the general PBR rule at § 106.4.

GAF has claimed PBRs at §§ 106.261 and 262 to authorize emissions from EPN SEALAP, which appears to cover vents at the asphalt plant.⁵² These PBRs may be used to authorize a broad range of different projects that result in emission increases for a broad range of contaminants. These PBRs establish hourly and annual emission limits for various contaminants,⁵³ and prohibit visible emissions exceeding five percent.⁵⁴ Unfortunately, the claimed PBRs do not establish monitoring, testing, or recordkeeping conditions that assure

⁴⁶ See *EME Homer*, 727 F.3d at 300.

⁴⁷ 42 U.S.C. § 7661c(a) and (c); 40 C.F.R. § 70.6(a)(3) and (c)(1); In the Matter of Wheelabrator Baltimore (“Wheelabrator Order”), Permit No. 24-510-01886 at 10 (April 14, 2010).

⁴⁸ 40 C.F.R. § 70.2; Draft Permit, Special Condition No. 7.

⁴⁹ 40 C.F.R. § 70.5(a)(5); In the Matter of United States Steel, Granite City Works (“Granite City I Order”), Order on Petition No. V-200903 at 7-8 (January 31, 2011).

⁵⁰ 30 Tex. Admin. Code § 106.183(2)(C).

⁵¹ *Id.* § 106.183(4).

⁵² See Draft Permit at 12.

⁵³ 30 Tex. Admin. Code §§ 106.261(a)(2),(3); 30 Tex. Admin. Code §§ 106.262(a)(2).

⁵⁴ *Id.* at §§ 106.261(a)(5), 106.262(a)(5).

compliance with applicable PBR-specific emission limits or the emission limits established by the TCEQ's general PBR rule at § 106.4.

GAF has claimed PBR § 106.263, which applies to routine maintenance, startup, and shutdown of emission units and temporary units establishes daily emission limits,⁵⁵ requires a case-by-case permit for activities that exceed these limits,⁵⁶ incorporates by reference emission limits and conditions established by various other PBRs for specific source categories,⁵⁷ requires a case-by-case permit for activities that exceed these limits,⁵⁸ and incorporates emission limits listed in § 106.4(a)(1)-(3) in any rolling 12-month period.⁵⁹ The Draft Permit, however, does not specify any units subject to requirements in this PBR. GAF may intend to use this PBR as a source-wide authorization for planned maintenance, startup, and shutdown activities. GAF, however, may not use the PBR in this way. PBRs are only available to authorize construction or modification of facilities that the TCEQ has determined are so small that they are incapable of significantly affecting air quality.⁶⁰ The TCEQ has not determined that major source asphalt plants, like the one authorized by the Draft Permit, are such sources and, accordingly, PBRs may not be used as source-wide authorizations for GAF's asphalt plant. Regardless, and while this PBR does require facility owners to retain records containing sufficient information to demonstrate compliance with applicable emission limits,⁶¹ neither the PBR nor the Draft Permit identify any monitoring or testing that assures compliance with PBR-specific emission limits or with the emission limits established by the TCEQ's general PBR rule at § 106.4.

GAF has claimed the PBR at § 106.474 to authorize emissions from at least eight tanks at its asphalt plant. This PBR may be used to authorize organic and inorganic loading and unloading activities identified by the PBR. While these emissions are subject to the emission limits established by the TCEQ's general PBR rule, the PBR does not include any monitoring, testing, or recordkeeping requirements that assure compliance with these limits.

Though the Draft Permit and Texas's rules require GAF to maintain records demonstrating compliance with applicable PBR requirements,⁶² the Draft Permit is deficient because neither it nor the applicable rules specify the monitoring methods that GAF must use to assure compliance with applicable PBR requirements.⁶³ Instead, the Draft Permit outsources the TCEQ's obligation to specify monitoring methods that assure compliance with each applicable requirement to GAF.⁶⁴

⁵⁵ Id. at § 106.263(d)(1).

⁵⁶ Id. at § 106.263(d)(2).

⁵⁷ Id. at § 106.263(e)(1)-(5).

⁵⁸ Id. at § 106.263(e)(6).

⁵⁹ Id. at § 106.263(f).

⁶⁰ 30 Tex. Admin. Code § 106.1.

⁶¹ Id. at § 106.263(g).

⁶² E.g., Draft Permit, Special Condition No. 9; see, e.g., 30 Tex. Admin. Code §§ 106.8(c), 106.263(g).

⁶³ Wheelabrator Order at 10.

⁶⁴ Draft Permit, Special Condition No. 9 (establishing a non-exhaustive list of data GAF may consider, at its discretion, to determine compliance with PBR requirements).

This outsourcing renders the Draft Permit deficient for three reasons: First, the Draft Permit is deficient because it fails to specify monitoring conditions that assure compliance with each applicable requirement. Second, the Draft Permit is deficient because the permit record does not explain how the Draft Permit assures compliance with PBR requirements. Finally, the Draft Permit is deficient because the Executive Director's failure to specify monitoring methods for applicable PBR requirements or to identify the monitoring methods GAF has selected prevented the public from evaluating whether Title V monitoring requirements have been met.⁶⁵ For example, Commenters would likely review and challenge monitoring relying upon undefined engineering calculations to determine compliance without more information about how those calculations were to be made and evidence that operational conditions presumed by the calculations are consistent with actual conditions at GAF's asphalt plant.

2. *The Draft Permit fails to establish a schedule for GAF to incorporate its PBR authorizations into Permit No. 7711A.*

In cases where a Title V operator has failed to comply with an applicable requirement, the requested Title V permit must establish an enforceable schedule for the operator to come into compliance.⁶⁶ The Draft Permit is deficient because it fails to establish a schedule for GAF to comply with State Implementation Plan ("SIP") provisions requiring GAF to incorporate certain PBR authorizations into Permit No. 7711A and Special Condition No. 19, which prohibits the use of PBR (and of Standard Permits) to authorize changes in representations for the permit site.

The TCEQ's rule at 30 Tex. Admin. Code § 116.116(d) allows operators of previously permitted sources to use PBRs in lieu of a permit amendment or alteration to authorize changes to the source, so long as the PBRs are incorporated in the existing permit the next time it is renewed or amended.⁶⁷ As long as the TCEQ allows major sources of air pollution to use PBRs, compliance with the incorporation requirements is crucial for three reasons: (1) to clarify the controlling limits for units authorized or partially authorized by PBR, thereby making the limits enforceable; (2) to prevent circumvention of major NSR requirements that may be triggered by cumulative increases authorized by multiple PBRs; and (3) to ensure that cumulative increases authorized by multiple PBRs do not significantly diminish air quality.

GAF's certified PBR registration number 14740 specifically required GAF to incorporate the PBR into Permit No. 7711A when next renewed or amended.⁶⁸ This registration was issued in 2017 and was last revised on January 5, 2018. Permit No. 7711A was last amended on April 20, 2018.⁶⁹ GAF failed to incorporate its PBR registration into Permit No. 7711A when it was

⁶⁵ See *In the Matter of United States Steel—Granite City Works* ("Granite City II Order"), Order on Petition No. V-2011-2 at 9- 12 (December 3, 2012) (granting petition for objection because the "permit fail[ed] to specify the monitoring methodology and also fail[ed] to provide a mechanism for review of the methodology by IEPA, the public, and EPA after the permit is issued").

⁶⁶ 42 U.S.C. §§ 7661b(b)(1), 7661c(a).

⁶⁷ 30 Tex. Admin. Code § 116.116(d)(2).

⁶⁸ (Attachment A), Registration Letter for Certified PBR Registration No. 14740, Project No. 270215.

⁶⁹ See TCEQ's NSR Permit Tracking Webpage,

https://www2.tceq.texas.gov/airperm/index.cfm?fuseaction=airpermits.project_report&proj_id=2_82350.

last amended. Accordingly, GAF is in violation of 30 Tex. Admin. Code § 116.116(d)(2) and the Draft Permit must include a compliance schedule to address this ongoing violation.⁷⁰

Additionally, GAF has claimed the following unregistered PBRs that may establish limits for facilities authorized by Permit No. 7711A: 106.227, 106.263, and 106.454.⁷¹ Commenters are unable to say for certain whether one or more of these PBRs establishes requirements for facilities authorized by Permit No. 7711A, because the Draft Permit's New Source Review Authorization References by Emission Unit table fails to identify any unit authorized by these claimed PBRs.⁷² If any of these PBRs were claimed prior to April 20, 2018, GAF's failure to incorporate them into Permit No. 7711A also constitutes a violation of 30 Tex. Admin. Code § 116.116(d)(2).

Commenters are aware that the TCEQ reads its rule at 30 Tex. Admin. Code § 116.116(d)(2) to provide two options for incorporating PBR requirements into previously issued permits: (1) consolidation by reference and (2) incorporation.⁷³ According to the TCEQ:

Consolidation of certain PBRs and SPs by reference is mandatory. All SPs and PBRs that directly affect the emissions of permitted facilities must, at a minimum, be referenced when a NSR permit is amended. ... Referencing will not require a best available control technology (BACT) review but may require an impacts review based on commission guidance.

Consolidation of all other PBRs and SPs by incorporation is voluntary. If the permit holder requests incorporation (that is, reauthorization under the permit), PBRs and SPs may be incorporated but will undergo BACT and impacts review based on commission guidance. When incorporated into the permit, the original authorization becomes void. The incorporation of PBRs and SPs requires an amendment, but no additional forms or fees are required if a complete renewal package with the above information is submitted.

and

PBRs and SPs that are [consolidated by reference] . . . in permits during an amendment or renewal will remain authorized by the PBR or SP[.] . . . Registrations for these PBRs or SPs will not be voided.⁷⁴

This reading of 30 Tex. Admin. Code § 116.116(d)(2) ("All changes authorized under Chapter 106 of this title to a permitted facility shall be incorporated into that facility's permit when the permit is amended or renewed") (emphasis added) is facially inconsistent with the rule, because it makes "incorporation" voluntary. Because 116.116(d)(2) requires PBRs to be "incorporated" into a controlling permit on renewal or amendment and because the TCEQ's

⁷⁰ 42 U.S.C. §§ 7661b(b)(1); 7661c(a).

⁷¹ Draft Permit at 48.

⁷² See Draft Permit at 49-50.

⁷³ Memorandum Re: Revised Permit by Rule and Standard Permit Consolidation Into Permits, Richard A. Hyde, Director, TCEQ Air Permits Division (September 26, 2006),

https://www.tceq.texas.gov/assets/public/permitting/air/memos/pbr_spc06.pdf.

⁷⁴ Id. at 2-3.

guidance interprets “incorporation” as it is used in this rule to mean that PBRs are rolled into a controlling permit and voided, this process must be mandatory.

Putting aside the problem of the TCEQ’s puzzling equivocation over the meaning of “incorporation,” the TCEQ’s interpretation of “consolidation by reference” as a substitute for incorporation is also inconsistent with the Texas Clean Air Act provision that the TCEQ relied on to promulgate 30 Tex. Admin. Code § 116.116(d)(2).⁷⁵ The kind of “consolidation” contemplated by the TCEQ’s guidance is inconsistent with the Texas Clean Air Act, because it does not consolidate multiple permits “into a single permit” as the statute requires. The process of consolidating multiple permits into a single permit, as it applies to 30 Tex. Admin. Code § 116.116(d)(2) is properly characterized by the process of incorporation, as described by the TCEQ’s guidance. Thus, under the statute and the rule, the process of incorporating PBRs into existing permits on amendment or renewal is mandatory and not voluntary.

Additionally, Special Condition No. 19 of Permit No. 7711A provides that “[t]here shall be no changes in representations unless the permit is altered or amended.” This condition clearly prohibits the use of PBRs to make off-permit changes to the source area authorized by Permit No. 7411A. Accordingly, GAF should not have been allowed to use PBRs to revise representations or to authorize construction of new equipment or modifications to existing equipment at the source area covered by Permit No. 7411A.⁷⁶ Accordingly, any construction of new equipment or modifications to existing equipment that is inconsistent with representations in GAF’s applications for Permit No. 7711A that has been authorized by PBR violates Permit No. 7711A and the Executive Director must establish a schedule for GAF to submit an amendment application to authorize such changes under Permit No. 7011A.

3. *The Draft Permit improperly incorporates confidential applicable requirements.*

Each Title V permit must include “enforceable emission limitations and standards...and such other conditions as are necessary to assure compliance with applicable requirements of this chapter, including the requirements of the applicable implementation plan.”⁷⁷ Applicable requirements include requirements in preconstruction permits issued pursuant to the Texas SIP, like Permit No. 7711A, Standard Permit No. 91414, Certified PBR Registration No. 14740, and representations establishing GAF eligibility to claim unregistered PBRs.⁷⁸ The TCEQ’s rule making application representations enforceable conditions of Texas preconstruction permits is also an applicable requirement.⁷⁹ EPA’s Title V regulations provide that “[a]ll terms and conditions in a part 70 permit, including any provisions designed to limit a source’s potential to

⁷⁵ Tex. Health & Safety Code § 382.0511(a) (“[t]he commission may consolidate *into a single permit* any permits, special permits, standard permits, permits by rule, or exemptions for a facility or federal source.”) (emphasis added).

⁷⁶ 30 Tex. Admin. Code § 116.116(d)(1).

⁷⁷ 42 U.S.C. § 7661c(a); 40 C.F.R. § 70.6(a).

⁷⁸ 40 C.F.R. § 70.2 (defining applicable requirements).

⁷⁹ 40 C.F.R. §§ 52.2270(c) (identifying 30 Tex. Admin. Code § 116.116(a) as part of the Texas SIP), 70.2 (identifying SIP requirements as applicable requirements for purposes of Title V).

emit, are enforceable by the Administrator and citizens under the Act.”⁸⁰ Confidential Title V permit terms are not enforceable by members of the public.⁸¹

Additionally, both Title I and Title V make it clear that applicable requirements, including federally-enforceable conditions of preconstruction permits, are public information as a matter of law. Title V specifically provides that “[t]he contents of a permit shall not be entitled to protection [as confidential information] under section 7414(c) of this title.”⁸² EPA’s Title I regulations provide that standards or limitations, are not entitled to confidential treatment.⁸³

The Draft Permit is deficient because it improperly incorporates confidential permit terms. Specifically, Special Condition No. 30 of Permit No. 7711A requires compliance with material throughput rates and operating parameters listed in confidential file during stack tests. Though they are not contained on the face of Permit No. 7711A such rates and parameters are enforceable conditions of Permit No. 7711A.⁸⁴ Additionally, the Technical Review Summary for GAF’s certified PBR registration indicates that information in the application has been designated confidential and that the emission rate of a heater authorized under an unregistered PBR is confidential.⁸⁵ The Technical Review Summary for a GAF’s subsequent application to revise its certified PBR registration also contains confidential information.⁸⁶ These representations, which establish enforceable operating requirements, physical operating limits, and calculation procedures that GAF will use to determine compliance with applicable emission limitations may not be kept confidential. The Executive Director must revise the Draft Permit to make all applicable requirements publicly accessible.

4. The Draft Permit fails to ensure compliance with the special conditions of Permit No. 7711A

Permit No. 7711A includes several special conditions that appear intended to assure compliance with permit emission limits and pollution control requirements, but that lack sufficient specificity to fulfill this objective.⁸⁷ Accordingly, the Executive Director must revise the Draft Permit to fill in gaps left by the language in Permit No. 7711A.⁸⁸

⁸⁰ 40 C.F.R. § 70.6(b)(1).

⁸¹ (Attachment B), ExxonMobil Objection Order at 4 (“Because the production rates or limitations are confidential, the public does not know what these applicable requirements are, negating the ability of citizens to enforce these conditions.”).

⁸² 42 U.S.C. § 7661b(e).

⁸³ See CAA § 114(c) (“other than emissions data”); see also 40 C.F.R. § 2.301(f).

⁸⁴ 30 Tex. Admin. Code § 116.116(a)(1). See Dow Objection Order at 8 (“Therefore, as explained by TCEQ, ‘the permit application, and all representations in it, is part of the permit when it is issued and as such is enforceable.’”).

⁸⁵ (Attachment A), Technical Review, Certified PBR Registration No. 14140, Project No. 270215.

⁸⁶ (Attachment C), Technical Review, Certified PBR Registration No. 14140, Project No. 278775.

⁸⁷ 40 CFR § 70.6(a)(3)(i)(B) and 30 TAC § 122.142(c).

⁸⁸ See In the Matter of Scherer Steam Electric Generating Plant, Order on Petition Nos. IV-2012-1, IV-2012-2, IV-2012-3, IV-2012-4, and IV-2012-5, at 18 (Jan. 31, 2011) (finding that where SIP-approved rule required operators to take “reasonable precautions” to minimize emissions without specifying which precautions were required at any particular source, the Title V permit should have established source-specific requirements to make the SIP rule enforceable).

The Draft Permit does not assure compliance with Special Condition 9 of Permit No. 7711A: Special Condition 9 of Permit No. 7711A states that “[n]o visible fugitive emissions from the asphalt processing and asphalt roofing manufacturing operations and facilities, roads, or travel areas shall leave the property.”⁸⁹ The Draft Permit and Permit No. 7711A lack conditions to assure compliance with this requirement. The Draft Permit should be amended to include monitoring requirements for Special Condition 9. To the extent that Special Condition 24 is viewed as supplying monitoring requirements for Special Condition 9, those monitoring requirements are inadequate to prevent fugitive visible emissions from the Facility. Similarly, the Draft Permit does not include language elaborating on exactly what GAF taking “immediate action (as appropriate)” should look like.⁹⁰ This permit term is vague and unenforceable, and the Draft Permit must clarify GAF’s obligations under this Special Condition.

The Draft Permit does not assure compliance with Special Condition 17 of Permit No. 7711A: Special Condition 17 of Permit No. 7711A states:

[a]ll in-plant roads and areas subject to road vehicle traffic shall be paved with a cohesive hard surface and cleaned, as necessary, to maintain compliance with the TCEQ rules and regulations. Unpaved work areas shall be sprayed with water and/or environmentally sensitive chemicals upon detection of visible PM emissions to maintain compliance with all TCEQ rules and regulations.⁹¹

The Draft Permit lacks any monitoring provisions (i.e. demonstrating how and when GAF will “detect[]” the visible PM emissions) to assure compliance with this requirement.⁹²

The Draft Permit fails to assure compliance with the requirements of Permit No. 7711A during Maintenance, Startup, and Shutdown activities. Permit No. 7711A briefly references MSS activities, stating:

Emissions from planned startup and shutdown activities are authorized by this permit from an amendment approved in June 2013. Maintenance activities are authorized either under Permit by Rule or claimed under 30 Texas Administrative Code § 116.119, De Minimis Facilities or Sources. Startup and shutdown emissions are virtually indistinguishable from production emissions. Although there may be minor emissions associated with startup and shutdown, emission factors used to quantify production emissions are considered to have enough conservatism to include any incidental increases that may be attributed to startup and shutdown. In addition, emissions from planned startup and shutdown of combustion units should not result in any quantifiable hourly emissions change for products of combustion. Although there may be transitional and incidental

⁸⁹ Air NSR Permit No. 7711A, Special Condition 9.

⁹⁰ Air NSR Permit No. 7711A, Special Condition 24 (“If visible emissions exceed 30 cumulative seconds in any six minute period, the owner or operator shall take immediate action (as appropriate) to eliminate the excessive visible emissions.”)

⁹¹ Air NSR Permit No. 7711A, Special Condition 17.

⁹² 40 CFR § 70.6(a)(3)(i)(B); 30 TAC § 122.142(c).

spikes before units stabilize during startups (5 to 15 minutes), overall products of combustion are expected to be within hourly range limits for normal loads during production operations.⁹³

These conclusory statements cannot substitute for clear requirements applicable during MSS and adequate monitoring of emissions during MSS. First, neither the relevant language from the June 2013 permit amendment nor the permit amendment document appears in either the Draft Permit or either of the Facility's two active Air NSR Permits. Without the text of the amendment authorizing MSS emissions, West Dallas residents cannot be assured either that these emissions limitations are sufficient to ensure compliance with applicable regulatory requirements. Likewise, because there are no additional monitoring requirements associated with MSS emissions, at least none that are evident in the Draft Permit or two NSR permits, West Dallas residents cannot be assured that emissions from these frequent events are not in fact burdening their community with illegal emissions of air pollutants.

Second, the referenced emission factors are not listed anywhere in the Draft Permit or in either of the two NSR permits. The Draft Permit is incomplete because these emission factors are not stated or incorporated by reference.

Finally, the fact that during startup the "overall products of combustion are expected to be within hourly range limits for normal loads during production operations"⁹⁴ is an assumption that neither the Draft Permit nor either NSR permit nor any PBR substantiates. The public has no way of evaluating the basis or accuracy of this expectation, and thus the Draft Permit is deficient. Adequate monitoring of emissions from the Facility to ensure compliance with underlying emissions limitations requires adequate monitoring during MSS.

Special Condition No. 21, which appears in a permit section entitled "Demonstration of Continuous Compliance" appears to contemplate the use of stack testing to assure ongoing compliance with MAERT emission limits for GAF's thermal oxidizer. The stack testing requirement, along with temperature monitoring requirements established by Special Condition Nos. 27, 28 appear to be the only methods Permit No. 7711A requires to assure compliance with these limits. The stack testing requirement and the temperature monitoring conditions are deficient for several reasons. Most significantly, the permit fails to actually require GAF to undergo any future stack testing to determine actual emission rates at the asphalt plant. Reliance on an unspecified number of stack tests that were performed at an unspecified time cannot assure ongoing compliance with hourly and annual emission limits for the thermal oxidizer and other short and long-term control standards established by Permit No. 7711A for the entirety of the permit term, given that operational conditions at the plant likely vary in ways that affect the performance of control equipment.⁹⁵ Additionally, a stack test that occurs less frequently than once a permit term cannot assure ongoing compliance with MAERT emission limits because it

⁹³ Air NSR Permit No. 7711A, Source Analysis & Technical Review at 3 (March 27, 2018).

⁹⁴ Id.

⁹⁵ This fact is underscored by Special Condition No. 30, which provides that permitted throughput rates and operating ranges may be modified if the plant cannot perform at maximum rates during a stack test.

bears no relation to the relevant compliance periods (annual and hourly).⁹⁶ Moreover, the Draft Permit is deficient because the Executive Director has not provided a reasoned explanation supporting his determination that past stack tests and temperature monitoring requirements in Permit No. 7711A assure ongoing compliance with applicable control requirements and MAERT limits for GAF's thermal oxidizer.⁹⁷ Permit No. 7711A is also unclear about which pollutants would be the subject of any testing required by the Executive Director. Special Condition No. 32 states that stack testing requested by the Executive Director "may," but need not include PM, CO, SO₂, NO_x, and VOC. If stack testing is necessary to ensure ongoing compliance with MAERT limits for the thermal oxidizer, GAF's permit should at least require testing of each pollutant listed in the MAERT. If the Executive Director believes that testing for one or more such pollutants is unnecessary, because emission rates of a tested pollutant are a reasonable surrogate for the emission rate of an untested pollutant, the permit record must provide a reasonable basis for the Executive Director's belief.⁹⁸

The temperature monitoring requirements at Special Condition Nos. 27 and 28 are also deficient. Special Condition No. 27 requires GAF to "establish a minimum combustion temperature using the most recent performance test, manufacturer's Special Conditions Permit Number 7711A Page 5 recommendations, engineering calculations, and/or historical data." The permit, however, does not indicate whether the minimum combustion temperature limit has been established, and if so, what it is and how it was determined. Combustion temperature is a critical variable that effects the performance of pollution controls, like thermal oxidizers and flares. The Draft Permit's failure to identify the minimum temperature required to ensure GAF's thermal oxidizer will continuously achieve the level of performance represented renders it deficient.⁹⁹ If GAF has established a minimum operating combustion temperature for its thermal oxidizer, the Draft Permit is still deficient because that limit is not listed in the permit and members of the public did not have an opportunity to review it and evaluate its sufficiency.

Likewise, Special Condition No. 28 establishes inlet temperature and pressure drop requirements necessary to assure effective operation of GAF's Coalescing Filter Mist Elimination Systems. The Special Condition provides that these requirements are to be calculated consistent with directives established by EPA's Part 63 NESHAP regulations. The Special Condition, however, fails to identify the enforceable inlet temperature and pressure drop requirements calculated using the calculation methods mandated by federal regulations. These requirements are applicable requirements that must be included in the Draft Permit. The Draft Permit's failure to specify the calculated values makes it impossible for members of the public or regulators to determine whether they were calculated correctly and to consider whether these requirements—in conjunction with stack testing and visual monitoring required by the permit—assure compliance with applicable emission limits and pollution control requirements. Accordingly, the Draft Permit is deficient.¹⁰⁰

⁹⁶ See, e.g., In the Matter of Northeast Maryland Waste Disposal, Order on Petition No. III-2019-2 at 9 (December 11, 2020) ("An annual stack test alone is insufficient to assure compliance with a 1-hour HCl emission limit.").

⁹⁷ Id. at 8-9. See also, 40 C.F.R. § 70.7(a)(5).

⁹⁸ 40 C.F.R. § 70.7(a)(5).

⁹⁹ 42 U.S.C. § 7661c(a).

¹⁰⁰ 42 U.S.C. § 7661c(a), (c); 40 C.F.R. § 70.7(a)(5).

5. ***The Draft Permit does not provide clarity on how the emission units listed in the Applicable Requirements section correlate to the emission units listed in the MAERT.***

The identifiers of the emissions units with allowable PM emissions specified in the Maximum Achievable Emission Rate Table (“MAERT”) do not correlate with the names of emissions units listed in the Applicable Requirements or Periodic Monitoring sections in the Draft Permit. For example, the Draft Permit indicates that SOP 60UU-4 (a component of Line 3) is subject to five separate PM monitoring requirements, as is SOP 60UU-3 (another component of Line 3); one is a parametric monitoring requirement (temperature of the exhaust of the thermal oxidizer control equipment), and the other four require PM to be measured using opacity as a proxy. Neither SOP 60UU-3 or SOP 60UU-4 appears anywhere in the MAERT, though components of Line 3 not identified anywhere in the Draft Permit do (e.g., 26A, Stabilizer Storage Baghouse A Stack). Likewise, the Unit Summary section of the Draft Permit provides no clarity on just how the Emission Point Numbers of the MAERT correlate with the Unit/Group/Process ID Number or SOP Index Numbers of the Draft Permit.

It is not clear how West Dallas residents are supposed to ascertain which emissions units are subject to which emissions limits, especially in regards to Line 3. Community members cannot discern whether the components identified in the MAERT are a part of 60UU-4, or vice versa. Thus, requirements listed as applicable to 60UU-4 in the Draft Permit may or may not be applicable to the Emission Point Numbers listed in Permit No. 7711A. Basically, there is no way to tell (even with the Draft Permit and Permit No. 7711A in front of you) how much PM Line 3 is allowed to emit and specifically how those emissions are monitored. This may cause failure to ensure compliance with applicable requirements. This error should be remedied before granting the Draft Permit so that the requirements that are applicable to each emission point within each emission unit are completely clear.

6. ***The Draft Permit’s Additional Periodic Monitoring requirements do not ensure compliance with applicable underlying emissions limitations.***

Title V operating permits must include additional monitoring that yields reliable data from a relevant time period that are representative of emission units’ compliance with the applicable emission limitation or standard for applicable requirements that lack periodic or instrumental monitoring.¹⁰¹ The Draft Permit does not do so. West Dallas 1 appreciates that the TCEQ required at least some additional monitoring of PM/Opacity from emission units at the facility, as the applicable requirements command.¹⁰² However, no effort was made in the SOB or the Draft Permit to explain to the public why, in the absence of regulatorily specified monitoring frequencies, the TCEQ determined that weekly Opacity measurements suffice to ensure compliance with the underlying emissions limitations.

¹⁰¹ 40 CFR § 70.6(a)(3)(i)(B); 30 TAC § 122.142(c)

¹⁰² Air NSR Permit No. 7711A Special Conditions at 3-4; Draft Permit at 32 et seq; 30 TAC § 111.111(a)(1)(A); 40 C.F.R. § 60.472(a)(2), (c), (d).

The Periodic Monitoring requirements in the Draft Permit are copied verbatim from the Special Condition section of Permit No. 7711A.¹⁰³ For those parts of LINE3 not controlled by an afterburner, the underlying opacity monitoring requirements do not specify a frequency with which monitoring must be undertaken to demonstrate continuing compliance.¹⁰⁴ The TCEQ opted for weekly measurements, which provide only an infrequent snapshot into the functioning of different components of LINE3. While quarter-hourly parametric monitoring of the thermal oxidizer control devices of LINE3¹⁰⁵ ensure that the emissions units are complying with applicable emission limitations, the rationale that TCEQ followed to determine that weekly opacity monitoring would be sufficient has been omitted from the SOB and the Draft Permit. TCEQ has offered nothing in the SOB or Draft Permit that explains how these additional periodic monitoring requirements ensure compliance with the emissions limitations of the underlying applicable regulations. Additionally, the TCEQ has included no information that would allow the public to determine why, if the afterburners of LINE3 control emissions from Blowing Stills and Storage Tanks built after the applicable regulatory date are subject to Subpart UU emissions limitations and require monitoring,¹⁰⁶ then the afterburners of LINE1, which also appear to control emissions from Blowing Stills and Storage Tanks of LINE1 (though this is merely an inference and is not stated in the Draft Permit or SOB outside of the Basis of Determination section)¹⁰⁷ and were also built after the applicable regulatory date are not subject to Subpart UU emissions limitations and do not require monitoring.

Likewise, for emission units subject to the emissions and monitoring requirements of the TAC, the once-per-quarter monitoring of emission units 1-1 and 1-3 (with fabric filter control equipment), and COOL1 (with no control equipment) is too infrequent. The underlying regulations do not specify how often opacity monitoring is to occur.¹⁰⁸ Again, the TCEQ has offered nothing in the SOB or Draft Permit that explains how these additional periodic monitoring requirements ensure compliance with the emissions limitations of the underlying applicable regulations.

C. The Executive director has not demonstrated that negative applicability determinations listed in the Draft Permit's Permit Shield are justified.

The Draft Permit includes a permit shield that covers many emission units. According to the Draft Permit, the Executive Director "has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process" listed in the permit shield.¹⁰⁹ For each such determination, the Draft Permit includes a brief and often

¹⁰³ Draft Permit at 32 et seq.

¹⁰⁴ 40 C.F.R. § 60.472(a)(2), (c), (d).

¹⁰⁵ Air NSR Permit No. 7711A Permit Amendment Source Analysis and Technical Review, at 2 ("Emissions from the blowing stills, loading racks, and storage tanks vent to a thermal oxidizer (direct-flame incinerator). The thermal incinerator has a rated destruction efficiency of 95% for PM/PM10 . . .").

¹⁰⁶ Statement of Basis 13-14 (the Blowing Stills and Storage Tanks of 60UU-3 and 60UU-4 use afterburner control devices, just like 60UU-1 and 60UU-2 of LINE1. For some reason that isn't adequately (or even remotely) explained in the SB or Draft Permit, the Blowing Stills of LINE1 do not require this monitoring).

¹⁰⁷ Statement of Basis 11-12.

¹⁰⁸ 30 TAC § 111.111(a)(1)(A).

¹⁰⁹ Draft Permit at 44.

vague statement of the basis of the determination. Moreover, as noted above (Section V.A., *infra*), the Permit Shield appears to incorrectly exempt from regulation at least some emissions units from applicable regulation(s).

The EPA has objected to negative applicability determinations where state permitting agencies fail to properly investigate whether those determinations are appropriate. For example, the EPA has objected to negative applicability determinations based on the construction date of an emission unit where the permitting agency failed to demonstrate that construction or modifications to the unit did not actually occur after the effective date of an otherwise applicable regulatory standard.¹¹⁰ It is important that the public and federal regulators are able to discern how the Executive Director decided which conditions to include in a permit shield. At least one emission unit in the Permit Shield appears to be erroneously exempted from applicable requirements, as noted above (Section V.A.). One of two eventualities must have occurred: (1) the TCEQ has not carefully reviewed the requirements applicable to each emission unit in the Draft Permit, allowing LINE1 to improperly avoid regulation even though some of its components were constructed/modified after the applicable regulatory date, or (2) the construction/modification dates in the SOB were erroneously entered, and no part of LINE1 was constructed/modified after the applicable regulatory date. The TCEQ gives no adequate explanation anywhere in the SOB or the Draft Permit of its rationale as to why LINE1 is totally exempt from Subpart UU emission limitations. The Draft Permit and the SOB are deficient, because they fail to provide meaningful information demonstrating that the negative applicability determinations listed in the Permit Shield were properly made.

As the EPA has previously explained to the Executive Director in the Title V permitting context:

[B]lanket statements such as those contained in the draft Title V permit and the accompanying SOB do not meet the permit shield requirements of 40 C.F.R. § 70.6(f) ... [Such permits are objectionable], because the permit shield provisions ... are only supported by conclusory statements in the SOB. The SOB fails to provide an adequate discussion of the legal and factual basis for the determinations made under 40 C.F.R. § 70.6(f) used to support the nonapplicability of those requirements identified in the "Permit Shield" attachment to the Title V permit.¹¹¹

To address this deficiency, the EPA stated:

the Title V permit renewal application must be revised to include all potentially relevant facts supporting a request for a determination of non-applicability, and the SOB must be revised to provide an adequate discussion [of] TCEQ's legal and

¹¹⁰ See, e.g., Objection to Federal Part 70 Operating Permit Goodyear Tire & Rubber Company, Houston Chemical Plant, TCEQ Permit No. a 1227 (January 8, 2010).

¹¹¹ Objection to Federal Part 70 Operating Permit ExxonMobil Corporation, Colonial Storage Facility (March 5, 2010).

factual basis for all determinations of non-applicability for those requirements identified in the "Permit Shield" attachment to the permit.¹¹²

For example:

[W]hen there is a construction date for which a permit shield applies, the permit should list the facility's construction start-up date. When a shield applies for tanks of a specific size, the permit should list the tank sizes of the units in question.¹¹³

While there are construction/modification dates listed in the SOB, their inclusion sows confusion and does not help inform the public about the TCEQ's legal and factual basis for all non-applicability determinations. There is no adequate discussion anywhere in the Draft Permit or SOB that informs the public why equipment built after the regulatory date should not be subject to applicable requirements. Separately, language must be added to the Draft Permit stating that the permit shield cannot excuse past violations to ensure compliance with 40 C.F.R. § 70.6(f)(3)(ii).

D. The Draft Permit does not adequately recognize or include a compliance plan to address the nuisances posed to the West Dallas community by the GAF facility.

General Condition 13 of NSR permit 7711A prohibits GAF from causing or contributing to a condition of air pollution, which is defined as the emission of air pollutants in such concentrations as: (1) are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property; or (2) interfere with the normal use or enjoyment of animal life, vegetation, or property.¹¹⁴ Yet GAF is a source of near-constant nuisance in the West Dallas area, especially to the nearby public housing development¹¹⁵ and private residences, schools, churches, community centers and daycare facilities.

Residents and other affected persons have not previously filed complaints with the TCEQ simply because they did not know how to file such complaints. Despite this, West Dallas residents report regularly seeing and smelling emissions from the facility for many years, with consistent complaints of invasive and offensive odors,¹¹⁶ regular sightings of plumes of dust and smog,¹¹⁷ and even reports of dark, sticky substances covering outdoor surfaces and automobiles.¹¹⁸

¹¹² Id.

¹¹³ Letter from Carl E. Edlund, P.E., Director, Multimedia Planning & Permitting Division, EPA Region 6 to Richard Hyde, P.E., Director, Office of Permitting, Remediation, and Registration, TCEQ, Re: Title V Objections (March 18, 2011).

¹¹⁴ Tex. Health & Safety Code § 382.003(3).

¹¹⁵ Kingbridge Crossing is a Dallas Public Housing Authority development located directly across the street from GAF with units less than 500 feet from the GAF property line.

¹¹⁶ See Attachments D-H (Declarations of Roncindra Davis, Myrtle Newman, Brittany Morgan, Esther Villarreal, and Jeff Howard)

¹¹⁷ See Attachments F & G (Declarations Brittany Morgan and Esther Villarreal)

¹¹⁸ See Attachment F (Declaration of Brittany Morgan)

Roncindra Davis lives in Kingbridge Crossing, a Dallas public housing authority property located directly across the street from GAF. Her home is less than 500 feet from the facility. She has asthma and bronchitis and complains of offensive odors every week forcing her to keep her doors and windows shut even on hot days when she would prefer to air her home out. She does not think it is right that she has to live across the street from such heavy industrial activity and she knows it can't be good for her health. Myrtle Newman is another Kingbridge resident who complains of terrible odors "bad enough to make you feel ill." She suffers from a persistent cough and sinus problems that developed only after moving to Kingbridge five years ago and she finds that her symptoms are worse when she is at home. The odors are very concerning to her and she knows they must be doing damage if the smell is that bad. Kingbridge Crossing is also home to Brittany Morgan and her family. Brittany and two of her young children also suffer from asthma. They complain of strong odors every evening and dust in the air once or twice a week. The dust and odors are concerning to Brittany and she worries about the impact the pollution is having on her and her children's respiratory health. She tells her children not to play outside on days when she notices the smell. The testimony of these residents and many others document the very real conditions of air pollution created by the GAF facility that both adversely affect human health and welfare and interfere with the use and enjoyment of property.

Permit No. 7711A states that "[a]n opacity violation or an odor nuisance condition, as confirmed by the TCEQ or any local air pollution control program with jurisdiction, may be cause for additional controls."¹¹⁹ No additional controls, however, have been required that are sufficient to abate the nuisance. The Draft Permit should be amended to include a compliance plan to eliminate these nuisance conditions.

VI. CIVIL RIGHTS ACT VIOLATIONS

The issuance of GAF's Title V permit renewal would result in unjustified, disparate and serious adverse impacts to minority and low-income populations living near the GAF facility and perpetuate past discrimination against those who have been historically injured by environmental harms.

A. The issuance of GAF's Title V permit would have an adverse impact that disproportionately affects people of color and people with lower incomes

TCEQ's approval of GAF's Title V permit renewal would have a disproportionately negative impact on people of color, particularly African Americans, by exposing them to harmful levels of SO₂, PM and other emissions. It would also adversely impact households with lower incomes. The GAF facility is located in Dallas County Census Tract 205 which is a majority minority Census tract. Over 60% of the population in Census Tract 205 is Black or African American and nearly 30% is Hispanic or Latino.¹²⁰ According to the EPA's own EJSCREEN tool, the population within a 1-mile radius of the GAF facility is 91% people of color, 73% low-

¹¹⁹ Air NSR Permit No. 7711A, Special condition 16.

¹²⁰ 2019 ACS 5-Year Estimates Data Profiles available at:

<https://data.census.gov/cedsci/table?g=1400000US48113020500&tid=ACSDP5Y2019.DP05&hidePreview=false>

income and 17% linguistically isolated.¹²¹ The percentage of African Americans in the affected area is nearly triple that of Dallas County and over four times that of the state of Texas.

In 2019, GAF was the highest emitter of SO₂ in Dallas County with over 125 tons emitted and the fourth highest emitter of PM_{2.5} with 26.31 tons emitted.¹²² As discussed in more detail above, short-term SO₂ exposure is known to have harmful effects on the respiratory system making breathing difficult and exacerbating the symptoms of asthma, particularly in children.¹²³ Long-term exposure to persistent levels of SO₂ has been linked to lasting and detrimental changes to lung function.¹²⁴ High concentrations of SO₂ in the air also contributes to PM pollution, small particles which can penetrate the lungs and bloodstream, causing serious health problems.¹²⁵

The facility is located within a half mile of two public schools, a daycare center, a public senior housing development, a church, a public library, a public community center and numerous single-family residences and small businesses. So not only do the facility's harmful emissions adversely affect the minority residents who live in the affected area but all of the residents who utilize the community amenities, resources and businesses located within the area as well.

B. The issuance of GAF's Title V permit will have the effect of perpetuating past discrimination against the residents of West Dallas who have historically borne disproportionate environmental impacts

Studies have found that communities of color have higher exposure rates to air pollution than their white, non-Hispanic counterparts¹²⁶ and that landfills, hazardous waste sites and other industrial facilities are most often located in communities of color.¹²⁷ The West Dallas community is a prime example of this injustice. West Dallas is home to one of the nation's largest Superfund sites created by the RSR lead smelting facility that operated for over 50 years with impunity, poisoning the air and soil of West Dallas residents for multiple generations. While the RSR plant was closed in the 1980's West Dallas remains plagued with environmental injustices. Even today, West Dallas has the highest concentration of heavy industrial zoning of any zip code in the City of Dallas and some of the worst air pollution.¹²⁸ A recent study by UT

¹²¹ U.S. EPA, EJSCREEN Demographic Indicators, available at: <https://ejscreen.epa.gov>

¹²² TCEQ, 2019 Point Source Emissions Inventory, available at: <https://www.tceq.texas.gov/airquality/point-source/contaminant-summary-reports>

¹²³ U.S. EPA, Sulfur Dioxide Basics, available at: <https://www.epa.gov/so2-pollution/sulfur-dioxide-basics>

¹²⁴ U.S. EPA, Integrated Science Assessment for Sulfur Oxides - Health Criteria. EPA/600/R-08/047F (Sept. 2008) available at:

<https://cfpub.epa.gov/ncea/risk/recorddisplay.cfm?deid=198843&CFID=67772989&CFTOKEN=91583296>

¹²⁵ U.S. EPA, Particulate Matter (PM) Basics, available at: <https://www.epa.gov/pm-pollution/particulate-matter-pmbasics#effects>

¹²⁶ Center for American Progress, 5 Things to Know About Communities of Color and Environmental Justice (Apr. 2016) available at: <https://www.americanprogress.org/issues/race/news/2016/04/25/136361/5-things-to-know-about-communities-of-color-and-environmental-justice/>

¹²⁷ Id.

¹²⁸ Paul Quinn College, Poisoned by Zip Code, (Spring 2020) available at:

Southwestern Medical Center found that there is up to a 15-year difference in life expectancy depending on the zip code in which one resides in the City of Dallas.¹²⁹ West Dallas residents are impacted by the cumulative harmful emissions from numerous industrial operators in the area including GAF and at least two concrete batch plants, all of which contribute to the degradation of air quality, human health, and safety in the West Dallas community.

Approving the Draft Permit will have the effect of perpetuating past discrimination against Black and Latino residents of West Dallas who have historically borne disproportionate environmental impacts. This adverse and disparate impact is not justified and TCEQ should require less discriminatory permit conditions.

VI. CONCLUSION

For the aforementioned reasons, the Draft Permit fails to comply with the federal Clean Air Act and its implementing regulations. The Commission must correct these deficiencies before the final renewed Federal Operating Permit No. O2771 may be issued.

Respectfully,



Stephanie Champion, *Staff Attorney*
Legal Aid of NorthWest Texas
Community Revitalization Project
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champions@lanwt.org

Kelly Haragan, *Clinic Director*
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Austin, TX 78705

Gabriel Clark Leach, *Senior Attorney*
Environmental Integrity Project
1206 San Antonio St.
Austin, TX 78701

https://static1.squarespace.com/static/5bf84b434611a034b52113b9/t/5ec5b8a8b4ac6740e2506c26/1590016170482/Executive+Summary_VI_R1.pdf

¹²⁹ UT Southwestern Medical Center, Life Expectancy by ZIP Code in Texas (Feb. 2019), available at:

<https://www.texashealthmaps.com/lfx>

ATTACHMENT A

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	John Gott, P.E.
Project No.:	270215	Unit Name:	GAF Materials	PBR No(s).:	106.261, 106.262, 106.472

GENERAL INFORMATION			
Regulated Entity No.:	RN100788959	Project Type:	Permit by Rule Application
Customer Reference No.:	CN605251487	Date Received by TCEQ:	June 7, 2017
City/County:	Dallas, Dallas County	Date Received by Reviewer:	June 12, 2017
Physical Location:	2600 Singleton Blvd		

CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Mr. Bruce Dahlgren Plant Manager	Phone No.:	(214) 637-8970	Email:	BDAHLGREN@GAF.CO M
Technical Contact/ Consultant Name and Title:	Mr. Kevin Bush Environmental Engineer	Fax No.:	(214) 637-5202	Email:	KBUSH@GAF.COM

GENERAL RULES CHECK	YES	NO	COMMENTS
Is confidential information included in the application?	X		Confidential version of PBR submittal.
Has the PBR fee been paid?	X		
Is this registration certified?	X		
Is this an APWL site?		X	
Are there any upstream or downstream affects associated with this registration?		X	All emissions are included.
Is planned MSS included in the registration?		X	
Are there affected NSR or Title V authorizations for the project?	X		If yes, what is the number(s): NSR 7711A, O-2771
Is each PBR > 25/250 tpy?		X	
Are PBR sitewide emissions > 25/250 tpy?	N/A	N/A	Site has been to public notice.
Are there permit limits on using PBRs at the site?		X	
Is PSD or Nonattainment netting required?		X	
Do NSPS, NESHAP, or MACT standards apply to this registration?		X	
Does NOx Cap and Trade apply to this registration?		X	
Is the facility in compliance with all other applicable rules and regulations?	X		

DESCRIBE OVERALL PROCESS AT THE SITE
Building Materials Investment Corporation doing business as GAF Materials Corporation (GAF) owns and operates asphalt roofing production facility located in Dallas, Texas (Dallas Plant). Operations at GAF Dallas Plant are authorized under New Source Review (NSR) Permit No. 7711A, Standard Permit No. 91414 and several non-registerable Permits by Rule (PBRs).

DESCRIBE PROJECT AND INVOLVED PROCESS
<p>GAF has certified the emissions under PBR106.261, 106.262 and 106.472 to authorize Line 3 sealant application system that includes one new Line 3 sealant run tank, associated self-seal applicator, laminate self-seal applicator, asphalt fume filter and a Heatec heater. The Heatec heater is authorized under PBR 106.183 which does not require registration.</p> <p>Self-seal asphalt based dots are applied to the asphalt roofing sheets before they are cut into shingles and automatically packaged. Adhesive stripes are applied to the laminated shingles in Line 3 before the shingles are cut and packaged. As part of this project, GAF is planning to install Line 3 sealant application system to apply self-seal asphalt and laminate self-seal asphalt to the asphalt roofing sheets. The proposed Line 3 sealant application system includes one new Line 3 sealant run tank, associated self-seal applicator, laminate self-seal applicator, asphalt fume filter and a Heatec heater. The company is claiming all emissions under PBR 106.261 and 106.262. The company is using the TCEQ memo by Mr. Richard Hyde dated September 1, 2006 to construct the sealant run tank under PBR 106.472 (1) while the emissions are approved under PBR 106.261 and 106.262.</p> <p>The emissions from the Line 3 sealant run tank, associated self-seal applicator, laminate self-seal applicator will be controlled by Line 3 Mist Elimination System (Emission Point Number [EPN]: CFL2). The Line 3 Mist Elimination System is a filter system that controls the asphalt fumes from the Line 3 sealant run tank, associated self-seal applicator, and laminate self-seal applicator. GAF does not expect any increase in actual emission increases from upstream or downstream processes as a result of the proposed project.</p> <p>The Heatec heater is used to provide heat required by the Line 3 sealant application system, and the heater is authorized under PBR 106.183. The Dallas Plant maintains onsite documentation and as such, emissions associated with this heater are not included in this PRB registration. The natural gas heater has less than 1 tpy for each criteria pollutant emissions. The company submitted the emission rates as confidential.</p>

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	John Gott, P.E.
Project No.:	270215	Unit Name:	GAF Materials	PBR No(s).:	106.261, 106.262, 106.472

TECHNICAL SUMMARY - DESCRIBE HOW THE PROJECT MEETS THE RULES	
PBR 106.261/262 Compliance Demonstration	
<ul style="list-style-type: none"> The emission point(s) associated with the facilities or changes to facilities are located at least 100 ft from the nearest off-site receptor. The total new or increase emissions will comply with the applicable hourly and annual emission limits as represented in the table below. There are no changes to or addition of any pollution abatement equipment. Visible emissions to the atmosphere, from any point or fugitive source, do not exceed 5.0 % opacity in any six-minute period. This registration is not for authorization for construction or to change a facility authorized under another section of this chapter or under standard permit. 	
§106.472 (March 14, 1997 amended September 4, 2000)	
Liquid loading or unloading equipment for railcars, tank trucks, or drums; storage containers, reservoirs, tanks; and change of service of material loaded, unloaded, or stored is permitted by rule, provided that no visible emissions result and the chemicals loaded, unloaded, or stored are limited as cited by the company to:	
(1) the following list: asphalt, resins, soaps lube oils, fuel oils, polymers, detergents, lube oil additives, vegetable oils; (2) water or wastewater; (3) aqueous salt solutions; (4) aqueous caustic solutions, except ammonia solutions; (5) inorganic acids except oleum, hydrofluoric, and hydrochloric acids; (6) aqueous ammonia solutions if vented through a water scrubber; (7) hydrochloric acid if vented through a water scrubber; (8) acetic acid if vented through a water scrubber; and (9) organic liquids having an initial boiling point of 300 degrees Fahrenheit or greater.	

PBR 106.261(2)							
Air Contaminant				Emission Limit		Actual Emissions	
				Lb/hr	Tpy	lb/hr	tpy
CO				6.00	10.00	0.00335	0.01
PBR 106.262							
Air Contaminant	L	D	K	Emission Limit		Actual Emissions	
	mg/m ³	ft		lb/hr	Tpy	lb/hr	tpy
Asphalt Petroleum "Fume"	5	450	92.5	0.0541	0.2368	0.050273	0.1900729
H2S	1.1	450	92.5	0.0119	0.0521	0.00166	0.00621
PBR 106.261(3)							
Air Contaminant				Emission Limit		Actual Emissions	
				lb/hr	tpy	lb/hr	tpy
Carbonyl Sulfide				1.00	4.38	4.36E-5	1.63E-4
TOTAL VOC EMISSIONS:						0.05*	0.19*

*The total speciated emissions both lbs/hr and tpy are equal to the 0.05 lbs/hr and 0.19 tpy of VOC in the ESTIMATED EMISSIONS block below and are acceptable speciated emission estimates.

COMMUNICATION LOG			
Date	Time	Name/Company	Subject of Communication
6-15-2017	1115	To: Mr. Kevin Bush	Voicemail- I need the emissions that you are claiming under an unregistered PBR 183.
6/15/2017	1617	Fm: Lele Bao lbao@trinityconsultants.com 972-661-8100	Email--please find attached the emission calculation for the Line 3 Heatec Heater that includes the heater size and hours of operations for the proposed Line 3 Sealant Application System project.
7/11/2017	1500	To: Lele Bao, 972-661-8100	Discussed the asphalt. Is it blown asphalt or virgin asphalt?
7/11/2017	1642	Fm: Lele Bao lbao@trinityconsultants.com 972-661-8100	Email-Thanks for the time to discuss the asphalt question this afternoon. The laminate sealant is approximately 90% blown asphalt and 10% polymer modified asphalt. The self-seal sealant is laminate sealant blended with approximately 20% limestone.

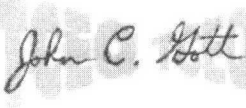
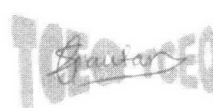
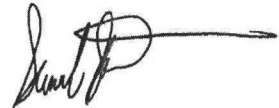
EPN / Emission Source	VOC		CO		PM		PM ₁₀		PM _{2.5}		H ₂ S		Carbonyl Sulfide	
	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
CFL2 / Line Sealant System- Mist Elimination System	0.05	0.19	<0.01	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	0.01	<0.01	<0.01

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	John Gott, P.E.
Project No.:	270215	Unit Name:	GAF Materials	PBR No(s).:	106.261, 106.262, 106.472

TOTAL EMISSIONS (TPY):		0.19		0.01		<0.01		<0.01		<0.01		0.01		<0.01
MAXIMUM OPERATING SCHEDULE:	Hours/Day			Days/Week			Weeks/Year			Hours/Yr		8,760		

SITE REVIEW/DISTANCE LIMIT	Y	N	Description/Outcome	Date	Reviewed by
Site Review Required?		X		6/15/2017	John C. Gott, P.E.
PBR Distance Limits Met?	X		The company claims that 110' exists to the nearest property line and 450' to the nearest off-property structure.	6/15/2017	John C. Gott, P.E.

	TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:			
PRINTED NAME:	Mr. John Gott, P.E.	Sushil Gautam, Ph.D.	Mr. Samuel Short, Mgr.
DATE:	June 15, 2017	June 19, 2017	July 12, 2017

ATTACHMENT B



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

January 23, 2020

Ms. Tonya Baer, Deputy Director
Office of Air
Texas Commission on Environmental Quality (MC 122)
P.O. Box 13087
Austin, TX 78711-3087

Re: Objection to Title V Permit No. 02269
ExxonMobil Corporation, Baytown Chemical Plant
Harris County, Texas

Dear Ms. Baer:

This letter is in response to the Texas Commission on Environmental Quality (TCEQ) submittal to our office containing the proposed renewal of the Title V permit for the ExxonMobil Baytown Chemical Plant referenced above. TCEQ indicated in the cover letter of the submittal that EPA's 45-day review period would begin on December 10, 2019, and end on January 24, 2020. We have reviewed the proposed title V permit action including TCEQ's response to comments and Statement of Basis. In accordance with 40 CFR § 70.8(c) and 42 U.S.C. § 7661d(b)(1), EPA is objecting to the proposed permitting action. Section 505(b)(1) of the federal Clean Air Act (Act) requires EPA to object to the issuance of a proposed Title V permit during its 45-day review period if EPA determines that the permit is not in compliance with applicable requirements of the Act or requirements under 40 CFR Part 70. The Enclosure to this letter provides the specific reasons for each objection and a description of the terms and conditions that the permit must include to respond to the objections.

Section 505(c) of the Act and 40 CFR § 70.8(c)(4) provide that if the permitting authority fails, within 90 days of the date of the objection, to submit a permit revised to address the objections, then EPA will issue or deny the permit in accordance with the requirements of 40 CFR Part 71. Because the State must respond to our objection within 90 days, we suggest that the revised permit be submitted with sufficient advance notice so that any outstanding objection issues may be resolved prior to the expiration of the 90-day period.

We are committed to working with the TCEQ to ensure that the final title V permit is consistent with all applicable title V permitting requirements and the EPA approved Texas Title V air permitting program. If you have questions or wish to discuss this further, please contact Cynthia Kaleri, Air Permits Section Chief at (214) 665-6772, or Aimee Wilson, Texas Permit Coordinator at (214) 665-7596. Thank you for your cooperation.

Sincerely,

1/23/2020

 David F Garcia

Signed by: DAVID GARCIA
David F. Garcia, P.E.
Director
Air & Radiation Division

Enclosure

cc: Baytown Chemical Plant Site Manager
ExxonMobil Corporation

Mr. Sam Short, Director
Air Permits Division
Texas Commission on Environmental Quality (MC-163)

Objections to Title V Permit O2269

1. Objection to Improperly Incorporating Confidential Operational Limits and Emission

Calculations. The proposed title V permit incorporates by reference NSR permits 96220, 28441, and 8586. Each of these NSR permits contains special conditions which references confidential information submitted in permit applications.

