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# TCEQ Public Hearing Form

October 14, 2019

## TXI Operations, LP

Air Quality Standard Permit for a Concrete Batch Plant  
with Enhanced Controls

**Proposed Air Quality Registration No. 157413**

**PLEASE PRINT**

Name: Nicholas Daniel Nepp <sup>No PP</sup>

Mailing Address: 664 CR 653

Physical Address (if different): \_\_\_\_\_

City/State: farmersville TX Zip: 75442

Email: \_\_\_\_\_

**\*\*E-mail addresses are subject to public disclosure under the Texas Public Information Act\*\***

Phone Number: (972) 782-6697

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

If yes, which one? \_\_\_\_\_

☐ Please add me to the mailing list.

☒ I wish to provide formal *ORAL COMMENTS* at tonight's public hearing.

☐ I wish to provide formal *WRITTEN COMMENTS* at tonight's public hearing.

(Written comments may be submitted at any time during the hearing)

**Please give this form to the person at the information table. Thank you.**

**AFFIDAVIT OF NICHOLAS DANIEL NOPP**

RECEIVED

OCT 14 2019

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

AT PUBLIC MEETING

Before me, the undersigned authority, personally appeared Nicholas Daniel Nopp, who, being by me duly sworn, deposed as follows:

1. My name is Nicholas Daniel Nopp. My wife, Patricia Nopp, and I own 2.034 acres of property located at 664 County Road 653 Farmersville, Texas ("Nopp Property"). The Nopp Property is in Collin County, outside the territorial jurisdiction of the City of Farmersville, and is not subject to municipal zoning regulation.

2. I live with my family, which includes my wife and our thirteen-year-old daughter, on the Nopp Property and have since 1999.

3. Additionally, my parents, Nicholas and Beverly Nopp, live on the Nopp Property and have since 2014.

4. My family and I reside in the building located on the northern end of the Nopp Property, and my parents reside in the building located on the southern end of the Nopp Property. Storage for my business is also located on the southern end of the Nopp Property.

5. Attached at Exhibit A is an aerial picture of the Nopp Property. On Exhibit A I have marked the location of the two buildings used as residences.

6. The two buildings share a common source of domestic water supply, and each building has its own septic system. Separate metering exists for the electrical supply.

7. Both buildings contain one or more bedrooms, bathrooms, living areas, and a kitchen.

8. Although my parents are retired and they travel often in their motorcoach, the Nopp Property is their permanent residence. The Nopp Property is the address where they receive all their mail. The Nopp Property is what is listed as their permanent address on their Texas Drivers Licenses, Voter Registration Cards, and Medical Records.

9. Attached at Exhibit B are true and correct copies of aerial plot plans of the proposed concrete batch plant which TXI Operations, LP (TXI) submitted to the Texas Commission of Environmental Quality (TCEQ) on or about June 25, 2019 with its application for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 157413 (TXI Application).

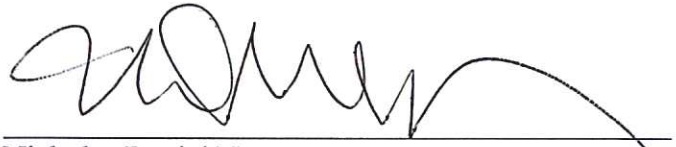
10. The aerial plot plans in Exhibit B show the location of the central baghouse for TXI's proposed concrete batch plant. They also depict a 440-yard radius around the central baghouse as indicated by a red circle.

11. The aerial plot plans in Exhibit B show that the distance from TXI's central baghouse to the building on the southern end of the Nopp Property which is used as a residence by my parents is less than 440 yards.

12. Section 382.05198 (a) (19) of the Texas Health and Safety Code (relating to *Standard Permit for Certain Concrete Plants*) requires that, "the central baghouse must be located at least 440 yards from any building used as a single or multifamily residence, school, or place of worship at the time the application to use the permit is filed with the commission if the plant is located in an area that is not subject to municipal zoning regulation."


13. The building on the southern end of the Nopp Property is and was used as a single family residence when the TXI Application was filed and it is located within 440

yards of the central baghouse location as provided in the TXI Application.

