



ELLEN TROXCLAIR

TEXAS STATE REPRESENTATIVE • DISTRICT 19

April 4, 2025

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk
Austin, Texas 78711
RE: TCEQ Docket No. 2025-0338-AIR

To Ms. Gharis:

As a duly elected member of the Texas House of Representatives, I write to support the Office of Public Interest Counsel (“OPIC”)’s March 28th recommendation, and reiterate my request that the Commission grant motions to overturn the issuance of Standard Air Permit No. 176835 to Asphalt Inc. LLC (“Asphalt Inc.”) timely filed by *Save Burnet*, myself, and others.

OPIC’s recommendation and the report of expert Dr. David Mitchell found the emissions calculations presented in Asphalt Inc.’s application “certainly not scientifically realistic.” The TCEQ has not adequately addressed the wealth of credible evidence and analysis proffered by Dr. Mitchell, the Texas Parks and Wildlife Department, the City Council of Burnet, and the thousands of comments filed in opposition to this permit.

As stated in my March 3rd motion, Asphalt Inc.’s application inexplicably uses lower emission rates than those considered by TCEQ’s protectiveness review, and fails to consider potential public health and environmental harms posed by the facility, specify proposed control technology, or provide support for its representations of compliance with TCEQ regulations.

The proposed quarry and rock crusher’s operations could disrupt sensitive Hill Country wildlife habitat and devalue some of our state’s most precious natural assets, archaeological sites, and historical treasures. It also impacts some of my constituents, whose family lands may be polluted with unexamined air and water emissions, while their private property rights are railroaded by Asphalt Inc.’s ever-expanding scope.

The Commission may grant a motion to overturn where “substantial evidence in the record” supports such decision. Surely, the evidence raised in the record by myself, State agencies, scientists, and thousands of our fellow Texans are “substantial” enough to justify overturning this standard permit issued on the grounds of an insufficient application.

I respectfully request your continued careful consideration, and I hope this letter might serve as a further resource in your deliberations.

Sincerely,

A handwritten signature in cursive script that reads "Ellen Troxclair". The signature is written in black ink and is positioned above the typed name.

Ellen Troxclair
State Representative, District 19