- NSR permit 96220 includes references to the initial permit application's confidential file dated November 2011 at special conditions 4(A), 11, and 12. Special Condition 4(A) in permit 96220, establishes a production rate for polymer production. Special Condition 11 in permit 96220, enforces a limitation on the products to be stored in seven storage tanks. Special Condition 12 in permit 96220, enforces a limitation on the products to be loaded and unloaded at three loading racks.
- NSR permit 28441, at Special Condition 4, references confidential information contained in the associated August 2014 permit amendment application. Special Condition 4 in permit 28441 establishes an operational production limitation on the Toluene Disproportionation Unit.
- NSR permit 8586, at Special Condition 4, references confidential information contained in the associated February 2003 application. Special Condition 4 in NSR permit 8586 provides an operational limitation on the production rates of polypropylene for all production lines.

The Clean Air Act ("CAA") limits the types of information that may be treated as confidential in a title V permit, and therefore withheld from the public. In this instance, NSR applications containing confidential information have been incorporated into corresponding NSR permits and, in turn, are now incorporated by reference into the proposed title V permit as a term of that permit. As a general matter, some information may be protected as a trade secret under section 114(c) of the CAA. 42 U.S.C. § 7414(c). However, the CAA specifically limits this protection: "The contents of a [title V] permit shall not be entitled to [confidential] protection under section [114(c)]." 42 U.S.C. § 7661b(e). Regarding the contents of a title V permit, the CAA further requires that "Each permit issued under this subchapter shall include enforceable emission limitations and standards, ... and such other conditions as are necessary to assure compliance with applicable requirements" 42 U.S.C. § 7661c(a). EPA regulations further require that the contents of a title V permit include "emissions limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance." 40 C.F.R. §70.6(a)(1). Further, "terms and conditions in a part 70 permit... are enforceable by the Administrator and citizens under the Act." 40 C.F.R. §70.6(b)(1). Additionally, information which is considered emission data, as well as standards or limitations, are also not entitled to confidential treatment. *See* CAA § 114(c) ("other than emissions data"); 40 C.F.R. §2.301(f).

The EPA has previously evaluated the use of confidential requirements in permits issued by TCEQ. *See In the Matter of ExxonMobil Corporation, Baytown Refinery*, Order on Petition No. VI-2016-14 (April 2, 2018) (Baytown Order). In granting that petition, the EPA acknowledged that a potential conflict exists between TCEQ's regulatory scheme and the CAA mandate that does not afford confidential protections to the contents of a permit.

Here, the confidential information that is referenced in NSR permits 96220, 28441, and 8586 and subsequently incorporated into the proposed title V permit establishes binding requirements

governing operations of the plant related to production limits of various products. Since the limitations from the NSR permits and associated applications are incorporated into the proposed title V permit, these production rates would be part of the contents of the title V permit. Therefore, for purposes of title V permitting, they are not entitled to protection as confidential pursuant to CAA § 503(e). Further, since these limitations on production are applicable requirements for purposes of title V, they must be enforceable by citizens in addition to the EPA. *See* CAA § 504(a); 42 U.S.C. § 7414(b)(2); *id.* § 7604(a)(1), (f)(4). Because the production rates or limitations are confidential, the public does not know what these applicable requirements are, negating the ability of citizens to enforce these conditions. TCEQ asserts that according to the Texas Health & Safety Code § 382.041 that as an agent of the commission they “may not disclose information submitted to the commission relating to secret processes or methods of manufacture or production that is identified as confidential when submitted.” The Texas Health & Safety Code § 382.041 cannot override 503(e) of the CAA. The CAA states that permit terms of the title V permit cannot be withheld from the public. TCEQ failed to provide a sufficient response to comments received on this issue by failing to adequately explain why the claimed confidential information does not establish binding, enforceable permit terms (or other information necessary to assure compliance with a permit term). Since these special conditions are incorporated by reference into the title V permit, they appear to be “contents of a [title V] permit” and therefore ineligible for confidential treatment.

In addition, while EPA was in the process of reviewing PBR registrations applicable to ExxonMobil Baytown Chemical Plant, we identified PBR applications which had the emission calculations marked as confidential and these PBR applications were for registering the PBR establishing federally enforceable emission limits, and thus incorporated by reference into the title V permit. The following PBR registrations establishing federally enforceable emission limits had the emission calculations identified as confidential on the application (identified by registration and PBR rule number): 39070 (106.262), 50952 (106.261 and 106.124), 74542 (106.261), 83400 (106.261 and 106.262), 151078 (106.261 and 106.262), 151047 (106.261 and 106.262), 151017 (106.261 and 106.262), 149708 (106.261 and 106.262), 148321 (106.261 and 106.262), 148861 (106.261 and 106.262), 148600 (106.261 and 106.262), 148594 (106.261 and 106.262), 147480 (106.262), 147270 (106.261 and 106.262), 145967 (106.262), 145938 (106.261), 144055 (106.261 and 106.262), 144054 (106.261 and 106.262), 143521 (106.261 and 106.262), 138869 (106.261 and 106.262), 141229 (106.261 and 106.262), 140847 (106.262), 139477 (106.261 and 106.262), 138601 (106.261 and 106.262), 136257 (106.261 and 106.262), 136019 (106.262), 136006 (106.261 and 106.262), 135448 (106.262), 134883 (106.261 and 106.262), 132686 (106.261 and 106.262), 131804 (106.261 and 106.262), 131373 (106.261), 131037 (106.261, 106.262, and 106.478), 130000 (106.261 and 106.262), 129961 (106.262), 129931 (106.261 and 106.262), 126098 (106.262), 124201 (106.262 and 106.472), 124055 (106.261 and 106.262), 124140 (106.262), 123832 (106.261 and 106.262), 123403 (106.261 and 106.262), 123247 (106.262), 122827 (106.261 and 106.262), 122598 (106.261 and 106.262), 151221 (106.261), 153201 (106.261 and 106.262), and 151078 (106.261 and 106.262). The emissions calculations in the PBR registrations are emissions data under CAA 114(c) and 40 C.F.R. § 2.301(a)(2)(i)(B) and should not be treated as confidential. TCEQ should evaluate if the emission calculations that support the enforceable limits established in the PBR registration are emissions data.

For each of these issues—the claimed confidential information in the title V permit and the claimed confidential emissions calculations—TCEQ should conduct a reevaluation to ensure that this information is neither part of the title V permit, establishing binding, enforceable permit terms, nor

considered emissions data for purposes of CAA 503(e) and 40 C.F.R. § 2.301(a)(2)(i)(B). If TCEQ can establish that this information is not part of the title V permit operational limit or emissions data, TCEQ will still need to establish the basis or details in the permit record for why it is not necessary to enforce these as a term or condition of the title V permit.

2. **Objection for Failure to Include all Applicable Requirements.** The proposed title V permit fails to meet the requirements of CAA § 504(a) for “(e)ach permit issued under this subchapter shall include enforceable emission limitations and standards, . . . and such other conditions as are necessary to assure compliance with applicable requirements of this chapter, including the requirements of the applicable implementation plan.” TCEQ’s definition of “applicable requirement” (found at 30 TAC § 122.10(2)) includes an extensive list of federal and state provisions. Minor NSR permits and Permits by Rule (PBRs) are included in TCEQ’s definition of applicable requirement and are applicable requirements as defined under 40 CFR § 70.2. TCEQ’s response to a comment on this issue did not fully respond to the public comment received and was not entirely correct, as explained in more detail below.

The proposed title V permit does not contain enough information to clearly identify if all applicable requirements have been included in the title V permit. The table *New Source Review Authorization References* lists the following PBR authorizations as applicable requirements: 106.122, 106.183, 106.261, 106.262, 106.263, 106.264, 106.266, 106.371, 106.478, and 106.512. The proposed title V permit does not list any emission units to be authorized under PBR 106.122, 106.183, 106.266, 106.371, or 106.512 and does not identify, in the statement of basis, that these PBRs only apply to insignificant units.

PBRs 106.261, 106.262, 106.263, 106.478, and 106.512 require registration. The TCEQ database¹ shows over 50 PBR registrations each for PBRs 106.261 and 106.262. There are entries in the permit associated with emission units, but it is unclear if all are represented since not all have the registration number identified. The database shows two registrations for PBR 106.478, but only one is identified with an emission unit and it does not include the registration number. In the *Motiva Order*, signed May 31, 2018, and the *ExxonMobil Baytown Refinery Order*, signed April 2, 2018, we granted a petition for an objection on facts closely resembling this type of incorporation by reference issue. In those orders, EPA objected because the “Permit contains no direct reference to certain source-specific requirements (e.g., certified emission limits) derived from registered PBRs, it is not clear that the Permit currently includes or incorporates all requirements that are applicable to the facility, as required by the CAA, the EPA’s regulations.” *ExxonMobil Baytown Refinery Order* at 22; *Motiva Order* at 30. Notably, the EPA and TCEQ also agreed as part of the Operating Permits Program approval process that “PBRs will be cited to the lowest level of citation necessary to make clear what requirements apply to the facility.” See 66 Fed Reg. 63322 n.4. (December 6, 2001). This agreement is evident in TCEQ’s regulations approved by the EPA. See 30 TAC 122.142(b)(2)(B)(i) (“Each permit shall also contain specific terms and conditions for each emission unit regarding the following: ... the specific regulatory citations in each applicable requirement or state-only requirement identifying the emission limitations and standards.”). This is also consistent with the EPA’s longstanding position that materials incorporated by reference must be clearly identified in the permit. See, e.g., White Paper Number 2 at 37 (“Referenced documents must also be specifically identified.”) Pursuant to 40 CFR § 70.8(c)(1), EPA objects to the issuance of the proposed title V

¹ https://www.tceq.texas.gov/permitting/air/nav/air_status_permits.html

permit since it is not in compliance with the requirements of CAA § 504(a) and 40 CFR § 70.6(a)(1) & (3). In responding to this objection, the TCEQ should identify which PBRs apply to which emission units or process areas, and which PBRs apply generally or site-wide to the facility or only to insignificant units. Once TCEQ identifies which PBRs apply to which emission units, TCEQ should revise the permit and/or the permit record to ensure the permit itself is clear as to this point. TCEQ should also ensure that the title V permit includes all current PBRs authorized at the source and that it does not reference minor NSR permits or PBRs that are no longer applicable. TCEQ had initially proposed changes to their OP-REQ1 form of their title V permit application to include an additional table for applicants to fill out that would identify registered/certified PBRs, PBRs that were claimed as site-wide, and those PBRs which were claimed for insignificant emission units. EPA encourages TCEQ to reconsider these changes as were proposed in their June 13, 2018 letter to EPA, Re: Executive Director's Response to EPA Objections Regarding Permits by Rule.

EPA has discovered that ExxonMobil has requested that several registered PBRs and Standard Exemptions (SEs) be incorporated by consolidation into NSR permit 20211 upon issuance of its renewal. The renewal application for NSR permit 20211 was submitted to TCEQ on December 23, 2016. The renewal of the NSR permit has not been issued and it is premature not to include the PBRs and Standard Exemptions from the title V permit at this time. Once TCEQ consolidates by incorporating the PBRs and Standard Exemptions into the NSR permit and voids the PBR's and SE's, then their removal from the title V permit could be warranted after that process is completed. At this time, none of the PBRs that have been proposed to be consolidated into NSR permit 20211 are listed in the title V permit. Once NSR permit 20211 is issued, ExxonMobil should submit a minor revision application for the title V permit upon the issuance of the renewal for NSR permit 20211. The following PBRs are shown to be consolidated by incorporation into the renewal of NSR permit 20211:

- PBR 106.261, registrations 102554, 123403, 41621, 43766, 52417, 71653, 75416, 76270, and 87877
- PBRs 106.262, registrations 123403, 43700, 48743, 76179, 76270, 79993
- PBR 106.264, registrations 102544, 102545, 102549, 102550, 102551, 102552, 102553, 102558
- PBR 106.478, registration 39479
- PBR 106.533, registrations 39222, 71466
- Standard Exemption 76, registrations 103414, 103151
- Standard Exemption 46, registration 103165
- Standard Exemption 51, registration 22750
- Standard Exemption 86, registrations 22764, 22765, 22766, 34349
- Standard Exemption 87, registration 23981
- Standard Exemption 106 registrations 103133, 103152, 103159, 103167, 103170, 103175, 103179, 23448, 31854, 32592, 34522, 34849
- Standard Exemption 118 registration 23260, 23989, 31317, 34522, 34849
- Standard Exemption 7, registration 103178
- Standard Exemptions without a rule specified, registrations 14744, 14948, 14949, 15786

An update to the renewal application submitted on November 16, 2018, indicates that PBR registration 152890 (PBRs 106.261 and 106.262) for unit ID BTCPFUG and PBR registration

153201 (PBRs 106.261 and 106.262) for unit ID FS12 were to be added to the title V permit. The EPA has been unable to find these registration numbers in the proposed title V permit. In addition, Standard Permit 117789 was added to the title V permit but was not identified as being associated with any emission unit. It appears that standard permit 117789 should be included as an NSR authorization for RHB Fugitives (FGRHB). TCEQ should ensure that all applicable requirements are identified in the title V permit as requested by the applicant.

A review of the TCEQ NSR database shows that the following permits (with issuance dates prior to the title V renewal application) appear to be effective and are not identified in the title V permit (identified below by PBR/SE rule number and registration number): SE 76 (25071), SE 76 (25944), SE 75 (26135), SE 27 (103169), SE 76 (32622), SE 76 (103141), SE 76 (103147), SE 106 (33518), SE 106 (103134), SE 76 (103139), PBR 106.262 (35507), PBR 106.261 (102559), PBR 106.261 and 106.262 (36806), PBR 106.264 (102557), PBR 106.512 (38991), PBR 106.261 (38990), PBR 106.262 (39020), PBR 106.262 (39070), PBR 106.261 (39364), PBR 106.262 (39823), PBR 106.262 (39822), PBR 106.261 and 106.262 (40139), PBR 106.262 (40429), PBR 106.262 (40627), PBR 106.264 (102548), PBR 106.261 (45380), PBR 106.183 (45876), PBR 106.373 (102547), PBR 106.264 (102546), PBR 106.433 (50951), PBR 106.261 (51028), PBR 106.433 (52624), PBR 106.262 (53222), PBR 106.493 (55061L001), PBR 106.124 (55900), PBR 106.124 (70174), PBR 106.262 (71881), PBR 106.261 (72234), PBR 106.261 (74542), PBR 106.262 (124140), PBR 106.216, 106.262, and 106.478 (131037), and PBR 106.261 and 106.262 (144055). If these permits are still effective and are applicable requirements, they should be included in the title V permit. Please verify whether these PBRs have either been consolidated by reference or consolidated by incorporation into an NSR permit, or whether they should be included in the title V permit.

In addition, the EPA does not agree with the TCEQ's interpretation that *White Paper Number 1* and *White Paper Number 2* support the practice of not listing in the title V permit those emission units to which generic requirements apply. As both White Papers state, such an approach is only appropriate where the emission units subject to generic requirements can be unambiguously defined without a specific listing and such requirements are enforceable. *See, e.g., White Paper Number 1* at 14; *White Paper Number 2* at 31. Thus, not listing emission units for PBRs that apply site-wide or only to insignificant units may be appropriate in some cases. However, for other PBRs that apply to multiple and different types of emission units and pollutants, the proposed title V permit and the final title V permit should specify to which units and pollutants those PBRs apply. Further, PBRs are applicable requirements for title V purposes. The TCEQ's interpretation of how *White Paper Number 1* and *White Paper Number 2* would apply to insignificant emission units does not inform how PBR requirements must be addressed in a title V permit. *See, e.g., 30 TAC 122.10(2)(H)*. The TCEQ should provide a list of emission units for which only general requirements are applicable, and if an emission unit is considered insignificant, it should be identified in the Statement of Basis as such. Further, if a PBR only applies to insignificant units, it should also be identified in the Statement of Basis as such. The TCEQ must revise the permits accordingly to address the ambiguity surrounding PBRs.

3. Objection to the Lack of Assurance to Comply with Emission Limits and Operating Requirements. Commenters identified the following PBRs as not having monitoring or testing methods identified that assure compliance with applicable emission limits and operating requirements: 106.122, 106.183, 106.261, 106.262, 106.263, 106.264, 106.371, 106.472, 106.473, and 106.511. In responding to comments, TCEQ explained that PBRs were approved as part of the

Texas SIP under 30 TAC Chapter 106, Subchapter A, and are applicable requirements as defined by the Texas operating permit program under 30 TAC Chapter 122. RTC Response 9. TCEQ stated in their response to public comments, “Any challenges to the validity of an NSR permit or PBR, including whether it is federally enforceable, references confidential information, or any other comment regarding the completeness or content of the NSR permit; should have been raised or should be raised through the appropriate NSR permit process. It is not appropriate for Commenters to attempt to challenge these issues in a Title V permit action”. This response was given in response to multiple comments with TCEQ citing the *PacificCorp-Hunter (Hunter) Order* at 8, 13-18; *Big River Steel Order* at 8-9, 14-20; and the *ExxonMobil Baytown Olefins Plant Order* at 14. See response to comments at Response 1, 3, 4, 8, and 9. This is a misinterpretation by TCEQ of the *PacificCorp-Hunter Order* (Petition No. VIII-2016-4, Order issued October 16, 2017). As the EPA has previously explained, “claims concerning whether a title V permit contains enforceable permit terms, supported by monitoring [recordkeeping, and reporting] sufficient to assure compliance with an applicable requirement or permit term (such as an emission limit established in a [NSR] permit), are properly reviewed during title V permitting. The statutory obligations to ensure that each title V permit contains ‘enforceable emission limitations and standards’ supported by ‘monitoring . . . requirements to assure compliance with the permit terms and conditions,’ 42 U.S.C. § 7661c(a), (c), apply independently from and in addition to the underlying regulations and permit actions that give rise to the emission limits and standards that are included in a title V permit.” See *South Louisiana Methanol Order* at 10; *Yuhuang II Order* at 7-8; *PacificCorp-Hunter Order* at 16, 17, 18, 18 n.33, 19; *Big River Steel Order* at 17, 17 n.30, 19 n.32, 20. Therefore, regardless of the monitoring, recordkeeping, and reporting initially associated with a minor NSR permit or PBR, TCEQ has a statutory obligation independent of the process of issuing those permits to evaluate monitoring, recordkeeping, and reporting in the title V permitting process to ensure that these terms are sufficient to assure compliance with all applicable requirements and title V permit terms. *Sierra Club v. EPA*, 536 F.3d 673 (D.C. Cir. 2008); see *Motiva Order* at 25-26.²

Below are the specific concerns associated with the title V permit incorporating individual PBRs by reference:

- PBR 106.122 Bench Scale Laboratory Equipment— permit does not specify any monitoring and testing methods that assure compliance with the emission limits assumed under 106.4. This PBR is a “one-liner” that TCEQ has identified in previous correspondence to EPA on June 13, 2018 as being for insignificant emission units.
- PBR 106.183 Boilers, Heaters, and Other Combustion Devices – permit does not specify any monitoring or testing requirements that assure compliance with emission limits and operating requirements established in the PBR. PBR contains an operational limit on the hours per year the unit can be fired and the fuel used. It also establishes a nitrogen oxide limit of 0.1 pounds per million Btu heat input in addition to the emission limits assumed under 106.4. This PBR requires registration. The PBR was registered on October 23, 2000 and given permit number 45876 by TCEQ. The permit files for this permit authorization are not available electronically from TCEQ’s Central File Room Online. According to the permit entry on the TCEQ site all we know about this authorization is that it is apparently for the synthesis gas unit and assumed to limit standby mode to 330

² TCEQ’s argument that EPA’s interpretation in *Hunter* and *Big River Steel* makes it inappropriate to consider whether information be kept confidential is likewise misplaced. Nothing in *Hunter* or *Big River Steel* reached that issue. As explained above in Objection 1, the CAA is clear regarding the requirements for information to be publicly available and nothing in *Hunter* or *Big River Steel* even purported to change that.

days/year. The EPA assumes that this PBR authorization is for Air Preheater 1106 (F1106SG) and/or Air Preheater 1206 (F1206SGU). Both of these emission units are in NSR permit 36476/PSDTX996M1. However, the NSR permit does not indicate that there is a limit on the days the unit can be in standby mode. Further, it may be that the limit applies to both units combined. It is impossible to know how PBR 106.183 applies to the emission units and what additional requirements it imposed on the units without having the PBR registration file from TCEQ.

- PBR 106.261 Facilities (Emission Limitations) and PBR 106.262 Facilities (Emission and Distance Limitations) are very general and can be utilized to authorize a wide range of emission units. Often claimed together to permit a particular project, these PBRs have very generic terms and do not specify clearly what emissions are authorized nor which emission limits from 106.4 are applicable - each of these PBRs has a list for specific emission limits for some compounds. These PBRs do not contain any monitoring or testing requirements to assure compliance with the applicable emission limits or operational requirements.
- PBR 106.263 Routine Maintenance, Start-up and Shutdown of Facilities, and Temporary Maintenance Facilities – This PBR is also very generic as it can be applied to a variety of emission units. This PBR establishes several emission limits and incorporates requirements from other PBRs. This makes it impossible to determine what the PBR covers without the title V permit containing more information. The PBR and title V permit do not contain any monitoring or testing methods to assure compliance with any emission limits or operational requirements assumed under the PBR or 106.4.
- PBR 106.264 Replacement of Facilities – This is another fairly generic PBR that TCEQ has that may be used to authorize a variety of emission units. As the PBR is very generic, it contains no monitoring or testing requirements to show compliance with the 25 TPY of any contaminant emission limitation in the PBR. There are 8 registrations for this PBR, but none of the files are available from the TCEQ central fileroom online to determine what emission units it applies to, to determine if there is adequate monitoring or testing in the title V permit. The title V permit only shows one emission unit with this PBR as an applicable requirement and it is a tank (TK0063). This tank is also authorized by the flexible permit and PAL permit.
- PBR 106.371 Cooling Water Units – This PBR contains an operational limit that prohibits the unit from being in direct contact with a list of compounds. However, the PBR does not contain any monitoring or testing requirements to assure compliance with the emission limits assumed under 106.4 or the operational requirements of the PBR. This PBR was identified by TCEQ as being for insignificant emission units in previous correspondence to EPA on June 13, 2018.

In responding to this objection, TCEQ should amend the title V permit and permit record as necessary to specify monitoring, recordkeeping, and reporting requirements that assure compliance with the PBRs referenced above. As part of this process, it may be necessary for TCEQ to amend an underlying NSR permit and then incorporate the amended NSR permit into the title V permit. If the title V permit, the underlying PBR permit, or the enforceable representations in the application already contain adequate terms to assure compliance with these PBRs, then TCEQ should amend the permit and/or permit record to identify such terms and explain how these requirements assure compliance with these emission limits and operational requirements for an individual emission unit, process area, or site-wide where such permit applies site-wide.

To the extent that any units authorized by the PBRs listed above are insignificant units for title V purposes, TCEQ should make those clarifications in the permit and permit record, as necessary, and evaluate whether the general monitoring conditions are sufficient. EPA sent a letter to TCEQ on August 26, 2019 that identified steps TCEQ should take to identify insignificant emission units authorized by PBRs. If TCEQ determines that some units authorized by the PBRs listed above are insignificant emission units, then TCEQ should evaluate whether the general monitoring conditions contained in special condition 32 are adequate monitoring, recordkeeping, and reporting. The EPA has explained that if a regular program of monitoring, recordkeeping, and reporting for insignificant units would not significantly enhance the ability of the permit to assure compliance with the applicable requirements, no monitoring can sometimes satisfy title V and 40 CFR § 70.6(a)(3)(i). *White Paper Number 2* at 32. In addition, if TCEQ still believes monitoring is necessary for insignificant units subject to a generally applicable requirement, a streamlined approach to periodic monitoring, recordkeeping, and reporting may be appropriate. *Id.* If TCEQ amends the record or title V permit to identify those PBRs that only apply to insignificant units and includes a basis for their determination that the permit, including special condition 32, contains adequate monitoring for those PBR requirements that apply to those insignificant units, the EPA anticipates such an approach would be consistent with our guidance and the requirements of title V of the CAA.

Other Issues:

EPA has identified other areas of concern, that while we find these of concern, we are not raising specific objections in this letter. However, it is important to bring these issues forward as they compound the problems identified by the objections above.

1. PBR Consolidation into NSR Permits. TCEQ, in a September 1, 2006 memorandum, identified two different scenarios that determined when and how a PBR or a standard permit should be consolidated in a permit for a facility when the permit is amended or renewed: consolidation by reference and consolidation by incorporation. TCEQ states that “All SP and PBRs that directly affect the emissions of permitted facilities must, at a minimum be referenced when a NSR permit is amended.” Consolidation by reference under these circumstances is mandatory. Consolidation by incorporation however is voluntary. Under consolidation by incorporation, a reauthorization of the permitted action occurs under the NSR permit triggering BACT and impacts review. Consolidation by incorporation also results in the voiding of the PBR authorization. When PBRs are consolidated by reference, it becomes more difficult to determine if and when they were consolidated as the PBR authorization remains active. It is unclear how TCEQ handles identifying PBRs in the title V permit once they are consolidated by reference. As the PBRs that are consolidated by reference still remain active authorizations, are they still applicable requirements under the title V permit?
2. PBRs issued for temporary sources or for a one-time emission event. There were multiple PBRs that were issued for pilot plants; e.g. PBR 106.261 with registration # 51028 issued August 20, 2002 for BCIT-MTO Pilot Plant. As the authorization and application are not available electronically from the TCEQ file room online, EPA was unable to determine what the extent of the pilot plant was. However, it seems improbable that a pilot plant would still be in operation 18 years later, but the PBR is still shown to be “effective” on the TCEQ website. Another example is PBR 106.261/106.262 issued on June 29, 2004 and given registration number 72234. This PBR registration was available electronically from the TCEQ file room online. In this

authorization the company was requesting authorization to conduct a test of the water wash BAPP line which was to take seven days. This PBR is also still shown on the TCEQ website to be "effective." What procedures does TCEQ have in place to ensure that PBRs are voided when they are no longer needed or valid? As these PBRs are registered and have federally enforceable limits, they should be identified in the title V permit. If they are no longer valid authorizations, TCEQ should take steps to ensure they are voided.

ATTACHMENT C

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	Amber Huddle
Project No.:	278775	Unit Name:	GAF Materials Revision: Add Adhesive Storage Tank	PBR No(s).:	106.261, 106.262, 106.472

GENERAL INFORMATION			
Regulated Entity No.:	RN100788959	Project Type:	Permit by Rule Application
Customer Reference No.:	CN605251487	Date Received by TCEQ:	December 6, 2017
City/County:	Dallas, Dallas County	Date Received by Reviewer:	December 8, 2017
Physical Location:	2600 Singleton Blvd		

CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Mr. Bruce Dahlgren Plant Manager	Phone No.:	214-637-8970	Email:	BDAHLGREN@GAF.COM
Technical Contact/ Consultant Name and Title:	Mr. Kevin Bush Environmental Engineer	Phone No.:	214-637-8933	Email:	KBUSH@GAF.COM

GENERAL RULES CHECK	YES	NO	COMMENTS
Is confidential information included in the application?	X		Confidential information included in application
Has the PBR fee been paid?	X		Voucher no. 343838
Is this registration certified?	X		PI-7 CERT
Is this an APWL site?		X	
Are there any upstream or downstream affects associated with this registration?		X	
Is planned MSS included in the registration?		X	
Are there affected NSR or Title V authorizations for the project?	X		NSR Permit no. 7711A, Standard Permit No. 91414, O-2771
Is each PBR > 25/250 tpy?		X	
Are PBR sitewide emissions > 25/250 tpy?		X	N/A – Site has been to public notice
Are there permit limits on using PBRs at the site?		X	
Is PSD or Nonattainment netting required?		X	Project emissions are below netting thresholds
Do NSPS, NESHAP, or MACT standards apply to this registration?		X	
Does NOx Cap and Trade apply to this registration?		X	Not located in HGB
Is the facility in compliance with all other applicable rules and regulations?	X		

DESCRIBE OVERALL PROCESS AT THE SITE
GAF is a nationwide manufacturer of building material products. The GAF Dallas Plant manufactures asphalt shingles for the roofing industry. There are two asphalt roofing lines at the GAF Dallas Plant: Line 1 and Line 3. Self-seal asphalt based dots are applied to the asphalt roofing sheets before they are cut into shingles and automatically packaged. Adhesive stripes are applied to the laminated shingles in Line 3 before the shingles are cut and packaged. The existing Line 3 sealant application system is installed to apply self-seal asphalt and laminate self-seal asphalt to the asphalt roofing sheets. The Line 3 sealant application system includes one new Line 3 sealant run tank (Facility Identification Number [FIN]: T-22), associated self-seal applicator (FIN: SEALAP), laminate self-seal applicator (FIN: SEALAP), and a Heatec heater (FIN: HTR9).

DESCRIBE PROJECT AND INVOLVED PROCESS
Building Materials Investment Corporation, doing business as GAF Materials Corporation (GAF) has submitted a PI-7 CERT through ePermits to revise Permit no. 147140 for their asphalt roofing production facility located in Dallas As part of the PBR Revision Application, GAF proposes to install the 3120 Adhesive Storage Tank (FIN: TK-AD [authorized under §106.472]) for the existing Line 3 sealant application. The proposed 3120 Adhesive Storage Tank will also feed the existing self-seal applicator and laminate self-seal applicator to apply dots/strips to the shingles system (authorized under §106.261 and §106.262). The Line 3 Heatec heater (FIN: HTR9) authorized under PBR 106.183 that is currently used to provide heat required by the Line 3 sealant application system will be decommissioned as part of this project. The Line 3 sealant application system will utilize the heat from the existing Line 1 Heatec heater (FIN: HTR1) claimed under PBR §106.183. No changes are proposed to the existing Line 3 sealant run tank. Currently, the Line 3 sealant run tank, self-seal applicator, and the laminate self-seal applicator are controlled by the Line 3 Mist Elimination System (Emission Point Number [EPN]: CFL2). The emissions from the proposed 3120 Adhesive Storage Tank will also be routed to the Line 3 Mist Elimination System (EPN: CFL2) for control. GAF does not expect any increase in actual emission increases from upstream or downstream processes as a result of the proposed project.

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	147140	Company Name:	Building Materials Investment Corporation	APD Reviewer:	Amber Huddle
Project No.:	278775	Unit Name:	GAF Materials Revision: Add Adhesive Storage Tank	PBR No(s).:	106.261, 106.262, 106.472

TECHNICAL SUMMARY - DESCRIBE HOW THE PROJECT MEETS THE RULES

PBR 106.261/262 Compliance Demonstration

- The emission point(s) associated with the facilities or changes to facilities are located at least 450 ft. from the nearest off-site receptor.
- The total new or increase emissions will comply with the applicable hourly and annual emission limits as represented in the table below.
- There are no changes to or addition of any pollution abatement equipment.
- Visible emissions to the atmosphere, from any point or fugitive source, do not exceed 5.0 opacity in any six-minute period.
- This registration is not for authorization for construction or to change a facility authorized under another section of this chapter or under standard permit.

§106.472 Organic and Inorganic Liquid Loading and Unloading

Liquid loading and unloading equipment are permitted by rule, provided that no visible emissions result, and the chemical is limited to asphalt.

PBR 106.261(2)							
Air Contaminant				Emission Limit		Actual Emissions	
				lb/hr	tpy	lb/hr	tpy
CO				6.00	10.00	0.01	0.02

PBR 106.262							
Air Contaminant	L	D	K	Emission Limit		Actual Emissions	
	mg/m ³	ft		lb/hr	tpy	lb/hr	tpy
Asphalt Fume (VOC)	5	450	92.5	0.05	0.24	0.02	0.08
Asphalt Fume (PM)	5	450	92.5	0.05	0.24	<0.01	<0.01

PBR 106.261(3)							
Air Contaminant				Emission Limit		Actual Emissions	
				lb/hr	tpy	lb/hr	tpy
Carbonyl Sulfide				1.00	4.38	<0.01	<0.01

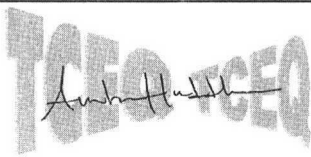
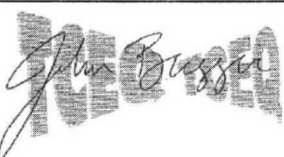
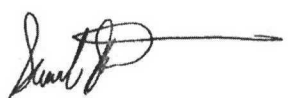
ESTIMATED EMISSIONS

EPN / Emission Source	VOC		CO		PM		PM ₁₀		PM _{2.5}		H ₂ S		Carbonyl Sulfide	
	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
CFL2 / Line 3 Sealant Adhesive System – Mist Elimination System	0.98	0.58	0.06	0.05	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	0.03	0.02	<0.01	<0.01
TOTAL EMISSIONS (TPY):		0.58		0.05		<0.01		<0.01		<0.01		0.02		<0.01

COMMUNICATION LOG

Date	Time	Name/Company	Subject of Communication
1/2/2018	Morning	Ms. Lele Bao / Trinity	Phone/Email: Reviewer called to request an updated emission summary table or 261/262 table. There is a discrepancy between the two. Ms. Bao provided updated 261/262 table.

SITE REVIEW/DISTANCE LIMIT	Y	N	Description/Outcome	Date	Reviewed by
Site Review Required?		X	No site review required.	1/2/2018	Amber Huddle
PBR Distance Limits Met?	X		Distance limits are met.		

	TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:			
PRINTED NAME:	Ms. Amber Huddle	Mr. John Bregger	Mr. Samuel Short, Manager
DATE:	January 3, 2018	January 3, 2018	January 5, 2018

ATTACHMENT D

STATE OF TEXAS

COUNTY OF DALLAS

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DECLARATION OF RONCINDRA DAVIS

"My name is Roncindra Davis, I am over 18 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts stated in it, which are true and correct.

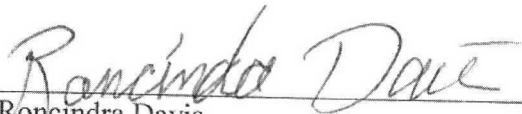
I am a resident of West Dallas. I live at Kingbridge Crossing, owned and operated by the Dallas public housing authority. My address is 3130 Kingbridge Street, #134. My unit is directly across the street and less than 500 feet from the GAF shingle factory on Singleton Boulevard.

Every week, especially at the beginning of the week and usually in the mornings, I smell a thick overcast odor. It smells like a big rotten egg and it makes me sneeze. I have asthma and bronchitis and I know it can't be good. It must be affecting people's health. There's no way those smells and chemicals can be good for you.

On warm days, I like to open my doors and windows to air out the house before turning my air on. But sometimes the smell is so bad, I have to keep my door closed so the stink doesn't get in.

It's not right that I have to live across the street from this. Why would you put that thing right in the middle of a residential neighborhood? It just doesn't make sense and it needs to stop.

I, Roncindra Davis, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."


Roncindra Davis

7-27-21
Date Executed

ATTACHMENT E

STATE OF TEXAS

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COUNTY OF DALLAS

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DECLARATION OF MYRTLE Y. NEWMAN

"My name is Myrtle Y. Newman, I am over 18 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts stated in it, which are true and correct.

I am a resident of West Dallas. I live at Kingbridge Crossing, a DHA public housing property. My address is 3131 Kingbridge Street, #334. My home is less than a quarter mile from the GAF shingle factory across the street on Singleton Boulevard.

Every time I go outside my house, mostly in the evenings, I smell this terrible odor. It's so strong, it seems like it gets inside of you. It's a burnt smell, like you really burnt something. It's bad enough to make you feel ill. It's concerning.

Ever since I moved here 5 years ago, I developed a cough and sinus problems. Before I came to West Dallas, I lived in Cedar Hill. I never had these problems over there. I notice that the problems are worse when I'm at home.

I look at the factory and I wonder why this is over here? It must be doing damage if the smell is that bad. I don't even have a strong sense of smell but I can't miss that. They should do something about it.

I, Myrtle Y. Newman, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."

Myrtle Newman

Myrtle Y. Newman

9-26-21

Date Executed

ATTACHMENT F

STATE OF TEXAS

COUNTY OF DALLAS

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DECLARATION OF BRITTANY MORGAN

"My name is Brittany Morgan, I am over 18 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts stated in it, which are true and correct.

I live at Kingbridge Crossing, a Dallas public housing development in West Dallas, located across the street from the GAF shingle factory on Singleton Blvd. My address is 3131 Kingbridge Street, #284 and my unit is less than a quarter mile from the factory.

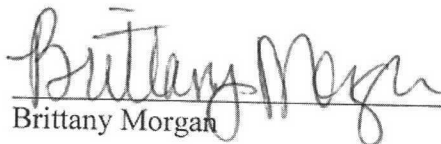
Every day when I come home from work at 5:30 or 6:00pm, I notice a strong smell like burning rubber. It is more potent on my back porch which faces the street. My kids complain about it to me as well.

I, and two of my sons, Mylez (13) and Mason (7), have asthma and it is worse when we are at home in Kingbridge Crossing. Mason's asthma and allergies get really bad, so he needs to use his pump often, and the industry in the area is something I've asked our doctor about. Both kids love to play sports, but I tell them not to play outside when I notice that smell. Whenever I have family or friends over, we always spend all of our time inside because of the smell.

I also notice dust in the air once or twice a week, especially in the early morning or late at night, which also makes me worry about my asthma and my kids' asthma. Sometimes, I wake up to black or grey dust covering my car. There are spots that are hard and need to be picked off.

Sometimes the noises from trucks idling at night or early in the morning bother me, because the line of trucks outside the factory can be so long.

I, Brittany Morgan, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."


Brittany Morgan

7/26/21
Date Executed

ATTACHMENT G

STATE OF TEXAS

COUNTY OF DALLAS

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DECLARATION OF ESTHER VILLARREAL


"My name is Esther Villarreal, I am over 18 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts stated in it, which are true and correct.

I am a resident and property owner in West Dallas. I reside at 1907 McBroom Street, approximately one mile from the GAF Materials facility located at 2600 Singleton Boulevard.

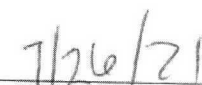
Often, in the early morning I experience strong odors of what I assume is asphalt. It smells nearly like burning rubber. I also experience very loud sounds coming from the location at all times of the day, a loud humming that is constant whether morning, afternoon or evening. When I drive past the location on Singleton, I observe smoke or some kind of cloudy emissions pumping into the air from the location's many smokestacks.

When I am out with my children, I make sure that we do not linger for a prolonged period of time near the facilities on Singleton in the early morning. They have asthma and I have concerns of their proximity to GAF. As a parent, I have to be sensitive to low air quality days and pollutants in the air. Due to the odors that are stronger in the early mornings, we visit the Dallas West Branch Library (at 2332 Singleton Blvd.) and the West Dallas Multipurpose Center Community Gardens (at 2828 Fish Trap Rd.) only in the afternoons and evenings when I notice the odors are much more subdued. I notice that when I am out at the Community Gardens watering the vegetables during the weekday evenings, the sound is so loud I might not be able to carry on a conversation with a neighbor. I enjoy gardening, but tending the Community Garden directly next door to GAF is becoming concerning. I do try to limit my time there due to the odors and noise. I have concerns about pollution from the factory, what is coming from the smokestacks and how it may affect my garden, the vegetables, and ultimately the nutritional value of the harvest. I have begun to wear a mask while I am out in the Community Garden due to my concerns of air quality.

I, Esther Villarreal, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."



Esther Villarreal



Date Executed

ATTACHMENT H

STATE OF TEXAS

§

COUNTY OF DALLAS

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DECLARATION OF JEFF HOWARD

"My name is Jeff Howard, I am over 18 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts stated in it, which are true and correct.

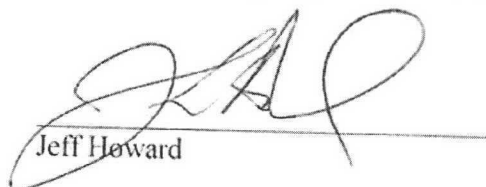
My wife, Sharon Howard, and I are property owners in West Dallas. We reside at 4116 Plum Leaf Court, Dallas, TX 75212, approximately 1.4 miles from the GAF Materials facility located at 2600 Singleton Boulevard.

Often, in the early morning hours, especially during periods when it is humid, overcast, or when the wind is blowing from the South, we experience a very distinct and malodorous, offensive and foul-smelling odor that drifts throughout the West Dallas community. The fumes are strong in intensity and offensive in nature, like rotten eggs.

It makes me concerned for my and family's health as well as that of my neighbors. I especially feel for those who suffer from asthma and are located even closer to the facility than I am. It has been well documented and we know that the rate of asthma in children is higher in the West Dallas community than other parts of the city. There are two Dallas ISD schools nearby as well as a public housing community across the street from the GAF plant. Additionally, there is a public library and city community center located next door to the plant and the smell is even more profound when I visit these locations. The West Dallas Multipurpose Center recently created a community garden on their property and I can only wonder what the effects of the pollution will have on the fresh fruits and vegetables being grown there.

I enjoy taking walks in the neighborhood for exercise and on those early morning walks where the smell is so bad, it adversely affects my time outdoors and causes me to cut my walks short. It is also embarrassing when I invite friends to walk with me that are from outside my community to try and explain what the smell is, where it is coming from, and why it is in my neighborhood.

I, Jeff Howard, under the pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."


Jeff Howard

7/26/21
Date Executed

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:51 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Webinar

Associate to Permit Number 2771

-----Original Message-----

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Thursday, July 29, 2021 8:42 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Webinar

-----Original Message-----

From: Carol Nash <nashcarol@sbcglobal.net>
Sent: Thursday, July 29, 2021 8:40 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: Webinar

Since I have been unable to connect to the webinar I will instead send written comments.

My name is Carol Nash. I live in East Dallas but I grew up in Oak Cliff not far from the GAF site. I recently retired after 35 years as a teacher in Dallas ISD.

During my years as a teacher I have been struck, shocked and saddened by the increasing prevalence of asthma among our students. From my own experience I recognize that more and more students are suffering as a result of the poor quality of Dallas air. All Dallas residents are affected by our air quality, but children living and going to school in close proximity to polluting facilities such as GAF are at particular risk of negative health, social and academic consequences. Six schools, three day care centers as well as homes are located in the immediate neighborhood surrounding the GAF facility. Residents, students, teachers and staff are all at risk due to the dangerous emissions, including particulates, sulfur dioxide and others, produced by the GAF facility.

Rates of asthma are over 17% in West Dallas neighborhoods. In a class of 30 children that means that at least five children will have been diagnosed as suffering from asthma. These children may be unable to participate in outdoor activities such as field trips and sports. They are also likely to miss days from class and may fall behind academically. Many other children will also suffer from high rates of respiratory illness resulting in trips to the ER and missed school.

Studies point to sulfur dioxide as especially harmful and since GAF has the dubious distinction of being the highest emitter of sulfur dioxide in Dallas I believe that their permit should be denied in the interest of public health, environmental justice and the future of our children.

Thank you,

Carol Nash
7701 Fisher Rd
Dallas 75214

Sent from my iPad

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:40 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: Public comment on Permit Number 2771
Attachments: 07.29.2021 - Rep. Anchía GAF Letter1.pdf

From: rafael.anchia@house.texas.gov <rafael.anchia@house.texas.gov>
Sent: Thursday, July 29, 2021 4:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: THE HONORABLE Rafael Anchía

E-MAIL: rafael.anchia@house.texas.gov

COMPANY:

ADDRESS: 1010 W MOCKINGBIRD LN Suite 1010
DALLAS TX 75247-5128

PHONE: 2149436081

FAX:

COMMENTS: July 29, 2021 Office of the Chief Clerk Texas Commission on Environmental Quality MC-105 P.O. Box 13087 Austin, Texas 78711-3087 Electronic submission at: www14.tceq.texas.gov/epic/eComment/ Re: Renewal of Federal Operating Permit 2771 Building Materials Investment Corporation or GAF Materials TCEQ Staff— It has been brought to

my attention that the Building Materials Investment Corporation, more aptly known as GAF Materials, has applied for its five-year renewal of a Title V federal air permit. I represent Texas House District 103, which includes much of West Dallas. Our district includes families that reside directly across from GAF, bordering the west side of the manufacturing complex. These residents are currently, and will into the future, be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation. This plant is more than forty years old. Due to this plant's high emissions of hazardous pollutants, I am concerned about the health and safety of our residents. In 2019, the TCEQ's Air Quality Contaminant Summary reports indicated that GAF was the highest emitter of sulphur dioxide (more than 125 tons) and was the fourth largest emitter of PM2.5 (more than 26 tons) in Dallas County. Yet the draft permit renewal that has been put forward by GAF is deficient in detail and lacks the transparency required by federal law to determine whether this permit would be "protective of human health." I request that the renewal of the federal Title V permit for GAF Materials be denied or remanded back to the applicant for the following reasons: 1) The permit's Statement of Basis is deficient. The renewal application does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring. 2) The permit fails to ensure compliance with all applicable requirements of a Title V permit on many levels. The draft permit fails to identify and give all the pertinent information regarding units that were permitted by rule (PBR). Title V requires this information in order to evaluate source specific emission limits and conditions necessary to ensure compliance within the permit. The lack of information on individual units and equipment could cause GAF to exceed its overall permit limitations. This lack of information in turn makes the permit emission levels unenforceable. Further, the permit fails to detail, as required by federal Title V permit review, the monitoring, testing, reporting, and recordkeeping of the plant's equipment and units to ensure compliance with the Clean Air Act. Due to the deficiencies outlined above, this application fails to meet the mandate of the Civil Rights Act—avoid disparate impacts based on race, color, or national origin. Historically, this West Dallas area is one of the most highly industrialized zip codes in Dallas. It is home to the RSR lead smelter superfund site from the 1980s and currently has twenty concrete batch plants located in the area amongst other industrial facilities. According to EPA screening data, 90% of the area is home to people of color and more than 70% of these residents are of low income; 17% are linguistically impaired. By law, GAF's federal permit renewal has failed to meet the requirements outlined in the Title V permitting rules in all its applicable statutes and regulations. The permit's lack of transparency and disclosure also demonstrates it has not satisfied compliance with the Civil Rights Act to prevent further injury or harm to this underserved West Dallas community. Therefore, I request that the renewal of this Title V permit be denied or remanded back to the applicant. Sincerely, Rafael Anchía



STATE OF TEXAS
HOUSE OF REPRESENTATIVES
DISTRICT 103

RAFAEL ANCHÍA

MEMBER

July 29, 2021

Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Electronic submission at: www14.tceq.texas.gov/epic/eComment/

**Re: Renewal of Federal Operating Permit 2771 Building Materials Investment Corporation
or GAF Materials**

TCEQ Staff—

It has been brought to my attention that the Building Materials Investment Corporation, more aptly known as GAF Materials, has applied for its five-year renewal of a Title V federal air permit.

I represent Texas House District 103, which includes much of West Dallas. Our district includes families that reside directly across from GAF, bordering the west side of the manufacturing complex. These residents are currently, and will into the future, be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation.

This plant is more than forty years old. Due to this plant's high emissions of hazardous pollutants, I am concerned about the health and safety of our residents. In 2019, the TCEQ's Air Quality Contaminant Summary reports indicated that GAF was the highest emitter of sulphur dioxide (more than 125 tons) and was the fourth largest emitter of PM_{2.5} (more than 26 tons) in Dallas County. Yet the draft permit renewal that has been put forward by GAF is deficient in detail and lacks the transparency required by federal law to determine whether this permit would be "protective of human health."

I request that the renewal of the federal Title V permit for GAF Materials be denied or remanded back to the applicant for the following reasons:

- 1) **The permit's Statement of Basis is deficient.** The renewal application does not adequately describe the facility, each emission unit, its applicable regulation(s), or the rationale for the adequacy of monitoring.

- 2) **The permit fails to ensure compliance with all applicable requirements of a Title V permit on many levels.** The draft permit fails to identify and give all the pertinent information regarding units that were permitted by rule (PBR). Title V requires this information in order to evaluate source specific emission limits and conditions necessary to ensure compliance within the permit. The lack of information on individual units and equipment could cause GAF to exceed its overall permit limitations. This lack of information in turn makes the permit emission levels unenforceable.

Further, the permit fails to detail, as required by federal Title V permit review, the monitoring, testing, reporting, and recordkeeping of the plant's equipment and units to ensure compliance with the Clean Air Act.

Due to the deficiencies outlined above, this application fails to meet the mandate of the Civil Rights Act—avoid disparate impacts based on race, color, or national origin.

Historically, this West Dallas area is one of the most highly industrialized zip codes in Dallas. It is home to the RSR lead smelter superfund site from the 1980s and currently has twenty concrete batch plants located in the area amongst other industrial facilities.

According to EPA screening data, 90% of the area is home to people of color and more than 70% of these residents are of low income; 17% are linguistically impaired.

By law, GAF's federal permit renewal has failed to meet the requirements outlined in the Title V permitting rules in all its applicable statutes and regulations. The permit's lack of transparency and disclosure also demonstrates it has not satisfied compliance with the Civil Rights Act to prevent further injury or harm to this underserved West Dallas community.

Therefore, I request that the renewal of this Title V permit be denied or remanded back to the applicant.

Sincerely,



Rafael Anchía

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, July 30, 2021 9:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: Public comment on Permit Number 2771

From: jasmine.crockett@house.texas.gov <jasmine.crockett@house.texas.gov>
Sent: Thursday, July 29, 2021 6:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2771

REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Jasmine Crockett

E-MAIL: jasmine.crockett@house.texas.gov

COMPANY: Texas House of Representatives

ADDRESS: PO BOX 2910
AUSTIN TX 78768-2910

PHONE: 5124630586

FAX:

COMMENTS: Dear TCEQ Staff, Our office has been made aware of the application for the renewal of a federal Title V permit for the Building Materials Investment Corporation, more commonly known as GAF Materials. We have affected residents within our district who live directly across the street from this facility who currently are and would be impacted by the hazardous emissions from this asphalt shingle manufacturing and coating operation in the future. We

are requesting that the renewal of the federal Title V permit for GAF Materials be denied. According to EPA's EJ screening data for the area, the demographics of nearby residents that live within one mile of the GAF facility represent neighborhoods with more than 90% being people of color. More than 70% are of low income. Recent census data indicates that 60% of the residents are black and almost 30% are Hispanic. Because GAF Materials is located directly adjacent to residential properties, a daycare, a middle school, a public library, a community center and affordable housing developments, this permit must be denied until it can demonstrate that it considers the protection of public health and the environment. Sincerely, State Representative Jasmine Crockett

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, June 22, 2021 11:06 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: Public Hearing: Building Materials Investment Corporation; Draft Permit No. O2771

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From: Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Sent: Tuesday, June 22, 2021 10:46 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Public Hearing: Building Materials Investment Corporation; Draft Permit No. O2771

From: Jacqueline Curatola <Jacqueline.Curatola@house.texas.gov>
Sent: Tuesday, June 22, 2021 10:31 AM
To: Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Subject: RE: Public Hearing: Building Materials Investment Corporation; Draft Permit No. O2771

Hello Deanna,

It has been brought to our attention that our constituents would like an option for this hearing to be in-person. We think that the hearing would better serve the district if it were in-person as well. We would like to know how can we help ensure that members of the community can be present at the hearing?

Warmest Regards,

Jackie Curatola
Legislative Aide
REPRESENTATIVE JASMINE CROCKETT
House District 100 - Dallas County
O: (512)463-0586

From: Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Sent: Tuesday, June 8, 2021 6:04 PM
To: Jacqueline Curatola <Jacqueline.Curatola@house.texas.gov>
Subject: RE: Public Hearing: Building Materials Investment Corporation; Draft Permit No. O2771

Hello Jacqueline,

As a follow-up, please see the attached TCEQ Notice of Public Hearing for Building Materials Investment Corporation; Draft Permit No. 02771. The hearing has been officially set for Thursday, July 29, 2021. Instructions for how to participate virtually are listed in the notice.

Please let me know if you have any questions.

Thank you,
Deanna Avalos

From: Jacqueline Curatola <Jacqueline.Curatola@house.texas.gov>
Sent: Monday, May 17, 2021 2:00 PM
To: Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Subject: Re: Public Hearing: Building Materials Investment Corporation; Draft Permit No. 02771

Hello thank you for letting us know. We would like to request July 29th please.

Get [Outlook for iOS](#)

From: Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Sent: Monday, May 17, 2021 11:52:39 AM
To: Jacqueline Curatola <Jacqueline.Curatola@house.texas.gov>
Subject: Public Hearing: Building Materials Investment Corporation; Draft Permit No. 02771

RE: Suggested Dates for the Hearing

Dear Ms. Curatola,

I hope this communication finds you well.

I am writing concerning Representative Crockett's request for a public hearing regarding the Building Materials Investment Corporation; Draft Permit No. 02771. The TCEQ is planning virtual public meetings using GoToWebinar and phone in access (including landlines) to continue the permitting process. The hearing will start at 7:00 PM.

I have coordinated TCEQ staff and the applicant availability to suggest dates for consideration:

July 22, 26, 29

If Rep. Crockett and/or staff plan on attending the meeting, please share any conflicts.

Thank you,
Deanna Avalos
TCEQ Office of the Chief Clerk
Deanna.Avalos@tceq.texas.gov

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, February 25, 2021 4:54 PM
To: espete0@gmail.com
Subject: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

If a decision is made to hold a hearing, you will receive a notice in the mail. The purpose of a notice and comment hearing is to receive oral and written statements about whether or not the provisions of the draft permit are appropriate or that the preliminary decision to issue or deny the permit is inappropriate. Only comments pertaining to these issues will be considered in modifying the draft permit.

The TCEQ appreciates your interest in environmental issues. You may track the status of matters pending before the Commission for approval or view comments and requests by visiting the following website:
<https://www14.tceq.texas.gov/epic/eCID/>. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>

From: Esther Villarreal <espete0@gmail.com>
Sent: Saturday, February 13, 2021 2:49 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Federal Operating Permit Title V Draft Permit #02771 Building Materials Investment Corporation/GAF 2600 Singleton Blvd. Dallas Tx 75212 RN100788959

Dear Sir or Madam,

I object to the issuance of a new federal operating permit for the GAF asphalt shingle factory located in West Dallas and I'm requesting a public meeting on this matter.

According to the State of Texas 2019 official emissions inventory, GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility power station. It is the 4 th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.

As a West Dallas resident, this pollution is a threat to my own health, the health of my family, the

enjoyment of my home and the value of my property. The surrounding residential neighborhoods are routinely invaded by the noxious smells produced by the factory's pollution.

This large polluter is operating in a central Dallas census tract with over 5000 people. An overwhelming majority are People of Color with a median income approximately one third of the Dallas average. 20% of the population is nine year of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory. GAF's continued operation represents a major environmental health and justice insult to West Dallas residents.

GAF's factory was originally located in West Dallas as part of an industrial corridor meant to steer undesirable industries to Black and Brown neighborhoods. It's now a dangerous and obsolete leftover from that racist past. It should not be allowed to obtain a new federal operating permit.