  
\_\_\_\_\_  
Nicholas Daniel Nopp

SWORN TO AND SUBSCRIBED before me on the 14<sup>th</sup> day of October, 2019.



  
\_\_\_\_\_  
Notary Public, State of Texas



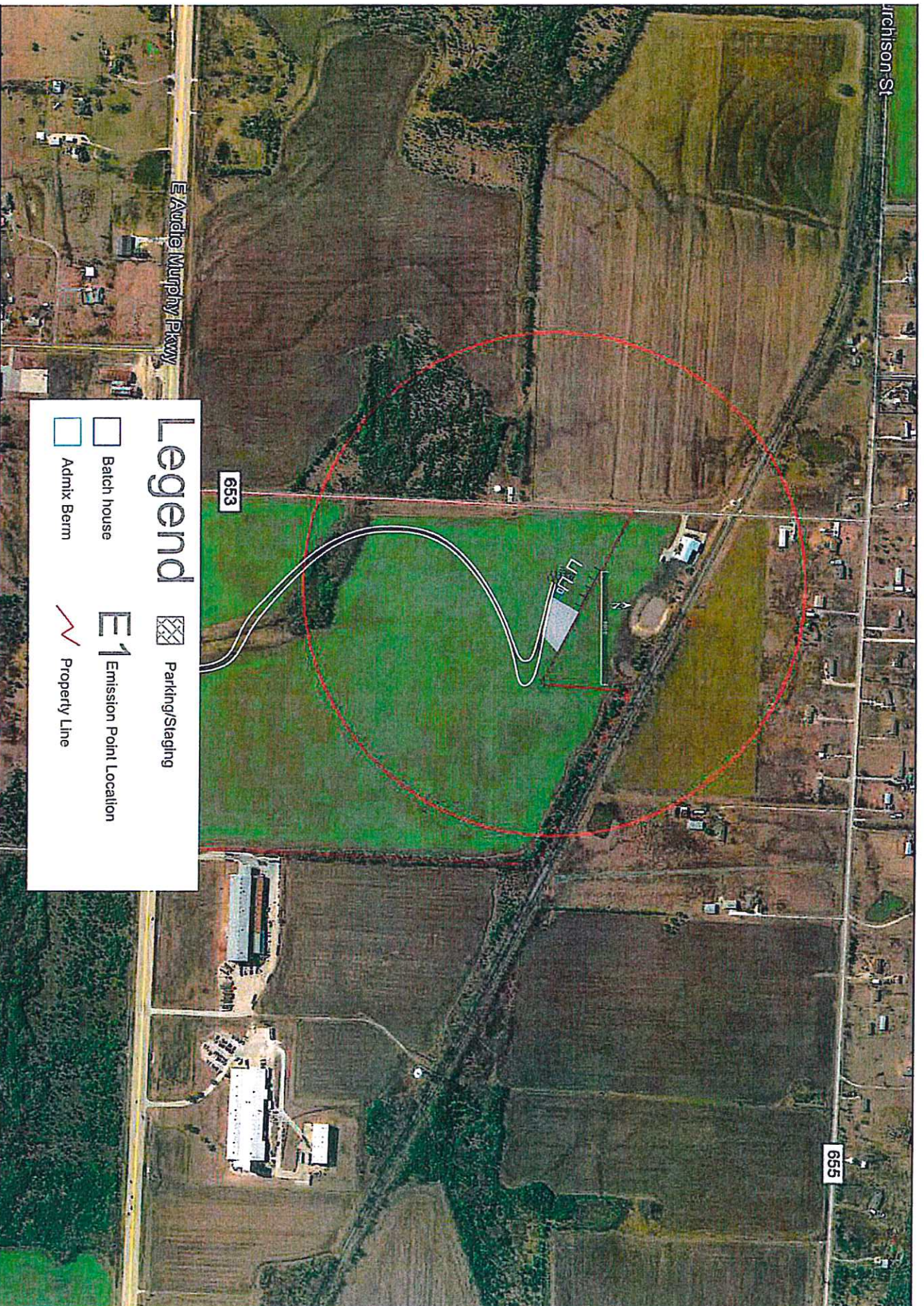
## Exhibit A



Nopp Property Buildings








# Exhibit B





### Legend

	Parking/Staging
	Batch house
	Admix Berm
