

► **AGGREGATE INDUSTRIES**

# Austin judge recommends approval of rock-crushing plant permit

**Public comment must be filed by Feb. 14**

**By Greg Bowen**  
The Herald-Zeitung

A judge is recommending approval of a state air-quality permit that would allow Aggregate Industries-WCR Inc. to build a new rock-crushing plant on Farm Road 482 west of New Braunfels.

If the permit is approved, as much as 5 million tons of limestone per year would be quarried at the site and processed for materials to be used in the construction industry.

The final decision on the permit will

**PUBLIC COMMENT:**

Permit # 83755

**By Mail:**

Office of the  
Chief Clerk, MC  
105

TCEQ

PO Box 13087

Austin, TX

78711-3087

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www.tceq.state.

tx.us/

**Questions? Call**

(512) 239-3300.

be made by the three-member commission of the Texas Commission on Environmental Quality, which will consider the issue at a future meeting, TCEQ spokeswoman Andrea Morrow said Tuesday. "It's unlikely to come before the commission before March, maybe even later," Morrow said.

Austin judge Penny Wilkov of the State Office of Administrative

Hearings issued her "proposal for decision" on Jan. 13, recommending that TCEQ approve the permit application.

The permit seeks authorization to construct and operate a rock-crushing plant at 5900 FM 482 in Comal County, three miles west of New Braunfels, on approximately 1,000 acres.

The site is located directly between two existing quarries with a lime manufacturing plant and a cement manufacturing plant operating within a few miles of the proposed site, according to Wilkov.

In her proposal for decision, Wilkov wrote that she is recommending approval of the permit because she "is persuaded that the operation of the facility will not create a nuisance, does not present a risk of adverse health effects and will not have an adverse effect on air quality."

Morrow said TCEQ as well as various

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parties who spoke against the issuance of the permit haven't yet had the opportunity to respond to the judge's recommendation.

"That has to happen before it goes to the (TCEQ) commissioners," Morrow said. Such comments must be filed by Feb. 14, according to Judge Wilkov.

According to documents filed with TCEQ, the proposed facility would consist of two crushing plants, a truck loadout area and a rail loadout area.

Rock will be mined from the site and transported via large trucks to crushers which use steel plates to crush the rock. The crushed rock will be stockpiled on site or shipped by truck or rail. Customers include the paving, redi-mix and road construction sectors.

The Holcim Corporation, a cement and aggregates company that is the parent company of Aggregate Industries-WCR Inc., has owned the site since the early 1980s, but the site has been used as farmland.

Opponents argued that dust from the facility could hurt air quality and harm the endangered golden-cheeked warbler. Generally, limestone is considered non-toxic nuisance dust, the judge wrote, adding that no evidence of adverse health impacts were shown.

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