Sincerely

Esther Villarreal
1907 McBroom St, Dallas TX 75212
630-946-8496

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, February 25, 2021 4:53 PM
To: Ceschweitzer@sbcglobal.net
Subject: I Strongly Object to the Renewal of GAF's Federal Permit

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

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Office of the Chief Clerk

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From: Carrie Schweitzer <Ceschweitzer@sbcglobal.net>
Sent: Friday, February 19, 2021 2:02 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov; jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov; Elba.GarciaDDS@dallascounty.org
Subject: I Strongly Object to the Renewal of GAF's Federal Permit

RE: Federal Operating Permit Title V

Draft Permit #02771

Building Materials Investment Corporation/GAF

2600 Singleton Blvd. Dallas Tx 75212

RN100788959

Dear Chief Clerk and TCEQ Commissioners,

I object to the issuance of a new federal operating permit for the GAF asphalt shingle factory located in West Dallas and **I'm requesting a public meeting on this matter.**

According to the State of Texas 2019 official emissions inventory, **GAF is the largest industrial Sulfur Dioxide polluter in Dallas County, comparable to the emissions of a giant cement plant or utility power station. It is the 4th largest source of industrial Particulate Matter pollution, and the ninth largest source of industrial Carbon Monoxide.**

As a West Dallas resident, this pollution is a threat to my own health, the health of my family, the enjoyment of my home and the value of my property. The surrounding residential neighborhoods are routinely invaded by the noxious smells produced by the factory's pollution.

This large polluter is operating in a central Dallas census tract with over 5000 people. An overwhelming majority are People of Color with a median income approximately one third of the Dallas average. **20% of the population is nine years of age or younger, 45% is 19 or younger - among the most vulnerable to the impacts of GAF's air pollution. At least three early childhood program or day care centers and six school campuses are located in close proximity to his factory.** GAF's continued operation represents a major environmental health and justice insult to West Dallas residents.

GAF's factory was originally located in West Dallas as part of an industrial corridor meant to steer undesirable industries to Black and Brown neighborhoods. It's now a dangerous and obsolete leftover from that racist past. It should not be allowed to obtain a new federal operating permit.

Sincerely,

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, February 25, 2021 4:52 PM
To: champions@lanwt.org
Subject: Public comment on Permit Number 2771
Attachments: WD1_GAF Public Comment_2.19.21 w Attachements.pdf

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

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Sincerely,
Office of the Chief Clerk

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REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Stephanie Champion

E-MAIL: champions@lanwt.org

COMPANY: Legal Aid of NorthWest Texas

ADDRESS: 400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

PHONE: 4694589009

FAX:

COMMENTS: See attachment

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, February 25, 2021 4:53 PM
To: evelynmayo13@gmail.com
Subject: Public comment on Permit Number 2771
Attachments: Comments on GAF's TITLE V Permit Renewal4.docx

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

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Sincerely,
Office of the Chief Clerk

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REGULATED ENTY NAME GAF MATERIALS

RN NUMBER: RN100788959

PERMIT NUMBER: 2771

DOCKET NUMBER:

COUNTY: DALLAS

PRINCIPAL NAME: BUILDING MATERIALS INVESTMENT CORPORATION

CN NUMBER: CN605251487

FROM

NAME: Evelyn Mayo

E-MAIL: evelynmayo13@gmail.com

COMPANY: Downwinders At Risk

ADDRESS: 1808 S GOOD LATIMER EXPY
DALLAS TX 75226-2202

PHONE: 8067876567

FAX:

COMMENTS: Comments attached as word document.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, February 25, 2021 4:55 PM
To: schermbeck@aol.com
Subject: Comments on Renewal of Federal Operating Permit Title V Draft Permit #02771 /GAF
Attachments: Comments on GAF's TITLE V Permit Renewal.docx

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

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Sincerely,
Office of the Chief Clerk

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From: schermbeck@aol.com <schermbeck@aol.com>
Sent: Friday, February 19, 2021 1:21 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Cc: Omar.Narvaez@dallascityhall.com; jasminefor100@gmail.com; rafael.anchia@house.texas.gov; jessica.gonzalez@house.texas.gov; royce.west@senate.texas.gov; marc.veasey@mail.house.gov; Elba.GarciaDDS@dallascounty.org
Subject: Comments on Renewal of Federal Operating Permit Title V Draft Permit #02771 /GAF

Texas Commission on Environmental Quality
Office of the Chief Clerk

To Whom It May Concern,

Our comments on behalf of ourselves and West Dallas residents concerning the renewal of the Federal Operating Permit Title V Draft Permit #02771, for Building Materials Investment Corporation/GAF at 2600 Singleton Blvd. Dallas Tx 75212 @font-face {font-family:"Cambria Math"; panose-1:2 4 5 3 5 4 6 3 2 4; mso-font-charset:0; mso-generic-font-family:roman; mso-font-pitch:variable; mso-font-signature:3 0 0 0 1 0;}@font-face {font-family:"Calibri Light"; panose-1:2 15 3 2 2 2 4 3 2 4; mso-

font-charset:0; mso-generic-font-family:swiss; mso-font-pitch:variable; mso-font-signature:-536859905 -1073732485 9 0 511 0;}p.MsoNormal, li.MsoNormal, div.MsoNormal {mso-style-unhide:no; mso-style-qformat:yes; mso-style-parent:""; margin:0in; mso-pagination:widow-orphan; font-size:12.0pt; font-family:"Times New Roman",serif; mso-fareast-font-family:"Times New Roman";}.MsoChpDefault {mso-style-type:export-only; mso-default-props:yes; font-family:"Calibri",sans-serif; mso-ascii-font-family:Calibri; mso-ascii-theme-font:minor-latin; mso-fareast-font-family:Calibri; mso-fareast-theme-font:minor-latin; mso-hansi-font-family:Calibri; mso-hansi-theme-font:minor-latin; mso-bidi-font-family:"Times New Roman"; mso-bidi-theme-font:minor-bidi;}div.WordSection1 {page:WordSection1;}are attached. Please let us know if you have any trouble downloading them. Thank you.

Jim Schermbeck
Downwinders at Risk
806-787-6567

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 24, 2021

The Honorable Jasmine Crockett
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768

Re: Building Materials Investment Corporation / Federal Operating Permit No. 02771
Dear Representative Crockett:

Thank you for your letter to the Texas Commission on Environmental Quality (TCEQ) requesting a hearing regarding Building Materials Investment Corporation's request for renewal and revision of Federal Operating Permit No. 02771, which authorizes operation of the Dallas Plant, an Asphalt Shingle and Coating Materials Manufacturing plant, located at 2600 Singleton Boulevard in Dallas, Dallas County, Texas 75212-3738. The Office of the Chief Clerk will work with your staff to schedule the hearing.

We would like to provide you with some background on our regulatory and statutory processes. A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment hearing. The purpose of the notice and comment hearing is to provide an additional opportunity to submit comments on the draft permit. The permit may be changed based on comments pertaining to whether the permit provides for compliance with Title 30, Texas Administrative Code, Chapter 122. The TCEQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper notice. The hearing request must include the basis for the request, including a description of how the person may be affected by the emission of air pollutants from the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify how the preliminary decision to issue or deny the permit is inappropriate. All reasonably ascertainable issues must be raised, and all reasonably available arguments must be submitted by the end of the public comment period. All individuals that submitted written comments or a hearing request will receive written notice of the scheduled hearing. This notice will identify the date, time, and location for the hearing.

I would like to reiterate that the Office of the Chief Clerk will work with your staff to schedule the hearing. If you have any further questions, please contact me at (512) 239-3900 or Laurie Gharis, Chief Clerk, at (512) 239-3300.

Sincerely,

A handwritten signature in black ink, appearing to read "Toby Baker".

Toby Baker
Executive Director

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 5, 2021

Elizabeth Alexander
ealexander@copper.net

Re: Building Materials Investment Corporation / Federal Operating Permit No. 02771

Thank you for your comments. A copy of your comments and concerns will be forwarded by the Chief Clerk to the agency staff responsible for reviewing the permit application and, if timely filed, they will be considered by the staff prior to the Executive Directors final decision on the application. You will receive a copy of the formal written response to all timely filed comments.

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The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact TCEQ staff at 1-800-687-4040.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

* Comments can also be submitted online at www.tceq.texas.gov/goto/comments *

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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Deornette Monteleone

From: Deornette Monteleone
Sent: Friday, March 5, 2021 1:00 PM
To: ealexander@copper.net
Subject: Please See Response to Request for a Hearing
Attachments: Elizabeth Alexander_Hearing Request_FOP. O2771_Response.pdf

Good afternoon,

Thank you for your letter to the Texas Commission on Environmental Quality (TCEQ). Attached is our response to your request.

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Office: (512) 239-3300

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 23, 2021

Carrie Schweitzer
Ceschweitzer@sbcglobal.net

Re: Building Materials Investment Corporation / Federal Operating Permit No. 02771

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Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

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Deornette Monteleone

From: Deornette Monteleone
Sent: Thursday, February 25, 2021 1:32 PM
To: Ceschweitzer@sbcglobal.net
Subject: Hearing Request: FOP #02771
Attachments: Carrie Schweitzer_Hearing Request_FOP. O2771_Response.pdf

Good afternoon,

Please review the attached document in response to your request.

Thank you,

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Main Office: (512) 239-3300

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 23, 2021

Lisa Taylor
lisatmp@swbell.net

Re: Building Materials Investment Corporation / Federal Operating Permit No. 02771

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Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

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Deornette Monteleone

From: Deornette Monteleone
Sent: Thursday, February 25, 2021 1:35 PM
To: lisatmp@swbell.net
Subject: Hearing Request: FOP #02771
Attachments: Lisa Taylor_Hearing Request_FOP. O2771_Response.pdf

Good afternoon,

Please review the attached document in response to your request.

Thank you,

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Main Office: (512) 239-3300

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 23, 2021

Joyce Hall
hallmj@sbcglobal.net

Re: Building Materials Investment Corporation / Federal Operating Permit No. O2771

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Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

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Deornette Monteleone

From: Deornette Monteleone
Sent: Thursday, February 25, 2021 1:37 PM
To: hallmj@sbcglobal.net
Subject: Hearing Request: FOP #02771
Attachments: Joyce Hall_Hearing Request_FOP. 02771_Response.pdf

Good afternoon,

Please review the attached document in response to your request.

Thank you,

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Main Office: (512) 239-3300

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 23, 2021

Norman Howden
rrgrandad@gmail.com

Re: Building Materials Investment Corporation / Federal Operating Permit No. O2771

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Laurie Gharis
Chief Clerk

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Environmental Law Division

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Deornette Monteleone

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To: rrgrandad@gmail.com
Subject: Hearing Request: FOP #02771
Attachments: Norman Howden_Hearing Request_FOP. O2771_Response.pdf

Good afternoon,

Please review the attached document in response to your request.

Thank you,

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Main Office: (512) 239-3300

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 23, 2021

Norma Nelson
norma@readers2leaders.org

Re: Building Materials Investment Corporation / Federal Operating Permit No. 02771

Thank you for your comments. A copy of your comments and concerns will be forwarded by the Chief Clerk to the agency staff responsible for reviewing the permit application and, if timely filed, they will be considered by the staff prior to the Executive Directors final decision on the application. You will receive a copy of the formal written response to all timely filed comments.

If a decision is made to hold a hearing, you will receive a notice in the mail. The purpose of a notice and comment hearing is to receive oral and written statements about whether or not the provisions of the draft permit are appropriate or that the preliminary decision to issue or deny the permit is inappropriate. Only comments pertaining to these issues will be considered in modifying the draft permit.

The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact TCEQ staff at 1-800-687-4040.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

* Comments can also be submitted online at www.tceq.texas.gov/goto/comments *

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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Deornette Monteleone

From: Deornette Monteleone
Sent: Thursday, February 25, 2021 1:41 PM
To: norma@readers2leaders.org
Subject: Hearing Request: FOP #02771
Attachments: Norma Nelson_Hearing Request_FOP. O2771_Response.pdf

Good afternoon,

Please review the attached document in response to your request.

Thank you,

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Main Office: (512) 239-3300

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 23, 2021

Evelyn Mayo
emayo@pgc.edu

Re: Building Materials Investment Corporation / Federal Operating Permit No. O2771

Thank you for your comments. A copy of your comments and concerns will be forwarded by the Chief Clerk to the agency staff responsible for reviewing the permit application and, if timely filed, they will be considered by the staff prior to the Executive Directors final decision on the application. You will receive a copy of the formal written response to all timely filed comments.

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Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

cc: Air Permits Division
Environmental Law Division

* Comments can also be submitted online at www.tceq.texas.gov/goto/comments *

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Deornette Monteleone

From: Deornette Monteleone
Sent: Thursday, February 25, 2021 1:43 PM
To: emayo@pqc.edu
Subject: Hearing Request: FOP #02771
Attachments: Evelyn Mayo_Hearing Request_FOP. 02771_Response.pdf

Good afternoon,

Please review the attached document in response to your request.

Thank you,

De'Ornette Monteleone
Texas Commission on Environmental Quality
Office of Chief Clerk
Main Office: (512) 239-3300

CID 122174

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: 02771
Notice of Draft Federal Operating Permit

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §
COUNTY OF Dallas §

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 JUL -8 PM 2:28
CHIEF CLERKS OFFICE

Before me, the undersigned authority, on this day personally appeared

Brett Robertson, who being by me duly sworn, deposes and says that (s)he is (Name
of Person Representing Newspaper)

the Advertising Director of the Dallas Observer
(Title of Person Representing Newspaper) (Name of the Newspaper)

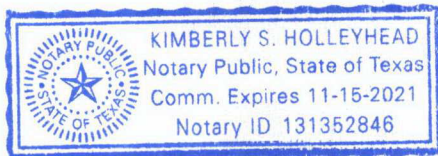
that said newspaper is generally circulated in Dallas, Texas;
(The **municipality or nearest municipality** in which the site or proposed site is located)

that the enclosed notice was published in said newspaper on the following date(s): 6/17/21

[Signature]
(newspaper representative's signature)

Subscribed and sworn to before me this the 17 day of June, 20 21
to certify which witness my hand and seal of office.

[Seal]



[Signature]
Notary Public in and for the State of Texas

Kimberly Holleyhead
Print or Type Name of Notary Public

11-15-2021
My Commission Expires

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §
COUNTY OF Hood §

Before me, the undersigned authority, on this day personally appeared

Hydina Soto, who being by me duly sworn, deposes and says that (s)he is (Name
of Person Representing Newspaper)

the Owner of the La Prensa Comunicada
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in Dallas, Texas;
(The municipality or county in which the site or proposed site is located)

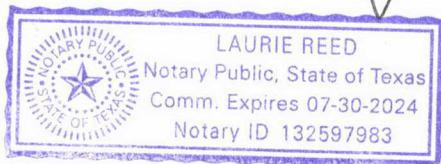
that the enclosed notice was published in said newspaper on the following date(s):

22 June 2021

[Signature]
(Newspaper Representative's Signature)

Subscribed and sworn to before me this the 22nd day of June, 20 21
to certify which witness my hand and seal of office.

[Seal]



Laurie Reed
Notary Public in and for the State of Texas

Laurie Reed
Print or Type Name of Notary Public

7/30/24
My Commission Expires

Algo que pocos saben tras una hospitalización imprevista: tu deuda médica puede ser perdonada

Las deudas médicas son la principal causa de la bancarrota en EEUU y un gran dolor de cabeza para millones de estadounidenses. Muchos de ellos desconocen que en varios casos hay maneras de reducirlas y hasta eliminarlas. Toma nota.

Lo peor a recibir una factura médica inesperada es la angustia de no poder pagarla, un problema que enfrentan millones de estadounidenses y, en particular, los hispanos que suelen lidiar con más trabas para el acceso a la salud.

Pero con más frecuencia de lo que se cree, esas deudas médicas pueden ser reducidas, negociadas o hasta perdonadas. Se han visto casos de personas que reciben facturas por miles de dólares y que al final no deben pagar ni un centavo.

“Acabo de llamar a una familia para decirles que su deuda médica de 339,321 dólares ahora es cero”, cuenta en un tweet el fundador de la organización Dollar For, que ha ayudado a millones de pacientes a lograrlo mediante un beneficio que está disponible para la población general, pero que suele ser el secreto mejor guardado de los hospitales.

NO IGNORES EL PROBLEMA

La deuda no se borrará como por arte de magia

La tentación de dejar el sobre con la deuda médica a un lado e intentar ignorarlo no borrará el problema por arte de magia. Por el contrario, de no atacarlo a tiempo las cosas podrían empeorar.

“Si retrasas una factura médica y dejas que termine en collections puede tener un impacto significativo en tu puntaje de crédito. Si crees que lo que te están cobrando es incorrecto, actúa rápidamente para disputarlo”, advierte la Oficina de Protección Financiera al Consumidor (CFBP por sus siglas en inglés).

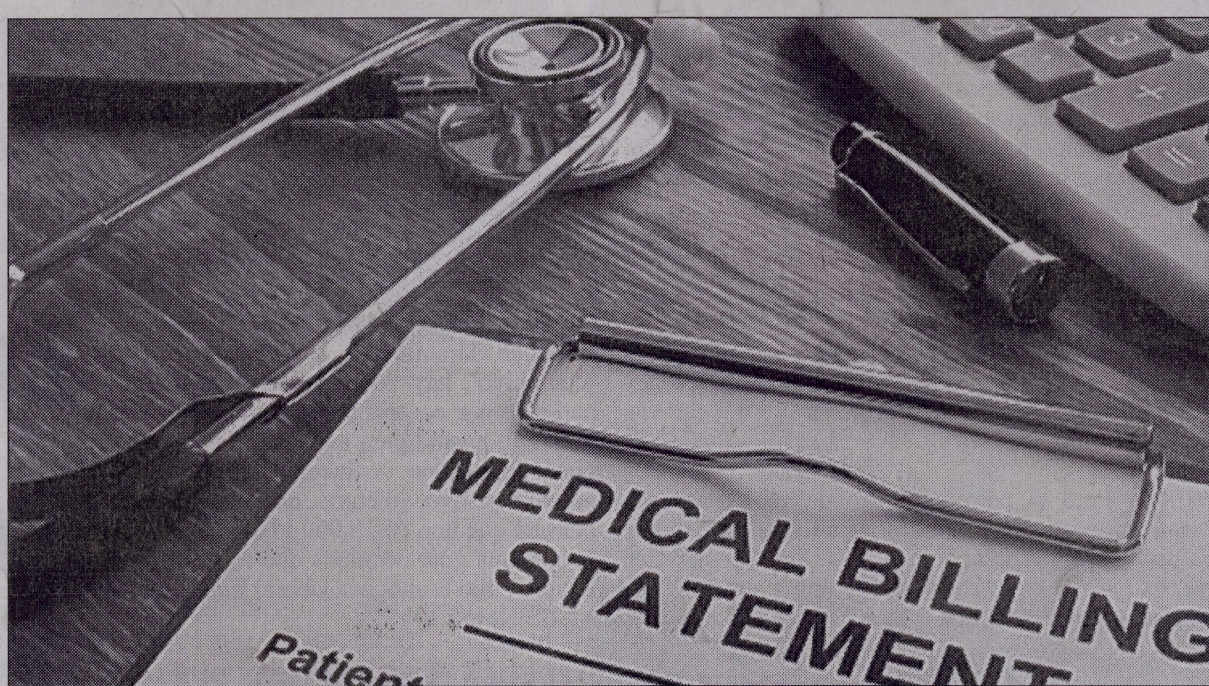
LO PRIMERO: ENTENDER LA FACTURA

Con frecuencia contienen errores que cuestan caro a los pacientes

Seguramente no sabrás por dónde empezar. Expertos en la materia recomiendan que lo primero sea tratar de entender lo que te están cobrando: ver con detalle la factura (medical bill).

En muchos casos los proveedores de salud envían una factura resumida sin mayores detalles. En ese caso, lo primero que debes hacer es solicitar una factura detallada (itemized bill). Este sencillo paso a veces hace que se reduzca el monto adeudado, tal y como le ocurrió a Shaunna Burns, una mujer de 40 años que, a raíz de una experiencia personal, dio este consejo en un video de tik tok que se hizo viral.

“Pide una factura detallada con cada uno de los cargos”, recalca en el clip donde explica que el equipo de cobranza puede entonces remover cargos absurdos como el de 37 dólares por el uso de una banda adhesiva.



A algunas personas como a Eva Zavala les funcionó: de recibir una factura por mil dólares no terminó debiendo un centavo, cuenta en un tweet.

No siempre sirve, pero nada se pierde intentándolo, pues a veces los proveedores médicos incurren no sólo en cargos absurdos, sino también en errores humanos que terminan reflejados en la factura. Si tienes seguro médico revisa qué código asignaron al tratamiento que te están cobrando y si corresponde, pues eso puede hacer que esté cubierto (o no) por tu póliza.

La única manera de detectar estas cosas como paciente es poder ver exactamente qué están cobrando, así que una vez que la recibas lee bien esa factura médica detallada e identifica si aparecen servicios que nunca te prestaron o cargos duplicados.

Otra buena idea es verificar lo que te cobran y comparar precios mediante herramientas como las que aparecen en este enlace, para apelar ese monto o negociarlo. Aunque no lo creas, los hospitales están dispuestos a hacerlo.

Da la cara y habla con sinceridad. El hospital podría ofrecerte opciones de pago o hasta descuentos.

Si la factura no tiene errores y no puedes pagarla, lo mejor que puedes hacer es hablarlo con el hospital o proveedor médico, pues podrían ofrecer planes de financiamiento sin tasa de interés o incluso reducir el monto adeudado. Nada se pierde preguntando.

No tengas vergüenza: es un problema mucho más común del que piensas. Millones de personas han estado en tu lugar. De acuerdo con data del censo 20% de las familias estadounidenses tienen una deuda médica, entendida como costos de salud que no pudieron pagar al recibir atención médica. La carga parece mayor para los hispanos que son más propensos a tenerlas, con un 21.7% en contraste con el 18.6% de la población general.

La estrategia de no atender el teléfono o ignorar la factura no ayudará y hará

que tu caso sea enviado a collections, lo que afectará tu puntaje crediticio.

Si llegas a un acuerdo o logras que te den un descuento: pide que todo quede por escrito, recalca a Univision Noticias Irene Flippo, fundadora de Assurance Patient Advocate, una agencia que se encarga de ayudar a personas a solucionar este tipo de problemas.

UN DATO DE ORO: PREGUNTA POR LOS PLANES DE ASISTENCIA FINANCIERA O CHARITY CARE

El punto clave que podría borrar tu deuda

Averigua si el hospital que te atendió tiene planes de asistencia financiera (también conocidos como charity care policy) y cuáles son los criterios de elegibilidad.

Jared Walker, fundador de la organización sin fines de lucro DollarFor, que se dedica justamente a ayudar a pacientes a que les ‘perdonen’ las deudas médicas, explica que la mayoría de los hospitales estadounidenses son organizaciones sin fines de lucro y que, en consecuencia, tienen políticas de atención médica ‘de caridad’ (charity care). Eso quiere decir que están obligados por ley a perdonar los gastos médicos de un paciente si sus ingresos son demasiado bajos.

La gran mayoría de los hospitales los tienen, pero -por razones obvias- no es algo que promuevan. En el video de tik tok, Walker explica cómo revisarlo en la web: escribes el nombre del hospital junto a ‘financial assistance’, y una vez en la página web buscas la sliding scale o (escala variable) donde se especifica qué porcentaje de la factura puede ser perdonado en función de un rango de ingresos. Si crees que calificas,

debes enviar toda la documentación y prueba de ingresos que solicitan y esperar por una respuesta en cuestión de semanas.

¿Aplican estos beneficios a inmigrantes? “Cualquiera puede aplicar a asistencia financiera si el hospital la ofrece. Simplemente deben estar en capacidad de enviar la documentación que se pide”, explica a Univision Noticias Bonnie Sheeran, quien desde el Houston Health Advocacy trabaja justamente ayudando a pacientes a lidiar con deudas médicas o gestiones de salud desde un punto de vista administrativo. En cualquier caso, esto puede variar según el estado en que te encuentres.

Si tus ingresos no te permiten calificar para estas ayudas, puedes negociar el monto para reducirlo, explica a NPR, Jenifer Bosco, del Centro Nacional de Leyes del Consumidor. Lo más posible es que debas dedicarle tiempo y esfuerzo y no tirar la toalla al primer intento, pero vale la pena: podrías ahorrar cientos o miles de dólares.

Importante: si estuviste hospitalizado durante el período de vigencia del Cares Act o el American Rescue Act, el hospital debería poder aplicar a fondos para cubrir tu hospitalización, dice Bonnie Sheeran a Univision Noticias, aunque hay una salvedad. “Algunos pacientes nunca recibieron el diagnóstico de covid-19, por lo que les cobran la hospitalización”.

NUNCA PAGUES DEUDAS MÉDICAS CON TU TARJETA DE CRÉDITO

Inflarás la deuda y eliminarás las posibilidades de negociarla con el hospital

Si bien con esto te quitas el dolor de cabeza de las llamadas de co-

branza del hospital, ten en cuenta que la tasa de interés que el hospital te cobra (si es que la tiene) es mucho menor a la de la tarjeta de crédito.

Al pagar con la tarjeta de crédito una deuda médica que no puedes costear, estás inflando exponencialmente esa deuda y reduciendo tus posibilidades de pagarla. Además, tal y como explica Bosso a NPR, con esto quitas incentivos al hospital para llegar a un acuerdo contigo y reducir el monto de la deuda.

TAMPOCO DEJES DE COMER O DE PAGAR LA RENTA POR PAGAR UNA DEUDA MÉDICA

No son deudas de “alta prioridad”

En el libro Surviving Debt, el Centro Nacional de Leyes del Consumidor explica que las deudas médicas no forman parte de las deudas de “alta prioridad” que abarcan asuntos esenciales como la renta o hipoteca. No suelen tener altas tasas de interés o pago tardío y puede tardar un año o dos para que puedan demandarte -si lo hacen-.

BUSCA AYUDA PROFESIONAL

Hay recursos a tu disposición

El sistema de salud en EEUU es sumamente complicado. Si lidiar con tus deudas médicas o simplemente entenderlas es demasiado complejo para ti, ten en cuenta que hay organizaciones y profesionales llamados patient advocates (algo así como defensores de los pacientes) que pueden ayudarte. Algunas como Dollar For o California Medical Billing Advocates lo hacen de forma gratuita si calificas; mientras que otros cobran por estos servicios.

Irene Flippo, fundadora de Assurance Patient Advocate, explica que cada defensor de pacientes tiene sus modalidades de cobro. En su caso, no hay tasa de retención, no cobran nada si no logran ahorrarle parte de la deuda a sus clientes y suelen atender a personas que deben desde miles a cientos de miles de dólares y que han intentado disputarlo durante años. “Un asesor no debería costar más que el declararse en bancarrota o que la cuantía de la cuenta médica”, advierte a Univision Noticias.

En la web de la Fundación de Defensora de los Pacientes (Patient Advocate Foundation) hay una lista de recursos y personas que pueden ayudarte.

A TODAS LAS PERSONAS Y PARTES INTERESADAS:

Ingram Concrete, LLC, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) para renovación del Permiso Número 46516 de Calidad de Aire, el cual autorizaría el funcionamiento continuo de una Planta de Lotes de Concreto ubicada en 1375 North Bates Street, Stephenville, Condado de Erath, Texas 76401. En la sección de avisos públicos de este periódico se encuentra información adicional sobre esta solicitud.

A TODAS LAS PERSONAS Y PARTES INTERESADAS:

Black Mountain Sand LLC, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ por sus siglas en inglés) por una enmienda al Permiso de Calidad de Aire Número 147934, el cual autorizaría la modificación a una planta de arena ubicada en 9409 East State Highway 302, Kermit, Condado de Winkler, Texas 79745. Esta solicitud fue procesada de una manera acelerada, según lo permitido por las reglas de la comisión en 30 Código Administrativo de Texas, Capítulo 101, Subcapítulo J. Información adicional sobre esta solicitud puede encontrarse en la sección de avisos públicos de esta publicación.

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PDENSA

¿Pueden despedirte del trabajo si no te vacunas contra el covid-19? Respondemos a esta y otras dudas

Ahora que EEUU se aproxima a un regreso a la normalidad y, con ella, al trabajo presencial, patronos y trabajadores comparten las mismas preguntas relacionadas con la vacunación. Todavía falta mucha claridad en el asunto. Explicamos lo que se sabe por ahora.

Ahora que más de la mitad de los estadounidenses se han vacunado contra el covid-19 y que muchas compañías están volviendo al trabajo presencial en la oficina, empleados y patronos se hacen las mismas preguntas: ¿Puede un empleador exigir la vacuna y despedir a quien se niegue a recibirla? ¿Es válido que se indague sobre el estatus de vacunación en una entrevista laboral?

El caso reciente de trabajadores que demandarán al hospital Metodista de Houston por suspenderlos tras negarse a vacunarse es apenas un ejemplo de los dilemas -y riesgos- que enfrentan empresas e individuos.

¿ES LEGAL QUE LOS PATRONOS EXIJAN QUE TE VACUNES?

En principio sí, pero hay excepciones

En sus lineamientos más recientes, la Comisión para Igualdad en las Oportunidades de Empleo (EEOC) dice que los patronos tienen el derecho por ley a exigir la vacuna contra el covid-19, tal y como ya está permitido con otras vacunas como las de la gripe, por ejemplo.

No obstante, muchos expertos legales consideran que la forma en que están redactados, esos lineamientos es un poco vaga y da pie a zonas grises que dan cabida a demandas.

En pocas palabras: la pregunta no es tanto si pueden hacerlo, sino más bien si les conviene, pues acarrea el riesgo de que un empleado -con o sin fundamento- los demande.

Históricamente en EEUU las empresas privadas tienen libertad de establecer estándares de seguridad y salud, incluyendo mandatos de vacunación -aunque con algunas excepciones amparadas por la Ley de Estadounidenses con Discapacidades y el Título VII de la Ley de Derechos Civiles-.

Básicamente hay dos tipos de excepciones que podrían aplicar: médicas (si la persona está en riesgo de una reacción adversa severa por alergias a un componente de la vacuna o debido a una condición médica sustentadas por la respectiva documentación que lo avale), o por sinceras objeciones religiosas.

En estos casos, la agencia dice que se debería considerar si es posible darle al trabajador acomodos razonables como, por ejemplo, pedirle que use máscara y mantenga la distancia física de los demás, hacerse pruebas periódicas del coronavirus o trabajar vía remota.

Pero el patrono, luego de considerar exhaustivamente todas las alternativas, podría negar esos acomodos si estos suponen una carga excesiva o injustificable sobre el negocio -algo que deberá probar si se presenta el caso-.

Bajo el Acta de Americanos con Discapacidades (American Disability Act o ADA por sus siglas en inglés) es ilegal que un patrono divulgue información de que un empleado está recibiendo un acomodo razonable.

Por ahora, mientras las vacunas contra el covid-19 no han recibido la aprobación oficial de la Administración de Alimentos y Medicamentos (FDA), sino una autorización de uso de emergencia, la mayoría de las empresas se están absteniendo de implementar estos mandatos y optan más bien por motivar a sus empleados mediante otras estrategias.

Algunas que ya exigen la vacuna estado están sujetas a demandas que podrían o no prosperar en las cortes. El Hospital Metodista de Houston, por ejemplo, fue demandado por 100 empleados tras imponerles una fecha límite para vacunarse (o solicitar excepciones), a riesgo de ser despedidos.

¿PUEDEN LAS EMPRESAS OFRECER BONOS U OTROS INCENTIVOS A QUIENES SE VACUNEN?

Es lo que muchas están haciendo

Sí y es justamente lo que muchas están haciendo. Por ejemplo, Amazon ofrece a sus

empleados vacunados un bono de hasta 80 dólares; Walmart, uno de 75 dólares, pero deben comprobar que se vacunaron.

La Comisión para Igualdad en las Oportunidades de Empleo dice que pueden hacerlo siempre y cuando esos incentivos no sean coercitivos o tan atractivos que prácticamente no le quede opción a la persona.

Algunos abogados consideran que, como no se define claramente lo que se entiende por "coercitivo", hay zonas grises: "Lo que se entiende por coercitivo para alguien puede no ser lo mismo para otra persona. Alguien puede considerar un incentivo de 100 dólares coercitivo, mientras que otra persona pensará que uno de 10,000 lo es (...). No tenemos una guía detallada que esperábamos recibir", dijo la abogada laboral Hellen Rella a CBS News.

¿PUEDEN PREGUNTARME DURANTE UNA ENTREVISTA DE TRABAJO SI ME VACUNÉ?

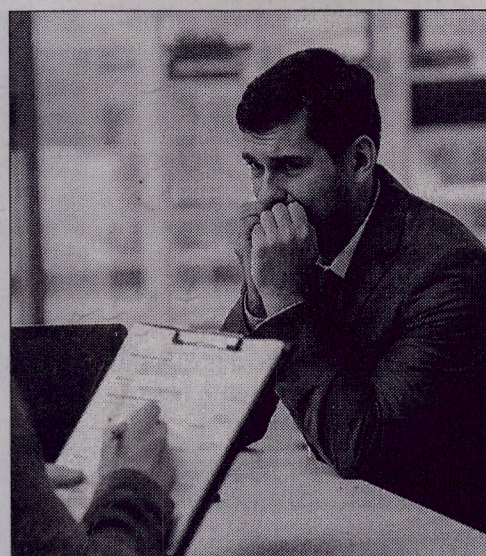
Por lo general sí

La EEOC ha aclarado que preguntar a los empleados si se han vacunado contra el covid-19 no es algo que cae dentro del espectro de la American Disability Act, por lo que no está prohibido.

No obstante, Andrew Maunz, abogado de Jackson Lewis, una firma de Pittsburgh, explica en un reportaje publicado por la Asociación de Manejo de Recursos Humanos (SHRM por sus siglas en inglés), que hay consideraciones importantes a ponderar. "Deben tener en cuenta por qué el status de vacunación de la persona es relevante". Por ejemplo, si la empresa no pregunta eso a sus empleados actuales, no debería hacerlo tampoco a sus aplicantes, explica.

Y, a la hora de preguntar, es importante no pedir demasiados detalles que podrían ser considerados como información médica personal.

Si hay un requisito obligatorio de vacunación en el trabajo, se recomienda que se indique claramente en las ofertas de trabajo y



como parte de la descripción de funciones, recomienda Kristin White, abogado de Fisher Phillips en Denver.

¿APLICA ESTO A TODOS LOS ESTADOS?

La respuesta es complicada

Tal y como explica un reportaje del New York Times, en teoría, la ley federal está por encima de la estatal, pero en este caso la situación es complicada pues la guía de la EEOC es un simple recordatorio de que la comisión no prohíbe que los patronos exijan la vacunación.

No obstante, algunos estados han asumido otras posturas. El diario cita el caso de Carolina del Sur donde las agencias estatales pueden motivar a sus empleados a vacunarse, pero no exigirlo. En Montana, una ley prohíbe que los patronos exijan a los trabajadores revelar su status de vacunación.

En Texas, el gobernador firmó una ley que prohíbe a los negocios o entidades gubernamentales requerir prueba digital de vacunación a las personas, pero no aclara lo que los patronos pueden pedir a sus trabajadores.

Lo mejor es que tanto empleadores como empleados revisen bien las regulaciones de su estado.

Hacer ejercicio, cultivar un propósito de vida y otros consejos para mantener el cerebro en forma

Las autoridades sanitarias aprobaron esta semana el primer medicamento contra el alzheimer en 18 años en medio de la polémica, ya que hay dudas sobre su efectividad. Es un buen momento para recordar que hay maneras probadas de cuidar la salud del cerebro a medida que envejecemos.

La demencia afecta a unas 50 millones de personas en el mundo, y cada año se suman unos 10 millones de casos. Esta cifra se triplicará en 2050, según las estimaciones de la OMS, que indica que la demencia es una causa principal de dependencia y discapacidad entre los adultos mayores que puede destrozarse las vidas de las personas afectadas, sus cuidadores y familiares.

Los hispanos tienen un riesgo mayor que los blancos de sufrir esta enfermedad y otros tipos de demencia, de acuerdo con los datos de la Asociación del Alzheimer. La longevidad y el riesgo de padecer enfermedades cardiovasculares podrían explicar ese fenómeno.

Aunque no hay cura para la demencia, un estilo de vida que incluya actividad física, buena nutrición y que evite el tabaco y el consumo excesivo de alcohol puede contribuir en gran medida al retraso del deterioro cognitivo, tal y como recomienda la OMS.

Aunque la edad es el factor de riesgo más conocido para el declive cognitivo, la demencia no es una consecuencia natural ni inevitable de envejecer. "Durante las dos últimas décadas, varios estudios han mostrado un vínculo entre el desarrollo de la incapacidad cognitiva y factores relacionados con el estilo de vida como la falta de ejercicio, consumo de tabaco y alcohol o dietas poco saludables", apunta la OMS.

En su informe titulado "Reducción del riesgo de declive cognitivo y demencia", el principal organismo de salud internacional también se refiere al tratamiento para la hipertensión, el colesterol alto y la diabetes como un elemento efectivo para retrasar la demencia. Por otra parte, tacha de inefectivas las vitaminas como la B y los suplementos como Omega-3 y antioxidantes.

Hábitos de vida saludables como los que



presentamos a continuación pueden ayudarnos a mantener la mente en forma durante el proceso de envejecimiento:

HACER EJERCICIO

El entrenamiento con ejercicios aeróbicos puede disminuir el declive en la función cerebral, especialmente en pacientes con Alzheimer, sugieren estudios como este.

El ejercicio modifica la química del cerebro. Puede cambiar los neurotransmisores asociados con la depresión, la ansiedad y el estrés, así como los químicos asociados con el aprendizaje. Estos cambios pueden mejorar el estado de ánimo, la resistencia al estrés y las funciones del cerebro como la velocidad de procesamiento, la atención, la memoria a corto plazo y la flexibilidad cognitiva.

Hay que tener en cuenta que el tipo y la cantidad de ejercicio que se realiza debe adaptarse a medida que cumplimos años. Si quieres asegurarte de que estás haciendo el tipo de ejercicio que corresponde a tu edad, consulta esta sencilla guía.

CONTROLAR LA PRESIÓN ARTERIAL

Para la mayoría de las personas que padecen hipertensión no es ningún secreto que controlar su presión arterial es necesario para prevenir infartos y accidentes cerebrovasculares. Un descubrimiento más reciente es que también puede reducir el

riesgo de sufrir Alzheimer.

Los estudios financiados por varias agencias del Instituto Nacional de Salud muestran que si hay algo que las personas pueden hacer para aminorar el riesgo de padecer declive cognitivo, y no es un detalle menor si se toma en cuenta que más de 70 millones de personas son consideradas hipertensas en EEUU.

SEGUIR UNA DIETA APROPIADA

La OMS se refiere a la dieta mediterránea, con su énfasis en aceite de oliva, platos poco procesados a base principalmente de vegetales y poca carne, como muy beneficiosa para la salud del cerebro. Un creciente número de investigaciones vinculan la dieta mediterránea con un descenso en el riesgo de padecer la enfermedad de Alzheimer.

Otro plan de alimentación que los científicos están explorando actualmente es la dieta MIND, una vuelta de tuerca al enfoque mediterráneo que prioriza aún más los alimentos que pueden ser importantes para la salud del cerebro, como las bayas y las verduras de hoja verde.

Una de las formas en que estas dietas pueden proteger el cerebro es que mejoran la salud cardiovascular. Como señalábamos más arriba, la reducción de la presión arterial se ha relacionado con un menor riesgo de padecer Alzheimer.

SOCIALIZAR

Muchos adultos mayores caen en un aislamiento perjudicial para su salud física, mental y emocional. Compartir con otros en esta etapa de la vida no sólo se convierte en una puerta hacia el disfrute, sino también en una poderosa herramienta para mantenerse sano. Esa es la premisa de los estudios realizados por la reconocida psicóloga Susan Pinker que indica que mantener amistades es algo clave para la longevidad.

Existen pruebas que sugieren que las personas que participan en sus comunidades, a través de actividades en organizaciones locales o el voluntariado, podrían tener una mejor salud.

Por ejemplo, los adultos mayores que son voluntarios son menos propensos a tener presión arterial alta o enfermedad cardiovascular, se enfrentan a un menor riesgo de deterioro cognitivo e incluso pueden vivir más tiempo.

Además, formar conexiones sociales es crucial para combatir el aislamiento social y la soledad, un problema creciente especialmente entre los adultos mayores. Las personas que están aisladas socialmente pueden tener un mayor riesgo de muerte prematura y algunos han estimado que su impacto negativo podría ser una amenaza mayor para la salud pública que la obesidad.

CULTIVAR UN PROPÓSITO

Tener un propósito en la vida impulsado por un objetivo se asocia con una reducción del 30% en la demencia, independientemente de otros aspectos del bienestar, según un estudio de 2017.

Socializar es una forma de mantener la mente comprometida, pero el compromiso puede adoptar muchas formas: cuidar a alguien, desempeñar un trabajo hasta pasada la jubilación o perseguir con constancia una afición.

Las investigaciones de Angelina Sutin, profesora de psicología de la Universidad Estatal de Florida sugieren que cultivar un sentido de propósito contribuye a la salud del cerebro independientemente de los ingresos, la riqueza o la educación.

Brasil sigue con marcha perfecta y Venezuela pellizca un empate a Colombia

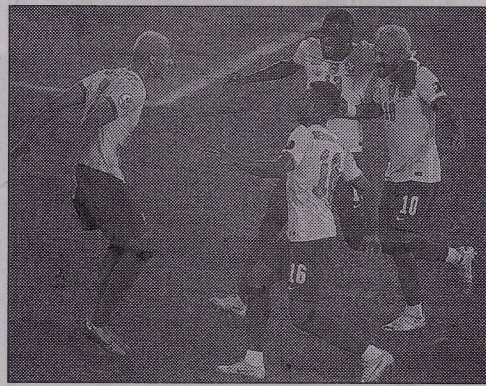
Brasil lidera con holgura en el Grupo B, tras sumar nuevamente 3 unidades este jueves ante la debutante Perú, en una jornada donde el portero Wuilker Faríñez fue una muralla venezolana, en el empate ante Colombia.

En el primer partido de la jornada, Colombia se cansó de crear ocasiones ante Venezuela y nunca pudo vulnerar al inspirado portero Wuilker Faríñez.

El resultado final fue un 0-0 que le dio a Venezuela el primer punto del torneo (había perdido ante Brasil en su debut) y Colombia alcanzó las 4 unidades por el triunfo frente a Ecuador de la fecha 1.

LOS NÚMEROS DEL PARTIDO

- Tras igualar contra la selección de Venezuela, el seleccionado colombiano suma seis partidos consecutivos invictos ante la Vinotinto por todas las competencias (3V 3E). Los colombianos no pierden ante los venezolanos desde junio 2015 con marcador 0-1 por la CONMEBOL Copa América de dicho año.
- Es el segundo partido consecutivo en CONMEBOL Copa América, en el cual la selección de Venezuela logra mantener el cero ante la selección de Colombia (1V 1E). La última vez que logró limitar sin goles a los cafetaleros fue en junio de



2015.

- Con esta igualada entre ambas selecciones, son ahora cinco de siete los partidos en los cuales la selección de Colombia no permite goles de los venezolanos en CONMEBOL Copa América (4V 2E 1D).

- La selección de Colombia remató 23 veces en total ante Venezuela. Es el máximo registro de los colombianos desde 2007 en cuanto a remates en un partido por CONMEBOL Copa América ante un rival de su misma confederación (su máximo total es 27 remates frente a Costa Rica de CONCACAF en 2011).

- Wuilker Faríñez atajó ocho remates ante los colombianos. Es el máximo histórico de atajadas para un arquero venezolano en la CONMEBOL Copa América desde 2007.

“Italia B también es favorita”

Italia es un enjambre de camisetas azules que actúan como banda organizada. Si el balón es suyo, el enjambre lo protege hasta el área rival. Si la pelota la tiene el rival, el enjambre rodea al enemigo, le molesta y le pica hasta que claudica y cede el control del juego. Con ocho cambios, con ocho teóricos suplentes, la selección de Mancini dejó en los huesos a Gales y firmó el pleno de victorias en la fase de grupos.

La Nazionale da envidia, la verdad. Mientras Gales salió con legañas, relamiéndose pensando en el biscotto que supuestamente Italia iba a sacar a la hora de la merienda, los de Mancini ocuparon cada metro cuadrado del césped e hicieron jugar a los de Bale a un buscaminas trucado en el que la selección británica pisaba exactamente donde quería Italia. Donde siempre había una bomba. Donde siempre perdían el balón.

Con Verratti y Jorginho a los mandos, Italia fue ganando terreno a Gales como el mar se lo gana a la playa al subir la marea. Casi sin que se dieran cuenta. La pelota reposaba en los pies de los dos centrocampistas y, cuando llegaba a las botas de Pessina o Chiesa, su viaje se aceleraba en dirección al área de Ward. El hijo de Enrico encaró todas las veces que pudo. Todas. En un fútbol en el que se enseña y se practica el miedo a perder la pelota, un futbolista que se atreva a regatear es una bendición.

En esas estaba Italia, avisando a un rival



que no se quería enterar de que ni pasteleo ni nada, cuando Pessina cazó un centro al primer palo con la diestra y lo mandó al fondo de la red. Lo celebró a lo Tardelli, con los puños apretados y corriendo sin parar hasta que llegó a la colmena, al banquillo donde un mar de brazos le recibió para festejar el gol.

Desde el 1-0 y hasta el final, Belotti no paró de intentar meter su gol, Italia vivió en campo contrario para aumentar la diferencia y Gales sólo tuvo dos hits destacables.

El primero, cuando Ampadu pisó a Bernardeschi y vio la roja. El segundo, cuando a Bale le cayó un balón perfecto en el área para volear con la zurda y empatar que desperdició.

Italia suma 30 partidos consecutivos sin perder, once triunfos seguidos y más de 1.000 minutos sin encajar gol. Huele a favorito desde aquí. Ahora le toca no perder ese aroma en los cruces.

¡Sifan Hassan destroza el récord del mundo de 10.000 con 29:06.82!

El pedido de Kun Agüero a Leo Messi por su futuro en el Barcelona

Joan Laporta, presidente del FC Barcelona, concedió una entrevista en el diario español “La Vanguardia” y habló del futuro de Lionel Messi en la entidad blaugrana. Laporta desveló la importancia que está teniendo el Kun Agüero para intentar convencer a Messi de que se quede en el equipo.

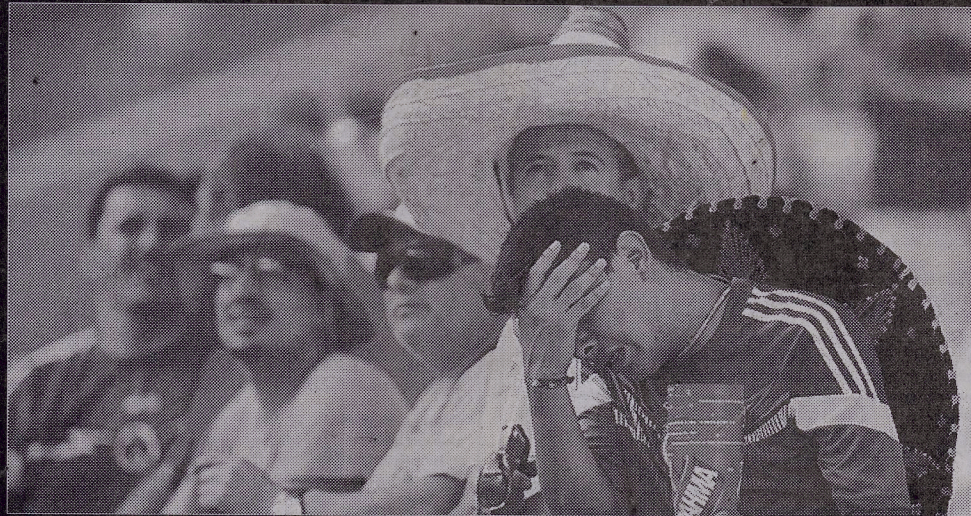
“Queremos que Messi firme por dos años. Agüero está ayudando: le está repitiendo todos los días que se quede y firme ya”. Laporta no esconde la prioridad del club al intentar que se quede. El Barça está intentando convencer a Messi con las nuevas incorporaciones de Eric García, Emerson, Memphis Depay y Kun Agüero.

“Las botas de Leo Messi seguirán en el césped del Camp Nou. Él quiere quedarse. No contemplo un no. Pero no es fácil. Hacemos lo que podemos. No hace falta seducirlo, él está decidido a si se dan una serie de circunstancias quedarse”. Lo que



no se sabe es cuáles son esas circunstancias que Messi pide para quedarse y qué es lo que busca el argentino dentro del club.

En otros asuntos, Laporta trató la situación actual del equipo y dejó preocupado a más de uno: “El club está peor de lo que esperaba”. La situación económica del FC Barcelona vive uno de sus peores momentos y el club deberá quitarse algún peso pesado como Piqué, Busquets o Jordi Alba, entre otros: “Nos hemos encontrado con una plantilla con salarios desfasados; habrá que hacer malabarismos. El mercado, lo único que permitirá será intercambios y trueques. En cuanto a las ventas, desgraciadamente habrá pocas”.



Una multa de \$65.000 también le fue impuesta a la Federación Mexicana de fútbol.

Ciudad de México -- La selección mexicana deberá jugar sus siguientes dos partidos oficiales a puerta cerrada como castigo de parte de la FIFA al grito homofóbico que se han escuchado en recientes partidos del Tri.

“La Comisión Disciplinaria de la FIFA ha sancionado a la Federación Mexicana de Fútbol con una multa de \$65.000 y la imposición de jugar sus próximos dos encuentros oficiales como local a puerta cerrada como consecuencia de los cánticos homofóbicos de los aficionados mexicanos en los partidos de clasificación para el Torneo Olímpico de Fútbol contra la República Dominicana y Estados Unidos, disputados en Guadalajara (México) los días 18 y 24 de marzo, respectivamente.

Adicionalmente, la Comisión ha abierto otro

procedimiento en relación con los cánticos homofóbicos de los aficionados mexicanos en un amistoso que jugó su Selección contra Islandia en Arlington, Texas, el pasado 29 de mayo”, informó el organismo.

Sin duda la sanción más fuerte estriba en los partidos a puerta cerrada.

México debuta en el Octagonal el jueves 2 de septiembre contra Jamaica y en su siguiente partido como local se mide a Canadá el jueves 7 de octubre.

Esos partidos serán a puerta cerrada.

La situación de México en su camino a la Copa del Mundo de Qatar se complica aún más porque seis de los primeros nueve juegos son como visitante, y ahora dos de esos tres como local serán sin público en las gradas.

El técnico de la selección mexicana, Gerardo Martino, pidió el viernes a

los seguidores del Tri que piensen en las consecuencias de seguir profiriendo el impropio homofóbico.

“Quiero hacer un llamado a la reflexión a todo el simpatizante mexicano, para que entiendan el significado y el alcance que tienen este tipo de actitudes, los cuales, inevitablemente, hacen que nos alejemos los unos a los otros, no poder estar juntos en una eliminatoria, inclusive hasta perdernos una competencia internacional, con todo lo importante que viene por delante”, dijo

“Los seguidores mexicanos son realmente magníficos a la hora del aliento, los futbolistas sienten el apoyo de nuestra gente y quiero pedirles que se centren exclusivamente en lo que es la selección, en lo que son nuestros jugadores, en el apoyo que sienten cada vez que el hincha mexicano se refiere exclusivamente a su selección”, apuntó el estratega

“Lasarte niega un acto de indisciplina de sus jugadores”



En horas del mediodía empezó a circular un rumor de que al menos seis futbolistas del seleccionado chileno que se encuentra en Brasil, disputando la Copa América, invitaron a mujeres a las habitaciones del Gran Hotel Odara, donde se aloja la delegación completa, y a la espera de que se hiciera oficial la prensa chilena aseguró en primera instancia que Martín Lasarte, director técnico del equipo, pensaba en renunciar y castigar a los involucrados separándolos y enviándolos a Chile.

Sin embargo, en conferencia de prensa, el entrenador se mostró tranquilo y negó los rumores: “Estamos viviendo una situación que es complicada para todo el mundo y tenemos que hacernos cargo de dar un ejemplo positivo. La única situación de

indisciplina que nos tocó vivir fue a la que hemos hecho referencia, no es verdad lo que se dice de seis jugadores de la selección”.

Tras negar la acusación pública, sí hizo referencia al error de haber dejado ingresar a un peluquero a la concentración, a lo que hizo también referencia Claudio Bravo, arquero del equipo: “Asumimos que nos equivocamos al permitirle el ingreso a una persona que no estaba autorizada. Debimos haber esperado los permisos correspondientes”.

Días atrás, previo al duelo ante Bolivia, la Conmebol denunció el ingreso de un peluquero al hotel para cortar el cabello de Medel y Vidal, en una acción que quedó comprobada luego de que ambos jugadores compartieran imágenes

en plena sesión, por lo que fueron multados con 30.000 dólares.

El comunicado sobre el ingreso del peluquero

La Federación de Fútbol de Chile y el cuerpo técnico de la Selección Chilena Masculina Adulta, reconocen el incumplimiento de la burbuja sanitaria de la delegación que participa en la Copa América, con el ingreso no autorizado de un peluquero que, pese a contar con examen PCR negativo, no debió haber entrado en contacto con los jugadores. Los involucrados serán sancionados económicamente.

Lamentamos lo que generó esta situación e informamos que todos los miembros de la delegación arrojaron examen PCR negativo este sábado 20 de junio.

Audencia de Aviso y Comentarios

Permiso Preliminar No.: 02771

Este es un aviso para una audiencia de aviso y comentarios sobre el Permiso Federal de Operación Número 02771. Durante la audiencia de aviso y comentarios, se responderán preguntas informales sobre el Permiso Federal de Operación y se recibirán comentarios formales. La Comisión de Calidad Ambiental de Texas (TCEQ) ha programado la audiencia de aviso y comentarios sobre esta solicitud y el permiso preliminar de la siguiente manera:

Fecha: 29 de Julio de 2021
Hora: 7:00 p.m.

Solicitud y Permiso Preliminar. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, una instalación de Fabricación de Tejas de Asfalto y Materiales de Revestimiento, ha solicitado a la TCEQ una Renovación del Permiso Federal de Operación (en adelante denominado el permiso) No. 02771. Solicitud No. 30973. Para autorizar la operación de la Planta de Dallas. El área tratada por la solicitud está ubicada en 2600 Singleton Blvd en Dallas, Condado de Dallas, Texas 75212-3738. Esta solicitud fue recibida por la TCEQ el 29 de julio de 2020.

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un permiso preliminar. El permiso preliminar, si se aprueba, codificará las condiciones bajo las cuales el sitio debe operar. El Director Ejecutivo de la TCEQ recordará la emisión del permiso preliminar. El propósito de un permiso federal de operación es mejorar el cumplimiento general de las reglas que rigen el control de la contaminación del aire al enumerar claramente todos los requisitos aplicables, como se define en el Título 30 del Código Administrativo de Texas (30 TAC) § 122.10. El permiso no autorizará nuevas construcciones ni nuevas emisiones.

