TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AN INTERIM ORDER concerning the application by LGS Precast LLC for issuance of Air Quality Standard Permit for Concrete Batch Plants Registration No. 180792; TCEQ Docket No. 2026-0473-AIR.

On June 3, 2026, the Texas Commission on Environmental Quality (Commission) considered during its open meeting several requests for hearing and reconsideration concerning the application by LGS Precast LLC (Applicant) for issuance of Air Quality Standard Permit for Concrete Batch Plants Registration No. 180792, which seeks authorization to construct a permanent central mix concrete batch plant at 408 South Lacy Drive, Lacy Lakeview, McLennan County, Texas. The requests for hearing and reconsideration were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55. The Commission also considered the responses to the requests for hearing and reconsideration filed by the Executive Director, the Office of Public Interest Counsel, and the Applicant; requesters' timely replies; all timely public comment; and the Executive Director's Response to Comment.

After evaluation of all relevant filings, the Commission determined that the individuals listed in Attachment A to this Order are affected persons under applicable law and granted their requests for hearing. The Commission determined that the remaining hearing requests and requests for reconsideration be denied.

The Commission next determined whether the requests for hearing raised disputed issues of fact or mixed questions of fact and law that were raised by the affected persons during the comment period, and that are relevant and material to its decision on the application. The Commission determined that the following issues met those requirements and directed that they be referred to the State Office of Administrative Hearings (SOAH) for a contested case hearing: A) Whether the permit contains adequate conditions to protect the health of the requesters and their families; B) Whether the permit demonstrates compliance with air quality standards, particularly with respect to particulate matter; and C) Whether the permit contains adequate conditions to be protective against nuisance dust in accordance with Texas Administrative Code § 101.4, including conditions affecting requesters' use and enjoyment of property.

Finally, the Commission specified a maximum duration for the contested case hearing of 180 days from the preliminary hearing to the date the proposal for decision is issued by SOAH.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

1. The hearing requests of the individuals listed in Attachment A to this Order are hereby GRANTED;
2. The remaining hearing requests and requests for reconsideration are hereby DENIED;
3. The following issues are REFERRED to SOAH for a contested case hearing on the application:
    A) Whether the permit contains adequate conditions to protect the health of the requesters and their families;
    B) Whether the permit demonstrates compliance with air quality standards, particularly with respect to particulate matter; and

C) Whether the permit contains adequate conditions to be protective against nuisance dust in accordance with 30 Texas Administrative Code § 101.4, including conditions affecting requesters' use and enjoyment of property.

4. All issues not identified as being referred to SOAH in Ordering Provision No. 3 are hereby DENIED;

5. The maximum duration of the contested case hearing is SET at 180 days from the preliminary hearing to the date the proposal for decision is issued by SOAH; and

6. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Brooke T. Paup
For the Commission

June 9, 2026
Date Signed

Attachment A

Brian Alexander
Irene Alexander
Montiel Allen
Sean Anderson
Wendell Anderson
Alexander Barker
Brent Beelle
Candice Bluitt
Paula Bonin
Leilani Brito
Mike Caufield
Carol Chanceler
Alvin Cleveland
Carolyn Dudik
A. Ervin
Melissa Eversole
Charles Find
Christopher Foster
Danny Golliy
Jeffery Green
Arthur J. Hart
Michelle Hebert
Mary Hershberger
Mohammed Iseal
Jeslyn Jefferson
Bobby Johnson
Georgia Johnson
Nicole King
Leanne Knutson
Julia Limones
Jennifer Lively
Ronald D. Long
Angela Lowery
Marin Lyons
Stephanie McNair
Ashley McWilliams
Jorge McWilliams
Linda Mercer
Q. Morgan
Sid Porer
Christine Richard
Eric Reeve
Serrina Rivera
Cesar Rodriguez
Ricki Rogers
Gregory Rowe
Stephanie Shell
Royce Shell
Tyrone Stewart
Julie Swaby
Torrell Turner
Stephanie Talbot
Winfred Talley
Mikey Thompson
Gloria Thrash
Sirr Whaley
Kennington Whitsey