	Emission Point Location
	Property Line

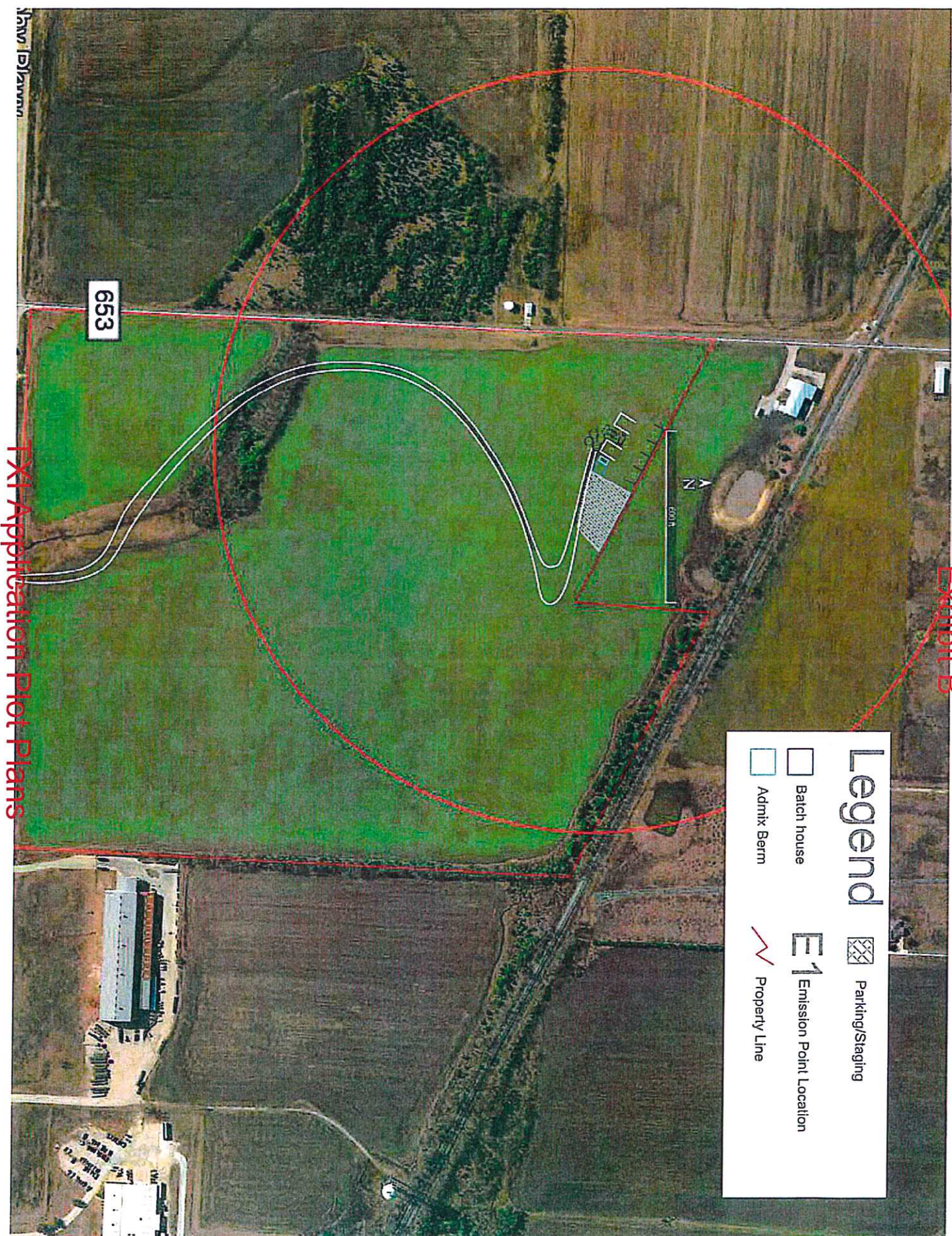
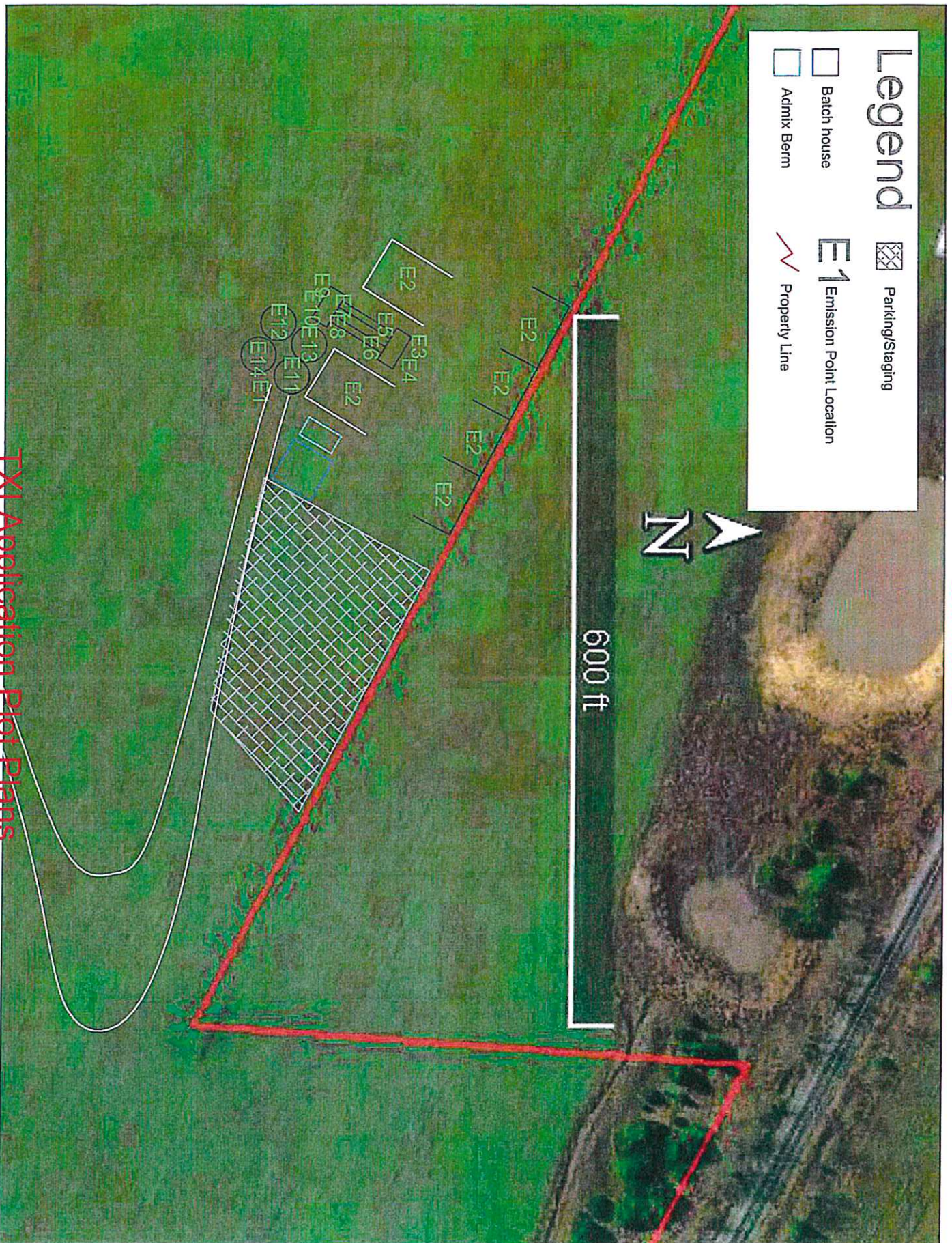




Exhibit B





## Exhibit B