Audiencia de Aviso y Comentarios. La audiencia estará estructurada para la recepción de comentarios orales o escritos por parte de las personas interesadas. El registro y un período de discusión informal con los miembros del personal de la comisión comenzarán durante los primeros 30 minutos. Durante el período de discusión informal, se alienta al público a hacer preguntas y participar en una discusión abierta con el solicitante y el personal de la TCEQ sobre esta solicitud y el permiso preliminar. Las cuestiones planteadas durante este período de discusión solo se abordarán en la respuesta formal a los comentarios si la cuestión también se presenta durante la audiencia. Después de la conclusión del período de discusión informal, la TCEQ llevará a cabo una audiencia de aviso y comentarios sobre la solicitud y el permiso preliminar. Las personas pueden presentar declaraciones orales cuando se les solicite por orden de registro. Se puede establecer un límite de tiempo de cinco minutos en la audiencia para asegurar que se dé suficiente tiempo para que cada persona interesada hable. El propósito de esta audiencia será recibir comentarios públicos formales que la TCEQ considerará para determinar si se debe revisar y/o emitir el permiso y para determinar la exactitud e integridad del permiso. Cualquier persona puede asistir a esta audiencia y presentar comentarios escritos u orales. La audiencia se llevará a cabo de acuerdo con la Ley de Aire Limpio de Texas § 382.0561, según lo codificado en el Código de Salud y Seguridad de Texas, y 30 TAC § 122.340.

Los miembros del público que deseen hacer preguntas o proporcionar comentarios durante la audiencia pueden acceder a la audiencia a través de un webcast siguiendo este enlace: <https://www.gotomecting.com/webinar/join-webinar> e ingresado el Webinar ID 192-616-739. Se recomienda que se una al seminario web y se registre para la audiencia al menos 15 minutos antes de que comience la audiencia. Se le dará la opción de usar el audio de su computadora o usar su teléfono para participar en el seminario web.

Aquellos sin acceso a Internet pueden llamar al (512) 239-1201 al menos un día antes de la audiencia para recibir ayuda para acceder a la audiencia y participar telefónicamente. Los miembros del público que solo deseen escuchar la audiencia pueden llamar sin cargo al (415) 655-0060 e ingresar el código de acceso 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 9045359. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Habrán información adicional disponible en el calendario de eventos de la agencia en el siguiente enlace: <https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Las personas con discapacidades que necesiten adaptaciones especiales en la audiencia deben llamar a la Oficina del Secretario Principal al 512-239-3300 o al 1-800-RELAY-TX (TDD) al menos cinco días hábiles antes de la audiencia.

Cualquier persona también puede enviar comentarios por escrito antes de la audiencia a la Comisión de Calidad Ambiental de Texas, Oficina del Secretario Principal, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, o electrónicamente en www.tceq.texas.gov/epic/eComment/. Los comentarios escritos deben incluir (1) su nombre, dirección y número de teléfono durante el día, y (2) el número de permiso preliminar que se encuentra en la parte superior de este aviso.

Se enviará por correo un aviso de la acción final propuesta que incluye una respuesta a los comentarios y la identificación de cualquier cambio en el permiso preliminar a todos los que presentaron: comentarios escritos y/o solicitudes de audiencia, asistieron a la audiencia o solicitaron estar en la lista de correo para esta solicitud. Este envío también proporcionará instrucciones para peticiones públicas a la Agencia de Protección Ambiental de los Estados Unidos (EPA) para solicitar que la EPA se oponga a la emisión del permiso propuesto. Después de recibir una petición, la EPA solo puede objetar la emisión de un permiso que no cumpla con los requisitos aplicables o los requisitos de 30 TAC Capítulo 122.

Lista de correo. Además de enviar comentarios públicos, una persona puede solicitar ser incluida en una lista de correo para esta solicitud enviando una solicitud a la Oficina del Secretario Principal de la TCEQ a la dirección anterior. Aquellos en la lista de correo recibirán copias de los avisos públicos futuros (si los hubiera) enviados por el Secretario Principal para esta solicitud.

Información. Para obtener información adicional sobre esta solicitud de permiso o el proceso de permisos, comuníquese con la Comisión de Calidad Ambiental de Texas, Programa de Educación Pública, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 sin cargo al 1-800-687-4040. Puede encontrar información general sobre la TCEQ en www.tceq.texas.gov. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener más información de Building Materials Investment Corporation llamando a Kevin Bush, Ingeniero Ambiental al (972) 872-2325.

Fecha de Emisión de Aviso: 4 de junio de 2021

EEUU dice que las restricciones de viaje “siguen vigentes” en la frontera: a quiénes afecta y quiénes pueden viajar



A horas de finalizar el cierre de las fronteras decretado el año pasado por el coronavirus, la Patrulla Fronteriza dijo que la prohibición a viajes no esenciales sigue vigente, pero esta vez no hay fecha de término. Esta semana altos funcionarios de los gobiernos de Washington y México acordaron agilizar trabajos para reabrir la frontera paulatinamente a medida que avanza el control de la pandemia. Canadá, mientras tanto, extendió el cierre hasta el 21 de julio.

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA RENOVACIÓN

PERMISO NO. WQ0015411001

SOLICITUD. Johnson County Pipe, Inc., 800 County Road 209, Alvarado, Texas 76009, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para renovar el Permiso No. WQ0015411001 (EPA I.D. No. TX0136646) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 240,000 galones por día. La instalación de tratamiento de aguas residuales está ubicada a aproximadamente 1,600 pies al sur de la intersección de County Road 209 y U.S. Highway 67, en el Condado de Johnson, Texas 76009. La ruta de descarga es del sitio de la planta por medio de tubería a Fish Spring Branch; después a Mountain Creek; después a Joe Pool Lake. La TCEQ recibió esta solicitud el día 20 de abril de 2021. La solicitud del permiso está disponible para leerla y copiarla en la Biblioteca Pública de Alvarado, 210 North Baugh Street, Alvarado, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468b4dd4360f8168250f&marker=-97.158611962332,41.52777&level=12>

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud está administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. El aviso de la solicitud y la decisión preliminar serán publicados y enviados a las personas que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

COMENTARIO PÚBLICO / REUNIÓN PÚBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes, o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso propuesto; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación propuesta; una descripción específica de la forma como usted sería afectado adversamente por la instalación de una manera no común al público en general; una lista de todos los temas en disputa de hecho que usted presentó durante el período de comentarios, y la declaración "[Yo/nosotros] solicitó/solicitamos una audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar al representante del grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo con nombre y la dirección física que sería afectado adversamente por la instalación o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la instalación o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los períodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contencioso a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente. Si se otorga una audiencia, el tema de la audiencia estará limitado a hechos reales disputados o preguntas mixtas de hecho y derecho relacionadas a las preocupaciones relevantes y materiales de calidad del agua presentadas durante el período de comentarios. Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso para descargar aguas residuales sin proveer una oportunidad de una audiencia administrativa de lo contencioso.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, será puesto a la lista de correo de esta solicitud específica para recibir futuros avisos públicos enviados por la Oficina del Secretario Principal. Además, puede pedir que se ponga su nombre en: (1) la lista de correo permanente para recibir los avisos del solicitante indicado por nombre y número del permiso específico; y/o (2) la lista de correo de un condado específico. Si desea que se agregue su nombre a la lista de correo permanente y/o del condado, claramente designe cual lista(s) y envíe por correo su pedido a la Oficina de la Secretaría Principal de la TCEQ a la dirección más abajo.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en www.tceq.texas.gov/gotocid. Busque en la base de datos usando el número de permiso sobre esta solicitud, el cual es proveído al comienzo de este aviso.

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios públicos y los pedidos deben ser presentados electrónicamente al <https://www.tceq.texas.gov/epic/eComment/>, o por escrito a la Comisión de Calidad Ambiental de Texas, Oficina del Secretario Principal (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, TX 78711-3087. Favor de estar consciente que cualquier información de contacto que provea, incluyendo su nombre, número de teléfono, correo electrónico y su dirección postal vendrá a formar parte del registro público de la agencia. Si necesita más información sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/gotopdp. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional en Johnson County Pipe, Inc., a la dirección indicada arriba o llamando al Sr. Mario Olmos al 817-471-6390.

Fecha de emisión: 24 de mayo de 2021

Tres días antes del vencimiento del cierre de las fronteras con México y Canadá a viajes no esenciales, la Oficina de Aduanas y Control Fronterizo (CBP) anunció que las medidas de salud pública decretadas el año pasado por la pandemia del coronavirus “siguen vigentes”.

La agencia federal dijo en su cuenta de la red social Twitter que “la restricción temporal de viajes no esenciales a través de los puertos de entrada terrestres de EEUU sigue vigente”.

El anuncio agrega que “los viajes esenciales y el comercio continúan sin impedimentos”.

A QUIÉN AFECTA Y A QUIÉN NO
De acuerdo con el anuncio, las restricciones de viaje impactan:

A QUIÉNES AFECTA
La orden limita y suspende la entrada a Estados Unidos de aquellos extranjeros que:

- Están fuera de los Estados Unidos durante la fecha de vigencia de la proclama;

- No tienen una visa de inmigrante que sea válida en la fecha de vigencia de la prohi-

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA RENOVACIÓN

PERMISO NO. WQ0014263001

SOLICITUD. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para renovar el Permiso No. WQ0014263001 (EPA I.D. No. TX0124079) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 225,000 galones por día. La instalación de tratamiento de aguas residuales domésticas está ubicada a aproximadamente 2,500 pies al suroeste de la intersección de John Day Road y State Highway 114, en el Condado de Denton, Texas 76262. La ruta de descarga es del sitio de la planta a una zanja de drenaje sin nombre; después a Elizabeth Creek; después a Denton Creek; después a Grapevine Lake. La TCEQ recibió esta solicitud el día 9 de abril de 2021. La solicitud del permiso está disponible para leerla y copiarla en la Biblioteca de la Comunidad de Justin, 408 Pafford Avenue, Justin, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468b4dd4360f8168250f&marker=-97.381192333,32.9297&level=12>

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud está administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. El aviso de la solicitud y la decisión preliminar serán publicados y enviados a las personas que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

COMENTARIO PÚBLICO / REUNIÓN PÚBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes, o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso propuesto; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación propuesta; una descripción específica de la forma como usted sería afectado adversamente por la instalación de una manera no común al público en general; una lista de todos los temas en disputa de hecho que usted presentó durante el período de comentarios, y la declaración "[Yo/nosotros] solicitó/solicitamos una audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar al representante del grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo con nombre y la dirección física que sería afectado adversamente por la instalación o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la instalación o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los períodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contencioso a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente. Si se otorga una audiencia, el tema de la audiencia estará limitado a hechos reales disputados o preguntas mixtas de hecho y derecho relacionadas a las preocupaciones relevantes y materiales de calidad del agua presentadas durante el período de comentarios. Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso para descargar aguas residuales sin proveer una oportunidad de una audiencia administrativa de lo contencioso.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, será puesto a la lista de correo de esta solicitud específica para recibir futuros avisos públicos enviados por la Oficina del Secretario Principal. Además, puede pedir que se ponga su nombre en: (1) la lista de correo permanente para recibir los avisos del solicitante indicado por nombre y número del permiso específico; y/o (2) la lista de correo de un condado específico. Si desea que se agregue su nombre a la lista de correo permanente y/o del condado, claramente designe cual lista(s) y envíe por correo su pedido a la Oficina de la Secretaría Principal de la TCEQ a la dirección más abajo.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en www.tceq.texas.gov/gotocid. Busque en la base de datos usando el número de permiso sobre esta solicitud, el cual es proveído al comienzo de este aviso.

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios públicos y los pedidos deben ser presentados electrónicamente al <https://www.tceq.texas.gov/epic/eComment/>, o por escrito a la Comisión de Calidad Ambiental de Texas, Oficina del Secretario Principal (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, TX 78711-3087. Favor de estar consciente que cualquier información de contacto que provea, incluyendo su nombre, número de teléfono, correo electrónico y su dirección postal vendrá a formar parte del registro público de la agencia. Si necesita más información sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/gotopdp. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional en Aqua Texas, Inc., a la dirección indicada arriba o llamando al Sr. Abel Bautista al 281-651-0174, extensión 54119.

Fecha de emisión: 19 de mayo de 2021

bición;

- No tengan un documento de viaje oficial que no sea una visa (como una carta de transporte, una hoja de embarque adecuada o un documento de permiso de entrada anticipado) que sea válido durante la fecha de vigencia de esta proclama o emitido en cualquier fecha posterior que permita a él o ella viajar a Estados Unidos y buscar la entrada o admisión al país.

QUIÉNES ESTÁN EXENTOS

La orden no aplica a:

- Residentes legales permanentes;

- Cualquier extranjero que desee ingresar a Estados Unidos con una visa de inmigrante como médico, enfermero u otro profesional de la salud, para realizar investigaciones médicas u otras investigaciones destinadas a combatir la propagación de covid-19 o para realizar un trabajo esencial para combatir, recuperarse o aliviar los efectos del brote de covid-19, según lo determine el Secretario de Estado, el Secretario de Seguridad Nacional o sus respectivos designados; y cualquier cónyuge e hijos solteros menores de 21 años de cualquier extranjero que esté acompañan-

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA RENOVACIÓN

PERMISO NO. WQ0014143001

SOLICITUD. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para renovar el Permiso No. WQ0014143001 (EPA I.D. No. TX0120111) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 450,000 galones por día. La instalación de tratamiento de aguas residuales domésticas está ubicada a aproximadamente 2.7 millas al oeste de la intersección de Farm-to-Market Road 156 y Farm-to-Market Road 407, en el Condado de Denton, Texas 76247. La ruta de descarga es del sitio de la planta a Trail Creek; después a Denton Creek; después a Grapevine Lake. La TCEQ recibió esta solicitud el día 9 de abril de 2021. La solicitud del permiso está disponible para leerla y copiarla en la Biblioteca de la Comunidad de Justin, 408 Pafford Avenue, Justin, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468b4dd4360f8168250f&marker=-97.342652,33.0878&level=12>

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud está administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. El aviso de la solicitud y la decisión preliminar serán publicados y enviados a las personas que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

COMENTARIO PÚBLICO / REUNIÓN PÚBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes, o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso propuesto; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación propuesta; una descripción específica de la forma como usted sería afectado adversamente por la instalación de una manera no común al público en general; una lista de todos los temas en disputa de hecho que usted presentó durante el período de comentarios, y la declaración "[Yo/nosotros] solicitó/solicitamos una audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar al representante del grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo con nombre y la dirección física que sería afectado adversamente por la instalación o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la instalación o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los períodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contencioso a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente. Si se otorga una audiencia, el tema de la audiencia estará limitado a hechos reales disputados o preguntas mixtas de hecho y derecho relacionadas a las preocupaciones relevantes y materiales de calidad del agua presentadas durante el período de comentarios. Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso para descargar aguas residuales sin proveer una oportunidad de una audiencia administrativa de lo contencioso.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, será puesto a la lista de correo de esta solicitud específica para recibir futuros avisos públicos enviados por la Oficina del Secretario Principal. Además, puede pedir que se ponga su nombre en: (1) la lista de correo permanente para recibir los avisos del solicitante indicado por nombre y número del permiso específico; y/o (2) la lista de correo de un condado específico. Si desea que se agregue su nombre a la lista de correo permanente y/o del condado, claramente designe cual lista(s) y envíe por correo su pedido a la Oficina de la Secretaría Principal de la TCEQ a la dirección más abajo.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en www.tceq.texas.gov/gotocid. Busque en la base de datos usando el número de permiso sobre esta solicitud, el cual es proveído al comienzo de este aviso.

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios públicos y los pedidos deben ser presentados electrónicamente al <https://www.tceq.texas.gov/epic/eComment/>, o por escrito a la Comisión de Calidad Ambiental de Texas, Oficina del Secretario Principal (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, TX 78711-3087. Favor de estar consciente que cualquier información de contacto que provea, incluyendo su nombre, número de teléfono, correo electrónico y su dirección postal vendrá a formar parte del registro público de la agencia. Si necesita más información sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/gotopdp. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional en Aqua Texas, Inc., a la dirección indicada arriba o llamando al Sr. Abel Bautista al 281-651-0174, Extensión 54119.


Fecha de emisión: 17 de mayo de 2021

do o siguiendo para unirse al extranjero;

- Cualquier extranjero que sea cónyuge de un ciudadano de los Estados Unidos;
- Cualquier extranjero menor de 21 años y que sea hijo de un ciudadano de Estados Unidos, o que sea un posible hijo adoptado que intente ingresar a Estados Unidos de conformidad con las clasificaciones de visa IR-4 o IH-4;

- Te invitamos a leer más en www.univision.com





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BY JACOB VAUGHN

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of 'psychics' took
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Notice and Comment Hearing

Draft Permit No.: 02771

This is a notice for a notice and comment hearing on Federal Operating Permit Number 02771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021

Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. 02771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

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Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period will only be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

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Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link: <https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at www.tceq.texas.gov. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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110 Computer/Tech/Engineer
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125 Domestic
127 Education
130 Entertainment
140 Financial/Accounting
145 Management/Professional
150 Medical/Dental/Health
155 Medical Research Studies
160 Office/Clerical
167 Restaurants/Hotels/Clubs
170 Retail
172 Sales
175 Telemarketing/Call Center
177 Salons
180 Security/Law Enforcement
183 Trades
185 Miscellaneous
190 Business Opportunities
193 Employment Information
195 Position Wanted
198 Non-Profit Jobs
527 Notices

527 Public Notices

PUBLIC NOTICE
Correction and Public Notice of Ethnicity and Race Identification of Indian American & White with the following names listed: Nicole Renise Corbin, Torianna Renae Spellman, Dershay Elon Williams, Delain Avanne Williams, Keyon Armon Corbin, Billy Denell Davis, Avrial Dawn Evans, Erica Marie Evans, Shanay Yolander Evans, Falareo Isaiah Robinson, Aubreyon Ve'Oshahne Dawn Woodley, Aalishay Tahj Dawn Woodley, Ashalyn Dawn Woodley, Javay Dewayne Woods, Billy D Davis.

527 Public Notices

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110 Computer/Tech/Engineer

SR. ENGR. FULL STACK DVLPR sought by Harman Professional, Inc. in Richardson, TX. DMSTC trvl 5% for crdtn w/ Harman groups. Apply jobpostingtoday.com # 14401.

SOFTWARE DEVELOPER 5 yrs. exp. eng. and run SAP infrastructure, dvlp. unix scripts for SAP PI/PO, BS deg. and travel to unanticipated client locations throughout the U.S. req'd. EPSoft Technologies, LLC, 2727 LBJ Fwy. Suite 950, Farmers Branch, TX 75234.

SAP ANALYST Perform SAP configurations, manage all phases of the project. MS deg. & travel to unanticipated client locations throughout the U.S. req'd. Mail resume: Silveris, Inc., 305 Cimarron Trail, Ste. 100, Irving, TX 75063.

JAVA DEVELOPER II 5 yrs. exp. design, architect, create solutions, deploy dvp code. BS deg and travel to unanticipated client locations across U.S. req'd. Mail Resume: Appstek, Inc., 5055 Keller Springs Rd., Suite #150, Addison, TX 75001.

SR PRINCIPAL ENGINEER, SOLUTION ARCHITECT Sirius XM Connected Vehicle Services Inc. (Irving, TX) seeks Sr Principal Engineer, Solution Architect to design, dvlp, test, & eval ntwrk layer components of Sirius XM's IT sol'n incl but not ltd to LAN, WAN, Internet & intranets, & othr data commnc'n engg chnnels & systms. Analyze biz reqs to dvlp tchncl ntwrk sol'ns & their frmwrk & write functl reqs/specs docs. Ensr E2E sol'ns are prprly dsngd & implmted. Dsgn data commnc'n systms. Pfrm ntwrk modng, anlys & plannng. Dvlp tchnlgy roadmps, test plans, implmt'n plans, & prjct timelines. Analyze, engr, & excute sftwre func'ns. Mnge tchnlgy vendrs, & assess vendr dvlpmnt/test strategies. Determine prdct drc't'n, & stay abreast of dvlpmnts in tchnlgy infrastrctres & how they impact & drive cmpetitors. Reqs Bach in CompSci or Comp Systms Engg +7yrs exp in ofrdr pos or in comp ntwrk archtct pos. All reqd exp must've incld dsngng, dvlpg, testng, & maintng tchncl ntwrk sol'ns & their frmwrk w/ focus on lrg-scale IP-based ntwrks; wrking on tradit'l on-prem & hybrid (AWS) cloud dvlpmnt on hosted & public systms; & srving as tchncl lead & advisor, dfinng ntwrk stndrds & mthdls to engg teams for dvlpmnt of innovtve & imprvd biz perfrmce sol'ns, incl infrastrctre dsng for lrg-scale distribd systms. Must be certf'd as AWS Solut'ns Archtct, Meraki Ntwrk Oprator, ITIL v3 Foundat'ns, & Cisco Ntwrk Associate. Apply online at www.siriusxm.com/careers.

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APPLICATION DEVELOPMENT & SUPPORT ENGINEER II (RICHARDSON, TX)

Conduent Business Services seeks: Application Development & Support Engineer II. Req. Bachelor's in Electronic Engr. EE, CS, or IT & 3 yrs of exp with COBOL programming, testing and implementation. Must be willing to work anywhere in the U.S. Mail resume with Ref #JL478943 to Megan Verona at 1702 N Collins Blvd, Ste 260, Richardson, TX 75080. EOE.

SOFTWARE DEVELOPER Analyze business requirements, provide public software systems, write unit tests, build and deploy front-end code using Gulp and Webpack. MS deg. req'd. Mail resume: InsuBuy, Inc., 4200 Mapleshade Ln., Suite 200, Plano, Texas 75093.

PRODUCT ANALYST Safe Dept. Drive new product development. Analyze data gathered and develop solutions or alternative methods of proceeding. Bachelor's degree in Business Administration/Management or Engineering and one year experience working in a management position in a company that manufactures or sells commercial safes. Mail your resume to HR, Rolland Safe & Lock Co. 3140 Towerwood Drive, Dallas, TX 75254.

PRODUCT SOFTWARE ENGINEER III Wolters Kluwer United States, Inc. seeks Product Software Engineer III in Coppell, TX to implement cloud-based systems, RESTful APIs, user interface components and web pages. Apply at www.jobpostingtoday.com Ref #86506

140 Financial/Accounting

FINANCIAL ADVISOR Palmer & Associates seeks Financial Advisor. Send resume to 3610 Shire Blvd., #212, Richardson, TX 75082. No phone calls.

STAFF ACCOUNTANT Entercom, Inc. seeks a "Staff Accountant." Employer is a digital technology and service company. Headquarters: Irving, Texas. Staff Accountant works from the company headquarters. BS in accounting. Send resume via email to emilia.cummings@entercom.com with "Staff Accountant" in the subject line. E.O.E.

145 Management/Professional

OPERATIONS RESEARCH MANAGER (Wylie, TX). Provide analysis & assessment of integrated data; support a broad range of analysis functions to identify capabilities gaps & inconsistencies & provide recommendations & solutions; formulate & apply mathematical modeling methods; analyze info obtained from involved parties, customers, & databases to conceptualize & define operational problems; evaluate the costs & benefits of alternative solutions or approaches; deliver effective presentations of findings & recommendations & create visual displays of quantitative info. Master's deg. in Operations Research, any Engg. or Math + 24 mths F/T exp in the job, or as structural dsngnr req'd. M-F, 40 hrs/wk; Send resumes (by mail only) to Mustafa Cirit, Origin Homes, Inc., 1141 Agency Dr., Wylie, TX 75098.

MANAGER, PRODUCT LIFECYCLE MANAGEMENT Peloton Interactive, Inc. in Plano, TX: Collab w operations, eng & product dev teams to analyze product lifecycle mgmt (PLM) process rqrmts to improve dev of sftwr systems. May telecommute from any location within the U.S. Resume to christina.ellis@onepeloton.com. Job code 49134.00074

TELECOMMUNICATIONS ANALYST SENIOR Job Code: EH0925) sought by Experian Information Solutions, Inc. in Allen, TX. Oversee conferencing scheduling and call management service. 3 yrs exp. Apply by email at recruitment@experian.com (Reference Job Code)

REAL ESTATE SR ASSOC. Labora Group, Inc. seeks Real Estate Sr Assoc. in Dallas, Texas to assist w/ daily operations of constr'n projects & mgmt of existing real estate portfolio in accordance w/ policies, goals, & objectives. Req'mnts: Master's or foreign equiv in Bus. Admin, Econ., Finance, or rel. field & 1 yr of exp in job offered or rel. occupation; managing properties; utilizing sftwre incl Propertyware & NetSuite Sftwre Systms; utilizing Microsoft Project & Excel to dvlp project schedules & manage project budget; advising in comm'l & residential property investments; liaising w/ clients incl meeting w/ tenants to guide tenants thru lease, tenant constr'n improvement, & property mgmt processes. Submit resume to Mark Ledenbach, Labora Group, Inc., 400 S. Record St., Ste 1600, Dallas, TX 75202 & indicate job code DV05112021D0.

150 Medical/Dental/Health

ASSOCIATE VETERINARIANS A Caring Doctor (Texas), P.C. (dba Banfield Pet Hospital) is hiring Associate Veterinarians in the Dallas-Fort Worth-Arlington, Texas metro area. DUTIES: Diagnose, treat and control diseases and injuries in pets; perform surgery on pets; prescribe and administer drugs and vaccines. Lead veterinary hospital team through daily schedule / caseload and delegate tasks. Deliver highest quality veterinary care and exceptional client experience. MIN. REQTS: Client needs & work volume may require 40+ hrs./week to complete essential duties. Requires working weekends & evenings. TRAVEL: May be asked to cover shifts as needed for Associate Veterinarians on PTO at Banfield hospitals owned and operated by A Caring Doctor (Texas), P.C. (dba Banfield Pet Hospital) located within same MSA/area of intended employment; such coverage involves local travel within MSA. Annual domestic travel for vendor visits and associate education also required. DVM or foreign equivalent & TX veterinary license. Qualified applicants interested in the position can apply at <https://banfield.taleo.net/careersection/9/job-detail.ft?lang=en&job=00100V2P> or by email to Bethany.Seegert@banfield.com.

185 Miscellaneous Job

ADVERTISING COPY WRITER F/T: Write clear, persuasive & original copy to promote the sales & marketing of products. BA in Critical Languages, English, Comm or related. Resume: Airland Inc @ 3310 Keller Springs Rd #120, Carrollton, TX 75006

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July 7, 2021

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

CHIEF CLERKS OFFICE

2021 JUL - 8 PM 2: 28

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

*RE: Public Notice and Comment Hearing Requirements – Proof of Publication and Affidavit Forms
Title V Permit Number: O-2771
Building Materials Corporation of America. – Dallas Plant – Dallas County
CN 602717464, RN 100788959*

To Whom It May Concern:

Building Materials Corporation of America doing business as GAF Materials Corporation (GAF) owns and operates an existing asphalt roofing production facility in Dallas, Texas (Dallas Plant). The Texas Commission on Environmental Quality (TCEQ) Account No. for the Dallas Plant is DB-0378-S. The Plant operates under Title V Operating Permit No. O-2771 issued on June 6, 2018.

GAF submitted a Title V Operating Permit renewal application on October 10, 2019. Due to a hearing request received during the public comment period, TCEQ scheduled a notice and comment hearing. In accordance with the guidance package received from the TCEQ on June 4, 2021, GAF has completed the following:

- Published a formal public notice in the following newspapers circulated in Dallas, Dallas County:
 - The Dallas Observer (English) on June 17, 2021
 - La Prensa de la Comunidad (Spanish) on June 22, 2021
- A copy of the complete Title V renewal application, including subsequent revisions, statement of basis, and the draft permit are available online at www.Publicnotice.live/TCEQ-PN.pdf, for public viewing and copying, beginning January 21, 2021
- Signs posted at the Dallas Plant on January 21, 2021 are kept in place

The Dallas Plant is required to submit the original newspaper clippings showing the publication date and newspaper names to the TCEQ within 10 business days after the date of publication. The Dallas Plant is also required to submit the original affidavit of publication for air permitting and alternative language affidavit of publication to the TCEQ within 30 calendar days after the date of publication. As such, on behalf of GAF, Trinity is submitting the original newspaper clippings showing publication date and newspaper names in English and Spanish languages as well as the affidavit forms.

Photocopies of these submittals are being mailed to the following, per the Instructions for Public Notice:

HEADQUARTERS

12700 Park Central Dr, Ste 2100, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203

TCEQ - Page 2
July 7, 2021

Texas Commission on Environmental Quality
Air Section Manager
Dallas/Fort Worth Regional Office
2309 Gravel Drive
Fort Worth, Texas 76118-6951

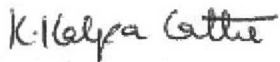
Texas Commission on Environmental Quality
Office of Air
Air Permits Division, MC-163
Mr. Alfredo Mendoza
Building C, Third Floor
12100 Park 35 Circle
Austin, Texas 78753-1808

Mr. Jesus Rodriguez, City of Dallas (electronic
copy)

If you have any questions, please feel free to contact me at (504) 343-4593 or Mr. Kevin Bush of GAF at
(214) 637-8933.

Sincerely,

TRINITY CONSULTANTS



Latha Kambham, Ph.D.
Managing Consultant

Attachments

cc: Mr. Alfredo Mendoza, TCEQ Air Permits Division
Mr. Jaret Wessel, TCEQ Regional Office 4
Mr. Jesus Rodriguez, City of Dallas
Mr. Kevin Bush, GAF



Chief Clerk's Office, MC 105
Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

02771

Notice to Comment Hearing

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DALLAS OBSERVER
2501 OAK LAWN AVE STE 355
DALLAS TX 75219-4019

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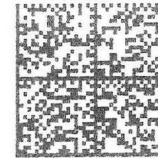
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Chief Clerk's Office, MC 105
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2021 JUN 24 PM 2:20

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1400 HILLINE DR
DALLAS TX 75207-3435~~

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*0610-02256-08-44



Notice and Comment Hearing

Draft Permit No.:O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

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Time: 7:00 p.m.

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The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link: <https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at www.tceq.texas.gov. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

THE HONORABLE BOB HALL
TEXAS SENATE
DISTRICT ROOM E1.610
TEXAS STATE CAPITOL
Bob.hall@senate.texas.gov

THE HONORABLE KELLY HANCOCK
TEXAS SENATE
DISTRICT ROOM 4E.2
TEXAS STATE CAPITOL
Kelly.hancock@senate.texas.gov

THE HONORABLE NATHAN JOHNSON
TEXAS SENATE
DISTRICT ROOM 3S.3
TEXAS STATE CAPITOL
nathan.johnson@senate.texas.gov

THE HONORABLE ANGELA PAXTON
TEXAS SENATE
DISTRICT ROOM GE.5
TEXAS STATE CAPITOL
angela.paxton@senate.texas.gov

THE HONORABLE ROYCE WEST
TEXAS SENATE
DISTRICT ROOM 1E.3
TEXAS STATE CAPITOL
Royce.west@senate.texas.gov

THE HONORABLE RAFAEL ANCHIA
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 1N.9
TEXAS STATE CAPITOL
Rafael.anchia@house.texas.gov

THE HONORABLE RHETTA BOWERS
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM GN.10
TEXAS STATE CAPITOL
rhetta.bowers@house.texas.gov

THE HONORABLE ANGIE CHEN BUTTON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 4N.5
TEXAS STATE CAPITOL
Angie.button@house.texas.gov

THE HONORABLE JASMINE FELICIA
CROCKETT
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 1N.12
TEXAS STATE CAPITOL
jasmine.crockett@house.texas.gov;

THE HONORABLE YVONNE DAVIS
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 4N.9
TEXAS STATE CAPITOL
Yvonne.davis@house.texas.gov

THE HONORABLE JESSICA GONZALEZ
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM 1N.12
TEXAS STATE CAPITOL
jessica.gonzalez@house.texas.gov

THE HONORABLE JULIE JOHNSON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.508
TEXAS STATE CAPITOL
julie.johnson@house.texas.gov

THE HONORABLE MORGAN MEYER
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.318
TEXAS STATE CAPITOL
Morgan.meyer@house.texas.gov

THE HONORABLE TERRY MEZA
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.414
TEXAS STATE CAPITOL
terry.meza@house.texas.gov

THE HONORABLE VICTORIA NEAVE
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.216
TEXAS STATE CAPITOL
Victoria.neave@house.texas.gov

THE HONORABLE ANA-MARIA RAMOS
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.406
TEXAS STATE CAPITOL
anamaria.ramos@house.texas.gov

THE HONORABLE TONI ROSE
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.310
TEXAS STATE CAPITOL
Toni.rose@house.texas.gov;
Daniel.clayton@house.texas.gov;
District110.rose@house.texas.gov

THE HONORABLE CARL SHERMAN
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM GW.11
TEXAS STATE CAPITOL
carl.sherman@house.texas.gov

THE HONORABLE JOHN TURNER
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.804
TEXAS STATE CAPITOL
john.turner@house.texas.gov

CITY OF DALLAS
DALLAS ENVIRN & HLTH SVC
1500 MARILLA ST STE 7AN
DALLAS TX 75201-6318

CITY OF DALLAS
MAYOR
1500 MARILLA ST
DALLAS TX 75201-6318

CANADIAN RIVER MUNICIPAL WATER
PO BOX 9
SANFORD TX 79078-0009

DALLAS COUNTY HEALTH & HUMAN S
2377 N STEMMONS FWY
DALLAS TX 75207-2710

DALLAS COUNTY JUDGE
COUNTY COURTHOUSE
411 ELM ST
DALLAS TX 75202-3301

SECRETARY
GREATER DALLAS CHAMBER OF COMM
STE 2600
500 N AKARD ST
DALLAS TX 75201-3302

NORTH CENTRAL TEXAS COUNCIL OF
DEPT OF ENVIRONMENTAL
PO BOX 5888
ARLINGTON TX 76005-5888

NORTH TEXAS MUNICIPAL WATER DI
PO BOX 2408
WYLIE TX 75098-2408

PUBLIC HEALTH REGION 2/3
TEXAS DEPARTMENT OF STATE HEAL
1301 S BOWEN RD STE 200
ARLINGTON TX 76013-2262

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
STE 140
2005 NE GREEN OAKS BLVD
ARLINGTON TX 76006-2601

GLENN C CLINGENPEEL
TRINITY RIVER AUTHORITY OF TEX
5300 S COLLINS ST
ARLINGTON TX 76018-1710

MR BRENTON DUNN REG MANAGER
TARRANT REGIONAL WATER DISTRIC
800 E NORTHSIDE DR
FORT WORTH TX 76102-1016

ALFONSO MORUA
DALLAS WATER UTILITIES
2900 WHITE ROCK RD
DALLAS TX 75214-3800

ZACHARY S THOMPSON
DALLAS CO HEALTH & HUMAN SERVI
2377 N STEMMONS FWY
DALLAS TX 75207-2710

COUNTY

THE HONORABLE JASMINE CROCKETT ST/
TEXAS HOUSE OF REPRESENTATIVES DIS
PO BOX 2910
AUSTIN TX 78768-2910

JENNIFER BOVEE
1305 W TUCKER BLVD
ARLINGTON TX 76013-5030

R W CARTER
RICHARD W CARTER ASSOCIATES
PO BOX 903
MINEOLA TX 75773-0903

STEPHANIE CHAMPION
LEGAL AID OF NORTHWEST TEXAS
STE 1420
400 S ZANG BLVD
DALLAS TX 75208-6600

JAZMINE COLEMAN
RJN GROUP
STE 710
14755 PRESTON RD
DALLAS TX 75254-6815

CONCERNED CITIZEN
DALLAS WATER UTILITIES
1500 MARILLA ST STE 4AS
DALLAS TX 75201-6318

GLENN G DRAPER PE
DRAPER ENGINEERING
3658 ASBURY ST
DALLAS TX 75205-1849

MARIE EARLEY CITY ATTY
DALLAS OBSERVER
2501 OAK LAWN AVE STE 355
DALLAS TX 75219-4019

WES KUCERA WASTEWATER DIRECTOR
ROWLETT CREEK WATER REC
2500 E CENTERVILLE RD
GARLAND TX 75040-6811

IP/PROT

02 771

06/08/21

EVELYN MAYO & JIM SCHERMBECK
1808 S GOOD LATIMER EXPY
DALLAS TX 75226-2202

MATTHEW MILLER
LEGAL AID OF NORTHWEST TEXAS
400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

ABEL MULUGHETA
1139 HIDDEN RIDGE DR
MESQUITE TX 75181-4280

ABEL MULUGHETA
APT 1406
1400 HI LINE DR
DALLAS TX 75207-3435

ABEL MULUGHETA
APT 3013
1110 S CESAR CHAVEZ BLVD
DALLAS TX 75201-6062

ABEL MULUGHETA
APT 1106
1630 E 6TH ST
AUSTIN TX 78702-3390

ABEL MULUGHETA
APT 1721
1919 JACKSON ST
DALLAS TX 75201-4931

ROSANA NAREZ
TEX MEX NOTICIAS
PO BOX 1796
GRANBURY TX 76048-8796

ROSANA NAREZ
PO BOX 93331
SOUTHLAKE TX 76092-0113

NORMAN D RADFORD
PO BOX 7650
DALLAS TX 75209-0650

MARTIN C REAMY PRESIDENT
MCR ENGINEERING SERVICE
PO BOX 866336
PLANO TX 75086-6336

EVELYN MAYO & JIM SCHERMBECK
1808 S GOOD LATIMER EXPY
DALLAS TX 75226-2202

CARRIE E SCHWEITZER
5639 E SIDE AVE
DALLAS TX 75214-4818

KYTINNA SOTO OWNER
LA PRENSA COMUNIDAD
PO BOX 732
TOLAR TX 76476-0732

PAUL D TAYLOR PASTOR
PLEASANT VALLEY BAPTIST CHURCH
PO BOX 850062
MESQUITE TX 75185-0062

ESTHER VILLARREAL
1907 MCBROOM ST
DALLAS TX 75212-2522

MS SARAH K WALLS
CANTEY HANGER LLP
STE 300
600 W 6TH ST
FORT WORTH TX 76102-3684

GWENDOLYN HILL WEBB
PO BOX 368
HOUSTON TX 77001-0368

GWENDOLYN HILL WEBB
4TH FL
900 BAGBY ST
HOUSTON TX 77002-2527

TERRY L WHITE
505 RIGGS CIR
MESQUITE TX 75149-5844

SHANDRANET STARR WILLIAMS
4833 CLAMDIGGER WAY
GARLAND TX 75043-6475

IP/PROT

02771

02/08/21

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



CID # 122174

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MR WAYNE SCOTT
PLANT MANAGER
BUILDING MATERIALS INVESTMENT CORPORATION
2600 SINGLETON BLVD
DALLAS TX 75212-3738

Re: Notice and Comment Hearing Public Notice Authorization Package
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Mr. Scott:

During the public comment period for the above-referenced federal operating permit, a hearing request was submitted to the Texas Commission on Environmental Quality (TCEQ). The TCEQ has scheduled a notice and comment hearing as follows:

Date: July 29, 2021
Time: 7:00 p.m.

The purpose of the notice and comment hearing is for you and the TCEQ to answer questions and engage in discussion with the public concerning the federal operating permit application. The hearing is a formal proceeding and will be conducted in accordance with the Texas Clean Air Act § 382.0561 (relating to Federal Operating Permit Hearing), as codified in the Texas Health and Safety Code, and Title 30 Texas Administrative Code (30 TAC) § 122.340 (Relating to Notice and Comment Hearing). The procedure will start with an informal discussion and then proceed to the hearing.

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication;
- Instructions for Hearing Notice; and
- Affidavit of Publication.

Please note that it is **very important** that you follow **all** directions in the **enclosed instructions**. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

Mr. Wayne Scott
Page 2
June 4, 2021

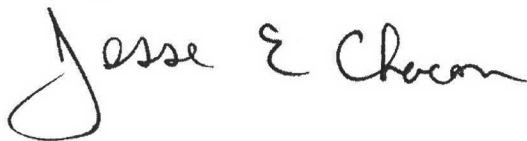
- 1) Publish information required by 30 TAC § 122.340(e)(1) - (3) in one issue of a newspaper of general circulation in the municipality in which the site or proposed site is located, or the municipality nearest to the location of the site or proposed site. Refer to the Enclosed Notice.
- 2) Provide copies of the publication to the TCEQ central office.
- 3) Signs must remain posted, and a copy of the complete permit application, including any subsequent revisions, the statement of basis, and the draft permit must remain in the public place through the public hearing which may mark the end of the public comment period.

Please proceed with these notification procedures no later than June 27, 2021, since the hearing notice must be published at least 30 days prior to the hearing. If the notice and comment hearing public notice cannot be published by June 27, 2021, please immediately call Mr. Johnny Bowers at (512) 239-6770 so a new notice may be developed and the hearing date may be rescheduled.

It is the responsibility of the applicant to furnish the actual newspaper tear sheet which includes the name of the publication, the date of the publication, the published public notice, the original enclosed Affidavit of Publication, Notice and Comment Hearing Verification Form, and a Form OP-CRO1 (Certification by Responsible Official). All requested information should be submitted as instructed in the enclosed Instructions for notice and comment hearing.

Thank you for your cooperation in this matter. If you have any questions, please telephone Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,



Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division
Texas Commission on Environmental Quality

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Notice for Newspaper Publication
Instructions for Hearing Notice
Affidavit of Publication
Notice and Comment Hearing Verification Form

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy

Notice and Comment Hearing

Draft Permit No.:O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Instructions for Public Notice For Federal Operating Permit

Notice of Notice and Comment Hearing

A hearing has been requested on issues related to your application and the commission is granting this request. Now you must comply with the following instructions:

Notice Review

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully, and notify the permit specialist listed in the cover letter immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the Texas Commission on Environmental Quality (TCEQ).

Newspaper Notice

- You must publish the enclosed Notice of Hearing **no less than 30 calendar days** before the hearing.
- You must publish the enclosed Notice of Hearing at your expense, in the public notice section of one issue of a newspaper that is of general circulation in the municipality in which the site or proposed site is located or proposed to be located or in the municipality nearest to the location or proposed location of the site.

Proof of Publication and Notice and Comment Hearing Verification

- Check the publication to ensure that the articles were accurately published.
- You must submit an **original newspaper clipping** of the published notice which shows the complete notice that was published, date of publication and the name of the newspaper to the TCEQ Office of the Chief Clerk, TCEQ Air Permits Division (APD), and to each local program with jurisdiction over your site, within **10 business days** after the date of publication.
- You must submit an **original publisher's affidavit** to the TCEQ Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit.** The affidavit must clearly identify the applicant's name and permit number.
- You must submit the *Notice and Comment Hearing Verification Form* to the Office of the Chief Clerk and return a copy of this form to the Air Permits Division, within **10 business days** of the end of the public comment period. You must use this form to verify that you have met sign posting requirements. It is also used to verify that you placed a copy of the application, the statement of basis, and draft permit in a public place in the county in which the site is located or proposed to be located.
- You must submit the signed original Form OP-CRO1 (Certification by Responsible Official) to the TCEQ Office of the Chief Clerk and return a copy of the form to the TCEQ APD within **10 business days** of the end of the public comment period.

- You are encouraged to submit the affidavit with the original newspaper clipping described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of notice.
- The original publisher's affidavit, Notice and Comment Hearing Verification Form, Form OP-CRO1 (Certification by Responsible Official), and an original newspaper clipping of the published notice must be mailed to the TCEQ Office of Chief Clerk. Originals or copies of this information must be mailed to the TCEQ APD.

Texas Commission on
Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Texas Commission on Environmental Quality
Air Permits Division, MC-163
Attn: Permit Reviewer (listed in the cover letter)
P.O. Box 13087
Austin, Texas 78711-3087

- Please ensure that the affidavit, Notice and Comment Hearing Verification Form, Form OP-CRO1, and newspaper clipping you send to the TCEQ Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted. The original or a copy of the affidavit, Notice Comment Hearing Verification Form, Form OP-CRO1, and newspaper clipping may be submitted to the TCEQ APD.

Failure to Publish and Submit Proof of Publication

You must comply with **all** requirements described in the instructions. **Failure to publish the notice or submit proof and certification of publication on time** is a violation of the provisions of Title 30 Texas Administrative Code § 122.136(d) and § 122.340, and the TCEQ APD will forward this information to the TCEQ Enforcement Division **to begin the enforcement process**.

Sign Posting and Application in a Public Viewing Place

Signs must remain in place and be legible and a copy of the complete permit application, including any subsequent revisions, the statement of basis, and the draft permit must remain in the public place through the public hearing which may mark the end of the public comment period.

General Information

When contacting the commission regarding this application, please refer to the permit number at the top of the Notice of Notice and Comment Hearing.

If you have questions or need assistance regarding this notice, please contact the permit reviewer listed in the cover letter.

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: 02771
Notice of Draft Federal Operating Permit

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is *(Name of Person Representing Newspaper)*

the _____ of the _____
(Title of Person Representing Newspaper) *(Name of the Newspaper)*

that said newspaper is generally circulated in _____, Texas;
*(The **municipality or nearest municipality** in which the site or proposed site is located)*

that the enclosed notice was published in said newspaper on the following date(s):

(newspaper representative's signature)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires

[Seal]

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is (Name
of Person Representing Newspaper)

the _____ of the _____;
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in _____, Texas;
(The **municipality or county** in which the site or proposed site is located)

that the enclosed notice was published in said newspaper on the following date(s):

(Newspaper Representative's Signature)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires

[Seal]



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Federal Operating Permit (Title V)
Notice and Comment Hearing Verification Form

Applicant Name: _____

Site or Facility Name: _____

TCEQ Account Number (if applicable): _____

Permit Number: _____

Regulated Entity Number: _____

Customer Number: _____

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice, refer to the instructions in the public notice package.

FEDERAL OPERATING PERMIT (TITLE V) NOTICE AND COMMENT HEARING VERIFICATION	
I verify that the required signs were posted in accordance with the regulations and instructions of the TCEQ.	<input type="checkbox"/> YES <input type="checkbox"/> NO
I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instruction of the TCEQ.	<input type="checkbox"/> YES <input type="checkbox"/> NO
I verify that a copy of the complete air quality application and draft permit, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.	<input type="checkbox"/> YES <input type="checkbox"/> NO
Name of Public Place: _____	
Address of Public Place: _____	
Signed by: _____	
Title: _____	Date: _____

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS LISA TAYLOR

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Taylor:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon". The signature is fluid and cursive.

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

The requirements that must be met if there is to be an opportunity for public participation differ somewhat from those of other Texas Commission on Environmental Quality (TCEQ) permitting activities. For certain permit actions, the FOP Program provides three opportunities for public participation in the process: a public comment period, a notice and comment hearing, and a public petition period. The opportunities are described below. (NOTE: This permit program does not address issues such as best available control technology, health effects, and impacts. Also, the FOP will not authorize new construction or authorize the facility to increase emissions. These issues are covered in the New Source Review Preconstruction Authorization process.)

Public Comment

The public comment period will be extended 30 days after the date on which the notice and comment hearing is published in the newspaper. The period for submitting written comments is automatically extended to the close of any hearing. At the hearing, the period for submitting written comments may be extended beyond the close of the hearing. Throughout the public comment period, the following information will be available for inspection during normal business hours at the TCEQ Austin Central Office and the appropriate regional office: the complete application (except sections relating to confidential information), the draft FOP, the statement of basis, any compliance plans associated with the permit, and the compliance certification. Any person may submit written comments on the draft FOP during the public comment period. Comments should be submitted to the TCEQ at the address at the end of this document.

The TCEQ will respond to all comments submitted during the public comment period. Changes to the draft permit will only be incorporated based on comments pertaining to whether the permit provides for compliance with the FOP regulation.

Notice and Comment Hearing

The Notice and Comment Hearing allows any person who may be affected by emissions from a site regulated by the program, the opportunity to request a Notice and Comment Hearing. If such a request is granted, the Notice and Comment Hearing process may consist of an informal discussion period and formal comment period. The public is encouraged to ask questions and engage in open discussions with the applicant and TCEQ staff during the informal period. There will be no open discussions during the formal comment period. Written responses to comments will only be addressed to oral and written comments submitted during the formal comment period during the hearing and written comments received during the public comment period, which is extended through the hearing. Any person may attend the hearing and submit oral or written comments. Any person may submit comments in writing or electronically before the hearing, as outlined in the notice and comment hearing notice. Please refer to the enclosed copy of the Notice and Comment Hearing for additional information.

Public Petition

After completion of the public comment period or notice and comment hearing (if requested and granted), the proposed FOP and any responses to public comments are sent to the U.S. Environmental Protection Agency (EPA) for review. If the EPA determines that the permit does not ensure compliance with the FOP regulation, or determines that applicable requirements are not adequately addressed, the EPA has 45 days from the receipt of the permit to comment on the permit or formally object to its issuance.

If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

Environmental Protection Agency, Region 6
Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

Comments on the draft FOP or a copy of the public petition should be sent to the TCEQ at the address as follows:

Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS ESTHER VILLARREAL
1907 MCBROOM ST
DALLAS TX 75212-2522

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Villarreal:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon". The signature is fluid and cursive, with the first name "Jesse" being the most prominent.

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

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If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

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Renaissance Tower
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Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

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Date: July 29, 2021
Time: 7:00 p.m.

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Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

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Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS EVELYN MAYO
1808 S GOOD LATIMER EXPY
DALLAS, TX, 75226 -2202

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Mayo:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

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Sincerely,

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Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



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Public Participation

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Air Permits Section (ARPE)
Renaissance Tower
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Air Permits Division (Mail Code 163)
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The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MR NORMAN HOWDEN

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Mr. Howden:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon". The signature is written in a cursive style with a large, stylized initial "J".

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

The requirements that must be met if there is to be an opportunity for public participation differ somewhat from those of other Texas Commission on Environmental Quality (TCEQ) permitting activities. For certain permit actions, the FOP Program provides three opportunities for public participation in the process: a public comment period, a notice and comment hearing, and a public petition period. The opportunities are described below. (NOTE: This permit program does not address issues such as best available control technology, health effects, and impacts. Also, the FOP will not authorize new construction or authorize the facility to increase emissions. These issues are covered in the New Source Review Preconstruction Authorization process.)

Public Comment

The public comment period will be extended 30 days after the date on which the notice and comment hearing is published in the newspaper. The period for submitting written comments is automatically extended to the close of any hearing. At the hearing, the period for submitting written comments may be extended beyond the close of the hearing. Throughout the public comment period, the following information will be available for inspection during normal business hours at the TCEQ Austin Central Office and the appropriate regional office: the complete application (except sections relating to confidential information), the draft FOP, the statement of basis, any compliance plans associated with the permit, and the compliance certification. Any person may submit written comments on the draft FOP during the public comment period. Comments should be submitted to the TCEQ at the address at the end of this document.

The TCEQ will respond to all comments submitted during the public comment period. Changes to the draft permit will only be incorporated based on comments pertaining to whether the permit provides for compliance with the FOP regulation.

Notice and Comment Hearing

The Notice and Comment Hearing allows any person who may be affected by emissions from a site regulated by the program, the opportunity to request a Notice and Comment Hearing. If such a request is granted, the Notice and Comment Hearing process may consist of an informal discussion period and formal comment period. The public is encouraged to ask questions and engage in open discussions with the applicant and TCEQ staff during the informal period. There will be no open discussions during the formal comment period. Written responses to comments will only be addressed to oral and written comments submitted during the formal comment period during the hearing and written comments received during the public comment period, which is extended through the hearing. Any person may attend the hearing and submit oral or written comments. Any person may submit comments in writing or electronically before the hearing, as outlined in the notice and comment hearing notice. Please refer to the enclosed copy of the Notice and Comment Hearing for additional information.

Public Petition

After completion of the public comment period or notice and comment hearing (if requested and granted), the proposed FOP and any responses to public comments are sent to the U.S. Environmental Protection Agency (EPA) for review. If the EPA determines that the permit does not ensure compliance with the FOP regulation, or determines that applicable requirements are not adequately addressed, the EPA has 45 days from the receipt of the permit to comment on the permit or formally object to its issuance.

If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

Environmental Protection Agency, Region 6
Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

Comments on the draft FOP or a copy of the public petition should be sent to the TCEQ at the address as follows:

Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

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Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
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Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS NORMA NELSON

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Nelson:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon". The signature is fluid and cursive, with the first name "Jesse" being the most prominent.

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

The requirements that must be met if there is to be an opportunity for public participation differ somewhat from those of other Texas Commission on Environmental Quality (TCEQ) permitting activities. For certain permit actions, the FOP Program provides three opportunities for public participation in the process: a public comment period, a notice and comment hearing, and a public petition period. The opportunities are described below. (NOTE: This permit program does not address issues such as best available control technology, health effects, and impacts. Also, the FOP will not authorize new construction or authorize the facility to increase emissions. These issues are covered in the New Source Review Preconstruction Authorization process.)

Public Comment

The public comment period will be extended 30 days after the date on which the notice and comment hearing is published in the newspaper. The period for submitting written comments is automatically extended to the close of any hearing. At the hearing, the period for submitting written comments may be extended beyond the close of the hearing. Throughout the public comment period, the following information will be available for inspection during normal business hours at the TCEQ Austin Central Office and the appropriate regional office: the complete application (except sections relating to confidential information), the draft FOP, the statement of basis, any compliance plans associated with the permit, and the compliance certification. Any person may submit written comments on the draft FOP during the public comment period. Comments should be submitted to the TCEQ at the address at the end of this document.

The TCEQ will respond to all comments submitted during the public comment period. Changes to the draft permit will only be incorporated based on comments pertaining to whether the permit provides for compliance with the FOP regulation.

Notice and Comment Hearing

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Public Petition

After completion of the public comment period or notice and comment hearing (if requested and granted), the proposed FOP and any responses to public comments are sent to the U.S. Environmental Protection Agency (EPA) for review. If the EPA determines that the permit does not ensure compliance with the FOP regulation, or determines that applicable requirements are not adequately addressed, the EPA has 45 days from the receipt of the permit to comment on the permit or formally object to its issuance.

If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

Environmental Protection Agency, Region 6
Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

Comments on the draft FOP or a copy of the public petition should be sent to the TCEQ at the address as follows:

Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

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www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

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Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS JOYCE HALL

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Hall:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

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Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon".

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

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The TCEQ will respond to all comments submitted during the public comment period. Changes to the draft permit will only be incorporated based on comments pertaining to whether the permit provides for compliance with the FOP regulation.

Notice and Comment Hearing

The Notice and Comment Hearing allows any person who may be affected by emissions from a site regulated by the program, the opportunity to request a Notice and Comment Hearing. If such a request is granted, the Notice and Comment Hearing process may consist of an informal discussion period and formal comment period. The public is encouraged to ask questions and engage in open discussions with the applicant and TCEQ staff during the informal period. There will be no open discussions during the formal comment period. Written responses to comments will only be addressed to oral and written comments submitted during the formal comment period during the hearing and written comments received during the public comment period, which is extended through the hearing. Any person may attend the hearing and submit oral or written comments. Any person may submit comments in writing or electronically before the hearing, as outlined in the notice and comment hearing notice. Please refer to the enclosed copy of the Notice and Comment Hearing for additional information.

Public Petition

After completion of the public comment period or notice and comment hearing (if requested and granted), the proposed FOP and any responses to public comments are sent to the U.S. Environmental Protection Agency (EPA) for review. If the EPA determines that the permit does not ensure compliance with the FOP regulation, or determines that applicable requirements are not adequately addressed, the EPA has 45 days from the receipt of the permit to comment on the permit or formally object to its issuance.

If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

Environmental Protection Agency, Region 6
Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

Comments on the draft FOP or a copy of the public petition should be sent to the TCEQ at the address as follows:

Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

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Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS EVELYN MAYO
1808 S GOOD LATIMER EXPY
DALLAS TX 75226-2202

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Mayo:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon". The signature is fluid and cursive, with the first name "Jesse" being the most prominent.

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

The requirements that must be met if there is to be an opportunity for public participation differ somewhat from those of other Texas Commission on Environmental Quality (TCEQ) permitting activities. For certain permit actions, the FOP Program provides three opportunities for public participation in the process: a public comment period, a notice and comment hearing, and a public petition period. The opportunities are described below. (NOTE: This permit program does not address issues such as best available control technology, health effects, and impacts. Also, the FOP will not authorize new construction or authorize the facility to increase emissions. These issues are covered in the New Source Review Preconstruction Authorization process.)

Public Comment

The public comment period will be extended 30 days after the date on which the notice and comment hearing is published in the newspaper. The period for submitting written comments is automatically extended to the close of any hearing. At the hearing, the period for submitting written comments may be extended beyond the close of the hearing. Throughout the public comment period, the following information will be available for inspection during normal business hours at the TCEQ Austin Central Office and the appropriate regional office: the complete application (except sections relating to confidential information), the draft FOP, the statement of basis, any compliance plans associated with the permit, and the compliance certification. Any person may submit written comments on the draft FOP during the public comment period. Comments should be submitted to the TCEQ at the address at the end of this document.

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Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MR JIM SCHERMBECK
1808 S GOOD LATIMER EXPY
DALLAS TX 75226-2202

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Mr. Schermbeck:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

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Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon". The signature is fluid and cursive, with the first name "Jesse" being the most prominent.

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



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Public Participation

FACT SHEET

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS CARRIE E SCHWEITZER
5639 E SIDE AVE
DALLAS TX 75214-4818

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Schweitzer:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in cursive script that reads "Jesse E Chacon".

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

The requirements that must be met if there is to be an opportunity for public participation differ somewhat from those of other Texas Commission on Environmental Quality (TCEQ) permitting activities. For certain permit actions, the FOP Program provides three opportunities for public participation in the process: a public comment period, a notice and comment hearing, and a public petition period. The opportunities are described below. (NOTE: This permit program does not address issues such as best available control technology, health effects, and impacts. Also, the FOP will not authorize new construction or authorize the facility to increase emissions. These issues are covered in the New Source Review Preconstruction Authorization process.)

Public Comment

The public comment period will be extended 30 days after the date on which the notice and comment hearing is published in the newspaper. The period for submitting written comments is automatically extended to the close of any hearing. At the hearing, the period for submitting written comments may be extended beyond the close of the hearing. Throughout the public comment period, the following information will be available for inspection during normal business hours at the TCEQ Austin Central Office and the appropriate regional office: the complete application (except sections relating to confidential information), the draft FOP, the statement of basis, any compliance plans associated with the permit, and the compliance certification. Any person may submit written comments on the draft FOP during the public comment period. Comments should be submitted to the TCEQ at the address at the end of this document.

The TCEQ will respond to all comments submitted during the public comment period. Changes to the draft permit will only be incorporated based on comments pertaining to whether the permit provides for compliance with the FOP regulation.

Notice and Comment Hearing

The Notice and Comment Hearing allows any person who may be affected by emissions from a site regulated by the program, the opportunity to request a Notice and Comment Hearing. If such a request is granted, the Notice and Comment Hearing process may consist of an informal discussion period and formal comment period. The public is encouraged to ask questions and engage in open discussions with the applicant and TCEQ staff during the informal period. There will be no open discussions during the formal comment period. Written responses to comments will only be addressed to oral and written comments submitted during the formal comment period during the hearing and written comments received during the public comment period, which is extended through the hearing. Any person may attend the hearing and submit oral or written comments. Any person may submit comments in writing or electronically before the hearing, as outlined in the notice and comment hearing notice. Please refer to the enclosed copy of the Notice and Comment Hearing for additional information.

Public Petition

After completion of the public comment period or notice and comment hearing (if requested and granted), the proposed FOP and any responses to public comments are sent to the U.S. Environmental Protection Agency (EPA) for review. If the EPA determines that the permit does not ensure compliance with the FOP regulation, or determines that applicable requirements are not adequately addressed, the EPA has 45 days from the receipt of the permit to comment on the permit or formally object to its issuance.

If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

Environmental Protection Agency, Region 6
Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

Comments on the draft FOP or a copy of the public petition should be sent to the TCEQ at the address as follows:

Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS STEPHANIE CHAMPION
400 S ZANG BLVD
DALLAS TX 75208-6600

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Champion:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

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Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E Chacon". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

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The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

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Office of Air
Air Permits Division (Mail Code 163)
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Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

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Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MS ELIZABETH ALEXANDER

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Ms. Alexander:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

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Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

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Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

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Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

MR WAYNE SCOTT
PLANT MANAGER
BUILDING MATERIALS INVESTMENT CORPORATION
2600 SINGLETON BLVD
DALLAS TX 75212-3738

Re: Notice and Comment Hearing Public Notice Authorization Package
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Mr. Scott:

During the public comment period for the above-referenced federal operating permit, a hearing request was submitted to the Texas Commission on Environmental Quality (TCEQ). The TCEQ has scheduled a notice and comment hearing as follows:

Date: July 29, 2021
Time: 7:00 p.m.

The purpose of the notice and comment hearing is for you and the TCEQ to answer questions and engage in discussion with the public concerning the federal operating permit application. The hearing is a formal proceeding and will be conducted in accordance with the Texas Clean Air Act § 382.0561 (relating to Federal Operating Permit Hearing), as codified in the Texas Health and Safety Code, and Title 30 Texas Administrative Code (30 TAC) § 122.340 (Relating to Notice and Comment Hearing). The procedure will start with an informal discussion and then proceed to the hearing.

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication;
- Instructions for Hearing Notice; and
- Affidavit of Publication.

Please note that it is **very important** that you follow **all** directions in the **enclosed instructions**. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

Mr. Wayne Scott
Page 2
June 4, 2021

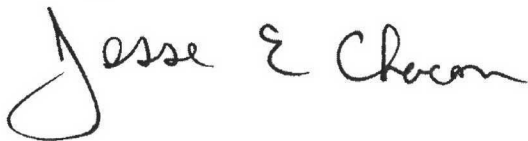
- 1) Publish information required by 30 TAC § 122.340(e)(1) - (3) in one issue of a newspaper of general circulation in the municipality in which the site or proposed site is located, or the municipality nearest to the location of the site or proposed site. Refer to the Enclosed Notice.
- 2) Provide copies of the publication to the TCEQ central office.
- 3) Signs must remain posted, and a copy of the complete permit application, including any subsequent revisions, the statement of basis, and the draft permit must remain in the public place through the public hearing which may mark the end of the public comment period.

Please proceed with these notification procedures no later than June 27, 2021, since the hearing notice must be published at least 30 days prior to the hearing. If the notice and comment hearing public notice cannot be published by June 27, 2021, please immediately call Mr. Johnny Bowers at (512) 239-6770 so a new notice may be developed and the hearing date may be rescheduled.

It is the responsibility of the applicant to furnish the actual newspaper tear sheet which includes the name of the publication, the date of the publication, the published public notice, the original enclosed Affidavit of Publication, Notice and Comment Hearing Verification Form, and a Form OP-CRO1 (Certification by Responsible Official). All requested information should be submitted as instructed in the enclosed Instructions for notice and comment hearing.

Thank you for your cooperation in this matter. If you have any questions, please telephone Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,



Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division
Texas Commission on Environmental Quality

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Notice for Newspaper Publication
Instructions for Hearing Notice
Affidavit of Publication
Notice and Comment Hearing Verification Form

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy

Notice and Comment Hearing

Draft Permit No.:O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

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Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

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Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

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Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Instructions for Public Notice For Federal Operating Permit

Notice of Notice and Comment Hearing

A hearing has been requested on issues related to your application and the commission is granting this request. Now you must comply with the following instructions:

Notice Review

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully, and notify the permit specialist listed in the cover letter immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the Texas Commission on Environmental Quality (TCEQ).

Newspaper Notice

- You must publish the enclosed Notice of Hearing **no less than 30 calendar days** before the hearing.
- You must publish the enclosed Notice of Hearing at your expense, in the public notice section of one issue of a newspaper that is of general circulation in the municipality in which the site or proposed site is located or proposed to be located or in the municipality nearest to the location or proposed location of the site.

Proof of Publication and Notice and Comment Hearing Verification

- Check the publication to ensure that the articles were accurately published.
- You must submit an **original newspaper clipping** of the published notice which shows the complete notice that was published, date of publication and the name of the newspaper to the TCEQ Office of the Chief Clerk, TCEQ Air Permits Division (APD), and to each local program with jurisdiction over your site, within **10 business days** after the date of publication.
- You must submit an **original publisher's affidavit** to the TCEQ Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit.** The affidavit must clearly identify the applicant's name and permit number.
- You must submit the *Notice and Comment Hearing Verification Form* to the Office of the Chief Clerk and return a copy of this form to the Air Permits Division, within **10 business days** of the end of the public comment period. You must use this form to verify that you have met sign posting requirements. It is also used to verify that you placed a copy of the application, the statement of basis, and draft permit in a public place in the county in which the site is located or proposed to be located.
- You must submit the signed original Form OP-CRO1 (Certification by Responsible Official) to the TCEQ Office of the Chief Clerk and return a copy of the form to the TCEQ APD within **10 business days** of the end of the public comment period.

- You are encouraged to submit the affidavit with the original newspaper clipping described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of notice.
- The original publisher's affidavit, Notice and Comment Hearing Verification Form, Form OP-CRO1 (Certification by Responsible Official), and an original newspaper clipping of the published notice must be mailed to the TCEQ Office of Chief Clerk. Originals or copies of this information must be mailed to the TCEQ APD.

Texas Commission on
Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Texas Commission on Environmental Quality
Air Permits Division, MC-163
Attn: Permit Reviewer (listed in the cover letter)
P.O. Box 13087
Austin, Texas 78711-3087

- Please ensure that the affidavit, Notice and Comment Hearing Verification Form, Form OP-CRO1, and newspaper clipping you send to the TCEQ Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted. The original or a copy of the affidavit, Notice Comment Hearing Verification Form, Form OP-CRO1, and newspaper clipping may be submitted to the TCEQ APD.

Failure to Publish and Submit Proof of Publication

You must comply with **all** requirements described in the instructions. **Failure to publish the notice or submit proof and certification of publication on time** is a violation of the provisions of Title 30 Texas Administrative Code § 122.136(d) and § 122.340, and the TCEQ APD will forward this information to the TCEQ Enforcement Division **to begin the enforcement process**.

Sign Posting and Application in a Public Viewing Place

Signs must remain in place and be legible and a copy of the complete permit application, including any subsequent revisions, the statement of basis, and the draft permit must remain in the public place through the public hearing which may mark the end of the public comment period.

General Information

When contacting the commission regarding this application, please refer to the permit number at the top of the Notice of Notice and Comment Hearing.

If you have questions or need assistance regarding this notice, please contact the permit reviewer listed in the cover letter.

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is *(Name of Person Representing Newspaper)*

the _____ of the _____
(Title of Person Representing Newspaper) *(Name of the Newspaper)*

that said newspaper is generally circulated in _____, Texas;
*(The **municipality or nearest municipality** in which the site or proposed site is located)*

that the enclosed notice was published in said newspaper on the following date(s):

(newspaper representative's signature)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

[Seal]

Print or Type Name of Notary Public

My Commission Expires

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is (*Name of Person Representing Newspaper*)

the _____ of the _____;
(*Title of Person Representing Newspaper*) (*Name of the Newspaper*)

that said newspaper is generally circulated in _____, Texas;
(*The municipality or county in which the site or proposed site is located*)

that the enclosed notice was published in said newspaper on the following date(s):

(*Newspaper Representative's Signature*)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

[Seal]

Print or Type Name of Notary Public

My Commission Expires



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Federal Operating Permit (Title V)
Notice and Comment Hearing Verification Form

Applicant Name: _____

Site or Facility Name: _____

TCEQ Account Number (if applicable): _____

Permit Number: _____

Regulated Entity Number: _____

Customer Number: _____

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice, refer to the instructions in the public notice package.

FEDERAL OPERATING PERMIT (TITLE V) NOTICE AND COMMENT HEARING VERIFICATION	
I verify that the required signs were posted in accordance with the regulations and instructions of the TCEQ.	<input type="checkbox"/> YES <input type="checkbox"/> NO
I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instruction of the TCEQ.	<input type="checkbox"/> YES <input type="checkbox"/> NO
I verify that a copy of the complete air quality application and draft permit, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.	<input type="checkbox"/> YES <input type="checkbox"/> NO
Name of Public Place: _____	
Address of Public Place: _____	
Signed by: _____	
Title: _____	Date: _____

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2021

THE HONORABLE JASMINE CROCKETT
TEXAS HOUSE OF REPRESENTATIVES
PO BOX 2910
AUSTIN TX 78768-2910

Re: Notice and Comments Hearing Request
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Representative Crockett:

This letter acknowledges your notice and comment hearing request on the above-referenced draft site operating permit. A decision on the Notice of Proposed Permit, addressing comments received during the 30-day public notice period and containing response(s) to such comment(s), will be mailed to you before the Texas Commission on Environmental Quality (TCEQ) executive director takes final action to issue or deny the federal operating permit.

A Notice and Comment Hearing has been scheduled, as detailed in the enclosed notice. A copy of the TCEQ Fact Sheet entitled "Texas Federal Operating Permit Program Public Participation" which provides additional details of the notice and comment hearing process is also enclosed.

Thank you for your interest in this matter. If you have questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon".

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Enclosure: Fact Sheet (Texas Federal Operating Permit Program Public Participation)
Copy of Notice and Comment Hearing

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy



Texas Federal Operating Permit Program

Public Participation

FACT SHEET

Federal Operating Permit Program

The Federal Clean Air Act includes conditions for states to implement a Federal Operating Permit (FOP) Program. Using federal guidelines, including those for public participation, Texas has implemented such a program. The purpose of the program is to improve compliance and enforcement by issuing to each site, subject to the program, a permit that codifies rules and regulations governing air pollution control into a consolidated, enforceable document.

The requirements that must be met if there is to be an opportunity for public participation differ somewhat from those of other Texas Commission on Environmental Quality (TCEQ) permitting activities. For certain permit actions, the FOP Program provides three opportunities for public participation in the process: a public comment period, a notice and comment hearing, and a public petition period. The opportunities are described below. (NOTE: This permit program does not address issues such as best available control technology, health effects, and impacts. Also, the FOP will not authorize new construction or authorize the facility to increase emissions. These issues are covered in the New Source Review Preconstruction Authorization process.)

Public Comment

The public comment period will be extended 30 days after the date on which the notice and comment hearing is published in the newspaper. The period for submitting written comments is automatically extended to the close of any hearing. At the hearing, the period for submitting written comments may be extended beyond the close of the hearing. Throughout the public comment period, the following information will be available for inspection during normal business hours at the TCEQ Austin Central Office and the appropriate regional office: the complete application (except sections relating to confidential information), the draft FOP, the statement of basis, any compliance plans associated with the permit, and the compliance certification. Any person may submit written comments on the draft FOP during the public comment period. Comments should be submitted to the TCEQ at the address at the end of this document.

The TCEQ will respond to all comments submitted during the public comment period. Changes to the draft permit will only be incorporated based on comments pertaining to whether the permit provides for compliance with the FOP regulation.

Notice and Comment Hearing

The Notice and Comment Hearing allows any person who may be affected by emissions from a site regulated by the program, the opportunity to request a Notice and Comment Hearing. If such a request is granted, the Notice and Comment Hearing process may consist of an informal discussion period and formal comment period. The public is encouraged to ask questions and engage in open discussions with the applicant and TCEQ staff during the informal period. There will be no open discussions during the formal comment period. Written responses to comments will only be addressed to oral and written comments submitted during the formal comment period during the hearing and written comments received during the public comment period, which is extended through the hearing. Any person may attend the hearing and submit oral or written comments. Any person may submit comments in writing or electronically before the hearing, as outlined in the notice and comment hearing notice. Please refer to the enclosed copy of the Notice and Comment Hearing for additional information.

Public Petition

After completion of the public comment period or notice and comment hearing (if requested and granted), the proposed FOP and any responses to public comments are sent to the U.S. Environmental Protection Agency (EPA) for review. If the EPA determines that the permit does not ensure compliance with the FOP regulation, or determines that applicable requirements are not adequately addressed, the EPA has 45 days from the receipt of the permit to comment on the permit or formally object to its issuance.

If the EPA does not file an objection with the TCEQ, any person affected by the decision of the TCEQ, including the applicant, may petition the EPA to object to the issuance of the permit within 60 days of the expiration of the EPA's 45-day review period. The end of the EPA review period will be indicated in the TCEQ's notice of proposed final action on the application, which is submitted to EPA, the applicant, any person who commented during the comment period, and those who request to be on the mailing list for the permit. The petitioner must provide a copy of the petition to the TCEQ and the applicant, as well as, the EPA. The petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period or that the grounds for such objections arose after the public comment period. Public petitions must be submitted to the EPA at the address as follows:

Environmental Protection Agency, Region 6
Air Permits Section (ARPE)
Renaissance Tower
1201 Elm St., Suite 500
Dallas, Texas 75270-2102

Comments on the draft FOP or a copy of the public petition should be sent to the TCEQ at the address as follows:

Texas Commission on Environmental Quality
Office of Air
Air Permits Division (Mail Code 163)
P. O. Box 13087
Austin, Texas 78711-3087

Notice and Comment Hearing

Draft Permit No.: O2771

This is a notice for a notice and comment hearing on Federal Operating Permit Number O2771. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: July 29, 2021
Time: 7:00 p.m.

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, Texas 75212-3738, an Asphalt Shingle and Coating Materials Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O2771, Application No. 30975 to authorize operation of the Dallas Plant. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. This application was received by the TCEQ on July 29, 2020.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) § 122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC § 122.340.

Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 192-616-739. It is recommended that you join the webinar and register for the hearing at least 15 minutes before the hearing begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the hearing for assistance in accessing the hearing and participating telephonically. Members of the public who wish to only listen to the hearing may call, toll free, (415) 655-0060 and enter access code 569-744-316.

Las personas que deseen escuchar o participar en la reunión en español pueden llamar al 844-368-7161 e ingresar el código de acceso 904535#. Para obtener más información o asistencia, comuníquese con Jaime Fernández al (512) 239-2566.

Additional information will be available on the agency calendar of events at the following link:
<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Persons with disabilities who need special accommodations at the hearing should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P. O. Box 13087, Austin, Texas 78711-3087, or electronically at

www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. General information about the TCEQ can be found at **www.tceq.texas.gov**. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Kevin Bush, Environmental Engineer at (972) 872-2325.

Notice Issuance Date: June 4, 2021

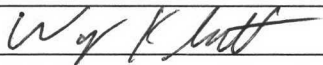
Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

122174

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 MAR 26 PM 3:06
 CHIEF CLERKS OFFICE

Applicant Name: Building Materials Investment Corporation	
Site or Facility Name: GAF Materials	
Application Received Date: July 29, 2020	
TCEQ Account Number (if applicable): DB-0378S	Permit Number: O2771
Regulated Entity Number (RN): RN100788959	Customer Number (CN): CN602717464
All applicants must complete all applicable portions of this form. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk within 10 business days after the end of the designated comment period . For more information regarding public notice, refer to the instructions in the public notice package.	
Alternative Language Checklist	
I have contacted the appropriate school district.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
School District: Dallas Independent School District	Phone Number: 972-925-6783
Person Contacted: Ms. Sylvia Martinez	Date: July 1, 2020
Is a bilingual education program (BEP) required by the Texas Education Code in the district?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If answer is "NO," skip to first question in verification box on next page. (Note: A BEP is different from "English as a Second Language" (ESL) program; and Elementary/Middle schools that only offer ESL will not trigger notice in an alternative language.)	
Notice in an alternative language is required if a BEP is required in the District, and one of the following conditions is met:	
1. students in the elementary or middle school nearest the facility are enrolled in a program at that school;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. students from the elementary or middle school nearest the facility attend a BEP at another location; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. the school district that otherwise would be required to provide a BEP has been granted an exception from the requirements to provide the program, as provided for in 19 Texas Administrative Code 89.1207(a).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the answer is "NO" to 1, 2, and 3 above , then alternative language notice is not required .	
The name of the elementary school nearest to the proposed or existing facility is:	
C.F. Carr Elementary School	
The name of the middle school nearest to the proposed or existing facility is:	
Thomas A Edison Middle Learning Center	
The following language(s) is/are utilized in the bilingual program:	
Spanish	
If notice in an alternative language is required, then applicants must publish alternative language notice(s) and post alternative language sign(s), as outlined in the <i>Instructions for Public Notice</i> and certify compliance with those requirements on this form.	

Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

Applicant Name: Building Materials Investment Corporation	
Site or Facility Name: GAF Materials	
Application Received Date: July 29, 2020	
TCEQ Account Number (if applicable): DB-0378S	Permit Number: O2771
Regulated Entity Number (RN): RN100788959	Customer Number (CN): CN602717464
For more information regarding public notice, refer to the instructions in the public notice package.	
Alternative Language Verification	
1. A BEP is required by the Texas Education Code in the area addressed by this permit application and is subject to alternative language public notice requirements. If "NO," skip 2 through 6 and complete signature, title, date, and name of applicant.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. A newspaper or publication could not be found in any of the alternative language(s) in which notice is required.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. The publishers of the newspaper listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located (or proposed to be located).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Newspaper: La Prensa de la Comunidad	Language: Spanish
5. Proof of publication of the newspaper alternative language notice(s) and the requested affidavits have been sent to the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Alternative language signs were posted as required by the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
This form must be signed and dated by a designated representative acting on behalf of the applicant after the end of the designated comment period. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk within 10 business days after the end of the designated comment period. The TCEQ will not accept this form if submitted prior to that date.	
Verified by (signature): 	
Applicant: Building Materials Corporation of America	
Title: Plant Manager	Date: 3/24/2021

Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

Applicant Name: Building Materials Investment Corporation		
Site or Facility Name: GAF Materials		
Application Received Date: July 29, 2020		
TCEQ Account Number (if applicable): DB-0378S		Permit Number: O2771
Regulated Entity Number (RN): RN100788959		Customer Number (CN): CN602717464
For more information regarding public notice, refer to the instructions in the public notice package.		
New Source Review Permit Notice Verification (Complete this section, if applicable)		
Proof of publication of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ.		<input type="checkbox"/> Yes <input type="checkbox"/> No
Notice of Receipt of Application and Intent to Obtain Permit (1st Notice):		
Required signs (for 1st notice) were posted in accordance with the regulations and instructions of the TCEQ.		<input type="checkbox"/> Yes <input type="checkbox"/> No
A copy of the administratively complete air quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.		<input type="checkbox"/> Yes <input type="checkbox"/> No
The public place indicated below provides public access to the internet (for PSD, nonattainment, or FCAA 112(g) Permit).		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notice of Application and Preliminary Decision (2nd Notice, if applicable):		
A copy of the complete air quality application (including any subsequent revisions to the application), executive director's preliminary decision (which includes the draft permit), the preliminary determination summary and air quality analysis (if applicable), are available for review and copying at the public place indicated below from the first day after newspaper publication, and will remain available until either: (1) the TCEQ acts on the application; or (2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing		<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of Public Place:		
Address of Public Place:		
City:	State:	ZIP Code:
This form must be signed and dated by a designated representative acting on behalf of the applicant after the end of the designated comment period. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk within 10 business days after the end of the designated comment period. The TCEQ will not accept this form if submitted prior to that date.		
Verified by (signature):		
Applicant:		
Title:	Date:	

Texas Commission on Environmental Quality
Public Notice Verification Form
Air Permit

Applicant Name: Building Materials Investment Corporation		
Site or Facility Name: GAF Materials		
Application Received Date: July 29, 2020		
TCEQ Account Number (if applicable): DB-0378S	Permit Number: 02771	
Regulated Entity Number (RN): RN100788959	Customer Number (CN): CN602717464	
For more information regarding public notice, refer to the instructions in the public notice package.		
Federal Operating Permit (Title V) Notice Verification (Complete this section, if applicable)		
I verify that the required signs were posted in accordance with the regulations and instructions of the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I verify that proof of publication of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instruction of the TCEQ.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I verify that a copy of the complete air quality application (including any subsequent revisions to the application) and draft permit were available for review and copying at the public place indicated below throughout the duration of the public comment period.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Public Place: www.Publicnotice.live/TCEQ-PN.pdf		
Address of Public Place: www.Publicnotice.live/TCEQ-PN.pdf		
City:	State:	ZIP Code:
This form must be signed and dated by a designated representative acting on behalf of the applicant after the end of the designated comment period. Send this completed form to the TCEQ to the attention of the Office of the Chief Clerk within 10 business days after the end of the designated comment period. The TCEQ will not accept this form if submitted prior to that date.		
Verified by (signature): 		
Applicant: Building Materials Corporation of America		
Title: Plant Manager	Date: 3/24/2021	

Form OP-CRO1
Certification by Responsible Official
Federal Operating Permit Program

All initial permit application, revision, renewal, and reopening submittals requiring certification must be addressed using this form. Updates to site operating permit (SOP) and temporary operating permit (TOP) applications, other than public notice verification materials, must be certified prior to authorization of public notice or start of public announcement. Updates to general operating permit (GOP) applications must be certified prior to receiving an authorization to operate under a GOP.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 2021 MAR 26 PM 3:06
 CHIEF CERTS OFFICE

I. Identifying Information					
RN: RN100788959		CN: CN602717464		Account No.: DB-0378S	
Permit No.: O-2771			Project No.: TBA		
Area Name: Dallas Plant			Company Name: Building Materials Investment Corporation		
II. Certification Type <i>(Please mark the appropriate box)</i>					
<input checked="" type="checkbox"/> Responsible Official			<input type="checkbox"/> Duly Authorized Representative		
III. Submittal Type <i>(Please mark the appropriate box) (Only one response can be accepted per form)</i>					
<input type="checkbox"/> SOP/TOP Initial Permit Application		<input type="checkbox"/> Update to Permit Application			
<input type="checkbox"/> GOP Initial Permit Application		<input type="checkbox"/> Permit Revision, Renewal, or Reopening			
<input checked="" type="checkbox"/> Other: <u>Public Notice Verification Form for Title V Permit Renewal Application</u>					
IV. Certification of Truth					
<p>This certification does not extend to information which is designated by the TCEQ as information for reference only.</p> <p>I, <u>Wayne Scott</u> certify that I am the <u>RO</u> <i>(Certifier Name printed or typed)</i> <i>(RO or DAR)</i></p> <p>and that, based on information and belief formed after reasonable inquiry, the statements and information dated during the time period or on the specific date(s) below, are true, accurate, and complete:</p> <p><i>Note: Enter Either a Time Period OR Specific Date(s) for each certification. This section must be completed. The certification is not valid without documentation date(s).</i></p> <p>Time Period: From _____ to _____ <i>Start Date</i> <i>End Date</i></p> <p>Specific Dates: <u>3/24/2021</u> _____ _____ _____ _____ _____ _____ <i>Date 1</i> <i>Date 2</i> <i>Date 3</i> <i>Date 4</i> <i>Date 5</i> <i>Date 6</i></p>					
Signature: <u>Wayne Scott</u>			Signature Date: <u>3/24/2021</u>		
Title: _____ Plant Manager					



12700 Park Central Dr, Ste 2100, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203 / trinityconsultants.com

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 MAR 26 PM 3:06
CHIEF CLERKS OFFICE

March 24, 2021

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

*RE: Public Notice Requirements – Public Notice Verification Form
Title V Permit Number: O-2771
Building Materials Corporation of America. – Dallas Plant – Dallas County
CN 602717464, RN 100788959*

To Whom It May Concern:

Building Materials Corporation of America doing business as GAF Materials Corporation (GAF) owns and operates an existing asphalt roofing production facility in Dallas, Texas (Dallas Plant). The Texas Commission on Environmental Quality (TCEQ) Account No. for the Dallas Plant is DB-0378-S. The Plant operates under Title V Operating Permit No. O-2771 issued on June 6, 2018.

GAF submitted a Title V Operating Permit renewal application on October 10, 2019. The Dallas Plant is required to publish a formal public notice in a newspaper of general circulation in the municipality nearest to the facility location. In accordance with the guidance package received from the TCEQ on December 30, 2020 and the revised notice received on January 13, 2021, GAF has completed the following:

- Published a formal public notice in the following newspapers circulated in Dallas, Dallas County:
 - The Dallas Observer (English) on January 21, 2021
 - La Prensa de la Comunidad (Spanish) on February 9, 2021
- Placed a copy of the complete Title V renewal application, including subsequent revisions, statement of basis, and the draft permit online at www.Publicnotice.live/TCEQ-PN.pdf, for public viewing and copying, beginning January 21, 2021
- Prepared and posted signs at the Dallas Plant on January 21, 2021
- Submitted the original newspaper clippings and affidavits of publication to the TCEQ on February 21, 2021

The public comment period ended on March 11, 2021. The Dallas Plant is required to submit the Public Notice Verification Form within 10 business days after the end of the comment period. As such, on behalf of GAF, Trinity is submitting the Public Notice Verification Form and signed OP-CRO1 form.

HEADQUARTERS

12700 Park Central Dr, Ste 2100, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203

Photocopies of this submittal are being mailed to the following, per the Instructions for Public Notice:

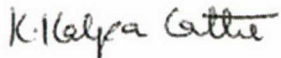
Texas Commission on Environmental Quality
Air Section Manager
Dallas/Fort Worth Regional Office
2309 Gravel Drive
Fort Worth, Texas 76118-6951

Texas Commission on Environmental Quality
Office of Air
Air Permits Division, MC-163
Mr. Alfredo Mendoza
Building C, Third Floor
12100 Park 35 Circle
Austin, Texas 78753-1808

If you have any questions, please feel free to contact me at (504) 343-4593 or Mr. Kevin Bush of GAF at (214) 637-8933.

Sincerely,

TRINITY CONSULTANTS



Latha Kambham, Ph.D.
Managing Consultant

Attachments

cc: Mr. Alfredo Mendoza, TCEQ Air Permits Division
Ms. Elizabeth Smith, TCEQ Regional Office 4
Mr. Kevin Bush, GAF

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §
COUNTY OF Dallas §

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 FEB 23 PM 4:14
CHIEF CLERKS OFFICE

Before me, the undersigned authority, on this day personally appeared

Brett Robertson, who being by me duly sworn, deposes and says that (s)he is (Name
of Person Representing Newspaper)

the Advertising Director of the Dallas Observer
(Title of Person Representing Newspaper) (Name of the Newspaper)

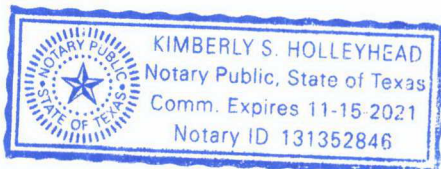
that said newspaper is generally circulated in Dallas, Texas;
(The **municipality or nearest municipality** in which the site or proposed site is located)

that the enclosed notice was published in said newspaper on the following date(s):

January 21, 2021
[Signature]
(newspaper representative's signature)

Subscribed and sworn to before me this the 21 day of January, 20 21
to certify which witness my hand and seal of office.

[Seal]



K. Holleyhead
Notary Public in and for the State of Texas

Kimberly Holleyhead
Print or Type Name of Notary Public

11-15-2021
My Commission Expires

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF Hood §

Before me, the undersigned authority, on this day personally appeared

Kylinna Soto, who being by me duly sworn, deposes and says that (s)he is (Name
of Person Representing Newspaper)

the Dunk of the La Prensa Cominidad
(Title of Person Representing Newspaper) (Name of the Newspaper)

that said newspaper is generally circulated in Dallas, Texas;
(The municipality or county in which the site or proposed site is located)

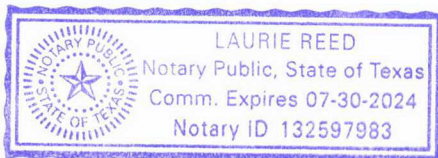
that the enclosed notice was published in said newspaper on the following date(s):

9 Feb 2021

Kylinna Soto
(Newspaper Representative's Signature)

Subscribed and sworn to before me this the 9th day of Feb, 2021
to certify which witness my hand and seal of office.

[Seal]



Laurie Reed
Notary Public in and for the State of Texas

Laurie Reed
Print or Type Name of Notary Public

7/30/2024
My Commission Expires

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SATURDAY 11AM-10PM

SUNDAY 12PM-10PM

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Revised Notice of Draft Federal Operating Permit

Draft Permit No.: O2771

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, TX 75212-3738, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal and revision of Federal Operating Permit (herein referred to as Permit) No. O2771, Application No. 30975, to authorize operation of the Dallas Plant, an Asphalt Shingle and Coating Materials Manufacturing facility. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. 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 the application. You can find an electronic map of the facility at: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.777777&lng=-96.863333&zoom=13&type=r>. This application was received by the TCEQ on July 29, 2020.

The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code § 122.10 (30 TAC § 122.10). The draft permit, if approved, will codify the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of the application and has made a preliminary decision to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas 76118-6951; and at <https://www.publicnotice.live/TCEQ-PN.pdf>, beginning the first day of publication of this notice. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

Public Comment/Notice and Comment Hearing. Any person may submit written comments on the draft permit. Comments relating to the accuracy, completeness, and appropriateness of the permit conditions may result in changes to the draft permit.

A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment hearing. The purpose of the notice and comment hearing is to provide an additional opportunity to submit comments on the draft permit. The permit may be changed based on comments pertaining to whether the permit provides for compliance with 30 TAC Chapter 122 (examples may include that the permit does not contain all applicable requirements or the public notice procedures were not satisfied). The TCEQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper notice. The hearing request must include the basis for the request, including a description of how the person may be affected by the emission of air pollutants from the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify how the preliminary decision to issue or deny the permit is inappropriate. All reasonably ascertainable issues must be raised and all reasonably available arguments must be submitted by the end of the public comment period. If a notice and comment hearing is granted, all individuals that submitted written comments or a hearing request will receive written notice of the hearing. This notice will identify the date, time, and location for the hearing.

Written public comments and/or requests for a notice and comment hearing should be submitted to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/ and be received within 30 days after the date of newspaper publication of this notice. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted public comments, a hearing request, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Mr. Kevin Bush at (972) 872-2325.

Notice Issuance Date: December 30, 2020



¡Haz todo por la Gloria de Dios! 1 Corintios 10:31

LA PRENSA de la COMUNIDAD

Publicado en español
GRATIS!!!
Publicación Quincenal

"ILUMINANDO EL CAMINO DE LOS NUESTROS"

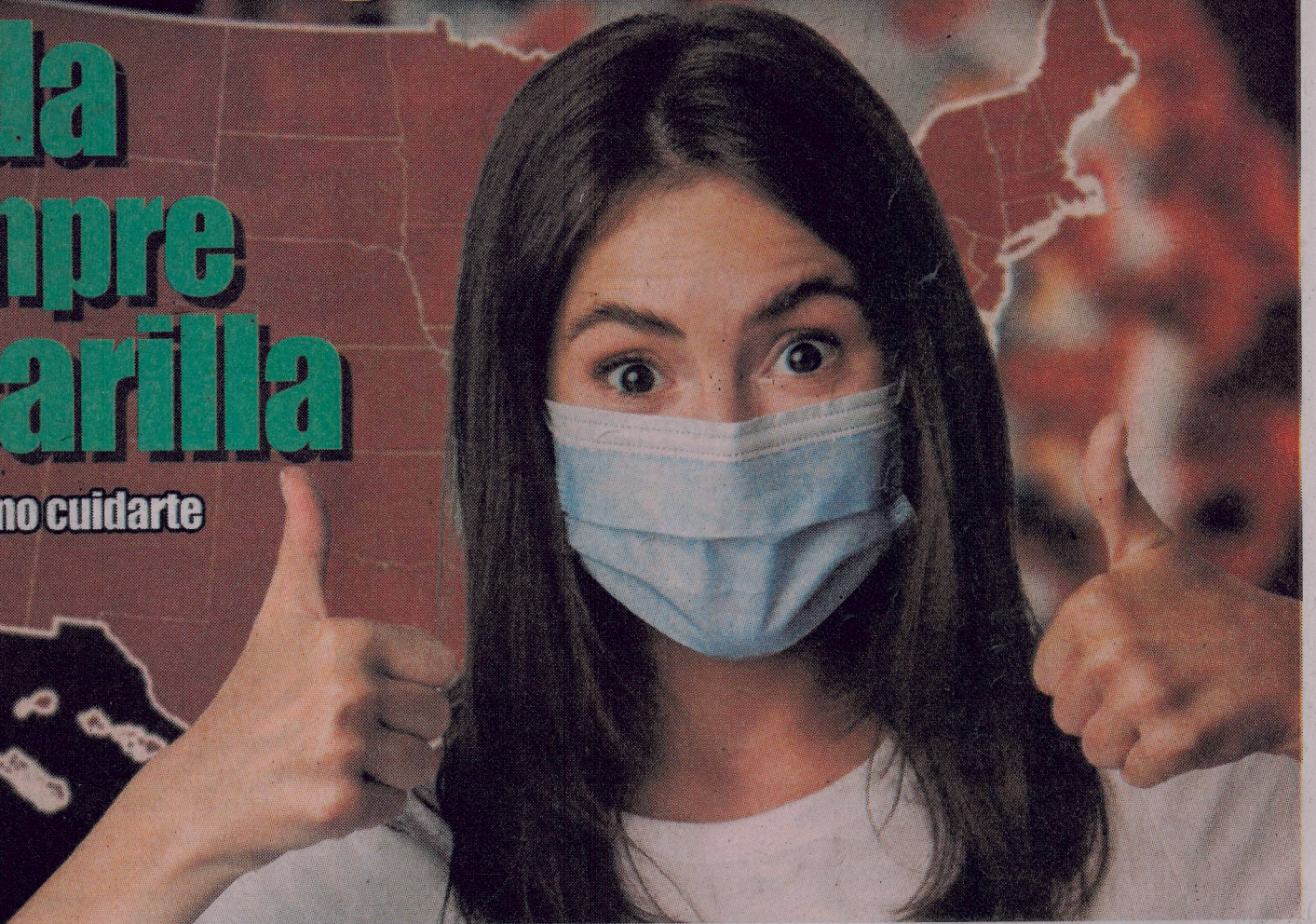
Edición 324 - 9 Febrero 2021

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QUEDATE
EN
CASA

Cuidados que debemos
tener contra el
CORONAVIRUS



Las reinfecciones por covid pueden ser más comunes de lo que se cree. ¿Por qué Estados Unidos no los está rastreando?

Kaitlyn Romoser atrapó por primera vez al Covid-19 en marzo, probablemente en un viaje a Dinamarca y Suecia, justo cuando el alcance de la pandemia se estaba volviendo claro. Romoser, que tiene 23 años e investigador de laboratorio en College Station, Texas, dio positivo y tuvo algunos días de síntomas leves parecidos a un resfriado.

En las semanas siguientes, se recuperó a lo que se sintió como una recuperación completa. Incluso se hizo otra prueba, que resultó negativa, para unirse a un estudio como una de las primeras donantes de plasma sanguíneo convaleciente en un intento por ayudar a otros.

Seis meses después, en septiembre, Romoser volvió a enfermarse, después de un

viaje a Florida con su padre. Esta segunda pelea fue mucho peor. Perdió el sentido del gusto y el olfato y sufrió persistentes dolores de cabeza y fatiga. Ella dio positivo por Covid-19 una vez más, junto con su gato.

Cobertura completa del brote de coronavirus

Romoser cree que fue un caso claro de reinfección, en lugar de un misterioso resurgimiento de la infección original que quedó inactiva. Debido a que el coronavirus, como otros virus, muta regularmente a medida que se multiplica y se propaga a través de una comunidad, una nueva infección tendría una huella genética diferente. Pero debido a que ninguno de los laboratorios había guardado sus muestras de prueba para la secuenciación genética, no había forma de confirmar su sospecha.



"Sería bueno tener pruebas", dijo Romoser. "Literalmente me han llamado mentiroso, porque la gente no quiere creer que es posible volver a infectarse." ¿Por qué mentiría sobre estar enfermo? "

Mientras millones de estadounidenses luchan por recuperarse del Covid-19 y millones más luchan por la protección que ofrecen las vacunas, los funcionarios de salud de EE. UU. Pueden estar pasando por alto un subgrupo inquietante de sobrevivientes: aquellos que se infectan más de una vez. Identificar qué tan común es la reinfección entre las personas que contrajeron Covid-19, así como qué tan rápido se vuelven vulnerables y por qué, tiene implicaciones importantes para nuestra comprensión de la inmunidad y los esfuerzos de la nación para diseñar un programa de vacunación efectivo.

Los científicos han confirmado que son posibles las reinfecciones después de la enfermedad inicial causada por el virus SARS-CoV-2, pero hasta ahora las han caracterizado como raras. Se han compro-

bado menos de 50 casos en todo el mundo, según un rastreador de reinfecciones global. Solo cinco se han comprobado en los EE. UU.

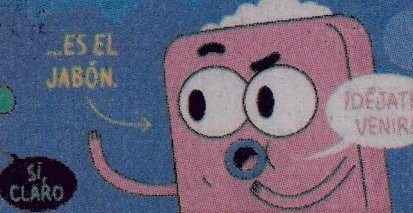
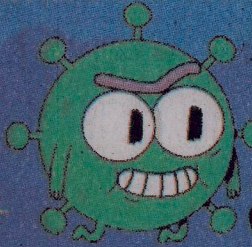
"Predigo que estamos perdiendo casos de reinfección", dijo. "Son muy difíciles de determinar, por lo que se necesitan equipos especializados para hacer ese trabajo, o un laboratorio central".

Tales casos son diferentes de los casos del llamado Covid-19 de larga distancia, en el que la infección original desencadena síntomas debilitantes que persisten durante meses y se pueden seguir detectando partículas virales.

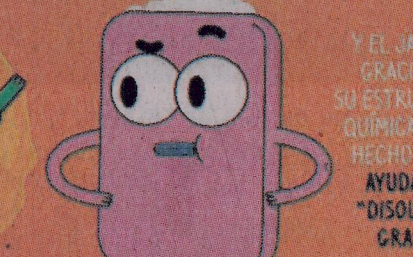
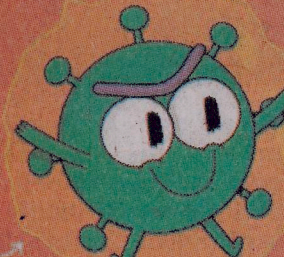
La reinfección ocurre cuando una persona se infecta con Covid-19, elimina esa cepa y se vuelve a infectar con una cepa diferente, lo que genera preocupaciones sobre la inmunidad sostenida contra la enfermedad. Tales reinfecciones ocurren regularmente con otros cuatro coronavirus que circulan entre los humanos y causan resfriados comunes.

¿POR QUÉ TANTA INSISTENCIA EN LAVARSE LAS MANOS?

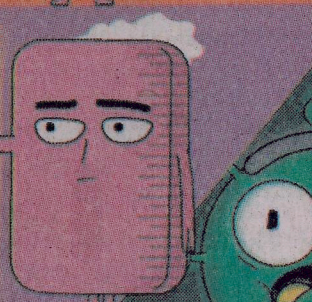
RESPUESTA:
AUNQUE NO LO
CREAS, UNA DE LAS
MEJORES ARMAS QUE
TENEMOS CONTRA EL
CORONAVIRUS COVID-19...



RESULTA QUE EL
COVID-19 TIENE
UNA MEMBRANA
LIPIDICA. ES
DECIR, ESTÁ
"ENVUELTO" EN
UNA CAPA DE
GRASA QUE
LO PROTEGE



POR ESO, AL COMBINARSE
CON AGUA, EL JABÓN
DESHACE LA CAPA
DE GRASA.



...LO QUE NOS AYUDA A ELIMINARLO.
ASÍ QUE POR MÁS SIMPLE QUE SUENE, LAVARNOS
LAS MANOS ES DE NUESTRAS MEJORES
OPCIONES CONTRA EL COVID-19.



FUENTES: Dra. Karen Fleming (profesora de Johns Hopkins University) via Twitter / "A Guide: How To Prepare Your Home" NPR.



INFORMATE AQUÍ

DACA
Nosotros estamos
con los soñadores

página 7

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ENFOQUE
A LA FAMILIADesarrolle en su Hijo un
Corazón de Soñador

Si alguien me enseñó a soñar fue ella: mi mamá.

Ella era una mujer pequeña de estatura, morena, con sexto grado de la escuela, es decir, sin estudios, abandonada por su mamá y lastimada en su infancia. Ella no tenía capacidad para soñar, pero cuando Dios se reveló a su vida, se despertó en ella una admirable habilidad de trabajar, de soñar, de creer y de siempre mirar las cosas en positivo.

Mi mamá nos enseñó que ese terreno se podía comprar. Nos enseñó que ese edificio se podía construir. Nos enseñó que luego de construir esto, había que comprar otro terreno, y construir algo más grande. Nos enseñó desde niños a soñar con nuestra casa propia. Esa era mi mamá. Ella me enseñó a soñar.

Los padres tienen un gran reto: enseñar a sus hijos a soñar. Hay padres que continuamente les dicen a sus hijos: "No podemos", "tú no lo vas a lograr", "no hay cómo". Dejando en su hijo este sinsabor de desesperanza o de incapacidad aprendida.

Los sueños nos permiten ver en nuestra imaginación, lo que va a ocurrir en el futuro. Tienen que ver con el propósito que debemos cumplir, con la misión que vamos a vivir. Nos proyectan en el tiempo, y generan dentro de nosotros ilusión, alegría, pasión, y entusiasmo. Por eso, un buen padre y una buena madre le ayudan a su hijo a encontrar sus sueños al aceptarlo, amarlo y bendecirlo. Nosotros debemos impulsar a nuestros hijos al destino para el cual nacieron, y ayudarles a descubrir su propósito en la vida.

Le comparto varias recomendaciones para desarrollar en nuestros hijos el anhelo de soñar y llegar alto:

1. Fomente en ellos fe y esperanza.

Invíteles a ver más allá de lo que tienen frente a sus ojos. Los sueños no tienen nada que ver con cuánta abundancia usted tenga. Aunque yo no lo vea claro, yo tengo que impulsarlos a la grandeza. ¿A cuál grandeza? Aquella de la que habló Jesús: "ustedes harán cosas todavía mayores de las que yo he hecho." (Juan 14:12, TLA). Este es el mensaje que debemos sembrar en el corazón de



nuestros hijos. Ellos nacieron para romper las marcas alcanzadas por nosotros. Lea más en: ¿Cómo formar espiritualmente a mis hijos?

2. Sea ejemplo de alguien capaz de construir una historia.

No viva como víctima quejándose por todo y de todos; sus hijos necesitan el ejemplo de un luchador. Recuerde, la capacidad de disfrutar la vida no la determina el lugar de donde vengo, el color de mi piel, la estatura que tengo, el salario que yo gano; más bien, la determina la actitud que tengo en mi corazón, la fe que apasiona mi alma y el gozo que dejo que domine mi vida. Lea más en: Herede un buen nombre

3. Invítelos a pensar en su futuro.

Hágales preguntas como: "¿A dónde te ves cuando seas grande?", "¿qué sueños te gustaría cumplir?". Tenemos éxito al cumplir nuestros sueños y cuando alcanzamos aquello para lo cual hemos sido apartados y elegidos. No significa que mi misión es alcanzar X cantidad de cosas, o ser multimillonario; ese no es el sueño que debemos sembrar en el corazón de nuestros hijos. Pero si debemos enseñarles a ser mayordomos fieles de los recursos que Dios ha puesto en sus manos y animarlos a multiplicarlo. Lea más en: Impulse a sus Hijos al Destino Correcto

4. No les imponga sus propios sueños.

Los sueños de mis hijos no pueden nacer de mis deseos impuestos o mis sueños frustrados. Los sueños son algo personal, auténtico, y vienen del corazón. Los sueños nacen cuando despierto la ilusión de llevar adelante algo que me apasiona y con lo cual me identifico. Quiere decir que el llamado y la misión que debemos cumplir es personal, no se puede imponer y no se puede imitar. El propósito es una inspiración personal que cada

uno tiene que aprender a descubrir. Lea más en: ¿Qué debo decirle a mis hijos todos los días?

5. Ayude a sus hijos a aceptarse a sí mismos.

Ayude a sus hijos a encontrar sus propios sueños, para lograrlos, debemos aceptarlos tal cual son y llenarlos de afirmación. Invierta tiempo en ellos, para ayudarlos a descubrir su inteligencia dominante y acompañelos a realizar lo que les gusta y les apasiona. Lea más en: ¿Cómo fortalecer el autoestima de su hijo?

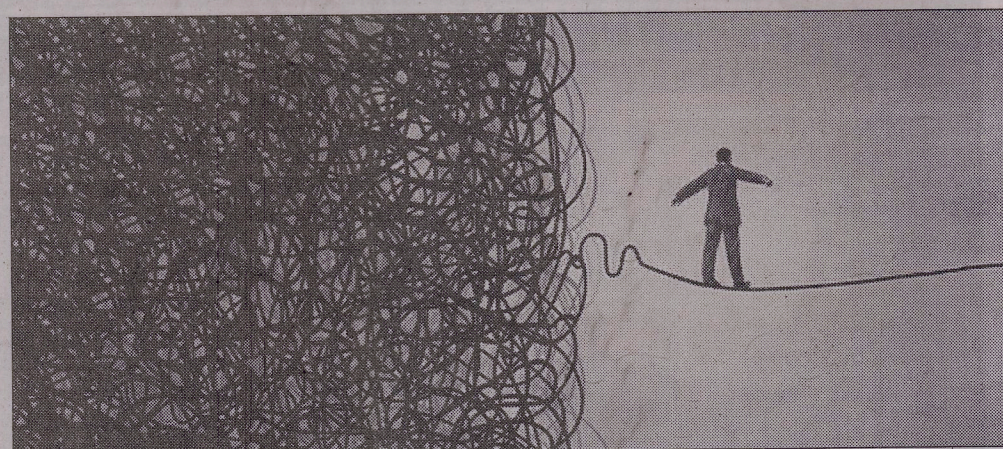
6. Enséñeles que con esfuerzo y disciplina es posible alcanzar las metas.

Los sueños no son contruídos solamente por el deseo. Los sueños los construye el carácter manifestado a partir de los valores fuertes y firmes que cada uno de nosotros tiene. Incluso la adversidad puede ayudarlo a nuestros hijos a formar su carácter, a ponerlos en el lugar correcto y a llevarlos a vivir lo que Dios tiene para ellos. Tenemos que enseñarles a caminar cuando no sientan, a perseverar cuando no vean, y a creer que la promesa de Dios se va a cumplir.

7. No destruya los sueños de sus hijos

¿De qué forma puede destruir los sueños de sus hijos? Con palabras que descalifican, como: "No podemos", "nosotros no nacimos para esto", "otros sí pueden", o cuando los comparamos. Lea más: Criando Niños Sanos y Resilientes.

Enseñe a sus hijos a soñar. Haga que siempre tengan un sueño que les inspire, les rete, y les desafíe. Quien no tiene un sueño que le inspire llegará a cualquier lugar o se parecerá a alguien más, menos a él mismo. Por eso, al animar a que nuestros hijos tengan sueños propios, los guiamos a descubrir quiénes son. Todos necesitamos dirigirnos a un destino, recorrer un camino, y tener una dirección.

Puedes vencer el miedo
que te paraliza

Así que no temas, porque yo estoy contigo; no te angusties, porque yo soy tu Dios.

Te fortaleceré y te ayudaré; te sostendré con mi diestra victoriosa. (Isaías 41:10)

¿Cómo vencer el miedo? Ese sentimiento que paraliza o nos lleva a hacer cosas estúpidas para evitar aquello que tememos... La Biblia dice que la solución para el miedo es el amor.

Cuando el amor de Dios entra en tu corazón, él expulsa el miedo. Puedes encontrar en Jesús la fuerza que necesitas para enfrentar tus miedos.

3 cosas que puedes hacer hoy para vencer tus miedos:

- Ora a Dios tan pronto empieces a sentir miedo o ansiedad
- Habla con un hermano en la fe sobre tu miedo y pídele

que ore por ti

• Recuerda todas las veces que Dios te ha protegido. Él es fiel y continuará haciéndolo.

Para orar:

Señor, reconozco que tengo miedo, pero también reconozco que tú estás conmigo.

Ayúdame a sentir tu amor y tu paz durante este día y librame de todo el temor. Amén.

¡No te dejes llevar!

Nunca dejen de ser diligentes; antes bien, sirvan al Señor con el fervor que da el Espíritu. (Romanos 12:11)

Hay muchas "olas" que vienen contra nosotros y a veces nos dejamos llevar por ellas. Son circunstancias que llegan y nos absorben totalmente. ¡Mantente atento y no te dejes llevar! Pueden ser nuevas modas, ideas engañosas o nuevos comportamientos sociales. En muchos casos, si no nos sumergimos de cabeza en esas prácticas recibimos la crítica de los que se suman a ese mundo sin siquiera reflexionar un poco.

Como cristianos no estamos exentos de enfrentar tiempos de sufrimiento, de tristeza o desánimo en la vida. Lo que necesitamos es mantener viva la llama de la fe, la esperanza y el amor que tenemos en nuestro Señor Jesucristo. Continúa firme en lo que dice la Biblia. No te dejes llevar por vientos de doctrinas, hombres o ideas que no tienen fundamento bíblico. Sé celoso, dedicado al Señor y a las disciplinas

espirituales, aunque esto no sea lo que hace la mayoría. ¡Ama y sirve a Dios con fervor! Decide no dejarte llevar

• No te dejes llevar por la corriente. Mantente firme en la fe y en los principios bíblicos.

• ¿Qué es mejor: tener la aprobación de la gente o la de Dios? Piensa en eso - Marcos 8:36.

• Para poder rechazar lo que es falso debes conocer lo que es verdadero. Ora a Dios y busca conocerle de verdad. Ten la Biblia como tu compañera diaria, vive en obediencia y ora constantemente.

• Está dispuesto a soltar tus puntos de vista personales, las falsas enseñanzas, y no te congregues con grupos que no enseñen el Evangelio verdadero de Jesucristo.

• Ora y pide a Dios sinceramente que te enseñe la verdad por medio de su Palabra. Sirve a Dios con dedicación y con una fe fervorosa.

• Busca una iglesia que tenga la Palabra de Dios como fundamento. Todo lo demás es secundario. La Biblia debe



ser mucho más escuchada que cualquier dogma religioso, líder o filosofía humana.

Para orar:

Amado Dios, ayúdame a continuar luchando y obedeciendo tu Palabra a pesar de las presiones a mi alrededor.

Señor, hay tantas voces, que a veces es difícil discernir cuál de todas es la tuya. Ayúdame a comprender tu voluntad a través de la Biblia sagrada.

Que yo te conozca más cada día a través de ella y que tenga una vida de comunión verdadera contigo. ¡Te necesito, mi amado Salvador! No permitas que me deje llevar por ninguna nueva "ola", sino que yo sea guiado siempre por tu Espíritu Santo. En el nombre de Jesús, amén.

"Sigue a Jesús"



Mis ovejas oyen mi voz; yo las conozco y ellas me siguen. - Juan 10:27

Jesús dijo que sus ovejas hacen 2 cosas: lo oyen y lo siguen. Dios guía a aquel que es salvo. Es un gran privilegio poder oír la voz de Dios a través de la Biblia y del Espíritu Santo, pero eso no basta. Necesitamos obedecer.

Cuando reconocemos la voz de Dios debemos prestar atención a lo que él dice. Muchas personas oyen la

palabra de Dios pero escogen ignorarla para seguir viviendo en el pecado. Los que hacen eso no están viviendo como discípulos. Ser discípulo significa ser seguidor de Jesús, así como una oveja sigue a su pastor. ¡Y cuando seguimos a Jesús nuestra vida es transformada! Comienza a seguir a Jesús hoy:

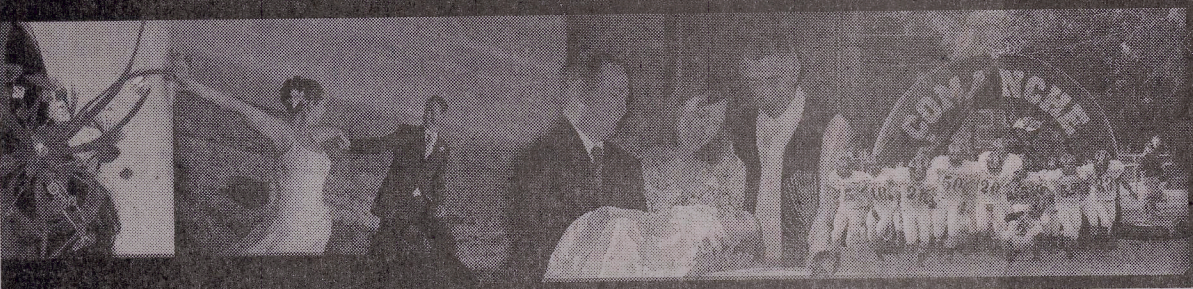
- Dedicar tu vida a Jesús y reconocerlo como tu salvador
- Leer la Biblia para oír la voz de Dios

- Apartar tiempo para orar (eso te ayudará a reconocer la voz de Jesús)
- Pide la orientación de Dios en tu vida
- Obedece los mandamientos de Dios

Para orar:

Señor, sé que eres mi pastor y que cuidas de mí. Quiero aprender a reconocer cuando me hablas. Por favor, ayúdame a escuchar tu palabra y a obedecer. Muéstrame cómo debo vivir y dame fuerzas para seguir, Jesús. Amén.

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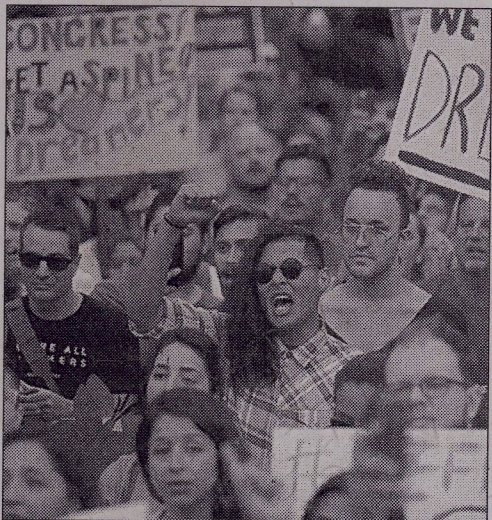
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PRENSA

En qué consiste el proyecto de ley que le permitiría a los 'dreamers' obtener la ciudadanía



La iniciativa de ley Dream Act 2021 es el primer proyecto de ley bipartidista bajo la era de Joe Biden que ofrece legalizar a miles de inmigrantes indocumentados que llevan tiempo en EEUU y carecen de antecedentes criminales.

La iniciativa de ley Dream Act 2021 es el primer proyecto bajo la era Biden que ofrece legalizar a miles de inmigrantes indocumentados que llevan tiempo en Estados Unidos.

El plan, presentado por los senadores Dick Durbin (demócrata por Illinois) y Lindsey Graham (repblicano por Carolina del Sur), ofrece un camino hacia la residencia legal permanente a jóvenes que entraron al país antes de cumplir los 16 años y que se conocen como dreamers.

De qué se trata

La iniciativa de ley Dream Act 2021 autoriza la cancelación de remoción (deportación) y el ajuste de estatus de ciertos indocumentados que han vivido de manera permanente en Estados Unidos y que ingresaron al país cuando eran niños (antes de los 16 años) y se les conoce como dreamers.

Quién lo patrocina

Hasta ahora está patrocinado por los senadores Dick Durbin (demócrata) y Lindsey Graham (repblicano). Para ser aprobado en el Senado se necesitan 60 votos como mínimo y 218 en la Cámara de Representantes. Presencia física.

Para calificar a la cancelación de deportación y obtener la residencia permanente, el o la dreamer deberán demostrar que se encuentran físicamente presente en Estados Unidos desde 4 años antes de la promulgación de la ley.

Además de presencia física, el dreamer deberá demostrar que:

- Entró al país antes de cumplir 18 años;
- Carece de antecedentes criminales;
- No ha sido considerado inadmisibles o deportable bajo la Ley de Inmigración;
- No ha ordenado, incitado, asistido o de otra manera participado en la persecución de ninguna persona por motivos de raza, religión, nacionalidad, pertenencia a un grupo social en particular u opinión política;
- No ha sido condenado por:

- Cualquier delito bajo la ley federal o estatal, que no sea un delito estatal para el cual un elemento esencial es el estado migratorio del extranjero, que sea punible con un término máximo de prisión de más de 1 año;

- No ha cometido 3 o más delitos bajo la ley federal o estatal, que no sean delitos estatales para los cuales un elemento esencial es el estatus migratorio del extranjero, por los cuales el extranjero fue condenado en fechas diferentes para cada una de las 3 penas y encarcelado por 90 días o más. Estudios

Al igual que los requisitos establecidos en el Programa de Acción Diferida para los Llegados en la Infancia de 2012, los dreamers deberán demostrar:

- Que ha sido admitido en una institución de educación superior;

- Ha obtenido un diploma de escuela secundaria o un premio alternativo proporcional de una escuela secundaria pública o privada; o

- Ha obtenido un certificado de desarrollo de educación general reconocido por la ley estatal o un diploma de equivalencia de escuela secundaria en Estados Unidos;

- Está matriculado en la escuela secundaria o en un programa educativo que ayuda a los estudiantes a:

- Obtener un diploma de escuela secundaria regular o su equivalente reconocido bajo la ley estatal; o

- Aprobar un examen de desarrollo educativo general, un examen de diploma de equivalencia de escuela secundaria u otro examen

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

Aviso de un Permiso Federal de Operación Preliminar

Permiso Preliminar Número: O1010

Solicitud y Permiso Preliminar. Dartco of Texas LLC, 850 Solon Road, Waxahachie, Texas, 75165-5062, ha presentado una solicitud ante la Comisión de Calidad Ambiental de Texas (TCEQ), por sus siglas en inglés) para la renovación del Permiso Federal de Operación (en adelante denominado el Permiso) Número O1010, Solicitud Número 30754, para autorizar la operación del Sitio Dartco of Texas Waxahachie, una instalación de Fabricación de Productos de Espuma de Poliestireno. El área a la cual se refiere la solicitud está ubicada en 850 Solon Rd en Waxahachie, Condado de Ellis, Texas 75165-5062. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. Puede encontrar un mapa electrónico de la instalación en: <http://www.tceq.texas.gov/assets/public/610/index.html?lat=32.425&lng=-96.85&zoom=13&type=p>. Esta solicitud fue recibida por la TCEQ el 6 de julio de 2020.

El propósito de un permiso federal de operación es mejorar el acastamiento general con las normas que gobiernan el control de la contaminación atmosférica, claramente definiendo todos los requisitos aplicables como están definidos en el Título 30 del Código Administrativo de Texas § 122.10 (30 TAC § 122.10, por sus siglas en inglés). El permiso preliminar, si es aprobado, codificará las condiciones bajo las cuales el área debe operar. El permiso no autorizará construcción nueva. El director ejecutivo ha concluido la revisión técnica de la solicitud y ha hecho una decisión preliminar para preparar el permiso preliminar para la revisión y comentario público. El director ejecutivo recomienda la expedición de este permiso preliminar. La solicitud de permiso, la declaración de base y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina Central de la TCEQ, 12100 Park 35 Circle, Building (Edificio) E, First Floor (Primer Piso), Austin, Texas 78733; en la Oficina Regional de la TCEQ en Dallas/Fort Worth, 2309 Gravel Dr, Fort Worth, Texas 76118-6951; y en Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas 75165-3651, empezando el primer día de la publicación de este aviso. El permiso preliminar y la declaración de base están disponibles en el sitio web de la TCEQ:

www.tceq.texas.gov/goto/tvnotice

En la oficina central y la oficina regional también puede revisar y copiar documentos pertinentes para el permiso preliminar, así como los permisos para la Evaluación de Nuevas Fuentes que han sido incorporados por referencia. Cualquier persona que tenga dificultades obteniendo estos materiales debido a restricciones para viajar pueden comunicarse con la sala de archivos de la oficina central de la TCEQ al (512) 239-2900.

Comentarios/Notificación Pública y Audiencia. Cualquier persona puede entregar comentarios públicos sobre el permiso preliminar. Comentarios relacionados a la exactitud, lo completo, y/o apropiado de las condiciones del permiso pueden resultar en cambios al permiso preliminar.

Una persona que podría ser afectada por la emisión de contaminantes atmosféricos del área del sitio del permiso puede solicitar una audiencia de aviso y comentarios. El propósito de la audiencia de notificación y comentarios es proporcionar la oportunidad para entregar comentarios sobre el permiso preliminar. El permiso puede ser cambiado por la razón de los comentarios relacionados a si el permiso provee el cumplimiento con 30 TAC Capítulo 122 (ejemplos pueden incluir que el permiso no tiene todos los requisitos aplicables que corresponden o si no cumplen los requisitos de la ley pública). La TCEQ puede otorgar una audiencia de aviso y comentarios cuando se recibe una solicitud si se recibe una petición por escrito dentro de los treinta días después de la publicación del anuncio en el periódico. La solicitud de audiencia debe incluir la base de la solicitud, incluyendo una descripción de cómo la persona puede ser afectada por la emisión de contaminantes atmosféricos del área de la solicitud. La solicitud también debería especificar las condiciones del permiso preliminar que son inapropiadas o especificar cómo la decisión preliminar para expedir o denegar el permiso puede ser cambiada. Todos los asuntos razonablemente verificables deben ser planteados y todos los argumentos razonablemente disponibles deben ser entregados a no más tardar al final del período de comentarios públicos. Si se concede una audiencia de aviso y comentarios, todos los individuos que presentaran comentarios por escrito o una solicitud de audiencia recibirán confirmación por escrito de la audiencia. Esta confirmación indicará la fecha, hora y lugar de la audiencia.

Comentarios públicos por escrito y/o peticiones para una audiencia de aviso y comentarios deberán ser presentados a la Comisión de Calidad Ambiental de Texas (TCEQ), Oficina del Secretario Oficial ("Office of the Chief Clerk"), MC-105, P.O. Box 13087, Austin, Texas 78711-3087, o electrónicamente al www14.tceq.texas.gov/epic/Comment/ dentro de 30 días después de la fecha de publicación en el periódico de este aviso. Favor de estar consciente que cualquier información de contacto que provea, incluyendo su nombre, número de teléfono, correo electrónico y su dirección postal vendrá a formar parte del registro público de la agencia.

Un aviso de la acción final propuesta que incluye una respuesta a los comentarios y denegación de cualquier cambio al permiso preliminar, será enviado a todas las personas que hayan presentado comentarios públicos, una solicitud de audiencia o que hayan solicitado ser incluidos en la lista de correos sobre esta solicitud. Este envío de correo también proveerá instrucciones para hacer peticiones públicas a la Agencia de Protección Ambiental (EPA, por sus siglas en inglés), para solicitar que la EPA se oponga a la expedición del permiso preliminar. Después de recibir una petición, la EPA solamente podrá objetar a la expedición de un permiso que no cumple con los requisitos aplicables o los requisitos del 30 TAC Capítulo 122.

Lista para Envío de Correo. Aparte de entregar comentarios públicos, usted puede solicitar ser incluido en una lista para envío de correo con respecto a esta solicitud al enviar su petición a la Oficina del Secretario Oficial ("Office of the Chief Clerk") a la dirección que se encuentra de arriba. Los que se encuentren en la lista para envío de correo recibirán copias de avisos públicos futuros (si hay) para esta solicitud enviados por correo por el Secretario Oficial.

Información. Para más información con respecto a esta solicitud de permiso o el proceso de permisos, favor de contactar la Comisión de Calidad Ambiental de Texas (Texas Commission on Environmental Quality), Programa de Educación del Público (Public Education Program), MC-108, P.O. Box 13087, Austin, Texas 78711-3087 o llamar sin costo al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Puede obtener más información sobre Dartco of Texas LLC llamando a la Sra. Jennifer Washburn al (927) 937-7270.

Fecha de Expedición de Aviso: 19 de enero de 2021

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AVISO DE UN PERMISO FEDERAL PARA OPERACIÓN PRELIMINAR

Permiso Preliminar Número.: O2771

Solicitud y Permiso Preliminar. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, TX 75212-3738, ha presentado una solicitud ante la Comisión de Calidad Ambiental de Texas (TCEQ), por sus siglas en inglés) para la renovación y revisión del Permiso Federal de Operación (en adelante denominado el Permiso), Número O2771, Solicitud Núm. 30975, para autorizar la operación de la Dallas Plant, una Planta de Asfalto, Fieitos Asfálticos y Capas. El área a la cual se refiere la solicitud está ubicada en 2600 Singleton Blvd. en Dallas, Condado de Dallas, Texas 75212-3738. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía al público, y no es parte de la solicitud o del aviso. Para la ubicación exacta consulte la solicitud. Usted puede encontrar un mapa electrónico de la planta en: <http://www.tceq.texas.gov/assets/public/610/index.html?lat=32.77777&lng=-96.863333&zoom=13&type=p>. Esta solicitud fue recibida por la TCEQ en el 29 de julio de 2020.

El propósito de un Permiso Federal de Operación es mejorar el cumplimiento general de las reglas que gobiernan el control de la contaminación atmosférica, claramente listando todos los requisitos aplicables como están definidos en el Título 30 del Código Administrativo de Texas § 122.10 (30 TAC § 122.10, por sus siglas en inglés). El permiso preliminar, si es aprobado, codificará las condiciones bajo las cuales el área debe operar. El permiso no autorizará construcciones nuevas. El Director Ejecutivo ha concluido el análisis técnico de la solicitud y ha hecho la decisión preliminar de preparar un permiso preliminar para la revisión y comentarios del público. El Director Ejecutivo recomienda que se otorgue este permiso preliminar. La solicitud del permiso, la declaración de bases y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina Central de la TCEQ, 12100 Park 35 Circle, Building (Edificio) E, First Floor (Primer Piso), Austin, Texas; la Oficina Regional de TCEQ en Dallas/Fort Worth, 2309 Gravel Dr, Fort Worth, Texas 76118-6951; y al <https://www.publicnotice.liv/tceq-pn.pdf>, empezando el primer día de la publicación de este aviso. El permiso preliminar y la declaración de bases están disponibles en el Sitio Web de la TCEQ: www.tceq.texas.gov/goto/tvnotice

En la Oficina Central y Regional TCEQ, también podrá revisar y copiar todos los demás documentos pertinentes al permiso preliminar, así como los permisos para el Examen de Nuevas Fuentes que han sido incorporados por referencia. Cualquier persona que tenga dificultad en obtener estos materiales debido a restricciones para viajar puede comunicarse con la sala de archivos de la Oficina Central de la TCEQ al teléfono (512) 239-1540.

Comentarios/Notificación Pública Y Audiencia. Cualquier persona puede presentar comentarios públicos por escrito sobre el permiso preliminar. Comentarios relacionados a la exactitud, integridad, y aptitud de las condiciones del permiso pueden resultar en cambios al permiso preliminar.

Cualquier persona afectada por la emisión de contaminantes atmosféricos de este sitio puede solicitar una audiencia de notificación y comentarios sobre esta solicitud. El propósito de la audiencia de notificación y comentarios es proveer una oportunidad adicional para someter comentarios sobre el permiso preliminar. El permiso puede ser cambiado en base a los comentarios pertinentes a si el permiso provee el cumplimiento con el 30 TAC Capítulo 122 (ejemplos pueden incluir que el permiso no contiene todos los requisitos aplicables o que el proceso de avisos públicos no fuera satisficcho). La TCEQ puede otorgar una audiencia de notificación y comentarios sobre la solicitud si se recibe una petición por escrito dentro de los 30 días de la publicación de este aviso en el periódico. La petición de audiencia debe incluir las bases para la petición, incluyendo una descripción de la manera en que la persona puede estar afectada por la emisión de los contaminantes atmosféricos del sitio de la solicitud. La petición también deberá especificar las condiciones del permiso preliminar que son inapropiadas o especificar cómo la decisión preliminar para otorgar o negar el permiso es inapropiada. Todos los temas razonablemente indagatorios deben ser presentados y todos los argumentos razonablemente disponibles deben ser sometidos para el final del período de comentarios públicos. Si se concede una audiencia de notificación y comentarios, todas las personas que presentaron comentarios por escrito o pidieron una audiencia, recibirán una notificación por escrito de la audiencia. Este aviso indicará la fecha, hora, y lugar de la audiencia.

Comentarios públicos por escrito y/o peticiones para una audiencia de notificación y comentarios deben ser presentados a la Texas Commission on Environmental Quality, Oficina del Secretario Principal (Office of the Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087, o electrónicamente al www14.tceq.texas.gov/epic/Comment/ y ser recibidos dentro de 30 días después de la publicación en el periódico de este aviso. Si usted se comunica con la TCEQ electrónicamente, por favor, tenga en cuenta que su correo electrónico, así como su dirección de correos, se convertirá en parte del récord público de la agencia.

Una noticia de la acción final, incluyendo respuestas a los comentarios públicos y denotando cambios hechos al permiso preliminar, será remitida a todas las personas que hayan presentado comentarios públicos, solicitudes para audiencia o que hayan solicitado ser incluidas en la lista de correos para esta solicitud. Esta noticia también proveerá instrucciones para hacer peticiones públicas a la Agencia para la Protección del Medio Ambiente (EPA), para solicitar que la EPA objete el otorgamiento del permiso propuesto. Después de recibir una petición, la EPA puede solamente objetarse a la promulgación de permisos que no se acaten a los requisitos de sus reglamentos o a los requisitos de 30 TAC Capítulo 122.

Lista De Correos. Además de presentar comentarios públicos, puede solicitar que le incluyan en la lista de correos para esta solicitud específica por medio de una solicitud enviada a la Oficina del Secretario Oficial de la TCEQ en la dirección que se encuentra arriba. Todos los que están en la lista de correos recibirán copias de futuros avisos públicos (si hay) enviados por la Oficina del Secretario Oficial para esta solicitud.

Información. Para información adicional sobre esta solicitud de permiso o el proceso de permisos, favor de comunicarse a la Comisión de Calidad Ambiental de Texas, Programa de Educación Pública, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 llamando libre de costo al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Se puede obtener información adicional también de Building Materials Investment Corporation llamando al Sr. Kevin Bush al (972) 872-2325.

Fecha de Emisión del Aviso: 30 de diciembre de 2020

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



AVISO DE LA SOLICITUD Y DECISIÓN PRELIMINAR PARA EL PERMISO DEL SISTEMA DE ELIMINACIÓN DE DESCARGAS DE CONTAMINANTES DE TEXAS (TPDES) PARA AGUAS RESIDUALES MUNICIPALES

RENOVACIÓN

PERMISO NO. WQ0610383001

SOLICITUD Y DECISIÓN PRELIMINAR. City of Wolfe City, P.O. Box 106, Wolfe City, Texas 75496, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) una renovación al Permiso TPDES No. WQ0010383001, el cual autoriza la descarga de aguas residuales domésticas tratadas en un flujo promedio diario que no sobrepasa 195,000 galones por día. La TCEQ recibió esta solicitud el 28 de septiembre de 2020.

La instalación está ubicada a aproximadamente 200 pies al este y 0.87 milla al sur de la intersección de Edgewood Street y State Highway 34, en el Condado de Hunt, Texas 75496. El efluente tratado es descargado a Oyster Creek, después a Upper South Sulphur River en el Segmento No. 0306 de la Cuenca de Sulphur River. El uso no clasificado del agua receptora es uso mínimo de vida acuática para Oyster Creek. Los usos designados para el Segmento No. 0306 son recreación de contacto primaria y uso intermedio de vida acuática. Todas las determinaciones son preliminares y están sujetas a cambios y/o revisiones adicionales. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://www.maps.arcgis.com/apps/webappviewer/index.html?id=0b5baed4af4e468b4d4360f81682530f&marker=-96.07532C33.350277&level=12>

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un borrador del permiso. El borrador del permiso, si es aprobado, establecerá las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado una decisión preliminar que si este permiso es emitido, cumple con todos los requisitos normativos y legales. La solicitud del permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para leer y copiar en City of Wolfe City, City Hall, 101 West Main Street, Wolfe City, Texas.

COMENTARIO PÚBLICO / REUNIÓN PÚBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes, o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; número de teléfono; nombre del solicitante y número del permiso propuesto; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación propuesta; una descripción específica de la forma cómo usted sería afectado adversamente por la instalación de una manera no común al público en general; una lista de todos los temas en disputa de hecho que usted presentó durante el período de comentarios, y la declaración "Yo/nosotros" solicito/solicitamos una audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar al representante del grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo con nombre y la dirección física que sería afectado adversamente por la instalación o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la instalación o actividad propuesta; debe explicar como y porque el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los periodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contencioso a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente. Si se otorga una audiencia, el tema de la audiencia estará limitado a hechos reales disputados o preguntas mixtas de hecho y derecho relacionadas a las preocupaciones relevantes y materiales de calidad del agua presentadas durante el período de comentarios. Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso para descargar aguas residuales sin proveer una oportunidad de una audiencia administrativa de lo contencioso.

ACCIÓN DEL DIRECTOR EJECUTIVO. El Director Ejecutivo puede emitir una aprobación final de la solicitud a menos que exista un pedido antes del plazo de vencimiento de una audiencia administrativa de lo contencioso o se ha presentado un pedido de reconsideración. Si un pedido ha llegado antes del plazo de vencimiento de la audiencia o el pedido de reconsideración ha sido presentado, el Director Ejecutivo no emitirá una aprobación final sobre el permiso y enviará la solicitud y el pedido a los Comisionados de la TCEQ para consideración en una reunión programada de la Comisión.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correo siguientes: (1) la lista de correo permanente para recibir los avisos del solicitante indicado por nombre y número del permiso específico; y/o (2) la lista de correo de un condado específico. Si desea que se agregue su nombre a la lista de correo permanente y/o del condado, claramente designe cual lista(s) y envíe por correo su pedido a la Oficina de la Secretaría Principal de la TCEQ a la dirección más abajo.

Todos los comentarios escritos del público y los pedidos para una reunión pública deben ser presentados a la Oficina del Secretario Principal, MC 105, Comisión de Calidad Ambiental de Texas, P.O. Box 13087, Austin, TX 78711-3087 electrónicamente al www14.tceq.texas.gov/epic/Comment/ dentro de los 30 días después de la publicación de este aviso en el periódico.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en www.tceq.texas.gov/goto/cid. Busque en la base de datos usando el número de permiso sobre esta solicitud, el cual es provisto al comienzo de este aviso.

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios públicos y los pedidos deben ser presentados electrónicamente al www14.tceq.texas.gov/epic/Comment/, o por escrito a la Comisión de Calidad Ambiental de Texas, Oficina del Secretario Principal, MC-105, P.O. Box 13087, Austin, TX 78711-3087. Cualquier información personal que presente a la TCEQ vendrá a formar parte del registro de la agencia; esto incluye correos electrónicos. Si necesita más información sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin costo, al 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional de City of Wolfe City a la dirección indicada arriba o llamando a la Sra. Sondra LaFavers al 903-496-2251.

Fecha de emisión: 29 de enero de 2021

trabajadores esenciales (campesinos y quienes laboran en el sector salud combatiendo la pandemia del coronavirus serán regularizados):

- Califiquen a un programa que les otorgue la Green Card;

Tres años más tarde sean elegibles para que se conviertan en ciudadanos estadounidenses.

Futuro inmediato

El senador Robert Menéndez, demócrata por Nueva Jersey, dijo el 23 de enero que es proyecto de reforma migratoria de Biden se encontraba en la parte final de su redacción y que sería entregado al Senado en la última semana de febrero.

- Entregado ante el Comité Judicial para ser evaluado y recomendado al pleno;
- Enviado al pleno para debate y aprobación;
- Contar con 60 votos (se requerirán al menos 90 votos republicanos, considerando que ya cuenta con el voto del senador Graham);
- Si es aprobado, remitido a la Cámara de Representantes;
- Debatirlo a nivel de comité;
- Recomendarlo al pleno;
- Debatirlo y aprobarlo en el Pleno con al menos 218 votos.

Si es aprobado, enviarlo al escritorio del presidente para ser promulgado.

Los escenarios

El senador Graham dijo que que el plan "será un punto de partida para que encontremos avances bipartidistas que brinden alivio a los dreamers y también reparen un sistema de inmigración que no funciona".

Eso significa que:

- Puede ser parte del plan de reforma migratoria anunciado por Biden el 20 de enero. Dicho plan incluiría un camino a la legalización para la mayoría de los 11 millones de indocumentados que están en el país quienes:

- Optarían primero por una residencia provisional por 5 años;
- Cumplido ese plazo, podrán pedir la residencia permanente;
- Tres años más tarde calificarán para pedir la ciudadanía por naturalización.

- Si no se aprueba la reforma migratoria, el Dream Act 2021 se discutiría en forma separada;

- Biden ha propone que los dreamers, beneficiarios del Estados de Protección Temporal y

similar autorizado por el estado. En caso de condenas suprimidas

En el caso de dreamers que hayan cometido faltas, pero sus condenas fueron suprimidas, el Dream Act 2021 señala que "el secretario del Departamento de Seguridad Nacional (DHS) evaluará las condenas caso por caso según la naturaleza y gravedad del delito para determinar si, según las circunstancias particulares, el secretario estime que el extranjero debería ser elegible para cancelar la deportación y ajustar su estado migratorio a residente permanente sobre una base condicional y otro estado".

El costo de la residencia

El plan señala que el Congreso exigirá un costo razonable para aspirar a la green card, que incluirá procesamiento y gastos adicionales. Y tendrá en cuenta los ingresos del dreamer que califique.

Revisión de antecedentes

Quienes califiquen para la cancelación de deportación y el ajuste de estatus (green card) deberán entregar sus datos biométricos y biográficos para una revisión de antecedentes criminales.

Ciudadanía

Los dreamers que califican para la residencia deberán cumplir con los requisitos estipulados en la ley para poder solicitar la ciudadanía por naturalización, es decir 5 años con presencia continua. Y cumplir con todos los requisitos que la ley de inmigración señala para los futuros ciudadanos estadounidenses.

Hoja de ruta

El proyecto Dream Act 2021 deberá sortear los siguientes pasos para ser aprobado:

Todo lo que debes saber sobre las nuevas vacunas contra el coronavirus en Estados Unidos



Los trabajadores de la salud ya tienen acceso a las vacunas y las dosis estarán disponibles para el resto de nosotros en la primavera. Estas son algunas respuestas a tus preguntas.

¿Por qué no todos pueden vacunarse ahora?
No hay suficientes dosis para todos, así que inicialmente la vacuna será racionada para quienes más la necesitan. Llevará tiempo producir y distribuir las dosis, y luego programar dos vacunaciones por persona, con tres o cuatro semanas de diferencia. A medida que se aprueben más vacunas, las cosas se acelerarán. Al menos 40 millones de dosis (suficientes para 20 millones de personas) de Pfizer y Moderna deberían estar disponibles para fines de año, y muchas más llegarán en 2021.

¿Quién recibirá primero la vacuna?

Este es el orden programado para la vacunación:

Trabajadores de la salud y personas en instalaciones de cuidados a largo plazo: Los 21 millones de trabajadores de la salud y los tres millones de personas, en su mayoría ancianos, que viven en centros de atención a largo plazo serán los primeros, a partir de diciembre. Inicialmente, no habrá suficientes dosis para vacunar a todos los trabajadores de la salud, por lo que los estados priorizarán con base en el riesgo de exposición, eligiendo al personal de la sala de emer-

gencias, por ejemplo, para ser los primeros. O también pueden ofrecer la vacuna a los trabajadores sanitarios de mayor edad, en primera instancia.

Trabajadores esenciales: Los 87 millones de estadounidenses que trabajan en los sectores de alimentos y agricultura, manufactura, aplicación de la ley, educación, transporte, correccionales, respuesta a emergencias y otros sectores, probablemente serán los segundos en recibir la vacuna, a partir de principios del próximo año. Los estados establecerán prioridades. Arkansas, por ejemplo, ha propuesto incluir a los trabajadores de su gran industria avícola, mientras que Colorado quiere incluir a los empleados de la industria del esquí que viven en viviendas colectivas.

Adultos con condiciones médicas subyacentes y personas mayores de 65 años. Los funcionarios de salud esperan llegar a los adultos más vulnerables en algún momento del primer trimestre. Algunos estados podrían implementar la vacunación de los residentes mayores de 75 años, antes que algunos tipos de trabajadores esenciales.

Todos los demás adultos. Los adultos de la población general están al final de la fila. Podrían empezar a recibir la vacuna ya en abril, dijo Anthony Fauci, el principal experto en enfermedades infecciosas del país, aunque es probable que muchas personas tengan

que esperar al menos hasta mayo o junio. La vacuna no ha sido aprobada en niños, así que pueden pasar varios meses, o posiblemente un año, antes de que la vacuna esté disponible para cualquier persona menor de 16 años. — Abby Goodnough, Tara Parker-Pope

¿Cómo llegará la vacuna hasta los asilos de ancianos?

Las cadenas de farmacias CVS y Walgreens tienen contratos con el gobierno federal para enviar equipos de farmacéuticos y personal de apoyo a miles de centros de cuidados a largo plazo en las próximas semanas con el fin de vacunar a todos los residentes y miembros del personal que estén dispuestos a hacerlo. CVS y Walgreens planean administrar sus primeras vacunas el 21 de diciembre.

Más de 40.000 centros de cuidado han elegido trabajar con CVS. Casi 35.000 eligieron a Walgreens. Cada estado de EE. UU. ya ha elegido, o pronto escogerá, la vacuna de Pfizer o la de Moderna para todos sus centros que trabajarán con las farmacias. — Rebecca Robbins, Abby Goodnough

¿Cómo será el proceso de vacunación para el resto?

Es probable que cuando el público en general comience a vacunarse en abril, las inyecciones se programen a través de los consultorios médicos, CVS, Walgreens y otras farmacias, como sucede con la vacuna contra la gripe. Sin embargo, los

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planes finales dependerán de cuáles vacunas, además de la de Pfizer y la de Moderna, hayan sido aprobadas. — Abby Goodnough, Rebecca Robbins

¿Puedo elegir qué vacuna me pongo?

Esto depende de varios factores, incluyendo el suministro en tu zona en el momento de la vacunación y si ciertas vacunas son más efectivas en ciertas poblaciones, como los adultos mayores. Al principio, la única opción será la vacuna de Pfizer, aunque la de Moderna podría estar disponible en unas semanas. — Abby Goodnough

¿Cuánto tiempo tardará en funcionar?

No obtendrás la protección completa de la vacuna Pfizer-BioNTech hasta una semana después de la segunda dosis, según los datos de los ensayos clínicos. Los investigadores descubrieron que la protección de la vacuna comenzó a surgir unos diez días después de la primera dosis, pero solo alcanzó el 52 por ciento de eficacia, según un informe en el New England Journal of Medicine. Una semana después de la segunda dosis, la eficacia aumentó a 95 por ciento.

Seguridad y efectos secundarios

¿Dolerá? ¿Cuáles son los efectos secundarios?

La inyección en el brazo no se sentirá diferente a cualquier otra vacuna, pero la tasa de efectos secundarios de corta duración parece más alta que la de una vacuna contra la gripe. Decenas de miles de personas ya han recibido las vacunas, y ninguna de ellas ha reportado ningún problema de salud grave. Los efectos secundarios, que desafortunadamente pueden parecerse a los síntomas de la COVID-19, duran aproximadamente un día y parecen más probables después de la segunda dosis. Los primeros informes de los ensayos de las vacunas sugieren que algunas personas podrían necesitar un día libre en el trabajo por sentirse mal después de recibir la segunda dosis. En el estudio de Pfizer, cerca de la mitad desarrolló fatiga. Otros efectos secundarios se produjeron en al menos del 25 al 33 por ciento de los pacientes, a veces más, incluyendo dolores de cabeza, escalofríos y dolor muscular.

Aunque estas experiencias no son agradables, son una buena señal de que tu propio sistema inmunitario está generando una potente respuesta a la vacuna, lo que proporcionará una inmunidad duradera. —

Abby Goodnough, Carl Zimmer

¿Cómo sé que es seguro?

La solicitud de cada compañía a la FDA incluye dos meses de seguimiento de los datos de seguridad de la fase 3 de los ensayos clínicos realizados por universidades y otros organismos independientes. En esa fase, decenas de miles de voluntarios recibieron una vacuna y esperaron a ver si se infectaban, en comparación con otros que recibieron un placebo. Para septiembre, el ensayo de Pfizer tenía 44.000 participantes; no se ha informado de ninguna preocupación grave en materia de seguridad. — Abby Goodnough

Si tengo alergias, ¿debería preocuparme?

Las personas con alergias graves que han experimentado anafilaxia en el pasado deberían hablar con sus médicos sobre cómo ponerse la vacuna de manera segura y qué precauciones tomar. Aunque las reacciones graves a las vacunas son poco frecuentes, dos trabajadores de la salud sufrieron anafilaxia después de recibir la vacuna el primer día en que estuvo disponible en Gran Bretaña. Ambos trabajadores, que tenían un historial de reacciones graves, fueron tratados y se han recuperado. (La anafilaxia puede ser mortal, con dificultad para respirar y caídas de la presión arterial que suelen ocurrir en minutos o incluso segundos después de la exposición a un alimento, medicamento o sustancia como el látex). Por ahora, las autoridades británicas han dicho que la vacuna no debe ser administrada a quienes hayan tenido alguna reacción anafiláctica, pero los expertos en salud de Estados Unidos han dicho que esas advertencias son prematuras porque las reacciones graves pueden tratarse o prevenirse con medicamentos. Debido a los casos británicos, la FDA dijo que exigirá a Pfizer que aumente su vigilancia de la anafilaxia y presente datos al respecto cuando la vacuna se implemente de manera masiva. Menos de uno en un millón de receptores de otras vacunas al

año en EE. UU. tienen una reacción anafiláctica, dijo Paul Offit, experto en vacunas del Hospital Infantil de Filadelfia.

Entre los que participaron en los ensayos de Pfizer, un número muy pequeño de personas tuvo reacciones alérgicas. Un documento publicado por la FDA dijo que el 0,63 por ciento de los participantes que recibieron la vacuna informaron de posibles reacciones alérgicas, en comparación con el 0,51 por ciento de las personas que recibieron un placebo. En el ensayo clínico de última etapa de Pfizer, uno de los 18.801 participantes que recibieron la vacuna tuvo una reacción anafiláctica, según los datos de seguridad publicados por la FDA el martes. No ocurrió con ninguno en el grupo de placebo. Lee más aquí. — Denise Grady

¿Qué pasa si surgen efectos secundarios graves después de la implementación de la vacuna?

Cuando una vacuna comienza a aplicarse a un gran número de personas, es posible (y no infrecuente) que suceda una pequeña cantidad de "eventos adversos" graves. Muchos fármacos existentes, incluida la vacuna contra la gripe, pueden causar complicaciones raras, incluido el síndrome de Guillain-Barré, convulsiones y muerte súbita inexplicable. Aunque esto suena aterrador, el riesgo es minúsculo cuando se consideran los millones de personas que se vacunan de manera segura cada año, y algunas de estas complicaciones pueden ser provocadas por el virus mismo.

Los funcionarios sanitarios investigarán cada evento para determinar si se trata de una coincidencia o si podría haber sido causado por la vacuna. Si bien todos deben estar preparados para escuchar estos informes, no deben ser motivo de preocupación ni una excusa para retrasar la aplicación de la vacuna. El riesgo de complicaciones graves por la COVID-19 es mucho mayor que el riesgo de complicaciones por la vacuna. Lee más aquí. — Donald G. McNeil Jr.

¿CUÁL ES LA MEJOR VACUNA?

LA QUE NOS PONEMOS

ESTAS SON LAS RAZONES DE VARIOS EXPERTOS:

TODAS LAS VACUNAS APROBADAS FUNCIONAN, PERO ES IMPOSIBLE QUE UNA SOLA ALCANCE PARA TODOS.

SON LOS MEDICAMENTOS MÁS REGULADOS Y SEGUROS QUE EXISTEN.

ES MÁS PROBABLE CONTAGIARNOS DE COVID-19 (SI NO NOS VACUNAMOS) QUE TENER UNA REACCIÓN ADVERSA SERIA POR HACERLO.

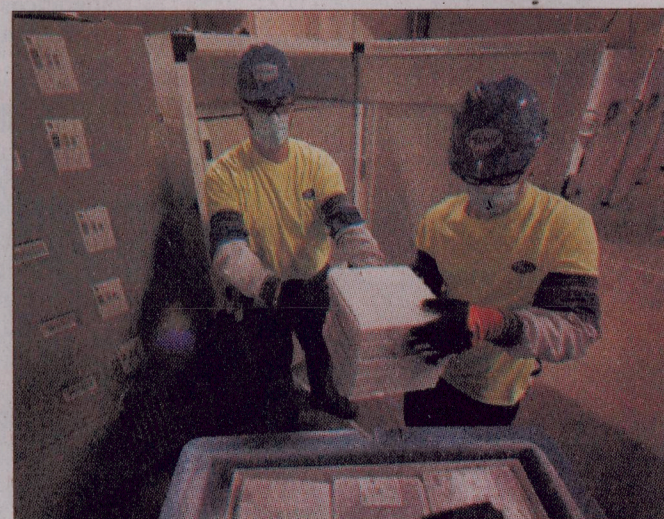
ENTRE MÁS PERSONAS ESTEMOS VACUNADAS, LA PANDEMIA ACABARÁ MÁS PRONTO.

TODAS LOGRAN LO MISMO: ENSEÑARLE AL CUERPO A DEFENDERSE.

LAS MISMAS AGENCIAS QUE LAS APRUEBAN HAN RESPALDADO OTROS MEDICAMENTOS QUE USAMOS NORMALMENTE.

Y EN ELLAS ESTÁN AÑOS DE CONOCIMIENTO E INVESTIGACIÓN CIENTÍFICA COLECTIVA.

PICTILINE





12700 Park Central Dr, Ste 2100, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203 / trinityconsultants.com

February 22, 2021

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 FEB 23 PM 4:14
CHIEF CLERKS OFFICE

*RE: Public Notice Requirements – Proof of Publication and Affidavit Forms
Title V Permit Number: O-2771
Building Materials Corporation of America. – Dallas Plant – Dallas County
CN 602717464, RN 100788959*

To Whom It May Concern:

Building Materials Corporation of America doing business as GAF Materials Corporation (GAF) owns and operates an existing asphalt roofing production facility in Dallas, Texas (Dallas Plant). The Texas Commission on Environmental Quality (TCEQ) Account No. for the Dallas Plant is DB-0378-S. The Plant operates under Title V Operating Permit No. O-2771 issued on June 6, 2018.

GAF submitted a Title V Operating Permit renewal application on October 10, 2019. The Dallas Plant is required to publish a formal public notice in a newspaper of general circulation in the municipality nearest to the facility location. In accordance with the guidance package received from the TCEQ on December 30, 2020 and the revised notice received on January 13, 2021, GAF has completed the following:

- Published a formal public notice in the following newspapers circulated in Dallas, Dallas County:
 - The Dallas Observer (English) on January 21, 2021
 - La Prensa de la Comunidad (Spanish) on February 9, 2021
- Placed a copy of the complete Title V renewal application, including subsequent revisions, statement of basis, and the draft permit online at [www. Publicnotice.live/TCEQ-PN.pdf](http://www.Publicnotice.live/TCEQ-PN.pdf), for public viewing and copying, beginning January 21, 2021
- Prepared and posted signs at the Dallas Plant on January 21, 2021

The Dallas Plant is required to submit the original newspaper clippings showing the publication date and newspaper names to the TCEQ within 10 business days after the date of publication. The Dallas Plant is also required to submit the original affidavit of publication for air permitting and alternative language affidavit of publication to the TCEQ within 30 calendar days after the date of publication. As such, on behalf of GAF, Trinity is submitting the original newspaper clippings showing publication date and newspaper names in English and Spanish languages as well as the affidavit forms.

HEADQUARTERS

12700 Park Central Dr, Ste 2100, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203

TCEQ - Page 2
February 22, 2021

Photocopies of these submittals are being mailed to the following, per the Instructions for Public Notice:

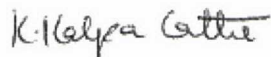
Texas Commission on Environmental Quality
Air Section Manager
Dallas/Fort Worth Regional Office
2309 Gravel Drive
Fort Worth, Texas 76118-6951

Texas Commission on Environmental Quality
Office of Air
Air Permits Division, MC-163
Mr. Alfredo Mendoza
Building C, Third Floor
12100 Park 35 Circle
Austin, Texas 78753-1808

If you have any questions, please feel free to contact me at (504) 343-4593 or Mr. Kevin Bush of GAF at (214) 637-8933.

Sincerely,

TRINITY CONSULTANTS



Latha Kambham, Ph.D.
Managing Consultant


Attachments

cc: Mr. Alfredo Mendoza, TCEQ Air Permits Division (electronic copy)
Air Section Manager, TCEQ Regional Office 4
Mr. Kevin Bush, GAF

2/21/2021

UPS CampusShip | UPS - United States

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TRINITY DALLAS EC 9726618100 TRINITY CONSULTANTS 12700 PARK CENTRAL DR STE 2100 DALLAS TX 75251		1 LBS	1 OF 1
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	TX 787 9-72 		
UPS NEXT DAY AIR SAVER			1P
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BILLING: P/P			
Reference # 1: 204401.0167			
<small>CS 22.0.12. WNTNV50.42.0A 01/2021*</small>			

TEXAS
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Chief Clerk's Office, MC 105
Texas Commission on
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P.O. Box 13087
Austin, TX 78711-3087

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GRANBURY TX 76048-8796

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RETURN TO SENDER
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Texas Commission on
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ABEL MULUGHETA
APT 1106
1630 E 6TH ST
AUSTIN TX 78702-3390

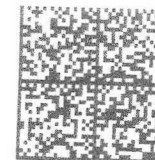
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1400 HI LINE DR
DALLAS TX 75207-3435

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PRIVATE USE



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APT 1721
1919 JACKSON ST
DALLAS TX 75201-4931

7520134952 UFG

7518154260

Errata
122174-CD

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02771

STATE

1/20/21

CANADIAN RIVER MUNICIPAL WATER
PO BOX 9
SANFORD TX 79078-0009

DALLAS COUNTY HEALTH & HUMAN S
2377 N STEMMONS FWY
DALLAS TX 75207-2710

DALLAS COUNTY JUDGE
COUNTY COURTHOUSE
411 ELM ST
DALLAS TX 75202-3301

SECRETARY
GREATER DALLAS CHAMBER OF COMM
STE 2600
500 N AKARD ST
DALLAS TX 75201-3302

NORTH CENTRAL TEXAS COUNCIL OF
DEPT OF ENVIRONMENTAL
PO BOX 5888
ARLINGTON TX 76005-5888

NORTH TEXAS MUNICIPAL WATER DI
PO BOX 2408
WYLIE TX 75098-2408

PUBLIC HEALTH REGION 2/3
TEXAS DEPARTMENT OF STATE HEAL
1301 S BOWEN RD STE 200
ARLINGTON TX 76013-2262

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
STE 140
2005 NE GREEN OAKS BLVD
ARLINGTON TX 76006-2601

GLENN C CLINGENPEEL
TRINITY RIVER AUTHORITY OF TEX
5300 S COLLINS ST
ARLINGTON TX 76018-1710

MR BRENTON DUNN REG MANAGER
TARRANT REGIONAL WATER DISTRICT
800 E NORTHSIDE DR
FORT WORTH TX 76102-1016

ALFONSO MORUA
DALLAS WATER UTILITIES
2900 WHITE ROCK ROAD
DALLAS TX 75214

ZACHARY S THOMPSON
DALLAS CO HEALTH & HUMAN SERV
2377 N STEMMONS FWY
DALLAS TX 75207-2710

County

JENNIFER BOVEE
1305 W TUCKER BLVD
ARLINGTON TX 76013-5030

R W CARTER
RICHARD W CARTER ASSOCIATES
PO BOX 903
MINEOLA TX 75773-0903

JAZMINE COLEMAN
RJN GROUP
STE 710
14755 PRESTON RD
DALLAS TX 75254-6815

CONCERNED CITIZEN
DALLAS WATER UTILITIES
1500 MARILLA ST STE 4AS
DALLAS TX 75201-6318

GLENN G DRAPER PE
DRAPER ENGINEERING
3658 ASBURY ST
DALLAS TX 75205-1849

MARIE EARLEY CITY ATTY
DALLAS OBSERVER
2501 OAK LAWN AVE STE 355
DALLAS TX 75219-4019

WES KUCERA WASTEWATER DIRECTOR
ROWLETT CREEK WATER REC
2500 E CENTERVILLE RD
GARLAND TX 75040-6811

MATTHEW MILLER
LEGAL AID OF NORTHWEST TEXAS
400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

ABEL MULUGHETA
APT 1406
1400 HI LINE DR
DALLAS TX 75207-3435

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1/20/21

ABEL MULUGHETA
1139 HIDDEN RIDGE DR
MESQUITE TX 75181-4260

ABEL MULUGHETA
APT 3013
1110 S CESAR CHAVEZ BLVD
DALLAS TX 75201-6062

ABEL MULUGHETA
APT 1106
1630 E 6TH ST
AUSTIN TX 78702-3390

ABEL MULUGHETA
APT 1721
1919 JACKSON ST
DALLAS TX 75201-4931

ROSANA NAREZ
TEX MEX NOTICIAS
PO BOX 1796
GRANBURY TX 76048-8796

ROSANA NAREZ
PO BOX 93331
SOUTHLAKE TX 76092-0113

SUZANNE OLDHAM
3817 TRAVIS ST
DALLAS TX 75204-1518

SUZANNE OLDHAM
APT 1107
2500 MCKINNEY AVE
DALLAS TX 75201-2354

SUZANNE OLDHAM
3817 TRAVIS ST
DALLAS TX 75204-1518

SUZANNE OLDHAM
1156 THE SHORES DR
CORSICANA TX 75109

NORMAN D RADFORD
PO BOX 7650
DALLAS TX 75209-0650

MARTIN C REAMY PRESIDENT
MCR ENGINEERING SERVICE
PO BOX 866336
PLANO TX 75086-6336

KYTINNA SOTO OWNER
LA PRENSA COMUNIDAD
PO BOX 732
TOLAR TX 76476-0732

PAUL D TAYLOR PASTOR
PLEASANT VALLEY BAPTIST CHURCH
PO BOX 850062
MESQUITE TX 75185-0062

RAISCH TOMLANOVICH
APT 209
5010 BRYAN ST
DALLAS TX 75206-7652

MS SARAH K WALLS
CANTEY HANGER LLP
STE 300
600 W 6TH ST
FORT WORTH TX 76102-3684

GWENDOLYN HILL WEBB
PO BOX 368
HOUSTON TX 77001-0368

GWENDOLYN HILL WEBB
4TH FL
900 BAGBY ST
HOUSTON TX 77002-2527

TERRY L WHITE
505 RIGGS CIR
MESQUITE TX 75149-5844

SHANDRANET STARR WILLIAMS
4833 CLAMDIGGER WAY
GARLAND TX 75043-6475

JP / PROT

02771

1/20/21

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2021

MR WAYNE SCOTT
PLANT MANAGER
BUILDING MATERIALS INVESTMENT CORPORATION
2600 SINGLETON BLVD
DALLAS TX 75212-3738

Re: Errata-Draft Federal Operating Permit Approval and Public Notice Authorization
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Mr. Scott:

A draft federal operating permit (FOP) and authorization for public notice was sent to you for the above-referenced site on December 30, 2020. The Texas Commission on Environmental Quality (TCEQ) was notified on January 8, 2021, that the Dallas West Branch Library is closed to the public. The revised notice for newspaper publication is enclosed with the change underlined. Incorporate the change into the notice sent on December 30, 2020.

The notice should still be published as soon as practical, but no later than 30 calendar days after December 30, 2020.

Thank you for your cooperation in this matter. If you have any questions regarding publication requirements, please contact the TCEQ, Office of the Chief Clerk at (512) 239-3300. If you have any other questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E. Chacon".

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Project Number: 30975

bcc: Mr. David Greer, Public Education Program, MC-108, Austin
File Copy

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Revised Notice of Draft Federal Operating Permit

Draft Permit No.: O2771

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, TX 75212-3738, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal and revision of Federal Operating Permit (herein referred to as Permit) No. O2771, Application No. 30975, to authorize operation of the Dallas Plant, an Asphalt Shingle and Coating Materials Manufacturing facility. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. 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 the application. You can find an electronic map of the facility at: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.777777&lng=-96.863333&zoom=13&type=r>. This application was received by the TCEQ on July 29, 2020.

The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code § 122.10 (30 TAC § 122.10). The draft permit, if approved, will codify the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of the application and has made a preliminary decision to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas 76118-6951; and at <https://www.publicnotice.live/TCEQ-PN.pdf>, beginning the first day of publication of this notice. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

Public Comment/Notice and Comment Hearing. Any person may submit written comments on the draft permit. Comments relating to the accuracy, completeness, and appropriateness of the permit conditions may result in changes to the draft permit.

A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment hearing. The purpose of the notice and comment hearing is to provide an additional opportunity to submit comments on the draft permit. The permit may be changed based on comments pertaining to whether the permit provides for compliance with 30 TAC Chapter 122 (examples may include that the permit does not contain all applicable requirements or the public notice procedures were not satisfied). The TCEQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper notice. The hearing request must include the basis for the request, including a description of how the person may be affected by the emission of air pollutants from the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify how the preliminary decision to issue or deny the permit is inappropriate. All reasonably ascertainable issues must be raised and all reasonably available arguments must be submitted by the end of the public comment period. If a notice and comment hearing is granted, all individuals that submitted written comments or a hearing request will receive written notice of the hearing. This notice will identify the date, time, and location for the hearing.

Written public comments and/or requests for a notice and comment hearing should be submitted to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/

and be received within 30 days after the date of newspaper publication of this notice. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted public comments, a hearing request, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Mr. Kevin Bush at (972) 872-2325.

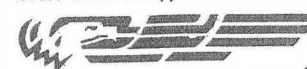
Notice Issuance Date: December 30, 2020



Chief Clerk's Office, MC 105
Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

AIR-O2471

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR
PRIVATE USE

U.S. POSTAGE PITNEY BOWES

ZIP 78753 \$ 000.50⁰
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CLERKS OFFICE

MARIE EARLEY CITY ATTY
DALLAS OBSERVER
2501 OAK LAWN AVE STE 355
DALLAS TX 75219-4019

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RETURN TO UNKNOWN
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RC: 78711308787 * 0234-02978-25-16



Chief Clerk's Office, MC 105
Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

AIR-02771
(REVISED)

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR
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IC: 78711308787

* 107-10342-25-46

MARIE EARLEY CITY ATTY
DALLAS OBSERVER
2501 OAK LAWN AVE STE 355
DALLAS TX 75219-4019

COMMISSION
ENVIRONMENTAL
QUALITY
MAR 22 AM 8:10
RECEIVED
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117

REF ID: A61701 CUBA/13/72

1. The first part of the text discusses the importance of maintaining accurate records of all transactions, including sales, purchases, and expenses. It emphasizes that proper record-keeping is essential for determining the correct amount of tax liability.

AL 93260107 013721

ARRIVE FWD

BC: 75219409099 DU * 0710-10342-23-46



Chief Clerk's Office, MC 105
Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

AIR-02771

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR
PRIVATE USE



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ROSANA NAREZ
TEX MEX NOTICIAS
PO BOX 1796
GRANBURY TX 76048-8796

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 JAN 13 AM 9:39
CHIEF CLERKS OFFICE

760488796 0016
78711>3087



Chief Clerk's Office, MC 105
Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

AIR-02771

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR
PRIVATE USE



U.S. POSTAGE PITNEY BOWES
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SUZANNE OLDHAM
APT 1107
2500 MCKINNEY AVE
DALLAS TX 75201-2354

COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 JAN 13 AM 9:39
CHIEF CLERKS OFFICE

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Chief Clerk's Office, MC 105
Texas Commission on
Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

AIR-02771

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR
PRIVATE USE



U.S. POSTAGE PITNEY BOWES



ZIP 78753
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CHIEF CLERKS OFFICE

JAN 28 AM 9:00

TEXAS
COMMISSION
ON
ENVIRONMENTAL
QUALITY

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RETURN TO SENDER
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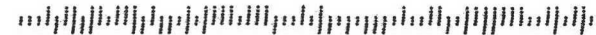
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ABEL MULUGHETA
APT 1406
1400 HI LINE DR
DALLAS TX 75207-3435

752073428 C025

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78711>3087



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Notice of Draft Federal Operating Permit

Draft Permit No.: O2771

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www.tceq.texas.gov/goto/tvnotice

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

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and be received within 30 days after the date of newspaper publication of this notice. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

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Further information may also be obtained for Building Materials Investment Corporation by calling Mr. Kevin Bush at (972) 872-2325.

Notice Issuance Date: December 30, 2020

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DISTRICT ROOM E 2.804
TEXAS STATE CAPITOL
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CANADIAN RIVER MUNICIPAL WATER
PO BOX 9
SANFORD TX 79078-0009

DALLAS COUNTY HEALTH & HUMAN S
2377 N STEMMONS FWY
DALLAS TX 75207-2710

DALLAS COUNTY JUDGE
COUNTY COURTHOUSE
411 ELM ST
DALLAS TX 75202-3301

SECRETARY
GREATER DALLAS CHAMBER OF COMM
STE 2600
500 NAKARD ST
DALLAS TX 75201-3302

NORTH CENTRAL TEXAS COUNCIL OF
DEPT OF ENVIRONMENTAL
PO BOX 5888
ARLINGTON TX 76005-5888

NORTH TEXAS MUNICIPAL WATER DI
PO BOX 2408
WYLIE TX 75098-2408

PUBLIC HEALTH REGION 2/3
TEXAS DEPARTMENT OF STATE HEAL
1301 S BOWEN RD STE 200
ARLINGTON TX 76013-2262

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
STE 140
2005 NE GREEN OAKS BLVD
ARLINGTON TX 76006-2601

GLENN C CLINGENPEEL
TRINITY RIVER AUTHORITY OF TEX
5300 S COLLINS ST
ARLINGTON TX 76018-1710

MR BRENTON DUNN REG MANAGER
TARRANT REGIONAL WATER DISTRIC
800 E NORTHSIDE DR
FORT WORTH TX 76102-1016

ALFONSO MORUA
DALLAS WATER UTILITIES
2900 WHITE ROCK ROAD
DALLAS TX 75214

ZACHARY S THOMPSON
DALLAS CO HEALTH & HUMAN SERVI
2377 N STEMMONS FWY
DALLAS TX 75207-2710

COUNTY

JENNIFER BOVEE
1305 W TUCKER BLVD
ARLINGTON TX 76013-5030

R W CARTER
RICHARD W CARTER ASSOCIATES
PO BOX 903
MINEOLA TX 75773-0903

JAZMINE COLEMAN
RJN GROUP
STE 710
14755 PRESTON RD
DALLAS TX 75254-6815

CONCERNED CITIZEN
DALLAS WATER UTILITIES
1500 MARILLA ST STE 4AS
DALLAS TX 75201-6318

GLENN G DRAPER PE
DRAPER ENGINEERING
3658 ASBURY ST
DALLAS TX 75205-1849

MARIE EARLEY CITY ATTY
DALLAS OBSERVER
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DALLAS TX 75219-4019

WES KUCERA WASTEWATER DIRECTOR
ROWLETT CREEK WATER REC
2500 E CENTERVILLE RD
GARLAND TX 75040-6811

MATTHEW MILLER
LEGAL AID OF NORTHWEST TEXAS
400 S ZANG BLVD STE 1420
DALLAS TX 75208-6648

ABEL MULUGHETA
1139 HIDDEN RIDGE DR
MESQUITE TX 75181-4260

IP/PROT

ABEL MULUGHETA
APT 1406
1400 HI LINE DR
DALLAS TX 75207-3435

ABEL MULUGHETA
APT 3013
1110 S CESAR CHAVEZ BLVD
DALLAS TX 75201-6062

ABEL MULUGHETA
APT 1106
1630 E 6TH ST
AUSTIN TX 78702-3390

ABEL MULUGHETA
APT 1721
1919 JACKSON ST
DALLAS TX 75201-4931

ROSANA NAREZ
TEX MEX NOTICIAS
PO BOX 1796
GRANBURY TX 76048-8796

ROSANA NAREZ
PO BOX 93331
SOUTHLAKE TX 76092-0113

SUZANNE OLDHAM
3817 TRAVIS ST
DALLAS TX 75204-1518

SUZANNE OLDHAM
APT 1107
2500 MCKINNEY AVE
DALLAS TX 75201-2354

SUZANNE OLDHAM
3817 TRAVIS ST
DALLAS TX 75204-1518

SUZANNE OLDHAM
1156 THE SHORES DR
CORSICANA TX 75109

NORMAN D RADFORD
PO BOX 7650
DALLAS TX 75209-0650

MARTIN C REAMY PRESIDENT
MCR ENGINEERING SERVICE
PO BOX 866336
PLANO TX 75086-6336

KYTINNA SOTO OWNER
LA PRENSA COMUNIDAD
PO BOX 732
TOLAR TX 76476-0732

PAUL D TAYLOR PASTOR
PLEASANT VALLEY BAPTIST CHURCH
PO BOX 850062
MESQUITE TX 75185-0062

RAISCH TOMLANOVICH
APT 209
5010 BRYAN ST
DALLAS TX 75206-7652

MS SARAH K WALLS
CANTEY HANGER LLP
STE 300
600 W 6TH ST
FORT WORTH TX 76102-3684

GWENDOLYN HILL WEBB
PO BOX 368
HOUSTON TX 77001-0368

GWENDOLYN HILL WEBB
4TH FL
900 BAGBY ST
HOUSTON TX 77002-2527

TERRY L WHITE
505 RIGGS CIR
MESQUITE TX 75149-5844

SHANDRANET STARR WILLIAMS
4833 CLAMDIGGER WAY
GARLAND TX 75043-6475

2/1/2021

2771

1/4/21

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



CID # 122174

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 30, 2020

MR WAYNE SCOTT
PLANT MANAGER
BUILDING MATERIALS INVESTMENT CORPORATION
2600 SINGLETON BLVD
DALLAS TX 75212-3738

Re: Draft Federal Operating Permit Approval and Public Notice Authorization
Renewal
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Mr. Scott:

The executive director has completed the technical review of your application as required by the Texas Clean Air Act (TCAA) § 382.0517, as codified in the Texas Health and Safety Code, and has determined that the above-referenced application is administratively complete on August 12, 2020. This letter provides notice of the following:

- instructions describing how to **publish notice** for the draft permit; and
- the executive director's proposed final action is to submit a draft federal operating permit (FOP), which serves as a proposed permit, to the U.S. Environmental Protection Agency (EPA) for **EPA review** to run concurrently with the public notice comment period, unless public comments are received or the executive director grants a hearing request. If EPA review is not concurrent, the EPA review period shall begin no earlier than the close of the public comment period or date of the hearing.

The Form OP-ACPS (Application Compliance Plan and Schedule) submitted with the permit application is still valid for all applicable requirements in the attached draft operating permit, including new source review authorizations. If the Form OP-ACPS is no longer correct for any reason, please submit updated Form OP-ACPS, including an updated compliance plan to Mr. Alfredo Mendoza, P.E., Air Permits Division. This updated compliance plan must be approved by the Texas Commission Environmental Quality (TCEQ) and added to the FOP before publication.

Mr. Wayne Scott
Page 2
December 30, 2020

Public Notice

The TCEQ has prepared a draft permit for your final review and approval. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

You are now required to publish notice for the draft permit. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Instructions for Public Notice
- Public Notice Checklist
- Notice for Newspaper Publication and Sign Posting
- Affidavit of Publication for Air Permitting (Form TCEQ-20479) and Alternative Language Affidavit of Publication for Air Permitting (Form TCEQ-20480)

Please note that it is **very important** that you follow **all** directions in the enclosed instructions. If you do not, you may be required to republish the notice. A common mistake is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

A "Public Notice Checklist" is enclosed which notes the time limitations for each step of the public notice process. This checklist should be used as a tool in conjunction with the enclosed, detailed instructions.

EPA Review

In accordance with Title 30 Texas Administrative Code § 122.350 (30 TAC § 122.350), the procedural requirements of 30 TAC § 122.320 of this title (relating to Public Notice), 30 TAC § 122.322 of this title (relating to Bilingual Public Notice), and the requirements for EPA review under this section may run concurrently. However, if any person submits comments, or the executive director grants a hearing request, the requirement for EPA review may not run concurrently with the period for public notice. If comments are received, the executive director will submit the comments, responses, to the comments a proposed permit and a statement of basis to the EPA and shall restart the 45-day EPA review.

If the EPA does not file an objection to a proposed FOP, or the objection is resolved, the TCEQ will issue the FOP. Any person affected by the decision of the TCEQ, including the applicant, may petition the EPA in accordance with TCAA § 382.0563, as codified in the Texas Health and Safety Code, and 30 TAC § 122.360 within 60 days of the expiration of the EPA's 45-day review period. The petition shall be based only on objections to the permit raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within the public comment period, or the grounds for such objections arose after the public comment period. Additional requirements for the content and formatting of petitions are specified in Title 40 Code of Federal Regulations Part 70 (40 CFR § 70.12).

The EPA may only object to the issuance of any proposed permit that is not in compliance with the applicable requirements or the requirements of this chapter. The 60-day public petition period will begin on the day after the last day of the EPA review period. Public petitions should be submitted to the TCEQ,

Mr. Wayne Scott
Page 3
December 30, 2020

the applicant and the EPA. Instructions on submitting a public petition to the EPA are available at the EPA website:

<https://www.epa.gov/title-v-operating-permits/title-v-petitions>

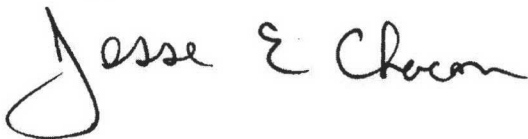
Public petitions should be submitted to the TCEQ at the following address:

Texas Commission Environmental Quality
Attn: Mr. Samuel Short, Deputy Director
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711-3087

The TCEQ will make the draft FOP, the statement of basis, FOP application, compliance certification, and if applicable, the compliance plan and monitoring reports available to the public, EPA, and to the affected states and local programs as needed. If you do not comply with **all** requirements described in the instructions, further processing of your application may be suspended and your application voided, or the agency may take other action.

Thank you for your cooperation in this matter. If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300. If you have any other questions, please contact Mr. Alfredo Mendoza, P.E. at (512) 239-1335.

Sincerely,

A handwritten signature in black ink that reads "Jesse E Chacon". The signature is fluid and cursive, with the first letter of "Jesse" being a large, stylized capital "J".

Jesse E. Chacon, P.E., Manager
Operating Permits Section
Air Permits Division
Texas Commission on Environmental Quality

cc: Mr. Kevin Bush, Environmental Engineer, Building Materials Investment Corporation, Dallas
Manager, Air Pollution Control Program, City of Dallas Office of Environmental Quality, Dallas
Air Section Manager, Region 4 - Dallas/Fort Worth

Project Number: 30975

Public Notice Checklist

Notice of Draft Federal Operating Permit (Title V Notice)

The following tasks must be completed for public notice. If publication in an alternative language is required, please complete the tasks for both the English and alternative language publications. Detailed instructions are included in the "Instructions for Public Notice" section of this package.

Within 30 calendar days after date of this letter

Publish *Notice of Draft Federal Operating Permit* in "public notice" section of newspaper. Review for accuracy prior to publishing.
As part of the expedited permitting process, it is recommended that you publish immediately.
Provide copy of complete application, including any subsequent revisions, statement of basis, and the draft permit at a public place for review and copying. Keep them there for duration of the designated comment period.
Prepare signs.

First day of newspaper publication

Review published newspaper notice for accuracy.
Post signs and keep them up for duration of the designated comment period.
Ensure copy of complete application, including any subsequent revisions, statement of basis, and the draft permit are at the public place.

Within 2 business days after date of publication

Fax proof of publication to Mr. Alfredo Mendoza, P.E. in Air Permits Division at 512-239-1300 or send it by e-mail to Alfredo.Mendoza@tceq.texas.gov.

Within 10 business days after date of publication

Mail proof of publication showing publication date and newspaper name to:
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team / AIR Expedited Permitting
P.O. Box 13087
Austin, Texas 78711-3087
Mail photocopies of proof of publication showing publication date and newspaper name to TCEQ Regional Office and each local program with jurisdiction over your site.

Within 30 calendar days after date of publication

Mail original affidavit of publication for air permitting and alternative language affidavit of publication for air permitting (if applicable) to:
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team / AIR Expedited Permitting
P.O. Box 13087
Austin, Texas 78711-3087
Mail photocopies of affidavits to Mr. Alfredo Mendoza, P.E. in Air Permits Division.

Within 10 business days after end of the designated comment period

Mail Public Notice Verification Form and Form OP-CRO1 to:
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team / AIR Expedited Permitting
P.O. Box 13087
Austin, Texas 78711-3087
Mail photocopies of Public Notice Verification Form and Form OP-CRO1 to Mr. Alfredo Mendoza, P.E. in Air Permits Division.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Instructions for Public Notice For Federal Operating Permit

Notice of Draft Federal Operation Permit

We have completed the technical review of your application and have prepared a draft federal operating permit (FOP) for public notice. The draft FOP and statement of basis are available at the Texas Commission on Environmental Quality (TCEQ or Commission) Website:

www.tceq.texas.gov/goto/tvnotice

You must comply with the following instructions:

Draft Permit Review

The draft FOP is available for your final review and approval. During technical review of the application, the permit reviewer coordinated with you or your technical contact to address and resolve any outstanding issues. Contact the permit reviewer listed in the cover letter immediately if you have any questions related to the draft FOP.

Notice Review

Included in the notice is all of the information which the commission believes is necessary to effectuate compliance with applicable public notice requirements. Please read it carefully and notify the permit reviewer listed in the cover letter immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed *Notice of Draft Federal Operating Permit* **as soon as practical but no later than 30 calendar days** after the date on the cover letter with these instructions.
- You must publish the enclosed *Notice of Draft Federal Operating Permit*, at your expense, in the public notice section of one issue of a newspaper of general circulation in the municipality in which the site or proposed site is located, or the municipality nearest to the location of the site or proposed site.
- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold, italics**). **Failure to do so may require re-notice.**

Alternative Language Notice

In certain circumstances, an applicant for an FOP must complete notice in alternative languages.

- Public notice rules require the applicant to determine whether a bilingual program is required at either the elementary or middle school nearest to the facility or proposed facility location. Bilingual education programs are determined on a district-wide basis. When students who are

required to attend either school are eligible to be enrolled in a bilingual education program, some alternative language notice is required (newspaper notice).

- Since the school district, and not the schools, must provide the bilingual education program, these programs do not have to be located at the elementary or middle schools nearest to the facility or proposed facility to trigger the alternative language notice requirement. Alternative language notice is required when students who would normally attend the nearest schools are eligible to be taught in a bilingual education program at a different location.
- If triggered, publications of alternative language notices must be made in a newspaper or publication printed primarily in each language taught in the bilingual education program. This notice is required if such a newspaper or publication exists in the municipality or the county where the facility is located or proposed to be located.
- The applicant must demonstrate a good faith effort to identify a newspaper or publication in the required language. If a newspaper or publication of general circulation published at least once a month in such language cannot be found, publishing in that language is not required, but signs must still be posted adjacent to each English language sign.
- The applicant has the burden to demonstrate compliance with these requirements. You must fill out the ***Public Notice Verification Form (TCEQ-20244)*** indicating your compliance with the requirements regarding publication in an alternative language. **This form is available at www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html.**
- It is suggested the applicant work with the local school district to do the following:
 - (a) determine if a bilingual program is required in the district;
 - (b) determine which language is required by the bilingual program;
 - (c) locate the nearest elementary and middle schools; and
 - (d) determine if any students attending either school are eligible to be enrolled in a bilingual educational program.
- **If you determine that you must meet the alternative language notice requirements, you are responsible for ensuring that the publication in the alternative language is complete and accurate in that language. Since the most common bilingual programs are in Spanish, the TCEQ has provided example Spanish notice templates for your use. All italic notes should be replaced with the corresponding Spanish translations for the specific application and published in the alternative language publication. Electronic versions of the Spanish templates are available through the Air Permits Division Web site at www.tceq.texas.gov/goto/air/publicnotice.**
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice at your own expense.

Public Comment Period

- The public comment period should last at least **30 calendar days**.
- The comment period will be longer if the last day of the public comment period ends on a weekend or a holiday. In this case, the comment period will end on the next business day.
- The comment period for the permit may lengthen depending on whether a notice and comment hearing is held. If a hearing is held, the comment period will be extended to the date of the hearing.

Sign Posting

- You must also post a sign in English and as applicable, in each alternative language, referencing the draft FOP.
- Please read the sign template carefully and notify the permit reviewer listed in the cover letter immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information for the sign posting. You may not change the text of the sign without prior approval from the TCEQ.
- Signs must be in place on the first day of publication in a newspaper and must remain in place and be legible for the entire comment period or the end of a notice and comment hearing, if a hearing is granted.
- The sign placed at the site must be located at or near the site main entrance, provided that the sign is legible from the public street. If the sign would not be legible from the public street, then the sign shall be placed within ten feet of a property line paralleling a public street.
- The executive director may approve variations if you demonstrate that it is not practical to comply with the specific sign posting requirements. The executive director must approve variations before signs are posted.
- All lettering on the sign must be no less than 1-1/2" in height and in block printed capital lettering.
- The sign must be at least 18" wide and 28" tall, and consist of dark lettering on a white background.
- Alternative language signs are required if alternative notice is required, even if no newspaper can be found.
- Inspect each sign posting daily to ensure they are present and visible throughout the comment period.
- You must submit certification of sign posting within **10 business days** after the end of the public comment period by completing and submitting ***Public Notice Verification Form (TCEQ-20244)***.

Proof of Publication and Public Notice Certification

- Check each publication to ensure that the articles were accurately published.
- You must fax or e-mail a copy of the **proof of publication** of each published notice which shows the complete notice that was published, date of publication, and the name of the newspaper to the permit reviewer, **within 2 business days of publication**. Acceptable proofs of publication are 1) copies of the published notice or 2) the original newspaper clippings of the published notice. If you choose to submit copies of the published notice to the Office of the Chief Clerk, copies must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain original newspaper clippings or tear sheets of the notice for your records.
- You must submit proof of publication of each published notice which shows the complete notice that was published, date of publication, and the name of the newspaper to the Office of the Chief Clerk. In addition, send a copy to the TCEQ Regional Office and to each local program

with jurisdiction over your site, within **10 business days** after the date of publication. You are encouraged to submit the affidavit with the proof of publication described above.

- You must submit an **original publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You must submit the **Public Notice Verification Form (TCEQ-20244)** to the Office of the Chief Clerk and return a copy of this form to the Air Permits Division, within **10 business days** of the end of the public comment period. You must use this form to verify that you have met sign posting requirements and bilingual notice requirements, as applicable. It is also used to verify that you placed a copy of the application, the statement of basis, and draft permit in a public place in the county in which the site is located or proposed to be located. **This form is available at www.tceq.texas.gov/permitting/air/nav/air_publicnotice.html.**
- You must submit a completed *Form OP-CRO1* (Certification by Responsible Official), signed by the Responsible Official or Duly Authorized Representative, that verifies the truth and accuracy of all public notice documentation submitted. You must submit this form to the Office of the Chief Clerk and a copy of this form to the Air Permits Division, within **10 business days** of the end of the public comment period.
- The **original publisher's affidavit, Public Notice Verification Form, Form OP-CRO1, and an acceptable proof of publication of the published notice** must be mailed to:

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

- A copy of the **publisher's affidavit, Public Notice Verification Form, and Form OP-CRO1** must be mailed to:

Texas Commission on Environmental Quality
Air Permits Division, MC-163
Attn: Mr. Alfredo Mendoza, P.E.
P.O. Box 13087
Austin, Texas 78711-3087

- Please ensure that the affidavit(s) you send to the Chief Clerk is/are originals and that all blanks on the affidavit are filled in correctly. Photocopies of affidavits will not be accepted by the Chief Clerk.

Failure to Publish, Submit Proof of Publication and Certification of Public Notice

- You must meet all publication requirements. **If you fail to publish the notice, post signs, meet bilingual notice requirements, or submit proof of publication and public notice certification on time, the TCEQ may suspend further processing of your application or take other actions.**

Application in a Public Place

- You must provide a copy of the complete application, including any subsequent revisions, the statement of basis, and the draft permit, at a public place for review and copying by the public. The draft permit and statement of basis may be accessed at the link noted previously in this document. This place must be in the county in which the site is located or proposed to be located as required by 30 TAC § 122.320(b).

- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).
- The complete application must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place until the end of the comment period.
- If the application is submitted to the TCEQ with information marked as "CONFIDENTIAL," you are required to indicate which specific portions of the application are not being made available to the public. These portions of the applications must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the Texas Commission on Environmental Quality, Public Information Coordinator, MC-197, P.O. Box 13087, Austin, Texas 78711-3087."

General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the Notice of Draft Federal Operating Permit.

If you have questions or need assistance regarding this notice, please contact the permit reviewer listed in the cover letter or the Office of the Chief Clerk at (512) 239-3300.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Notice of Draft Federal Operating Permit

Draft Permit No.: O2771

Application and Draft Permit. Building Materials Investment Corporation, 2600 Singleton Blvd, Dallas, TX 75212-3738, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal and revision of Federal Operating Permit (herein referred to as Permit) No. O2771, Application No. 30975, to authorize operation of the Dallas Plant, an Asphalt Shingle and Coating Materials Manufacturing facility. The area addressed by the application is located at 2600 Singleton Blvd in Dallas, Dallas County, Texas 75212-3738. 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 the application. You can find an electronic map of the facility at: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.777777&lng=-96.863333&zoom=13&type=r>. This application was received by the TCEQ on July 29, 2020.

The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code § 122.10 (30 TAC § 122.10). The draft permit, if approved, will codify the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of the application and has made a preliminary decision to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas 76118-6951; and the Dallas West Branch Library, 2332 Singleton Blvd, Dallas, Texas 75212-3734, beginning the first day of publication of this notice. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

Public Comment/Notice and Comment Hearing. Any person may submit written comments on the draft permit. Comments relating to the accuracy, completeness, and appropriateness of the permit conditions may result in changes to the draft permit.

A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment hearing. The purpose of the notice and comment hearing is to provide an additional opportunity to submit comments on the draft permit. The permit may be changed based on comments pertaining to whether the permit provides for compliance with 30 TAC Chapter 122 (examples may include that the permit does not contain all applicable requirements or the public notice procedures were not satisfied). The TCEQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper notice. The hearing request must include the basis for the request, including a description of how the person may be affected by the emission of air pollutants from the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify how the preliminary decision to issue or deny the permit is inappropriate. All reasonably ascertainable issues must be raised and all reasonably available arguments must be submitted by the end of the public comment period. If a notice and comment hearing is granted, all individuals that submitted written comments or a hearing request will receive written notice of the hearing. This notice will identify the date, time, and location for the hearing.

Written public comments and/or requests for a notice and comment hearing should be submitted to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/

and be received within 30 days after the date of newspaper publication of this notice. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted public comments, a hearing request, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

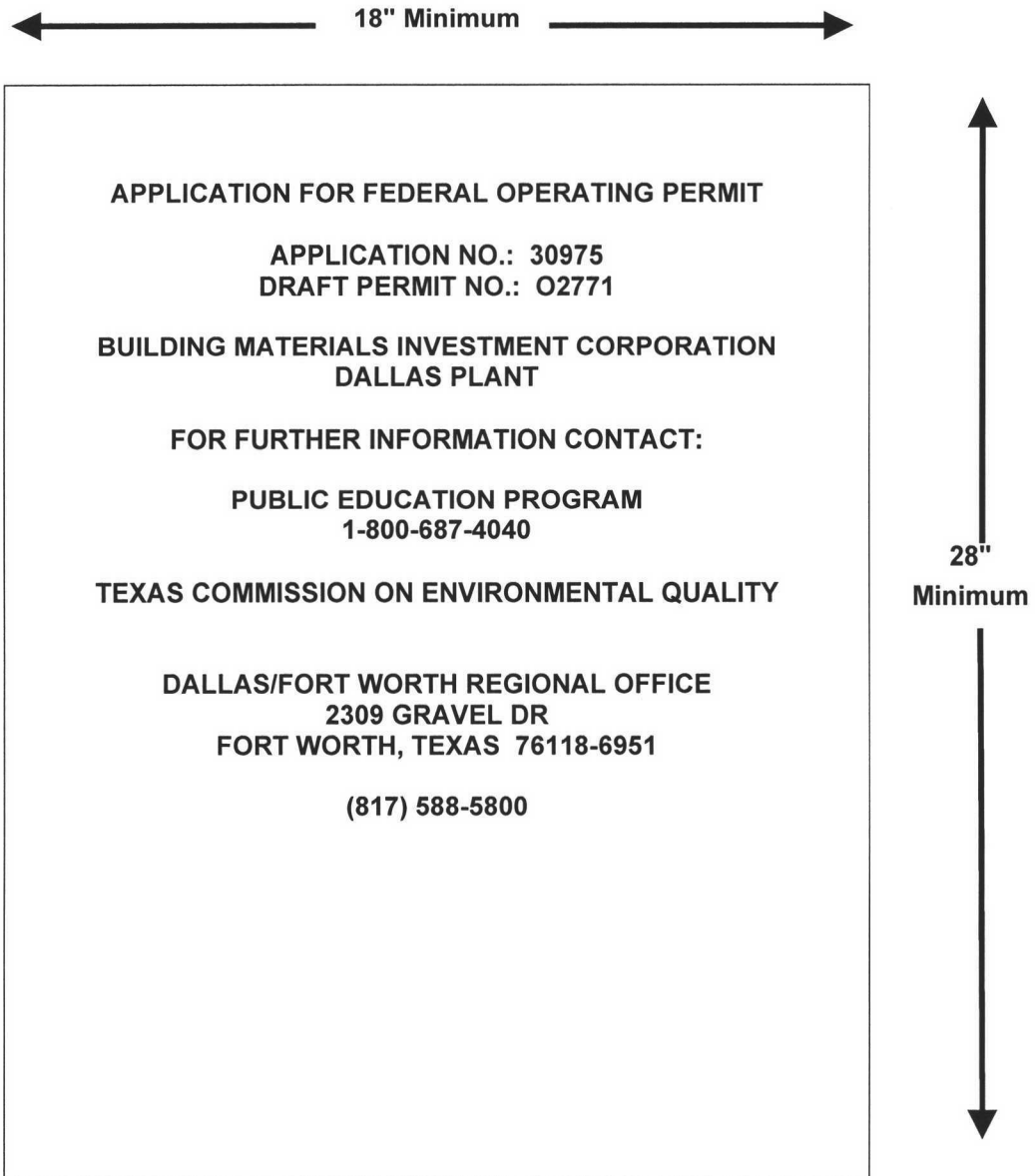
Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained for Building Materials Investment Corporation by calling Mr. Kevin Bush at (972) 872-2325.

Notice Issuance Date: December 30, 2020

Public Notice Example Sign Posting

Sign(s) must be in place on the date of publication of the newspaper notice and must remain in place and be legible throughout the public comment period. Note - The information shown is an **example only**. It is your responsibility to verify that the appropriate information pertaining to **your application** is accurate. Each sign placed at the **area addressed in the FOP application** must be located at or near the site main entrance, provided that the sign is legible from the public street. If the sign would not be legible from the public street, then the sign shall be placed within 10 feet of a property line paralleling a public street.



Sign(s) must be placed at whatever height above the ground is necessary for sign(s) to be 100% visible from the street.

WHITE BACKGROUND WITH BLACK LETTERS

All lettering must be no less than 1-1/2 inch block printed capitals.

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is *(Name of Person Representing Newspaper)*

the _____ of the _____
(Title of Person Representing Newspaper) *(Name of the Newspaper)*

that said newspaper is generally circulated in _____, Texas;
(The municipality or nearest municipality in which the site or proposed site is located)

that the enclosed notice was published in said newspaper on the following date(s):

(newspaper representative's signature)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires

[Seal]

TCEQ-Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Investment Corporation
Permit No.: O2771
Notice of Draft Federal Operating Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION FOR AIR PERMITTING

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes and says that (s)he is (*Name of Person Representing Newspaper*)

the _____ of the _____;
(*Title of Person Representing Newspaper*) (*Name of the Newspaper*)

that said newspaper is generally circulated in _____, Texas;
(*The municipality or county in which the site or proposed site is located*)

that the enclosed notice was published in said newspaper on the following date(s):

(*Newspaper Representative's Signature*)

Subscribed and sworn to before me this the _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

[Seal]

Print or Type Name of Notary Public

My Commission Expires

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General Terms and Conditions

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

In accordance with 30 TAC § 122.144(1), records of required monitoring data and support information required by this permit, or any applicable requirement codified in this permit, are required to be maintained for a period of five years from the date of the monitoring report, sample, or application unless a longer data retention period is specified in an applicable requirement. The five year record retention period supersedes any less stringent retention requirement that may be specified in a condition of a permit identified in the New Source Review Authorization attachment.

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).

Special Terms and Conditions:

Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting

1. Permit holder shall comply with the following requirements:
 - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
 - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
 - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.
 - D. When a grouped citation, notated with a [G] in the Applicable Requirements Summary, contains multiple compliance options, the permit holder must keep records of when each compliance option was used.

- E. Emission units subject to 40 CFR Part 63, Subpart AAAAAAA as identified in the attached Applicable Requirements Summary table are subject to 30 TAC Chapter 113, Subchapter C, § 113.1520 which incorporates the 40 CFR Part 63 Subpart by reference.
2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):
- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
 - B. Title 30 TAC § 101.3 (relating to Circumvention)
 - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
 - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
 - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
 - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
 - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Start-up, and Shutdown Reporting and Recordkeeping Requirements)
 - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
 - I. Title 30 TAC § 101.222 (relating to Demonstrations)
 - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. Visible emissions from stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 that are not listed in the Applicable Requirements Summary attachment for 30 TAC Chapter 111, Subchapter A, Division 1, shall not exceed 20% opacity averaged over a six-minute period. The permit holder shall comply with the following requirements for stationary vents at the site subject to this standard:
 - (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
 - (ii) Title 30 TAC § 111.111(a)(1)(E)
 - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
 - (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that are not capable of producing visible emissions such as vents that emit only colorless VOCs; vents from non-fuming liquids; vents that provide passive

ventilation, such as plumbing vents; or vent emissions from any other source that does not obstruct the transmission of light. Vents, as specified in the "Applicable Requirements Summary" attachment, that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) are not subject to the following periodic monitoring requirements:

- (1) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
- (2) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
- (3) Records of all observations shall be maintained.
- (4) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (5) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity

requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

B. For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(7)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(7)(B)(i) or (ii)
- (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
 - (1) An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the air emission source or enclosed facility is not operating for the entire quarter.
 - (2) Records of all observations shall be maintained.
 - (3) Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to

condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

(4) Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- C. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
- D. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
- E. Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153, shall comply with the following requirements:
 - (i) Emissions of PM from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (relating to Allowable Emissions Limits)
 - (ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in 30 TAC § 111.151(b)
 - (iii) Effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c)
- F. Outdoor burning, as stated in 30 TAC § 111.201, shall not be authorized unless the following requirements are satisfied:
 - (i) Title 30 TAC § 111.205 (relating to Exception for Fire Training)
 - (ii) Title 30 TAC § 111.207 (relating to Exception for Recreation, Ceremony, Cooking, and Warmth)

- (iii) Title 30 TAC § 111.209 (relating to Exception for Disposal Fires)
 - (iv) Title 30 TAC § 111.211 (relating to Exception for Prescribed Burn)
 - (v) Title 30 TAC § 111.213 (relating to Exception for Hydrocarbon Burning)
 - (vi) Title 30 TAC § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
 - (vii) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
4. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 60, unless otherwise stated in the applicable subpart:
- A. Title 40 CFR § 60.7 (relating to Notification and Recordkeeping)
 - B. Title 40 CFR § 60.8 (relating to Performance Tests)
 - C. Title 40 CFR § 60.11 (relating to Compliance with Standards and Maintenance Requirements)
 - D. Title 40 CFR § 60.12 (relating to Circumvention)
 - E. Title 40 CFR § 60.13 (relating to Monitoring Requirements)
 - F. Title 40 CFR § 60.14 (relating to Modification)
 - G. Title 40 CFR § 60.15 (relating to Reconstruction)
 - H. Title 40 CFR § 60.19 (relating to General Notification and Reporting Requirements)
5. The permit holder shall comply with the requirements of 30 TAC Chapter 113, Subchapter C, § 113.100 for units subject to any subpart of 40 CFR Part 63, unless otherwise stated in the applicable subpart.

Additional Monitoring Requirements

6. The permit holder shall comply with the periodic monitoring requirements as specified in the attached "Periodic Monitoring Summary" upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time or minimum frequency specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

New Source Review Authorization Requirements

7. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard

permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:

- A. Are incorporated by reference into this permit as applicable requirements
 - B. Shall be located with this operating permit
 - C. Are not eligible for a permit shield
8. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
9. The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a permit by rule (PBR) or Standard Permit listed in the New Source Review Authorizations attachment. The records shall yield reliable data from the relevant time period that are representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).
10. The permit holder shall comply with the following requirements for Air Quality Standard Permits:
- A. Registration requirements listed in 30 TAC § 116.611, unless otherwise provided for in an Air Quality Standard Permit
 - B. General Conditions listed in 30 TAC § 116.615, unless otherwise provided for in an Air Quality Standard Permit
 - C. Requirements of the non-rule Air Quality Standard Permit for Pollution Control Projects

Compliance Requirements

11. The permit holder shall certify compliance in accordance with 30 TAC § 122.146. The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.
12. Use of Emission Credits to comply with applicable requirements:
- A. Unless otherwise prohibited, the permit holder may use emission credits to comply with the following applicable requirements listed elsewhere in this permit:
 - (i) Title 30 TAC Chapter 115
 - (ii) Title 30 TAC Chapter 117

- (iii) Offsets for Title 30 TAC Chapter 116
- B. The permit holder shall comply with the following requirements in order to use the emission credits to comply with the applicable requirements:
 - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.306(c)-(d)
 - (ii) The emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 1
 - (iii) The executive director has approved the use of the credit according to 30 TAC § 101.306(c)-(d)
 - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.302(g) and 30 TAC Chapter 122
 - (v) Title 30 TAC § 101.305 (relating to Emission Reductions Achieved Outside the United States)
- 13. Use of Discrete Emission Credits to comply with the applicable requirements:
 - A. Unless otherwise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
 - (i) Title 30 TAC Chapter 115
 - (ii) Title 30 TAC Chapter 117
 - (iii) If applicable, offsets for Title 30 TAC Chapter 116
 - (iv) Temporarily exceed state NSR permit allowables
 - B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
 - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
 - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
 - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
 - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC Chapter 122
 - (v) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)

Permit Location

14. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

Permit Shield (30 TAC § 122.148)

15. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.

Attachments

Applicable Requirements Summary

Additional Monitoring Requirements

Permit Shield

New Source Review Authorization References

Applicable Requirements Summary

Unit Summary 12

Applicable Requirements Summary 15

Note: A "none" entry may be noted for some emission sources in this permit's "Applicable Requirements Summary" under the heading of "Monitoring and Testing Requirements" and/or "Recordkeeping Requirements" and/or "Reporting Requirements." Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Recordkeeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
1-1	Emission Points/Stationary Vents/Process Vents	N/A	R1111-1	30 TAC Chapter 111, Visible Emissions	No changing attributes.
1-3	Emission Points/Stationary Vents/Process Vents	N/A	R1111-1	30 TAC Chapter 111, Visible Emissions	No changing attributes.
BLR5	Boilers/Steam Generators/Steam Generating Units	N/A	60DC-BLR5	40 CFR Part 60, Subpart Dc	No changing attributes.
COOL1	Emission Points/Stationary Vents/Process Vents	N/A	R1111-1	30 TAC Chapter 111, Visible Emissions	No changing attributes.
LINE1	Asphalt Operations	N/A	63AAAAAAA-1	40 CFR Part 63, Subpart AAAAAAA	Unit Operation = asphalt processing operation
LINE1	Asphalt Operations	N/A	63AAAAAAA-2	40 CFR Part 63, Subpart AAAAAAA	Unit Operation = asphalt roofing manufacturing line
LINE3	Asphalt Operations	N/A	60UU-3	40 CFR Part 60, Subpart UU	Emissions Control = High velocity air filter.
LINE3	Asphalt Operations	N/A	60UU-4	40 CFR Part 60, Subpart UU	Emissions Control = Electrostatic precipitator.
LINE3	Asphalt Operations	N/A	63AAAAAAA-1	40 CFR Part 63, Subpart AAAAAAA	Unit Operation = asphalt processing operation
LINE3	Asphalt Operations	N/A	63AAAAAAA-2	40 CFR Part 63, Subpart AAAAAAA	Unit Operation = asphalt roofing manufacturing line
SEALAP	Emission Points/Stationary Vents/Process Vents	N/A	R5112-SLAP	30 TAC Chapter 115, Vent Gas Controls	No changing attributes.
T-1	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-10	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
T-110	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-120	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-14	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-15	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-16	Storage Tanks/Vessels	N/A	R5112-1	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-17	Storage Tanks/Vessels	N/A	R5112-2	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-18	Storage Tanks/Vessels	N/A	R5112-3	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-19	Storage Tanks/Vessels	N/A	R5112-4	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-2	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-20	Storage Tanks/Vessels	N/A	R5112-5	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-21	Storage Tanks/Vessels	N/A	R5112-6	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-41	Loading/Unloading Operations	N/A	R5211-1	30 TAC Chapter 115, Loading and Unloading of VOC	No changing attributes.
T-41	Storage Tanks/Vessels	N/A	R5112-7	30 TAC Chapter 115, Storage of VOCs	No changing attributes.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
T-8	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-80	Loading/Unloading Operations	N/A	R5211-2	30 TAC Chapter 115, Loading and Unloading of VOC	No changing attributes.
T-80	Storage Tanks/Vessels	N/A	R5112-8	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T-9	Storage Tanks/Vessels	N/A	R5112-ASP	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
T26	Asphalt Operations	N/A	60UU-T26	40 CFR Part 60, Subpart UU	No changing attributes.
T26	Asphalt Operations	N/A	63AAAAAAA-1	40 CFR Part 63, Subpart AAAAAAA	No changing attributes.
TK-AD	Storage Tanks/Vessels	N/A	R5112-9	30 TAC Chapter 115, Storage of VOCs	No changing attributes.
WHBLR1	Boilers/Steam Generators/Steam Generating Units	N/A	60DC-WHBLR1	40 CFR Part 60, Subpart Dc	No changing attributes.

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
1-1	EP	R1111-1	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(A) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 30% averaged over a six minute period.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
1-3	EP	R1111-1	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(A) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 30% averaged over a six minute period.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
BLR5	EU	60DC-BLR5	PM	40 CFR Part 60, Subpart Dc	§ 60.40c(a)	This subpart applies to each steam generating unit constructed, reconstructed, or modified after 6/9/89 and that has a maximum design heat input capacity of 2.9-29 megawatts (MW).	None	§ 60.48c(g)(1) § 60.48c(g)(2) § 60.48c(g)(3) § 60.48c(i)	[G]§ 60.48c(a) § 60.48c(j)
BLR5	EU	60DC-BLR5	PM (Opacity)	40 CFR Part 60, Subpart Dc	§ 60.40c(a)	This subpart applies to each steam generating unit constructed, reconstructed, or modified after 6/9/89 and that has a maximum design heat input capacity of 2.9-29 megawatts (MW).	None	§ 60.48c(g)(1) § 60.48c(g)(2) § 60.48c(g)(3) § 60.48c(i)	[G]§ 60.48c(a) § 60.48c(j)
BLR5	EU	60DC-BLR5	SO ₂	40 CFR Part 60, Subpart Dc	§ 60.40c(a)	This subpart applies to each steam generating unit constructed, reconstructed, or modified after 6/9/89 and that has a maximum design heat input capacity of 2.9-29 megawatts (MW).	None	§ 60.48c(g)(1) § 60.48c(g)(2) § 60.48c(g)(3) § 60.48c(i)	[G]§ 60.48c(a) § 60.48c(j)
COOL1	EP	R1111-1	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(A) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 30% averaged over a six minute period.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
LINE1	EU	63AAAAA AA-1	PM	40 CFR Part 63, Subpart AAAAAA	§ 63.11561(a)-Table 1.1.b	For asphalt processing operations, the owner or operator shall limit PM emissions to 1.2 lb/ton of asphalt charged to the blowing stills.	§ 63.11562(a)(1)(i)-Table 3.1 § 63.11562(a)(1)(i)-Table 3.2 § 63.11562(a)(1)(i)-Table 3.3 § 63.11562(a)(1)(i)-Table 3.4 § 63.11562(a)(1)(i)-Table 3.5 § 63.11562(a)(2)(i)-Table 4.1 § 63.11562(g) [G]§ 63.11562(i) [G]§ 63.11563(d)	[G]§ 63.11564(c)	§ 63.11564(a)(1) § 63.11564(a)(2) § 63.11564(a)(4) § 63.11564(a)(5) [G]§ 63.11564(b)
LINE1	EU	63AAAAA AA-2	PM	40 CFR Part 63, Subpart AAAAAA	§ 63.11561(b)-Table 2.3.b	For asphalt roofing manufacturing lines, the owner or operator shall limit PM emissions to 0.36 lb/ton of asphalt roofing product manufactured.	§ 63.11562(b)(1)(i)-Table 3.1 § 63.11562(b)(1)(i)-Table 3.2 § 63.11562(b)(1)(i)-Table 3.3 § 63.11562(b)(1)(i)-Table 3.4 § 63.11562(b)(1)(i)-Table 3.5 § 63.11562(b)(3)(i)-Table 4.2 § 63.11562(b)(3)(i)-Table 4.3 § 63.11562(g) [G]§ 63.11562(i) § 63.11563(a) [G]§ 63.11563(b) [G]§ 63.11563(c) [G]§ 63.11563(e) § 63.11563(f) § 63.11563(i)	[G]§ 63.11564(c)	§ 63.11564(a)(1) § 63.11564(a)(2) § 63.11564(a)(4) § 63.11564(a)(5)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
LINE3	EU	60UU-3	PM	40 CFR Part 60, Subpart UU	§ 60.472(b)(3)	On/after the §60.8(b) tests, no blowing still shall discharge PM in excess of 0.60 kg of particulate/ megagram of asphalt charged to the still during blowing without a catalyst.	§ 60.473(d) § 60.474(b) § 60.474(c)(1) § 60.474(c)(2) [G]§ 60.474(c)(4) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)
LINE3	EU	60UU-3	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(b)(5)	No blowing still shall discharge gases with opacity > 0% unless opacity limit for the blowing still when fuel oil is used to fire the afterburner has been established in accordance with §60.474(k).	§ 60.473(d) § 60.474(b) § 60.474(c)(5) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)
LINE3	EU	60UU-3	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(d)	Within 60 days of maximum production rate, but not later than 180 days after initial startup, mineral handling and storage facility shall not discharge emissions with opacity > 1% into the atmosphere.	§ 60.473(c) § 60.473(d) § 60.474(b) § 60.474(c)(5) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(c) § 60.473(d)
LINE3	EU	60UU-3	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(a)(2) § 60.472(a)(3)	On/after the §60.8(b) tests, no saturator shall discharge exhaust gases with opacity greater than 20 percent into the atmosphere.	§ 60.473(d) § 60.474(a) § 60.474(a)(3) § 60.474(b) § 60.474(c)(5) § 60.474(d) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
LINE3	EU	60UU-3	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(c)	Within 60 days of maximum production rate, but not later than 180 days after initial startup, asphalt storage tank exhaust gases shall not discharge opacity > 0%, except as specified.	§ 60.473(d) § 60.474(b) § 60.474(c)(5) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)
LINE3	EU	60UU-4	PM	40 CFR Part 60, Subpart UU	§ 60.472(b)(3)	On/after the §60.8(b) tests, no blowing still shall discharge PM in excess of 0.60 kg of particulate/ megagram of asphalt charged to the still during blowing without a catalyst.	§ 60.473(d) § 60.474(b) § 60.474(c)(1) § 60.474(c)(2) [G]§ 60.474(c)(4) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)
LINE3	EU	60UU-4	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(a)(2) § 60.472(a)(3)	On/after the §60.8(b) tests, no saturator shall discharge exhaust gases with opacity greater than 20 percent into the atmosphere.	§ 60.473(d) § 60.474(a) § 60.474(a)(3) § 60.474(b) § 60.474(c)(5) § 60.474(d) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)
LINE3	EU	60UU-4	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(b)(5)	No blowing still shall discharge gases with opacity > 0% unless opacity limit for the blowing still when fuel oil is used to fire the afterburner has been established in accordance with §60.474(k).	§ 60.473(d) § 60.474(b) § 60.474(c)(5) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
LINE3	EU	60UU-4	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(c)	Within 60 days of maximum production rate, but not later than 180 days after initial startup, asphalt storage tank exhaust gases shall not discharge opacity > 0%, except as specified.	§ 60.473(d) § 60.474(b) § 60.474(c)(5) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(d)
LINE3	EU	60UU-4	PM (Opacity)	40 CFR Part 60, Subpart UU	§ 60.472(d)	Within 60 days of maximum production rate, but not later than 180 days after initial startup, mineral handling and storage facility shall not discharge emissions with opacity > 1% into the atmosphere.	§ 60.473(c) § 60.473(d) § 60.474(b) § 60.474(c)(5) ** See Periodic Monitoring Summary	§ 60.473(d)	§ 60.473(c) § 60.473(d)
LINE3	EU	63AAAAA AA-1	PM	40 CFR Part 63, Subpart AAAAAA	§ 63.11561(a)-Table 1.1.b	For asphalt processing operations, the owner or operator shall limit PM emissions to 1.2 lb/ton of asphalt charged to the blowing stills.	§ 63.11562(a)(1)(i)-Table 3.1 § 63.11562(a)(1)(i)-Table 3.2 § 63.11562(a)(1)(i)-Table 3.3 § 63.11562(a)(1)(i)-Table 3.4 § 63.11562(a)(1)(i)-Table 3.5 § 63.11562(a)(2)(i)-Table 4.1 § 63.11562(g) [G]§ 63.11562(i) § 63.11563(a) [G]§ 63.11563(d) § 63.11563(i)	[G]§ 63.11564(c)	§ 63.11564(a)(1) § 63.11564(a)(2) § 63.11564(a)(4) § 63.11564(a)(5) [G]§ 63.11564(b)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
LINE3	EU	63AAAAA AA-2	PM	40 CFR Part 63, Subpart AAAAAAA	§ 63.11561(b)-Table 2.3.b	For asphalt roofing manufacturing lines, the owner or operator shall limit PM emissions to 0.36 lb/ton of asphalt roofing product manufactured.	§ 63.11562(b)(1)(i)-Table 3.1 § 63.11562(b)(1)(i)-Table 3.2 § 63.11562(b)(1)(i)-Table 3.3 § 63.11562(b)(1)(i)-Table 3.4 § 63.11562(b)(1)(i)-Table 3.5 § 63.11562(b)(3)(i)-Table 4.2 § 63.11562(b)(3)(i)-Table 4.3 § 63.11562(g) [G]§ 63.11562(i) § 63.11563(a) [G]§ 63.11563(b) [G]§ 63.11563(c) [G]§ 63.11563(e) § 63.11563(f) § 63.11563(i)	[G]§ 63.11564(c)	§ 63.11564(a)(1) § 63.11564(a)(2) § 63.11564(a)(4) § 63.11564(a)(5)
SEALAP	EP	R5112- SLAP	VOC	30 TAC Chapter 115, Vent Gas Controls	§ 115.127(a)(2)(A) [G]§ 115.122(a)(4) § 115.127(a)(2)	A vent gas stream having a combined weight of volatile organic compounds (VOC) equal to or less than 100 pounds in any continuous 24-hour period is exempt from §115.121(a)(1) of this title.	[G]§ 115.125 § 115.126(2)	§ 115.126 § 115.126(2) § 115.126(4)	None
T-1	EU	R5112- ASP	VOC	30 TAC Chapter 115, Storage of VOCs	§ 115.111(a)(1)	Except as provided in § 115.118, a storage tank storing VOC with a true vapor pressure less than 1.5 psia is exempt from the requirements of this division.	[G]§ 115.117	§ 115.118(a)(1) § 115.118(a)(5) § 115.118(a)(7)	None

Statement of Basis of the Federal Operating Permit

Building Materials Investment Corporation

Site Name: GAF Materials
Area Name: Dallas Plant
Physical Location: 2600 Singleton Blvd
Nearest City: Dallas
County: Dallas

Permit Number: O2771
Project Type: Renewal

The North American Industry Classification System (NAICS) Code: 324122
NAICS Name: Asphalt Shingle and Coating Materials Manufacturing

This Statement of Basis sets forth the legal and factual basis for the draft permit conditions in accordance with 30 TAC §122.201(a)(4). Per 30 TAC §§ 122.241 and 243, the permit holder has submitted an application under § 122.134 for permit renewal. This document includes the following information:

- A description of the facility/area process description;
- A basis for applying permit shields;
- A list of the federal regulatory applicability determinations;
- A table listing the determination of applicable requirements;
- A list of the New Source Review Requirements;
- The rationale for periodic monitoring methods selected;
- A compliance status; and
- A list of available unit attribute forms.

Prepared on: December 30, 2020

Operating Permit Basis of Determination

Permit Area Process Description

The Dallas facility manufactures asphalt shingles for the roofing industry. In the manufacture of asphalt roofing products, a dry non-woven fiberglass mat is fed into the roofing machine from an unwind stand. A mechanical splicer and an accumulator are provided so that the rolls can be fed in sequence by splicing without interruption of the operation. The unwind stand and the accumulator are vented to a dust collector.

The fiberglass mat is next carried through the coating section, where coating asphalt mixed with stabilizer (limestone) is applied to both surfaces of the mat. This section of the machine is vented to an electrostatic precipitator.

The coating section is immediately followed by the surfacing section. In the surfacing area, ceramic colored granules are blended and dropped in proper sequence onto the coated web and embedded. The back surface of the sheet is sprinkled with sand to prevent it from adhering to rolls and itself in the finished package. This area is vented through an assortment of hooded pick-ups to a dust collector.

The hot sheet, now with a mineralized surface, then goes into the cooling section of the machine. Cooling is achieved by passing the web over a series of water cooled drums, through water mist sprays and between air jets. It is then accumulated in festoons in the looper section of the machine to provide surge capacity required prior to cutting. Vapors in these areas are vented to the atmosphere. Self-seal striping dots are applied, and the sheet is cut into shingles and automatically packaged.

FOPs at Site

The "application area" consists of the emission units and that portion of the site included in the application and this permit. Multiple FOPs may be issued to a site in accordance with 30 TAC § 122.201(e). When there is only one area for the site, then the application information and permit will include all units at the site. Additional FOPs that exist at the site, if any, are listed below.

Additional FOPs: None

Major Source Pollutants

The table below specifies the pollutants for which the site is a major source:

Major Pollutants	SO ₂ , PM
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Reading State of Texas's Federal Operating Permit

The Title V Federal Operating Permit (FOP) lists all state and federal air emission regulations and New Source Review (NSR) authorizations (collectively known as "applicable requirements") that apply at a particular site or permit area (in the event a site has multiple FOPs). **The FOP does not authorize new emissions or new construction activities.** The FOP begins with an introductory page which is common to all Title V permits. This page gives the details of the company, states the authority of the issuing agency, requires the company to operate in accordance with this permit and 30 Texas Administrative Code (TAC) Chapter 122, requires adherence with NSR requirements of 30 TAC Chapter 116, and finally indicates the permit number and the issuance date.

This is followed by the table of contents, which is generally composed of the following elements. Not all permits will have all of the elements.

- General Terms and Conditions
- Special Terms and Conditions
 - Emissions Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting

- Additional Monitoring Requirements
- New Source Review Authorization Requirements
- Compliance Requirements
- Protection of Stratosphere Ozone
- Permit Location
- Permit Shield (30 TAC § 122.148)
- Attachments
 - Applicable Requirements Summary
 - Unit Summary
 - Applicable Requirements Summary
 - Additional Monitoring Requirements
 - Permit Shield
 - New Source Review Authorization References
 - Compliance Plan
 - Alternative Requirements
- Appendix A
 - Acronym list

General Terms and Conditions

The General Terms and Conditions are the same and appear in all permits. The first paragraph lists the specific citations for 30 TAC Chapter 122 requirements that apply to all Title V permit holders. The second paragraph describes the requirements for record retention. The third paragraph provides details for voiding the permit, if applicable. The fourth paragraph states that the permit holder shall comply with the requirements of 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit. The fifth paragraph provides details on submission of reports required by the permit.

Special Terms and Conditions

Emissions Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting. The TCEQ has designated certain applicable requirements as site-wide requirements. A site-wide requirement is a requirement that applies uniformly to all the units or activities at the site. Units with only site-wide requirements are addressed on Form OP-REQ1 and are not required to be listed separately on an OP-UA Form or Form OP-SUM. Form OP-SUM must list all units addressed in the application and provide identifying information, applicable OP-UA Forms, and preconstruction authorizations. The various OP-UA Forms provide the characteristics of each unit from which applicable requirements are established. Some exceptions exist as a few units may have both site-wide requirements and unit specific requirements.

Other conditions. The other entries under special terms and conditions are in general terms referring to compliance with the more detailed data listed in the attachments.

Attachments

Applicable Requirements Summary. The first attachment, the Applicable Requirements Summary, has two tables, addressing unit specific requirements. The first table, the Unit Summary, includes a list of units with applicable requirements, the unit type, the applicable regulation, and the requirement driver. The intent of the requirement driver is to inform the reader that a given unit may have several different operating scenarios and the differences between those operating scenarios.

The applicable requirements summary table provides the detailed citations of the rules that apply to the various units. For each unit and operating scenario, there is an added modifier called the "index number," detailed citations specifying monitoring and testing requirements, recordkeeping requirements, and reporting requirements. The data for this table is based on data supplied by the applicant on the OP-SUM and various OP-UA forms.

Additional Monitoring Requirement. The next attachment includes additional monitoring the applicant must perform to ensure compliance with the applicable standard. Compliance assurance monitoring (CAM) is often required to provide a reasonable assurance of compliance with applicable emission limitations/standards for large emission units that use

control devices to achieve compliance with applicant requirements. When necessary, periodic monitoring (PM) requirements are specified for certain parameters (i.e. feed rates, flow rates, temperature, fuel type and consumption, etc.) to determine if a term and condition or emission unit is operating within specified limits to control emissions. These additional monitoring approaches may be required for two reasons. First, the applicable rules do not adequately specify monitoring requirements (exception- Maximum Achievable Control Technology Standards (MACTs) generally have sufficient monitoring), and second, monitoring may be required to fill gaps in the monitoring requirements of certain applicable requirements. In situations where the NSR permit is the applicable requirement requiring extra monitoring for a specific emission unit, the preferred solution is to have the monitoring requirements in the NSR permit updated so that all NSR requirements are consolidated in the NSR permit.

Permit Shield. A permit may or may not have a permit shield, depending on whether an applicant has applied for, and justified the granting of, a permit shield. A permit shield is a special condition included in the permit document stating that compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirement(s) or specified applicable state-only requirement(s).

New Source Review Authorization References. All activities which are related to emissions in the state of Texas must have a NSR authorization prior to beginning construction. This section lists all units in the permit and the NSR authorization that allowed the unit to be constructed or modified. Units that do not have unit specific applicable requirements other than the NSR authorization do not need to be listed in this attachment. While NSR permits are not physically a part of the Title V permit, they are legally incorporated into the Title V permit by reference. Those NSR permits whose emissions exceed certain PSD/NA thresholds must also undergo a Federal review of federally regulated pollutants in addition to review for state regulated pollutants.

Compliance Plan. A permit may have a compliance schedule attachment for listing corrective actions plans for any emission unit that is out of compliance with an applicable requirement.

Alternative Requirements. This attachment will list any alternative monitoring plans or alternative means of compliance for applicable requirements that have been approved by the EPA Administrator and/or the TCEQ Executive Director.

Appendix A

Acronym list. This attachment lists the common acronyms used when discussing the FOPs.

Stationary vents subject to 30 TAC Chapter 111, Subchapter A, § 111.111(a)(1)(B) addressed in the Special Terms and Conditions

The site contains stationary vents with a flowrate less than 100,000 actual cubic feet per minute (acfm) and constructed after January 31, 1972 which are limited, over a six-minute average, to 20% opacity as required by 30 TAC § 111.111(a)(1)(B). As a site may have a large number of stationary vents that fall into this category, they are not required to be listed individually in the permit's Applicable Requirement Summary. This is consistent with EPA's White Paper for Streamlined Development of Part 70 Permit Applications, July 10, 1995, that states that requirements that apply identically to emission units at a site can be treated on a generic basis such as source-wide opacity limits.

Periodic monitoring is specified in Special Term and Condition 3 for stationary vents subject to 30 TAC § 111.111(a)(1)(B) to verify compliance with the 20% opacity limit. These vents are not expected to produce visible emissions during normal operation. The TCEQ evaluated the probability of these sources violating the opacity standards and determined that there is a very low potential that an opacity standard would be exceeded. It was determined that continuous monitoring for these sources is not warranted as there would be very limited environmental benefit in continuously monitoring sources that have a low potential to produce visible emissions. Therefore, the TCEQ set the visible observation monitoring frequency for these sources to once per calendar quarter.

The TCEQ has exempted vents that are not capable of producing visible emissions from periodic monitoring requirements. These vents include sources of colorless VOCs, non-fuming liquids, and other materials that cannot produce emissions that obstruct the transmission of light. Passive ventilation vents, such as plumbing vents, are also included in this category. Since this category of vents are not capable of producing opacity due to the physical or

chemical characteristics of the emission source, periodic monitoring is not required as it would not yield any additional data to assure compliance with the 20% opacity standard of 30 TAC § 111.111(a)(1)(B).

In the event that visible emissions are detected, either through the quarterly observation or other credible evidence, such as observations from company personnel, the permit holder shall either report a deviation or perform a Test Method 9 observation to determine the opacity consistent with the 6-minute averaging time specified in 30 TAC § 111.111(a)(1)(B). An additional provision is included to monitor combustion sources more frequently than quarterly if alternate fuels are burned for periods greater than 24 consecutive hours. This will address possible emissions that may arise when switching fuel types.

Stationary Vents subject to 30 TAC Chapter 111 not addressed in the Special Terms and Conditions

All other stationary vents subject to 30 TAC Chapter 111 not covered in the Special Terms and Conditions are listed in the permit's Applicable Requirement Summary. The basis for the applicability determinations for these vents are listed in the Determination of Applicable Requirements table.

Federal Regulatory Applicability Determinations

The following chart summarizes the applicability of the principal air pollution regulatory programs to the permit area:

Regulatory Program	Applicability (Yes/No)
Prevention of Significant Deterioration (PSD)	No
Nonattainment New Source Review (NNSR)	No
Minor NSR	Yes
40 CFR Part 60 - New Source Performance Standards	Yes
40 CFR Part 61 - National Emission Standards for Hazardous Air Pollutants (NESHAPs)	No
40 CFR Part 63 - NESHAPs for Source Categories	Yes
Title IV (Acid Rain) of the Clean Air Act (CAA)	No
Title V (Federal Operating Permits) of the CAA	Yes
Title VI (Stratospheric Ozone Protection) of the CAA	No
CSAPR (Cross-State Air Pollution Rule)	No
Federal Implementation Plan for Regional Haze (Texas SO ₂ Trading Program)	No

Basis for Applying Permit Shields

An operating permit applicant has the opportunity to specifically request a permit shield to document that specific applicable requirements do not apply to emission units in the permit. A permit shield is a special condition stating that compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable

requirements or specified potentially applicable state-only requirements. A permit shield has been requested in the application for specific emission units. For the permit shield requests that have been approved, the basis of determination for regulations that the owner/operator need not comply with are located in the "Permit Shield" attachment of the permit.

Insignificant Activities and Emission Units

In general, units not meeting the criteria for inclusion on either Form OP-SUM or Form OP-REQ1 are not required to be addressed in the operating permit application. Examples of these types of units include, but are not limited to, the following:

De Minimis Sources

1. Sources identified in the "De Minimis Facilities or Sources" list maintained by TCEQ. The list is available at https://www.tceq.texas.gov/permitting/air/newsourcereview/de_minimis.html.

Miscellaneous Sources

2. Office activities such as photocopying, blueprint copying, and photographic processes.
3. Outdoor barbecue pits, campfires, and fireplaces.
4. Storage and handling of sealed portable containers, cylinders, or sealed drums.
5. Vehicle exhaust from maintenance or repair shops.
6. Storage and use of non-VOC products or equipment for maintaining motor vehicles operated at the site (including but not limited to, antifreeze and fuel additives).
7. Air contaminant detectors and recorders, combustion controllers and shut-off devices, product analyzers, laboratory analyzers, continuous emissions monitors, other analyzers and monitors, and emissions associated with sampling activities. Exception to this category includes sampling activities that are deemed fugitive emissions and under a regulatory leak detection and repair program.
8. Steam vents, steam leaks, and steam safety relief valves, provided the steam (or boiler feedwater) has not contacted other materials or fluids containing regulated air pollutants other than boiler water treatment chemicals.
9. Storage of water that has not contacted other materials or fluids containing regulated air pollutants other than boiler water treatment chemicals.
10. Well cellars.
11. Fire or emergency response equipment and training, including but not limited to, use of fire control equipment including equipment testing and training, and open burning of materials or fuels associated with firefighting training.
12. Equipment used exclusively for the melting or application of wax.
13. Instrument systems utilizing air, natural gas, nitrogen, oxygen, carbon dioxide, helium, neon, argon, krypton, and xenon.
14. Battery recharging areas.

Sources Authorized by 30 TAC Chapter 106, Permits by Rule

15. Sources authorized by §106.102: Combustion units designed and used exclusively for comfort heating purposes employing liquid petroleum gas, natural gas, solid wood, or distillate fuel oil.
16. Sources authorized by §106.122: Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including but not limited to, assorted vacuum producing devices and laboratory fume hoods.
17. Sources authorized by §106.141: Batch mixers with rated capacity of 27 cubic feet or less for mixing cement, sand, aggregate, lime, gypsum, additives, and/or water to produce concrete, grout, stucco, mortar, or other similar products.
18. Sources authorized by §106.143: Wet sand and gravel production facilities that obtain material from subterranean and subaqueous beds where the deposits of sand and gravel are consolidated granular materials resulting from natural disintegration of rock and stone and have a production rate of 500 tons per hour or less.
19. Sources authorized by §106.148: Railcar or truck unloading of wet sand, gravel, aggregate, coal, lignite, and scrap iron or scrap steel (but not including metal ores, metal oxides, battery parts, or fine dry materials) into trucks or other railcars for transportation to other locations.

20. Sources authorized by §106.149: Sand and gravel production facilities that obtain material from deposits of sand and gravel consisting of natural disintegration of rock and stone, provided that crushing or breaking operations are not used and no blasting is conducted to obtain the material.
21. Sources authorized by §106.161: Animal feeding operations which confine animals in numbers specified and any associated on-site feed handling and/or feed millings operations, not including caged laying and caged pullet operations.
22. Sources authorized by §106.162: Livestock auction sales facilities.
23. Sources authorized by §106.163: All animal racing facilities, domestic animal shelters, zoos, and their associated confinement areas, stables, feeding areas, and waste collection and treatment facilities, other than incineration units.
24. Sources authorized by §106.229: Equipment used exclusively for the dyeing or stripping of textiles.
25. Sources authorized by §106.241: Any facility where animals or poultry are slaughtered and prepared for human consumption provided that waste products such as blood, offal, and feathers are stored in such a manner as to prevent the creation of a nuisance condition and these waste products are removed from the premises daily or stored under refrigeration.
26. Sources authorized by §106.242: Equipment used in eating establishments for the purpose of preparing food for human consumption.
27. Sources authorized by §106.243: Smokehouses in which the maximum horizontal inside cross-sectional area does not exceed 100 square feet.
28. Sources authorized by §106.244: Ovens, mixers, blenders, barbecue pits, and cookers if the products are edible and intended for human consumption.
29. Sources authorized by §106.266: Vacuum cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.
30. Sources authorized by §106.301: Aqueous fertilizer storage tanks.
31. Sources authorized by §106.313: All closed tumblers used for the cleaning or deburring of metal products without abrasive blasting, and all open tumblers with a batch capacity of 1,000 lbs. or less.
32. Sources authorized by §106.316: Equipment used for inspection of metal products.
33. Sources authorized by §106.317: Equipment used exclusively for rolling, forging, pressing, drawing, spinning, or extruding either hot or cold metals by some mechanical means.
34. Sources authorized by §106.318: Die casting machines.
35. Sources authorized by §106.319: Foundry sand mold forming equipment to which no heat is applied.
36. Sources authorized by §106.331: Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.
37. Sources authorized by §106.333: Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives.
38. Sources authorized by §106.372: Any air separation or other industrial gas production, storage, or packaging facility. Industrial gases, for purposes of this list, include only oxygen, nitrogen, helium, neon, argon, krypton, and xenon.
39. Sources authorized by §106.391: Presses used for the curing of rubber products and plastic products.
40. Sources authorized by §106.394: Equipment used for compression molding and injection molding of plastics.
41. Sources authorized by §106.414: Equipment used exclusively for the packaging of lubricants or greases.
42. Sources authorized by §106.415: Laundry dryers, extractors, and tumblers used for fabrics cleaned with water solutions of bleach or detergents.
43. Sources authorized by §106.431: Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in paste form.
44. Sources authorized by §106.432: Containers, reservoirs, or tanks used exclusively for dipping operations for coating objects with oils, waxes, or greases where no organic solvents, diluents, or thinners are used; or dipping operations for applying coatings of natural or synthetic resins which contain no organic solvents.
45. Sources authorized by §106.451: Blast cleaning equipment using a suspension of abrasives in water.
46. Sources authorized by §106.453: Equipment used for washing or drying products fabricated from metal or glass, provided no volatile organic materials are used in the process and no oil or solid fuel is burned.
47. Sources authorized by §106.471: Equipment used exclusively to store or hold dry natural gas.
48. Sources authorized by §106.531: Sewage treatment facilities, excluding combustion or incineration equipment, land farms, or grease trap waste handling or treatment facilities.

Determination of Applicable Requirements

The tables below include the applicability determinations for the emission units, the index number(s) where applicable, and all relevant unit attribute information used to form the basis of the applicability determination. The unit attribute information is a description of the physical properties of an emission unit which is used to determine the requirements to which the permit holder must comply. For more information about the descriptions of the unit attributes specific Unit Attribute Forms may be viewed at www.tceq.texas.gov/permitting/air/nav/air_all_ua_forms.html.

A list of unit attribute forms is included at the end of this document. Some examples of unit attributes include construction date; product stored in a tank; boiler fuel type; etc. Generally, multiple attributes are needed to determine the requirements for a given emission unit and index number. The table below lists these attributes in the column entitled "Basis of Determination." Attributes that demonstrate that an applicable requirement applies will be the factual basis for the specific citations in an applicable requirement that apply to a unit for that index number. The TCEQ Air Permits Division has developed flowcharts for determining applicability of state and federal regulations based on the unit attribute information in a Decision Support System (DSS). These flowcharts can be accessed via the internet at www.tceq.texas.gov/permitting/air/nav/air_supportsys.html. The Air Permits Division staff may also be contacted for assistance at (512) 239-1250.

The attributes for each unit and corresponding index number provide the basis for determining the specific legal citations in an applicable requirement that apply, including emission limitations or standards, monitoring, recordkeeping, and reporting. The rules were found to apply or not apply by using the unit attributes as answers to decision questions found in the flowcharts of the DSS. Some additional attributes indicate which legal citations of a rule apply. The legal citations that apply to each emission unit may be found in the Applicable Requirements Summary table of the draft permit. There may be some entries or rows of units and rules not found in the permit, or if the permit contains a permit shield, repeated in the permit shield area. These are sets of attributes that describe negative applicability, or, in other words, the reason why a potentially applicable requirement does not apply.

If applicability determinations have been made which differ from the available flowcharts, an explanation of the decisions involved in the applicability determination is specified in the column "Changes and Exceptions to RRT." If there were no exceptions to the DSS, then this column has been removed.

The draft permit includes all emission limitations or standards, monitoring, recordkeeping and reporting required by each applicable requirement. If an applicable requirement does not require monitoring, recordkeeping, or reporting, the word "None" will appear in the Applicable Requirements Summary table. If additional periodic monitoring is required for an applicable requirement, it will be explained in detail in the portion of this document entitled "Rationale for Compliance Assurance Monitoring (CAM)/ Periodic Monitoring Methods Selected."

When attributes demonstrate that a unit is not subject to an applicable requirement, the applicant may request a permit shield for those items. The portion of this document entitled "Basis for Applying Permit Shields" specifies which units, if any, have a permit shield.

Operational Flexibility

When an emission unit has multiple operating scenarios, it will have a different index number associated with each operating condition. This means that units are permitted to operate under multiple operating conditions. The applicable requirements for each operating condition are determined by a unique set of unit attributes. For example, a tank may store two different products at different points in time. The tank may, therefore, need to comply with two distinct sets of requirements, depending on the product that is stored. Both sets of requirements are included in the permit, so that the permit holder may store either product in the tank.

Determination of Applicable Requirements

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
1-1	30 TAC Chapter 111, Visible Emissions	R1111-1	<p>Alternate Opacity Limitation = Not complying with an alternate opacity limit under 30 TAC § 111.113.</p> <p>Vent Source = The source of the vent is not a steam generator fired by solid fossil fuel, oil or a mixture of oil and gas and is not a catalyst regenerator for a fluid bed catalytic cracking unit.</p> <p>Opacity Monitoring System = Optical instrument capable of measuring the opacity of emissions is not installed in the vent or optical instrumentation does not meet the requirements of § 111.111(a)(1)(D), or the vent stream does not qualify for the exemption in § 111.111(a)(3).</p> <p>Construction Date = On or before January 31, 1972</p> <p>Effluent Flow Rate = Effluent flow rate is less than 100,000 actual cubic feet per minute.</p>	None
1-3	30 TAC Chapter 111, Visible Emissions	R1111-1	<p>Alternate Opacity Limitation = Not complying with an alternate opacity limit under 30 TAC § 111.113.</p> <p>Vent Source = The source of the vent is not a steam generator fired by solid fossil fuel, oil or a mixture of oil and gas and is not a catalyst regenerator for a fluid bed catalytic cracking unit.</p> <p>Opacity Monitoring System = Optical instrument capable of measuring the opacity of emissions is not installed in the vent or optical instrumentation does not meet the requirements of § 111.111(a)(1)(D), or the vent stream does not qualify for the exemption in § 111.111(a)(3).</p> <p>Construction Date = On or before January 31, 1972</p> <p>Effluent Flow Rate = Effluent flow rate is less than 100,000 actual cubic feet per minute.</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
BLR5	40 CFR Part 60, Subpart Dc	60DC-BLR5	<p>Construction/Modification Date = After February 28, 2005.</p> <p>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).</p> <p>Other Subparts = The facility is not covered under 40 CFR Part 60, Subparts AAAA or KKKK, or under an approved State or Federal section 111(d)/129 plan implementing 40 CFR Part 60, Subpart BBBB.</p> <p>Heat Input Capacity = Heat input capacity is greater than 10 MMBtu/hr (2.9 MW) but less than 30 MMBtu/hr (8.7 MW).</p> <p>D-Series Fuel Type = Natural gas.</p> <p>ACF Option - SO₂ = Other ACF or no ACF.</p> <p>ACF Option - PM = Other ACF or no ACF.</p> <p>30% Coal Duct Burner = The facility does not combust coal in a duct burner as part of a combined cycle system; or more than 30% of the heat is from combustion of coal and less than 70% is from exhaust gases entering the duct burner.</p> <p>PM Monitoring Type = No particulate monitoring.</p> <p>SO₂ Inlet Monitoring Type = No SO₂ monitoring.</p> <p>SO₂ Outlet Monitoring Type = No SO₂ monitoring.</p> <p>Technology Type = None.</p>	None
COOL1	30 TAC Chapter 111, Visible Emissions	R1111-1	<p>Alternate Opacity Limitation = Not complying with an alternate opacity limit under 30 TAC § 111.113.</p> <p>Vent Source = The source of the vent is not a steam generator fired by solid fossil fuel, oil or a mixture of oil and gas and is not a catalyst regenerator for a fluid bed catalytic cracking unit.</p> <p>Opacity Monitoring System = Optical instrument capable of measuring the opacity of emissions is not installed in the vent or optical instrumentation does not meet the requirements of § 111.111(a)(1)(D), or the vent stream does not qualify for the exemption in § 111.111(a)(3).</p> <p>Construction Date = On or before January 31, 1972</p> <p>Effluent Flow Rate = Effluent flow rate is less than 100,000 actual cubic feet per minute.</p>	None
HTR6	40 CFR Part 60, Subpart Dc	60DC-30	<p>Construction/Modification Date = On or before June 9, 1989.</p> <p>Maximum Design Heat Input Capacity = Maximum design heat input capacity is less than 10 MMBtu/hr (2.9 MW).</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
LINE1	40 CFR Part 60, Subpart UU	60UU-1	<p>Plant Type = Asphalt roofing plant.</p> <p>Construction/Modification Date = Construction or modification was commenced on or before November 8, 1980.</p> <p>Saturators = The affected facility contains one or more saturators.</p> <p>Material Produced/Final Product = Fiberglass shingles.</p> <p>Emissions Control = High velocity air filter.</p> <p>Construction/Modification Date = The saturator was newly constructed before November 18, 1980 and has not been reconstructed since November 18, 1980.</p> <p>Blowing Still = The affected facility contains a blowing still.</p> <p>Material Produced = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Catalyst Added = No catalyst is added to the blowing still.</p> <p>Fuel Type = Fuel other than fuel oils.</p> <p>Alternative Opacity Standard = The EPA Administrator has not approved an alternative opacity standard under 40 CFR § 60.474(g) or no such alternative has been requested.</p> <p>Storage Tanks = The affected facility contains one or more storage tanks.</p> <p>Material Stored = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Mineral Handling/Storage = At least one of the affected facilities include any mineral handling or storage facilities.</p> <p>Emissions Control = Control device other than an afterburner, electrostatic precipitator or high velocity filter.</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
LINE1	40 CFR Part 60, Subpart UU	60UU-2	<p>Plant Type = Asphalt roofing plant.</p> <p>Construction/Modification Date = Construction or modification was commenced on or before November 8, 1980.</p> <p>Saturators = The affected facility contains one or more saturators.</p> <p>Material Produced/Final Product = Fiberglass shingles.</p> <p>Emissions Control = Electrostatic precipitator.</p> <p>Construction/Modification Date = The saturator was newly constructed before November 18, 1980 and has not been reconstructed since November 18, 1980.</p> <p>Blowing Still = The affected facility contains a blowing still.</p> <p>Material Produced = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Catalyst Added = No catalyst is added to the blowing still.</p> <p>Fuel Type = Fuel other than fuel oils.</p> <p>Alternative Opacity Standard = The EPA Administrator has not approved an alternative opacity standard under 40 CFR § 60.474(g) or no such alternative has been requested.</p> <p>Storage Tanks = The affected facility contains one or more storage tanks.</p> <p>Material Stored = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Mineral Handling/Storage = At least one of the affected facilities include any mineral handling or storage facilities.</p> <p>Emissions Control = Control device other than an afterburner, electrostatic precipitator or high velocity filter.</p>	None
LINE1	40 CFR Part 63, Subpart AAAAAAA	63AAAAAAA-1	Unit Operation = asphalt processing operation	The DSS will not be developed for this regulation. Citations were determined from an analysis of the regulation text and the basis of determination.
LINE1	40 CFR Part 63, Subpart AAAAAAA	63AAAAAAA-2	Unit Operation = asphalt roofing manufacturing line	The DSS will not be developed for this regulation. Citations were determined from an analysis of the regulation text and the basis of determination.

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
LINE3	40 CFR Part 60, Subpart UU	60UU-3	<p>Plant Type = Asphalt roofing plant.</p> <p>Construction/Modification Date = Construction or modification was commenced after November 8, 1980.</p> <p>Saturators = The affected facility contains one or more saturators.</p> <p>Material Produced/Final Product = Fiberglass shingles.</p> <p>Emissions Control = High velocity air filter.</p> <p>Construction/Modification Date = The saturator was newly constructed or modified on or after November 18, 1980.</p> <p>Blowing Still = The affected facility contains a blowing still.</p> <p>Material Produced = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Catalyst Added = No catalyst is added to the blowing still.</p> <p>Fuel Type = Fuel other than fuel oils.</p> <p>Alternative Opacity Standard = The EPA Administrator has not approved an alternative opacity standard under 40 CFR § 60.474(g) or no such alternative has been requested.</p> <p>Storage Tanks = The affected facility contains one or more storage tanks.</p> <p>Material Stored = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Mineral Handling/Storage = At least one of the affected facilities include any mineral handling or storage facilities.</p> <p>Emissions Control = Control device other than an afterburner, electrostatic precipitator or high velocity filter.</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
LINE3	40 CFR Part 60, Subpart UU	60UU-4	<p>Plant Type = Asphalt roofing plant.</p> <p>Construction/Modification Date = Construction or modification was commenced after November 8, 1980.</p> <p>Saturators = The affected facility contains one or more saturators.</p> <p>Material Produced/Final Product = Fiberglass shingles.</p> <p>Emissions Control = Electrostatic precipitator.</p> <p>Construction/Modification Date = The saturator was newly constructed or modified on or after November 18, 1980.</p> <p>Blowing Still = The affected facility contains a blowing still.</p> <p>Material Produced = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Catalyst Added = No catalyst is added to the blowing still.</p> <p>Fuel Type = Fuel other than fuel oils.</p> <p>Alternative Opacity Standard = The EPA Administrator has not approved an alternative opacity standard under 40 CFR § 60.474(g) or no such alternative has been requested.</p> <p>Storage Tanks = The affected facility contains one or more storage tanks.</p> <p>Material Stored = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Mineral Handling/Storage = At least one of the affected facilities include any mineral handling or storage facilities.</p> <p>Emissions Control = Control device other than an afterburner, electrostatic precipitator or high velocity filter.</p>	None
LINE3	40 CFR Part 63, Subpart AAAAAAA	63AAAAAAA-1	Unit Operation = asphalt processing operation	The DSS will not be developed for this regulation. Citations were determined from an analysis of the regulation text and the basis of determination.
LINE3	40 CFR Part 63, Subpart AAAAAAA	63AAAAAAA-2	Unit Operation = asphalt roofing manufacturing line	The DSS will not be developed for this regulation. Citations were determined from an analysis of the regulation text and the basis of determination.

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
SEALAP	30 TAC Chapter 115, Vent Gas Controls	R5112-SLAP	<p>Chapter 115 Division = The vent stream does not originate from a source for which another Division in 30 TAC Chapter 115 establishes a control requirement, emission specification, or exemption for that source.</p> <p>Combustion Exhaust = The vent stream is not from a combustion unit exhaust or the combustion unit is used as a control device for a vent stream originating from a noncombustion source subject to 30 TAC Chapter 115, Subchapter B, Division 2.</p> <p>Vent Type = Title 30 TAC Chapter 115, Subchapter B, Vent Gas Control rules are applicable and the vent is not specifically classified under the rule.</p> <p>Combined 24-Hour VOC Weight = Combined VOC weight is less than or equal to 100 pounds (45.4 kg).</p> <p>VOC Concentration = VOC concentration is greater than or equal to 612 ppmv.</p> <p>VOC Concentration/Emission Rate @ Max Operating Conditions = The VOC concentration or emission rate is less than the applicable exemption limit at maximum actual operating conditions and the alternate recordkeeping requirements of 30 TAC § 115.126(4) are being selected.</p>	None
T-1	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-1	40 CFR Part 60, Subpart Kb	60KB-T1	<p>Product Stored = Volatile organic liquid</p> <p>Storage Capacity = Capacity is greater than or equal to 10,600 gallons but less than 19,813 gallons (capacity is greater than 40,000 liters but less than or equal to 75,000 liters)</p>	None
T-10	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-10	40 CFR Part 60, Subpart Kb	60KB-T10	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 19,813 gallons but less than 39,890 gallons (capacity is greater than 75,000 liters but less than or equal to 151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 2.2 psia</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
T-110	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 40,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-110	40 CFR Part 60, Subpart Kb	60KB-T110	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 39,890 gallons (151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 0.5 psia</p>	None
T-120	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 40,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-120	40 CFR Part 60, Subpart Kb	60KB-T120	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 39,890 gallons (151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 0.5 psia</p>	None
T-14	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 40,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-14	40 CFR Part 60, Subpart Kb	60KB-T14	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 39,890 gallons (151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 0.5 psia</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
T-15	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 40,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-15	40 CFR Part 60, Subpart Kb	60KB-T15	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 39,890 gallons (151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 0.5 psia</p>	None
T-16	30 TAC Chapter 115, Storage of VOCs	R5112-1	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-17	30 TAC Chapter 115, Storage of VOCs	R5112-2	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-17	40 CFR Part 60, Subpart Kb	60KB-T17	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is less than 10,600 gallons (40,000 liters)</p>	None
T-18	30 TAC Chapter 115, Storage of VOCs	R5112-3	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
T-18	40 CFR Part 60, Subpart Kb	60KB-T18	Product Stored = Petroleum liquid (other than petroleum or condensate) Storage Capacity = Capacity is less than 10,600 gallons (40,000 liters)	None
T-19	30 TAC Chapter 115, Storage of VOCs	R5112-4	Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria. Product Stored = VOC other than crude oil or condensate Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons Tank Description = Tank does not require emission controls True Vapor Pressure = True vapor pressure is less than 1.0 psia	None
T-2	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria. Product Stored = VOC other than crude oil or condensate Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons Tank Description = Tank does not require emission controls True Vapor Pressure = True vapor pressure is less than 1.0 psia	None
T-2	40 CFR Part 60, Subpart Kb	60KB-T2	Product Stored = Volatile organic liquid Storage Capacity = Capacity is greater than or equal to 10,600 gallons but less than 19,813 gallons (capacity is greater than 40,000 liters but less than or equal to 75,000 liters)	None
T-20	30 TAC Chapter 115, Storage of VOCs	R5112-5	Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria. Product Stored = VOC other than crude oil or condensate Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons Tank Description = Tank does not require emission controls True Vapor Pressure = True vapor pressure is less than 1.0 psia	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
T-21	30 TAC Chapter 115, Storage of VOCs	R5112-6	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-22	30 TAC Chapter 115, Storage of VOCs	R5112-SLTK	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is less than or equal to 1,000 gallons</p>	None
T-22	40 CFR Part 60, Subpart Kb	60Kb-SLTK	<p>Product Stored = Volatile organic liquid</p> <p>Storage Capacity = Capacity is less than 10,600 gallons (40,000 liters)</p>	None
T26	40 CFR Part 60, Subpart UU	60UU-T26	<p>Plant Type = Asphalt roofing plant.</p> <p>Construction/Modification Date = Construction or modification was commenced after November 8, 1980.</p> <p>Saturators = The affected facility does not contain saturators.</p> <p>Blowing Still = The affected facility contains a blowing still.</p> <p>Material Produced = Material other than non-roofing asphalt.</p> <p>Emissions Control = Afterburner.</p> <p>Construction/Modification Date = After May 26, 1981.</p> <p>Catalyst Added = No catalyst is added to the blowing still.</p> <p>Fuel Type = Fuel other than fuel oils.</p> <p>Alternative Opacity Standard = The EPA Administrator has not approved an alternative opacity standard under 40 CFR § 60.474(g) or no such alternative has been requested.</p> <p>Storage Tanks = The affected facility does not contain one or more storage tanks.</p> <p>Mineral Handling/Storage = None of the affected facilities include any mineral handling or storage facilities.</p>	None
T26	40 CFR Part 63, Subpart AAAAAAA	63AAAAAAA-1	Unit Operation = asphalt processing operation	The DSS will not be developed for this regulation. Citations were determined from an analysis of the regulation text and the basis of determination.

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
T-41	30 TAC Chapter 115, Loading and Unloading of VOC	R5211-1	Chapter 115 Facility Type = Facility type other than a gasoline terminal, gasoline bulk plant, motor vehicle fuel dispensing facility or marine terminal. Alternate Control Requirement (ACR) = No alternate control requirements are being utilized. Product Transferred = Volatile organic compounds other than liquefied petroleum gas and gasoline. Transfer Type = Only loading. True Vapor Pressure = True vapor pressure less than 0.5 psia.	None
T-41	30 TAC Chapter 115, Storage of VOCs	R5112-7	Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria. Product Stored = VOC other than crude oil or condensate Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons Tank Description = Tank does not require emission controls True Vapor Pressure = True vapor pressure is less than 1.0 psia	None
T-41	40 CFR Part 60, Subpart Kb	60KB-T41	Product Stored = Waste mixture of indeterminate or variable composition Storage Capacity = Capacity is less than 10,600 gallons (40,000 liters)	None
T-8	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria. Product Stored = VOC other than crude oil or condensate Storage Capacity = Capacity is greater than 40,000 gallons Tank Description = Tank does not require emission controls True Vapor Pressure = True vapor pressure is less than 1.0 psia	None
T-8	40 CFR Part 60, Subpart Kb	60KB-T8	Product Stored = Petroleum liquid (other than petroleum or condensate) Storage Capacity = Capacity is greater than or equal to 39,890 gallons (151,000 liters) Maximum True Vapor Pressure = True vapor pressure is less than 0.5 psia	None
T-80	30 TAC Chapter 115, Loading and Unloading of VOC	R5211-2	Chapter 115 Facility Type = Facility type other than a gasoline terminal, gasoline bulk plant, motor vehicle fuel dispensing facility or marine terminal. Alternate Control Requirement (ACR) = No alternate control requirements are being utilized. Product Transferred = Volatile organic compounds other than liquefied petroleum gas and gasoline. Transfer Type = Only unloading. True Vapor Pressure = True vapor pressure less than 0.5 psia.	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
T-80	30 TAC Chapter 115, Storage of VOCs	R5112-8	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-80	40 CFR Part 60, Subpart Kb	60KB-T80	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 19,813 gallons but less than 39,890 gallons (capacity is greater than 75,000 liters but less than or equal to 151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 2.2 psia</p>	None
T-9	30 TAC Chapter 115, Storage of VOCs	R5112-ASP	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None
T-9	40 CFR Part 60, Subpart Kb	60KB-T9	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 19,813 gallons but less than 39,890 gallons (capacity is greater than 75,000 liters but less than or equal to 151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 2.2 psia</p>	None
TK-AD	30 TAC Chapter 115, Storage of VOCs	R5112-9	<p>Alternate Control Requirement = Not using an alternate method for demonstrating and documenting continuous compliance with applicable control requirements or exemption criteria.</p> <p>Product Stored = VOC other than crude oil or condensate</p> <p>Storage Capacity = Capacity is greater than 1,000 gallons but less than or equal to 25,000 gallons</p> <p>Tank Description = Tank does not require emission controls</p> <p>True Vapor Pressure = True vapor pressure is less than 1.0 psia</p>	None

Unit ID	Regulation	Index Number	Basis of Determination*	Changes and Exceptions to DSS**
TK-AD	40 CFR Part 60, Subpart Kb	60KB-TKAD	<p>Product Stored = Petroleum liquid (other than petroleum or condensate)</p> <p>Storage Capacity = Capacity is greater than or equal to 19,813 gallons but less than 39,890 gallons (capacity is greater than 75,000 liters but less than or equal to 151,000 liters)</p> <p>Maximum True Vapor Pressure = True vapor pressure is less than 2.2 psia</p>	None
WHBLR1	40 CFR Part 60, Subpart Dc	60DC-WHBLR1	<p>Construction/Modification Date = After June 9, 1989 but on or before February 28, 2005.</p> <p>Maximum Design Heat Input Capacity = Maximum design heat input capacity is greater than or equal to 10 MMBtu/hr (2.9 MW) but less than or equal to 100 MMBtu (29 MW).</p> <p>Other Subparts = The facility is not covered under 40 CFR Part 60, Subparts AAAA or KKKK, or under an approved State or Federal section 111(d)/129 plan implementing 40 CFR Part 60, Subpart BBBB.</p> <p>Heat Input Capacity = Heat input capacity is greater than 10 MMBtu/hr (2.9 MW) but less than 30 MMBtu/hr (8.7 MW).</p> <p>D-Series Fuel Type = Natural gas.</p> <p>ACF Option - SO₂ = Other ACF or no ACF.</p> <p>ACF Option - PM = Other ACF or no ACF.</p> <p>PM Monitoring Type = No particulate monitoring.</p> <p>SO₂ Inlet Monitoring Type = No SO₂ monitoring.</p> <p>SO₂ Outlet Monitoring Type = No SO₂ monitoring.</p> <p>Technology Type = None.</p>	None

* - The "unit attributes" or operating conditions that determine what requirements apply

** - Notes changes made to the automated results from the DSS, and a brief explanation why

NSR Versus Title V FOP

The state of Texas has two Air permitting programs, New Source Review (NSR) and Title V Federal Operating Permits. The two programs are substantially different both in intent and permit content.

NSR is a preconstruction permitting program authorized by the Texas Clean Air Act and Title I of the Federal Clean Air Act (FCAA). The processing of these permits is governed by 30 Texas Administrative Code (TAC) Chapter 116.111. The Title V Federal Operating Program is a federal program authorized under Title V of the FCAA that has been delegated to the state of Texas to administer and is governed by 30 TAC Chapter 122. The major differences between the two permitting programs are listed in the table below:

NSR Permit	Federal Operating Permit (FOP)
Issued Prior to new Construction or modification of an existing facility	For initial permit with application shield, can be issued after operation commences; significant revisions require approval prior to operation.
Authorizes air emissions	Codifies existing applicable requirements, does not authorize new emissions
Ensures issued permits are protective of the environment and human health by conducting a health effects review and that requirement for best available control technology (BACT) is implemented.	Applicable requirements listed in permit are used by the inspectors to ensure proper operation of the site as authorized. Ensures that adequate monitoring is in place to allow compliance determination with the FOP.
Up to two Public notices may be required. Opportunity for public comment and contested case hearings for some authorizations.	One public notice required. Opportunity for public comments. No contested case hearings.
Applies to all point source emissions in the state.	Applies to all major sources and some non-major sources identified by the EPA.
Applies to facilities: a portion of site or individual emission sources	One or multiple FOPs cover the entire site (consists of multiple facilities)
Permits include terms and conditions under which the applicant must construct and operate its various equipment and processes on a facility basis.	Permits include terms and conditions that specify the general operational requirements of the site; and include codification of all applicable requirements for emission units at the site.
Opportunity for EPA review for Federal Prevention of Significant Deterioration (PSD) and Nonattainment (NA) permits for major sources.	Opportunity for EPA review, affected states review, and a Public petition period for every FOP.
Permits have a table listing maximum emission limits for pollutants	Permit has an applicable requirements table and Periodic Monitoring (PM) / Compliance Assurance Monitoring (CAM) tables which document applicable monitoring requirements.
Permits can be altered or amended upon application by company. Permits must be issued before construction or modification of facilities can begin.	Permits can be revised through several revision processes, which provide for different levels of public notice and opportunity to comment. Changes that would be significant revisions require that a revised permit be issued before those changes can be operated.
NSR permits are issued independent of FOP requirements.	FOPs are independent of NSR permits, but contain a list of all NSR permits incorporated by reference

New Source Review Requirements

Below is a list of the New Source Review (NSR) permits for the permitted area. These NSR permits are incorporated by reference into the operating permit and are enforceable under it. These permits can be found in the main TCEQ file room, located on the first floor of Building E, 12100 Park 35 Circle, Austin, Texas. In addition, many of the permits are accessible online through the link provided below. The Public Education Program may be contacted at 1-800-687-4040 or the Air Permits Division (APD) may be contacted at 1-512-239-1250 for help with any question.

Additionally, the site contains emission units that are permitted by rule under the requirements of 30 TAC Chapter 106, Permits by Rule. Permit by Rule (PBR) registrations submitted by permittees are also available online through the link provided below. The following table specifies the PBRs that apply to the site.

The status of air permits, applications, and PBR registrations may be found by performing the appropriate search of the databases located at the following website:

www.tceq.texas.gov/permitting/air/nav/air_status_permits.html

Details on how to search the databases are available in the **Obtaining Permit Documents** section below.

New Source Review Authorization References

Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits by Rule, PSD Permits, or NA Permits) for the Application Area.	
Authorization No.: 7711A	Issuance Date: 04/20/2018
Authorization No.: 91414	Issuance Date: 05/29/2019
Permits by Rule (30 TAC Chapter 106) for the Application Area	
Number: 106.183	Version No./Date: 09/04/2000
Number: 106.227	Version No./Date: 09/04/2000
Number: 106.261	Version No./Date: 11/01/2003
Number: 106.262	Version No./Date: 11/01/2003
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.454	Version No./Date: 11/01/2001
Number: 106.472	Version No./Date: 09/04/2000

Permits by Rule

The TCEQ has interpreted the emission limits prescribed in 30 TAC §106.4(a) as both emission thresholds and default emission limits. The emission limits in 30 TAC §106.4(a) are all considered applicable to each facility as a threshold matter to ensure that the owner/operator qualifies for the PBR authorization. Those same emission limits are also the default emission limits if the specific PBR does not further limit emissions or there is no lower, certified emission limit claimed by the owner/operator.

This interpretation is consistent with how TCEQ has historically determined compliance with the emission limits prior to the addition of the "as applicable" language. The "as applicable" language was added in 2014 as part of changes to the sentence structure in a rulemaking that made other changes to address greenhouse gases and was not intended as a substantive rule change. This interpretation also provides for effective and practical enforcement of 30 TAC §106.4(a), since for the TCEQ to effectively enforce the emission limits in 30 TAC §106.4(a) as emission thresholds, all emission limits must apply. As provided by 30 TAC §106.4(a)(2) and (3), an owner/operator shall not claim a PBR authorization if the facility is subject to major New Source Review. The practical and legal effect of the language in 30 TAC § 106.4 is that

if a facility does not emit a pollutant, then the potential to emit for that particular pollutant is zero, and thus, the facility is not authorized to emit the pollutant pursuant to the PBR.

The permit holder is required to keep records for demonstrating compliance with PBRs in accordance with 30 TAC § 106.8 for the following categories:

- As stated in 30 TAC § 106.8(a), the permit holder is not required to keep records for de minimis sources as designated in 30 TAC § 116.119.
- As stated in 30 TAC § 106.8(b) for PBRs on the insignificant activities list, the permit holder is required to provide information that would demonstrate compliance with the general requirements of 30 TAC § 106.4.
- As stated in 30 TAC § 106.8(c) for all other PBRs, the permit holder must maintain sufficient records to demonstrate compliance with the general requirements specified in 30 TAC § 106.4 and to demonstrate compliance with the emission limits and any specific conditions of the PBR as applicable.

The PBR records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, or parametric monitoring. The PBR records also satisfy the federal operating permit periodic monitoring requirements of 30 TAC § 122.142(c) as they are representative of the emission unit's compliance with 30 TAC Chapter 106.

Emission Units and Emission Points

In air permitting terminology, any source capable of generating emissions (for example, an engine or a sandblasting area) is called an Emission Unit. For purposes of Title V, emission units are specifically listed in the operating permit when they have applicable requirements other than New Source Review (NSR), or when they are listed in the permit shield table.

The actual physical location where the emissions enter the atmosphere (for example, an engine stack or a sand-blasting yard) is called an emission point. For New Source Review preconstruction permitting purposes, every emission unit has an associated emission point. Emission limits are listed in an NSR permit, associated with an emission point. This list of emission points and emission limits per pollutant is commonly referred to as the "Maximum Allowable Emission Rate Table", or "MAERT" for short. Specifically, the MAERT lists the Emission Point Number (EPN) that identifies the emission point, followed immediately by the Source Name, identifying the emission unit that is the source of those emissions on this table.

Thus, by reference, an emission unit in a Title V operating permit is linked by reference number to an NSR authorization, and its related emission point.

Monitoring Sufficiency

Federal and state rules, 40 CFR § 70.6(a)(3)(i)(B) and 30 TAC § 122.142(c) respectively, require that each federal operating permit include additional monitoring for applicable requirements that lack periodic or instrumental monitoring (which may include recordkeeping that serves as monitoring) that yields reliable data from a relevant time period that are representative of the emission unit's compliance with the applicable emission limitation or standard. Furthermore, the federal operating permit must include compliance assurance monitoring (CAM) requirements for emission sources that meet the applicability criteria of 40 CFR Part 64 in accordance with 40 CFR § 70.6(a)(3)(i)(A) and 30 TAC § 122.604(b).

With the exception of any emission units listed in the Periodic Monitoring or CAM Summaries in the FOP, the TCEQ Executive Director has determined that the permit contains sufficient monitoring, testing, recordkeeping, and reporting requirements that assure compliance with the applicable requirements. If applicable, each emission unit that requires additional monitoring in the form of periodic monitoring or CAM is described in further detail under the Rationale for CAM/PM Methods Selected section following this paragraph.

Rationale for Periodic Monitoring Methods Selected

Periodic Monitoring:

The Federal Clean Air Act requires that each federal operating permit include monitoring sufficient to assure compliance with the terms and conditions of the permit. Most of the emission limits and standards applicable to emission units at Title V sources include adequate monitoring to show that the units meet the limits and standards. For those requirements that do not include monitoring, or where the monitoring is not sufficient to assure compliance, the federal operating permit must include such monitoring for the emission units affected. The following emission units are subject to periodic monitoring requirements because the emission units are subject to an emission limitation or standard for an air pollutant (or surrogate thereof) in an applicable requirement that does not already require monitoring, or the monitoring for the applicable requirement is not sufficient to assure compliance:

Unit/Group/Process Information	
ID No.: 1-1	
Control Device ID No.: 1-1	Control Device Type: Fabric Filter
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111-1
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(A)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: once per calendar quarter	
Averaging Period: n/a	
Deviation Limit: Opacity shall not exceed 30%.	
Basis of monitoring: The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations. The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.	

Unit/Group/Process Information	
ID No.: 1-3	
Control Device ID No.: 1-3	Control Device Type: Fabric Filter
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111-1
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(A)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: once per calendar quarter	
Averaging Period: n/a	
Deviation Limit: Opacity shall not exceed 30%.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations. The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: COOL1	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111-1
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(A)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: once per calendar quarter	
Averaging Period: n/a	
Deviation Limit: Opacity shall not exceed 30%.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations. The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-3
Pollutant: PM (Opacity)	Main Standard: § 60.472(a)(2)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 20% from the saturator exhaust gases.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-4
Pollutant: PM (Opacity)	Main Standard: § 60.472(a)(2)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 20% from the saturator exhaust gases.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: TO1	Control Device Type: Thermal Incinerator (Direct Flame Incinerator/Regenerative Thermal Oxidizer)
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-3
Pollutant: PM	Main Standard: § 60.472(b)(3)
Monitoring Information	
Indicator: Combustion temperature/Exhaust Gas Temperature	
Minimum Frequency: four times per hour	
Averaging Period: one hour	
Deviation Limit: Combustion/exhaust gas temperature shall not be below 1200 degrees F.	
<p>Basis of monitoring:</p> <p>It is widely practiced and accepted to use performance tests, manufacturer's recommendations, engineering calculations and/or historical data to establish a minimum temperature for thermal incinerators. This minimum temperature must be maintained in order for the proper destruction efficiency. Operation below the minimum combustion temperature will result in incomplete combustion and potential noncompliance with emission limitations and/or standards. The monitoring of the combustion temperature of a thermal incinerator is commonly required in federal and state rules, including: 40 CFR Part 60, Subparts III, NNN, QQQ, and RRR; 40 CFR Part 61, Subparts BB and FF; 40 CFR Part 63, Subparts G, R, DD, EE, and HH; and 30 TAC Chapter 115.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: TO1	Control Device Type: Thermal Incinerator (Direct Flame Incinerator/Regenerative Thermal Oxidizer)
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-4
Pollutant: PM	Main Standard: § 60.472(b)(3)
Monitoring Information	
Indicator: Combustion temperature/Exhaust Gas Temperature	
Minimum Frequency: four times per hour	
Averaging Period: one hour	
Deviation Limit: Combustion/exhaust gas temperature shall not be below 1200 degrees F.	
<p>Basis of monitoring:</p> <p>It is widely practiced and accepted to use performance tests, manufacturer's recommendations, engineering calculations and/or historical data to establish a minimum temperature for thermal incinerators. This minimum temperature must be maintained in order for the proper destruction efficiency. Operation below the minimum combustion temperature will result in incomplete combustion and potential noncompliance with emission limitations and/or standards. The monitoring of the combustion temperature of a thermal incinerator is commonly required in federal and state rules, including: 40 CFR Part 60, Subparts III, NNN, QQQ, and RRR; 40 CFR Part 61, Subparts BB and FF; 40 CFR Part 63, Subparts G, R, DD, EE, and HH; and 30 TAC Chapter 115.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-3
Pollutant: PM (Opacity)	Main Standard: § 60.472(b)(5)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 0.0% from the blowing still exhaust gases.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-4
Pollutant: PM (Opacity)	Main Standard: § 60.472(b)(5)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 0.0% from the blowing still exhaust gases.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-3
Pollutant: PM (Opacity)	Main Standard: § 60.472(c)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: Opacity shall not exceed 0.0% from any asphalt storage tank exhaust gases, except for one consecutive 15-minute period in any 24-hour period when the transfer lines are being blown for clearing.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-4
Pollutant: PM (Opacity)	Main Standard: § 60.472(c)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: Opacity shall not exceed 0.0% from any asphalt storage tank exhaust gases, except for one consecutive 15-minute period in any 24-hour period when the transfer lines are being blown for clearing.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-3
Pollutant: PM (Opacity)	Main Standard: § 60.472(d)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 1% from any mineral handling and storage facility emissions.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: LINE3	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-4
Pollutant: PM (Opacity)	Main Standard: § 60.472(d)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 1% from any mineral handling and storage facility emissions.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Unit/Group/Process Information	
ID No.: T26	
Control Device ID No.: TO1	Control Device Type: Thermal Incinerator (Direct Flame Incinerator/Regenerative Thermal Oxidizer)
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-T26
Pollutant: PM	Main Standard: § 60.472(b)(3)
Monitoring Information	
Indicator: Combustion temperature/Exhaust Gas Temperature	
Minimum Frequency: four times per hour	
Averaging Period: one hour	
Deviation Limit: Combustion/exhaust gas temperature shall not be below 1200 degrees F.	
<p>Basis of monitoring:</p> <p>It is widely practiced and accepted to use performance tests, manufacturer's recommendations, engineering calculations and/or historical data to establish a minimum temperature for thermal incinerators. This minimum temperature must be maintained in order for the proper destruction efficiency. Operation below the minimum combustion temperature will result in incomplete combustion and potential noncompliance with emission limitations and/or standards. The monitoring of the combustion temperature of a thermal incinerator is commonly required in federal and state rules, including: 40 CFR Part 60, Subparts III, NNN, QQQ, and RRR; 40 CFR Part 61, Subparts BB and FF; 40 CFR Part 63, Subparts G, R, DD, EE, and HH; and 30 TAC Chapter 115.</p>	

Unit/Group/Process Information	
ID No.: T26	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart UU	SOP Index No.: 60UU-T26
Pollutant: PM (Opacity)	Main Standard: § 60.472(b)(5)
Monitoring Information	
Indicator: Visible Emissions	
Minimum Frequency: Once per week	
Averaging Period: n/a	
Deviation Limit: If visible emissions are observed, the permit holder may perform Test Method 9 and opacity shall not exceed 0.0% from the blowing still exhaust gases.	
<p>Basis of monitoring:</p> <p>The option to perform opacity readings or visible emissions to demonstrate compliance is consistent with EPA Reference Test Method 9 and 22. Opacity and visible emissions have been used as an indicator of particulate emissions in many federal rules including 40 CFR Part 60, Subpart F and Subpart HH. In addition, use of these indicators is consistent with the EPA's "Compliance Assurance Monitoring (CAM) Technical Guidance Document" (August 1998). Monitoring specifications and procedures for the opacity are consistent with federal requirements and include the EPA's Test Method 9 for determining opacity by visual observations and the requirements of 40 CFR § 60.13 for a continuous opacity monitoring system (COMS). The monitoring specifications and procedures for the visible emissions monitoring are similar to "EPA Reference Method 22" procedures.</p>	

Obtaining Permit Documents

The New Source Review Authorization References table in the FOP specifies all NSR authorizations that apply at the permit area covered by the FOP. Individual NSR permitting files are located in the TCEQ Central File Room (TCEQ Main Campus located at 12100 Park 35 Circle, Austin, Texas, 78753, Building E, Room 103). They can also be obtained electronically from TCEQ's Central File Room Online (<https://www.tceq.texas.gov/goto/cfr-online>). Guidance documents that describe how to search electronic records, including Permits by Rule (PBRs) or NSR permits incorporated by reference into an FOP, archived in the Central File Room server are available at https://www.tceq.texas.gov/permitting/air/nav/air_status_permits.html

All current PBRs are contained in Chapter 106 and can be viewed at the following website:

https://www.tceq.texas.gov/permitting/air/permitbyrule/air_pbr_index.html

Previous versions of 30 TAC Chapter 106 PBRs may be viewed at the following website:

www.tceq.texas.gov/permitting/air/permitbyrule/historical_rules/old106list/index106.html

Historical Standard Exemption lists may be viewed at the following website:

www.tceq.texas.gov/permitting/air/permitbyrule/historical_rules/oldselist/se_index.html

Additional information concerning PBRs is available on the TCEQ website:

https://www.tceq.texas.gov/permitting/air/nav/air_pbr.html

Compliance Review

Compliance History Review

1. In accordance with 30 TAC Chapter 60, the compliance history was reviewed on **12/17/20**
Site rating: 0.25 / Satisfactory Company rating: 0.25 / Satisfactory
(High < 0.10; Satisfactory ≥ 0.10 and ≤ 55; Unsatisfactory > 55)
2. Has the permit changed on the basis of the compliance history or site/company rating? **No**

Site/Permit Area Compliance Status Review

1. Were there any out-of-compliance units listed on Form OP-ACPS? **No**
2. Is a compliance plan and schedule included in the permit? **No**

Available Unit Attribute Forms

OP-UA1 - Miscellaneous and Generic Unit Attributes
OP-UA2 - Stationary Reciprocating Internal Combustion Engine Attributes
OP-UA3 - Storage Tank/Vessel Attributes
OP-UA4 - Loading/Unloading Operations Attributes
OP-UA5 - Process Heater/Furnace Attributes
OP-UA6 - Boiler/Steam Generator/Steam Generating Unit Attributes
OP-UA7 - Flare Attributes
OP-UA10 - Gas Sweetening/Sulfur Recovery Unit Attributes
OP-UA11 - Stationary Turbine Attributes
OP-UA12 - Fugitive Emission Unit Attributes
OP-UA13 - Industrial Process Cooling Tower Attributes
OP-UA14 - Water Separator Attributes
OP-UA15 - Emission Point/Stationary Vent/Distillation Operation/Process Vent Attributes
OP-UA16 - Solvent Degreasing Machine Attributes
OP-UA17 - Distillation Unit Attributes
OP-UA18 - Surface Coating Operations Attributes
OP-UA19 - Wastewater Unit Attributes

OP-UA20 - Asphalt Operations Attributes
OP-UA21 - Grain Elevator Attributes
OP-UA22 - Printing Attributes
OP-UA24 - Wool Fiberglass Insulation Manufacturing Plant Attributes
OP-UA25 - Synthetic Fiber Production Attributes
OP-UA26 - Electroplating and Anodizing Unit Attributes
OP-UA27 - Nitric Acid Manufacturing Attributes
OP-UA28 - Polymer Manufacturing Attributes
OP-UA29 - Glass Manufacturing Unit Attributes
OP-UA30 - Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mill Attributes
OP-UA31 - Lead Smelting Attributes
OP-UA32 - Copper and Zinc Smelting/Brass and Bronze Production Attributes
OP-UA33 - Mineral Processing Plant Attributes
OP-UA34 - Pharmaceutical Manufacturing
OP-UA35 - Incinerator Attributes
OP-UA36 - Steel Plant Unit Attributes
OP-UA37 - Basic Oxygen Process Furnace Unit Attributes
OP-UA38 - Lead-Acid Battery Manufacturing Plant Attributes
OP-UA39 - Sterilization Source Attributes
OP-UA40 - Ferroalloy Production Facility Attributes
OP-UA41 - Dry Cleaning Facility Attributes
OP-UA42 - Phosphate Fertilizer Manufacturing Attributes
OP-UA43 - Sulfuric Acid Production Attributes
OP-UA44 - Municipal Solid Waste Landfill/Waste Disposal Site Attributes
OP-UA45 - Surface Impoundment Attributes
OP-UA46 - Epoxy Resins and Non-Nylon Polyamides Production Attributes
OP-UA47 - Ship Building and Ship Repair Unit Attributes
OP-UA48 - Air Oxidation Unit Process Attributes
OP-UA49 - Vacuum-Producing System Attributes
OP-UA50 - Fluid Catalytic Cracking Unit Catalyst Regenerator/Fuel Gas Combustion Device/Claus Sulfur Recovery Plant Attributes
OP-UA51 - Dryer/Kiln/Oven Attributes
OP-UA52 - Closed Vent Systems and Control Devices
OP-UA53 - Beryllium Processing Attributes
OP-UA54 - Mercury Chlor-Alkali Cell Attributes
OP-UA55 - Transfer System Attributes
OP-UA56 - Vinyl Chloride Process Attributes
OP-UA57 - Cleaning/Depainting Operation Attributes
OP-UA58 - Treatment Process Attributes
OP-UA59 - Coke By-Product Recovery Plant Attributes
OP-UA60 - Chemical Manufacturing Process Unit Attributes
OP-UA61 - Pulp, Paper, or Paperboard Producing Process Attributes
OP-UA62 - Glycol Dehydration Unit Attributes
OP-UA63 - Vegetable Oil Production Attributes
OP-UA64 - Coal Preparation Plant Attributes

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 4, 2020

THE HONORABLE ROYCE WEST
TEXAS SENATE
PO BOX 12068
AUSTIN TX 78711-2068

Re: Accepted Federal Operating Permit Renewal Application
Project Number: 30975
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

Dear Senator West:

This letter notifies you that the Texas Commission on Environmental Quality has received a federal operating permit (FOP) renewal application for a site located in your district. As part of this permitting process, the applicant is required to publish a formal newspaper public notice. The notice will inform the public of their right to make comments or request a public hearing. 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=32.777777&lng=-96.863333&zoom=13&type=r>.

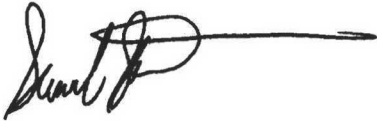
The FOP program regulates both new and existing major sources of emissions. The goal of the program is to improve air quality in Texas through increased compliance by codifying existing applicable regulatory requirements into the FOP. The FOP provides the applicant authorization to operate the equipment at the site. The FOP identifies and codifies air emission requirements (known as applicable requirements) that apply to the emission units at the site. The FOP does not authorize construction of emission units or emissions from those units. The New Source Review (NSR) permit is the mechanism for these authorizations.

The Honorable Royce West
Page 2
August 4, 2020

Re: Accepted Federal Operating Permit Renewal Application

This letter is being sent to you for information only and no action is required. If you need further information, please contact me at (512) 239-1250.

Sincerely,

A handwritten signature in black ink, appearing to read 'Samuel Short', followed by a long horizontal line extending to the right.

Samuel Short, Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 4, 2020

THE HONORABLE LORRAINE BIRABIL
TEXAS HOUSE OF REPRESENTATIVES
PO BOX 2910
AUSTIN TX 78768-2910

Re: Accepted Federal Operating Permit Renewal Application
Project Number: 30975
Permit Number: O2771
Building Materials Investment Corporation
Dallas Plant
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN605251487

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Samuel Short, Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality