

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 18, 2019

E-CERTIFIED CONFIRMATION

9171 9690 0935 0230 3154 07

Mr. Don Bell, Environmental Manager
TXI Operations, L.P.
1503 LBJ Fwy, Ste 400
Dallas, Texas 75234-6007

Re: Notice of Enforcement for Compliance Evaluation Investigation at:
McKinney Plant 3, 2105 S McDonald St., McKinney, Collin County, Texas
RN102171238, CN600125157

Dear Mr. Bell:

On July 19, 2019, Ms. Archer Chattin of the Texas Commission on Environmental Quality (TCEQ) DFW Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for air quality. During this investigation, certain outstanding alleged violations were documented. Enclosed is a summary which lists the investigation findings.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the DFW Region Office at 817/588-5800 or the Central Office Publications Ordering Team at 512/239-0028.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

COPY

TCEQ Region 4-Dallas/Fort Worth • 2309 Gravel Dr. • Fort Worth, Texas 76118-6951 • 817-588-5800 • Fax 817-588-5700

Austin Headquarters: 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customer/survey

Mr. Don Bell, Environmental Manager

Page 2

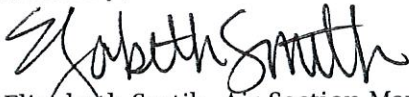
September 18, 2019

Also, if you believe the violations documented in this notice have been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request meeting, send a letter describing the additional information to the address shown below.

Manager, Air Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Ms. Chatten in the Air Section in the DFW Region Office at 817/588-5839.

Sincerely,



Elizabeth Smith, Air Section Manager
Dallas-Fort Worth Region Office
Texas Commission on Environmental Quality

EMS/llp

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

MCKINNEY PLANT 3

2105 S MCDONALD ST
MCKINNEY, COLLIN COUNTY, TX 75069

Investigation #

1580404
Investigation Date: 07/19/2019

Additional ID(s): 39376

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 724824 Compliance Due Date: To Be Determined

5C THSC Chapter 382.085(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 1580404

Comment Date: 08/22/2019

Failure to prevent the emission of any air contaminant that causes or contributes to air pollution during an emissions event that took place on July 18-19, 2019, TCEQ/STEERS Incident Nos. 316452 and 317965. Specifically, TXI Operations emitted 8,000 lbs of cement dust (particulate matter) from the cement silo pressure relief valve. The event lasted 5 hours and 15 minutes. The site is authorized by historical Standard Exemption 71 for Permanently Located Concrete Batch Plants under Registration No. 39376. The event did not meet the affirmative defense criteria because the emissions were not from a sudden, unavoidable breakdown of equipment or process, beyond the control of the operator, as outlined in 30 TAC 101.222(b)(2) and because the emissions stemmed from an activity or event that could have been foreseen and avoided by better operation and maintenance practices and by technically feasible design consistent with best management practices as outlined in 30 TAC 101.222(b)(3). Specifically, the release was the result of a plant employee failing to press the plant shut down button upon leaving the facility at the end of the work day. The automatic shut off system built in to avoid overfilling the cement silo had been mis-wired and was inoperable, thus the silo continued to fill and the relief valves on the silo began to vent cement to the atmosphere.

Recommended Corrective Action: TXI Operations should comply with State Air Quality Regulations.

Track No: 726989 Compliance Due Date: To Be Determined

30 TAC Chapter 101.5
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 1580404

Comment Date: 09/06/2019

Failure to prevent the discharge of such quantities of cement dust as would cause or have a tendency to cause a traffic hazard or an interference with normal road use. During an investigation conducted on July 19, 2019, the investigator observed cement dust that had crossed Highway 5 during the event in such quantities as would have a tendency to cause a traffic hazard. Additionally, during the review of written statements collected in conjunction with that investigation it was documented by complainants that cement dust had obscured the visibility on Highway 5 around 9:00 pm on July 18, 2019. Complainants stated that the dust looked like smoke and thick fog and that the dust made it difficult to see where turns were.

Recommended Corrective Action: TXI should prevent emissions that could cause a traffic hazard.

Track No: 727087 Compliance Due Date: To Be Determined

30 TAC Chapter 101.4
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 1580404

Comment Date: 09/06/2019

Failure to prevent the discharge of air contaminants in such concentration and duration as to interfere with the normal use and enjoyment of complainants' properties. During an investigation conducted on July 19, 2019 and during review of written statements associated with the emissions event that occurred on July 18-19, 2019, it was documented that 8,000 pounds of cement dust was emitted and coated stationary surfaces including patio furniture, barbecue grills, ponds, children's toys, door handles, window sills, cars, streets, sidewalks, mailboxes, garbage cans, and vegetation along Highway 5, Stewart Rd, Dog Leg Trail, and various other cross streets. Complainants submitted written statements which alleged that they could not drive their cars until after cleaning them because they could not see out the windshield and that they were concerned about exposure during cleaning as well as the potential for corrosion on cars and metal surfaces as well as health effects including headache, chest pain, skin and eye discomfort.

Recommended Corrective Action: TXI should prevent off-site emissions from causing nuisance conditions.

AIR CP_102171238_CP_20190719_investigation_1580404_
Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: TXI Operations, LP
Customer Number: CN600125157

Regulated Entity Name: MCKINNEY PLANT 3

Regulated Entity Number: RN102171238

Investigation # 1580404

Incident Numbers

318824	317117
316592	316558
317132	316697
316959	316991
316645	316586
317118	316602
316702	317187
316952	316638
317672	317119
318826	317872
317184	316452
316954	317120
316581	318830
317180	317674
317965	316594
316694	316861
317131	317186
316957	

Investigator: ARCHER CHATTIN

Site Classification MINOR SOURCE

Conducted: 07/19/2019 -- 07/19/2019

No Industry Code Assigned

Program(s): AIR NEW SOURCE PERMITS

Investigation Type: Compliance Investigation

Location: PORTABLE

Additional ID(s): 39376

Address: 2105 S MCDONALD ST,
MCKINNEY, TX, 75069

Local Unit: REGION 04 - DFW METROPLEX

Activity Type(s): AIRCOMPL - AIR CMPL - AIR
COMPLAINT INV
UML3ON - AIR UML3ON - ON-SITE
UPSETMAINTENANCE LEVEL 3

Principal(s):

Role

Name

RESPONDENT

TXI OPERATIONS LP

Contact(s):

COPY

Role	Title	Name	Phone
REGULATED ENTITY CONTACT	ENVIRONMENTAL MANAGER	MR DON C BELL JR	Cell (214) 356-9664 Work (972) 647-7088
PARTICIPATED IN	ENVIRONMENTAL SPECIALIST	MR JESSE MARTINDALE	Phone (972) 647-3742

Other Staff Member(s):

Role	Name
Supervisor	ELIZABETH SMITH
QA Reviewer	LUKE JONES

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
AIR COMPLAINT INVESTIGATION	CMPL
AIR EQUIPMENT	EQUIP
AIR EMISSIONS EVENT REVIEW (ON OR AFTER 01/05/2006)	UML3

Investigation Comments:**INTRODUCTION**

On July 19, 2019, Ms. Archer Chattin, Environmental Investigator ('Investigator') of the Texas Commission on Environmental Quality (TCEQ), Dallas/Fort Worth (DFW) Region office, conducted an Air Quality Complaint (AIR-CMPL) investigation and an Upset/Maintenance Level 3 (UML3) investigation at the TXI McKinney Plant 3 ('site,' 'plant,' 'facility,' 'regulated entity') located southeast of the intersection of S McDonald St and Stewart Rd, McKinney, Collin County, Texas. The site is owned and operated by TXI Operations LP, a subsidiary of Martin Marietta Materials Inc.

The investigation was conducted in response to 33 citizen complaints, Incident Nos. 316558, 316581, 316586, 316592, 316594, 316602, 316638, 316645, 316694, 316697, 316702, 316861, 316952, 316954, 316957, 316959, 316991, 317117, 317118, 317119, 317120, 317131, 317132, 317180, 317184, 317186, 317187, 317672, 317674, 317872, 318824, 318826, and 318830, received between July 19, 2019 and August 13, 2019, alleging that a thick cloud of dust was emitted from the facility and impacting their property and causing poor visibility while driving on Highway 5 and Stewart Road on the evening of July 18, 2019. The complainants expressed concern over potential impacts that exposure to the dust may have on their health and their property. On July 19, 2019, TXI submitted an Opacity Event Notification (Incident no. 316452) through the State of the Texas Environmental Electronic Reporting System (STEERS) (see Attachment 1: Incident Reports). On August 2, 2019, TXI submitted an Emissions Event Initial and Final Notification on STEERS (Incident no. 317965) (see Attachment 1: Incident Reports).

The purpose of the investigation was to evaluate potential nuisance conditions and potential conditions of air pollution, and to evaluate the emissions event notification to determine compliance with the reporting requirements in 30 TAC 101.201 and the demonstration criteria in 30 TAC 101.222. According to agency records, the operation is registered under two Regulated Entity Numbers (RN) and Customer Numbers (CN). Permit by Rule Registration No. 76159 for 106.144 Bulk Mineral Handling authorizes a cement silo owned by Martin Marietta Materials (CN 600134696) and operated by TXI Operations (CN 600125157) located at 2005 S McDonald St (RN10270736; TXI McKinney Ready Mix Cement Silo). Standard Exemption (SE) 71, claimed under registration No. 39376 for Concrete Batch Plants, authorizes a concrete batch plant owned and operated by TXI Operations at 2105 S McDonald Street as part of Martin Marietta Materials (RN 102171238). The latter RN number is the subject of this investigation. Mr. Don Bell, Environmental Manager for Martin Marietta, was the regulated entity contact for this investigation. Mr. Jesse Martindale, Environmental Engineer for Martin Marietta, participated in the onsite investigation.

Daily Narrative

On July 19, 2019, the investigator arrived in the vicinity of the regulated entity at 11:00 am and took weather

readings using an anemometer. The temperature was 93 degrees Fahrenheit with 42% humidity and wind from the south at an average of 14 miles per hour. Upon arriving in the vicinity, the investigator observed an opaque layer of cement dust coating cars, streets, sidewalks, mailboxes, garbage cans, and vegetation along Highway 5, Stewart Rd, Dog Leg Trail, and various other cross streets. Ms. Chattin met with the complainants associated with Incident Nos. 316581, 316592, 316594, 316694, and 316702, discussed the investigation, did a walkthrough of their properties and took pictures (see Attachment 2: Photographs). The investigator documented a layer of dust coating stationary surfaces including patio furniture, barbecue grills, ponds, children's toys, door handles, and window sills and observed cement dust becoming airborne when she walked on grass.

The investigator took Tape Lift Samples of dust on the complainant's property at their request to confirm the presence of cement dust. Tape Lift samples are sent to the TCEQ Air Laboratory and the particles collected are characterized using polarized light microscopy and Scanning Electron Microscopy to determine the concentrations of different minerals and organic compounds. The complainants associated with Incident Nos. 316592 and 316594 alleged that they could not drive their cars until after cleaning them because they could not see out the windshield and that they were concerned about exposure during cleaning as well as the potential for corrosion on cars and metal surfaces. The complainants stated that they observed sweeper trucks from the TXI facility cleaning Highway 5 at approximately 5:30 am and that the trucks were agitating the dust causing it to become airborne again. Ms. Chattin continued to document the impact of the cement dust and found that cement dust was still visibly accumulated up to a mile downwind of TXI. The investigator noted that the cement dust clung to her clothing, shoes, and hair even after leaving the area.

The investigator left the complainants and arrived near the TXI Operations entrance at 12:15 pm. On Highway 5 directly outside the facility exit the investigator observed cement dust clouds being generated by traffic. Upon entering the facility Ms. Chattin observed people on top of the main cement silo that appeared to be working on the equipment and cleaning cement off. The cement silo was coated with cement from top to bottom on the south-facing surface. The investigator observed a crew of 3 to 5 people using a vacuum truck with a hose to vacuum cement dust from the ground under the plant and from equipment surfaces near the ground (see Attachment 2: Photographs). Mr. Martindale was onsite supervising the work and gathering information on what occurred. Ms. Chattin made contact with Mr. Martindale, presented credentials and discussed the purpose of the investigation. The investigator asked Mr. Martindale what had occurred at the facility in the last 24 hours. Mr. Martindale said that the facility had become aware of a situation at approximately 3 am and began using sweeper trucks to clean S McDonald St at approximately 5:30 am. Mr. Martindale stated that they were unsure what happened as of the investigation time, maybe a pump was left on when the crew left for the night on July 18, 2019 at 5:30 pm, but that the facility could not yet confirm the source of the release had been their facility. Mr. Martindale said that the company's investigation and response were ongoing, and any pertinent notifications and reports would be filed in a timely manner. Ms. Chattin asked what TXI planned to do over the next several days to investigate and address the situation. Mr. Martindale said that TXI had shut down operation at the plant since 3 am that morning and that the plant would remain shut down until the incident had been fully investigated and all equipment tested for functionality. Mr. Martindale also stated that TXI would continue cleanup efforts of their property, the entrance and exit road, and Highway 5 in front of the facility and that additional clean up response was being evaluated and could be implemented in the coming days. The investigator documented the activities onsite and left the area at approximately 1:05 pm.

At 6:28 pm on July 19, 2019, TXI submitted the Opacity Event Notification (Incident no. 316452) via STEERS. The notification stated that the event was discovered at 1:30 am on July 19, 2019 and had lasted 5 hours and 15 minutes. The notification had an estimated opacity of 50% reported, however no Method 9 had been conducted, no facility personnel were present during the incident and the release occurred at night. No information was given concerning the particulate matter emissions released.

On July 23, 2019, Ms. Chattin contacted Mr. Bell via telephone and asked for additional information concerning the event notification. The investigator asked Mr. Bell why the notification did not include an emissions event. Mr. Bell stated that they did not have any information on the amount of cement released off property at the time the initial notification was due and so they did not include it. Ms. Chattin confirmed with Mr. Bell that the TXI Operations facility had been the source of the cement dust released and asked if the facility knew if the amount released was over the reportable quantity of 100 pounds, to which Mr. Bell answered yes. The investigator informed Mr. Bell that an emissions event notification would be necessary since the amount of cement dust released was over a reportable quantity and that the final report would be due two weeks after the end of the event in accordance with the emissions event reporting criteria in 30 TAC 101.201. Ms. Chattin requested that Mr. Bell provide a detailed timeline of the event be included with the final report submission as well. The investigator

provided Mr. Bell with and Exit Interview Form via email noting the request for a timeline as well as three potential violations (see Attachment 3: Exit Interview Forms).

On August 2, 2019, TXI Operations submitted an Initial and Final Emissions Event Notification via STEERS (incident No. 317965) (see Attachment 1: Incident Reports). According to the notification, the event began at approximately 8:15 pm on July 18, 2019 and lasted 5 hours and 15 minutes. During this time, an automatic shut-down system for one of the cement silos failed to operate correctly to shut down a blower motor causing a silo to overfill and activate the pressure release valve. Once the pressure release valve was activated, the silo began to emit cement dust particulate matter until facility personnel arrived onsite and shut the system off manually. The notification estimated 8,000 lbs of cement dust was emitted during the event. A detailed timeline of the event was not included in the Notification as requested via Exit Interview Form on July 23, 2019.

On August 5, 2019 Ms. Chattin contacted Mr. Bell to obtain additional information about the emissions event. Ms. Chattin asked Mr. Bell what caused the Automatic Shut-off valve not to operate and whether the Automatic Shut-off valve referenced in the notification was the mechanism used to turn off the blower on a regular day-to-day basis or if this was a secondary fail-safe in case of operator error. Mr. Bell stated that he was unsure and would have to gather that information from the team that conducted the internal investigation for TXI. The investigator submitted an Exit Interview Form via email noting a records Request for the detailed timeline originally requested on July 23, 2019, as well as records used to calculate the quantity of cement released, testing and maintenance records for the Automatic Shut-off valve, and an explanation of its use and purpose in the operating process (see Attachment 3: Exit Interview Forms).

On August 6, 2019, Mr. Bell responded to the records request (see Attachment 4: Facility Response to Records Requests). In the response TXI Operations provided the following detailed timeline:

- July 18th at 6:28pm: Final Martin Marietta employee leaves the McKinney batch plant
- July 18th at 8:17pm: Dust event begins
- July 18th at 11:52pm: McKinney Fire Department (MFD) arrives at the McKinney batch plant; MFD does not contact Martin Marietta
- July 19th at 12:14am: MFD leaves the McKinney batch plant without taking action or contacting Martin Marietta
- July 19th at 12:16am: Unknown vehicle arrives at the adjacent Cowtown facility
- July 19th at 1:26am: Martin Marietta employee driving past the McKinney batch plant to work at another facility notices dust in the area; employee stops and shuts down cement transfer system by pressing a large red "stop" button that is on an electrical panel, located outside and in plain view; the release ceases
- July 19th at 2:45am: First Martin Marietta employee arrives for work at the McKinney batch plant
- July 19th at 3:30am: Unknown individual walks over to the McKinney batch plant from the Cowtown facility; individual returns to Cowtown three minutes later
- July 19th at 6:00am: Vacuum sweepers arrive and begin cleanup of Hwy 5, with cleanup on Martin Marietta property, including the top of the silo following.
- July 19th at 10:52am: Operations at the McKinney batch plant cease; per corporate directive, it has not operated since this time"

TXI also provided the following explanation of the function of the Automatic Shut-off referenced in the emissions event notification:

"The plant has an automatic shut off system built into it to avoid it overfilling. That system, generically known as a "bindicator," is the type of proprietary, third party system widely used in the industry. In the instant case, the device is a "Safe Point" rotary paddle bin monitor manufactured by Monitor Technologies, LLC. On the evening of July 18, it appears that plant personnel failed to press the plant shut down button upon leaving the site at 6:28 pm. At approximately 8:17 pm based on security camera footage, the relief valves on the plant activated and cement started venting to the atmosphere. If the 'bindicator' had been operating properly, the blower from the transfer silo would have shutdown automatically before filling the silo and triggering the pressure relief valves.

The investigation to date indicates that a new batch panel was installed at the plant on July 11 and 12. In the course of that installation, it appears that wiring to complete the circuit powering the 'bindicator' was not reattached, rendering it inoperable. At some point in the past, the 'bindicator' circuit was run through the old batch panel. As this is not normal practice, neither the panel manufacturer nor the company staff realized that the bindicator had been so wired and was no longer operational, after the new batch panel was installed."

On August 12, 2019, the TCEQ laboratory returned the results from the tape lift sample (see Attachment 5: Laboratory Analysis Results). The analysis used polarized light microscopy to analyze particles taken at the complainant's property for cement dust. Sample 1580404-A contained cement dust, common clays and minerals, fungal spores, plant fibers, pollen, and rubber dust. Energy Dispersive Spectroscopy (EDS) analysis showed primary peaks of the elements oxygen, aluminum, silicon, and calcium.

On July 25, 2019, the complainant associated with incident no. 317872 submitted a written statement describing the impact the emissions event had on the use and enjoyment of their property. The complainant alleged that their outdoor areas were unable to be used because they were perceived as unsafe and that Martin Marietta was not taking responsibility for the cleanup and safety of the area.

On August 9, 2019, the complainant associated with incident no. 316702 submitted a written statement describing the traffic hazard experienced by the complainant on the evening of July 18, 2019, due to the dust emissions from the TXI McKinney Plant. The complainant alleged that the cement dust had obscured the visibility on Highway 5 around 9:00 pm on July 18 and made it difficult for them to see where the turn-in for Stewart Rd was. The discharge of air contaminants in such quantities as would cause a traffic hazard is a violation of 30 TAC 101.5. This violation is a Category A10 and is classified as moderate.

On August 10, 2019, the complainant associated with incident no. 317120 submitted a written statement describing the impact of cement dust on their property. The complainant stated that their property was covered with a very thick fog of dust and even after having cleaned extensively, the dust is still everywhere.

On August 15, 2019, the complainant associated with incident no. 316957 submitted a written statement describing the impact of the cement dust on their property and health. The complainant stated that the dust caused dangerously poor visibility while driving, vomiting in their pets, and caused significant emotional distress. The complainant stated that they were forced to leave the property due to health concerns until the cement could be cleaned up. The complainant alleged health effects due to the cement dust including headache, chest pain, skin and eye discomfort.

Ms. Chattin reviewed the written statements, sample analysis results, notes, and photographs taken on site and determined that the cement dust released was in such concentration and duration as to interfere with the normal use and enjoyment of complainant's properties and thus constitutes a nuisance condition. This is a violation of 30 TAC 101.4. It is a category B13 violation in accordance with the EIC, Revision 16, and is classified as moderate.

Excessive Emissions Event Assessment - 317965

The excessive emissions event demonstration criteria in 30 TAC 101.222(a) (1) through (6) were reviewed, and it appears that this emissions event is not excessive.

Non-Excessive Emissions Event Assessment - 317965

The applicable demonstration criteria under 30 TAC 101.222(b) (1) through (11) were reviewed. This event could not meet an affirmative defense to all claims in enforcement actions because TXI Operations did not meet the requirements of 30 TAC 101.222.(b)(2) and (3) because the emissions were not from a sudden, unavoidable breakdown of equipment or process, beyond the control of the operator and because the emissions stemmed from an event that could have been foreseen and avoided by better operation and maintenance practices and by technically feasible design consistent with best management practices. Specifically, the release was the result of a plant employee failing to press the plant shut down button upon leaving the facility at the end of the work day and the automatic system built in to avoid overflowing in such an event was mis-wired and was inoperable when needed.

Because TXI Operations has not met all the demonstration criteria, they cannot claim an affirmative defense for the resulting emissions which occurred. Additionally, because the operation is authorized under PBRs, the site does not have specified short term emissions limits. However, based on the evidence collected and observations made onsite by the investigator and the written statements from complainants adversely affected by the cement dust released on July 18-19, 2019, it was determined that the emissions caused or contributed to a condition of air pollution in violation of 30 TAC 382.085(a). This is a category A10 violation in accordance with the EIC, Revision 16, and is classified as major.

Exit Interview

On July 23, 2019, and August 5, 2019 Ms. Chattin provided Mr. Bell Exit Interview forms noting three alleged

violations. On August 23, 2019 a Preliminary Findings letter was sent to TXI Operations. As of the writing of this report, no response or additional information has been provided by TXI.

GENERAL FACILITY AND PROCESS INFORMATION

Process Description

McKinney Plant 3 is a permanent concrete batch plant. Washed raw aggregate materials are hauled to site in covered trucks. Aggregates are loaded into aggregate bins using front-end loaders. Cement and fly ash are pumped to pigs from delivery trucks using a closed air hose pumping system. Cement is moved via air hose from pig to cement silo. Fly ash is moved from pig to fly ash silo via air hose. Aggregate bins and silos feed to discharge point. Emissions for aggregates, cement, and fly ash are handled by the central dust collection system and the silo collectors.

BACKGROUND

Compliance History

RE Name: McKinney Plant 3 RN: RN102171238
Classification: Satisfactory Rating: 4.00 Publication Date: November 15, 2018
Customer Name: TXI Operations LP CN: CN600125157
Classification: Satisfactory Rating: 0.39 Publication Date: August 22, 2019

Agreed Orders, Court Orders, and other Compliance Agreements

No agreed orders, court orders, or other compliance agreements exist regarding this facility in the last five years.

Prior Enforcement Issues

Three previous violations have been cited at this regulated entity in the last five years for failure to achieve maximum control of dust emissions (violation tracking no. 677421), failure to maintain intact all surfaces subject to vehicle traffic (violation tracking no. 677423), and failure to prevent a nuisance condition (violation tracking no. 710322) (see Attachment 6: Compliance History). Violation tracking nos. 677421 and 677423 were resolved with investigation no. 1512221. Violation tracking no. 710322 remains active.

Complaints

The TCEQ DFW Region office has received 47 air quality related complaint regarding this facility in the last two years (see Attachment 7: Complaint History). These complaints have resulted in seven investigations and three previous violations cited in two Notice of Violation letters dated June 14, 2018 (Violation Tracking nos. 677421 and 677423) and April 16, 2019 (violation tracking no. 710322).

ADDITIONAL INFORMATION

Conclusions, Recommendations, and Current Enforcement Actions

Three violations were noted as a result of this investigation, which will be referred for formal enforcement. A Notice of Enforcement will be sent to the facility and a copy of the report will be sent to the complainants. Close Incident Nos. 316558, 316581, 316586, 316592, 316594, 316602, 316638, 316645, 316694, 316697, 316702, 316861, 316952, 316954, 316957, 316959, 316991, 317117, 317118, 317119, 317120, 317131, 317132, 317180, 317184, 317186, 317187, 317672, 317674, 317872, 318824, 318826, and 318830.

Additional Issues

None

NOE Date: 9/18/2019

**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT**

Track Number: 724824

Compliance Due Date: To Be Determined

Violation Start Date: 7/18/2019

5C THSC Chapter 382.085(a)

5C THSC Chapter 382.085(b)

Alleged Violation:**Investigation: 1580404**

Comment Date: 08/22/2019

Failure to prevent the emission of any air contaminant that causes or contributes to air pollution during an emissions event that took place on July 18-19, 2019, TCEQ/STEERS Incident Nos. 316452 and 317965. Specifically, TXI Operations emitted 8,000 lbs of cement dust (particulate matter) from the cement silo pressure relief valve. The event lasted 5 hours and 15 minutes. The site is authorized by historical Standard Exemption 71 for Permanently Located Concrete Batch Plants under Registration No. 39376. The event did not meet the affirmative defense criteria because the emissions were not from a sudden, unavoidable breakdown of equipment or process, beyond the control of the operator, as outlined in 30 TAC 101.222(b)(2) and because the emissions stemmed from an activity or event that could have been foreseen and avoided by better operation and maintenance practices and by technically feasible design consistent with best management practices as outlined in 30 TAC 101.222(b)(3). Specifically, the release was the result of a plant employee failing to press the plant shut down button upon leaving the facility at the end of the work day. The automatic shut off system built in to avoid overfilling the cement silo had been mis-wired and was inoperable, thus the silo continued to fill and the relief valves on the silo began to vent cement to the atmosphere.

Recommended Corrective Action: TXI Operations should comply with State Air Quality Regulations.

Track Number: 726989**Compliance Due Date:** To Be Determined**Violation Start Date:** 7/18/2019

30 TAC Chapter 101.5
5C THSC Chapter 382.085(b)

Alleged Violation:**Investigation: 1580404**

Comment Date: 09/06/2019

Failure to prevent the discharge of such quantities of cement dust as would cause or have a tendency to cause a traffic hazard or an interference with normal road use. During an investigation conducted on July 19, 2019, the investigator observed cement dust that had crossed Highway 5 during the event in such quantities as would have a tendency to cause a traffic hazard. Additionally, during the review of written statements collected in conjunction with that investigation it was documented by complainants that cement dust had obscured the visibility on Highway 5 around 9:00 pm on July 18, 2019. Complainants stated that the dust looked like smoke and thick fog and that the dust made it difficult to see where turns were.

Recommended Corrective Action: TXI should prevent emissions that could cause a traffic hazard.

Track Number: 727087**Compliance Due Date:** To Be Determined**Violation Start Date:** 7/18/2019

30 TAC Chapter 101.4
5C THSC Chapter 382.085(b)

Alleged Violation:**Investigation: 1580404**

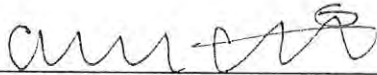
Comment Date: 09/06/2019

Failure to prevent the discharge of air contaminants in such concentration and duration as to interfere with the normal use and enjoyment of complainants' properties. During an investigation conducted on July 19, 2019 and during review of written statements associated with the emissions event that occurred on July 18-19, 2019, it was documented that 8,000 pounds of cement dust was emitted and coated stationary surfaces including patio furniture, barbecue grills, ponds, children's toys, door handles, window sills, cars, streets, sidewalks, mailboxes,

garbage cans, and vegetation along Highway 5, Stewart Rd, Dog Leg Trail, and various other cross streets. Complainants submitted written statements which alleged that they could not drive their cars until after cleaning them because they could not see out the windshield and that they were concerned about exposure during cleaning as well as the potential for corrosion on cars and metal surfaces as well as health effects including headache, chest pain, skin and eye discomfort.

Recommended Corrective Action: TXI should prevent off-site emissions from causing nuisance conditions.

Signed



Environmental Investigator

Date

9/17/19

Signed



Supervisor

Date

9/17/19

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Letter to Facility (specify type) : NOE

Investigation Report

5 Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

2 Photographs

4 Correspondence from the facility

Other (specify) :

1: Incident Reports

3: Exit Interview Forms

6: Compliance History

7: Complaint History

TCEQ

DFW Region



Attachment 1 Incident Reports

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 6

Texas Commission on Environmental Quality Reportable Event Notification

Submittal Type	Incident #	Incident Status	Investigation #	Investigation Status
INITIAL	316452	CLOSED	1580404	OPEN
Customer Name			CN #	
TXI OPERATIONS LP			CN600125157	
Name of Owner or Operator			RN/Air Acct #	Physical Location
MCKINNEY PLANT 3			RN102171238	2105 S MCDONALD ST MCKINNEY, TX 75069

Event/Activity Type	Date / Time Event Discovered or Scheduled Activity Start/End	Duration
EXCESS OPACITY	7/19/2019 1:30:00AM 7/19/2019 6:45:00AM	5 hours 15 minutes

Emission Point Common Name		Emission Point Number (EPN)			
Cement Storage and Transfer System		N/A			
List of Compound Descriptive type(s) of Individually Listed or Mixtures of Air Contaminant Compounds Released, Including opacity	Estimated Total Quantity for Air Contaminants for Emissions / Opacity Value for Opacity	Units	Authorized Emissions Limit / Opacity Limit	Units	Authorization (rule or permit #)
Opacity	50.00	% OPACITY	30.00	% OPACITY	30 TAC 111.111 (Reg No. 39376)

Facility Common Name	Facility Identification Number (FIN)
Cement Storage and Transfer System	

Process Unit or Area Common Name
Cement Storage and Transfer System

Cause of Emissions Event, Excess Opacity Event, or Reason for Scheduled Activity:

The cement transfer system had an unplanned malfunction, causing the cement silo to be overfilled or over-pressurized, and resulting in excess opacity.

Actions Taken, of Being Taken, to Minimize Emissions and/or Correct the Situation:

The plant is shutdown until systems checks are completed and the cause of the malfunction identified. Settled particulate matter was cleaned up with vacuum trucks and vacuum sweepers. Additional cleanup efforts are ongoing.

Basis Used to Determine Quantities and Any additional Information Necessary to Evaluate the Event:

Estimated opacity.

Person Making Initial Notification	DON BELL (972) 647-7088
Initial Notification Date/Time	2019-7-19 18:28
Method	STEERS
Incident Primary Contact	DON BELL (972) 647-7088
Jurisdiction(s) Notified	REGION 04 - DFW METROPLEX

Agency Comments	Assigned Staff Member: Archer Chattin
------------------------	--

**Texas Commission on Environmental Quality
Reportable Event Notification**

Incident Count :	1			
Incident Duration Total :	5 hours. 15 minutes.			
Average Incident Duration:	5 hours. 15 minutes.			
Duration Percent of Annual Operating Hours (8760)				
Incident	Reg Ent Num	Reg Ent Name	Duration	Percent
316452	RN102171238	MCKINNEY PLANT 3	5	0.06%

Texas Commission on Environmental Quality Reportable Event Report

Submittal Type	Incident #	Incident Status	Investigation #	Investigation Status
FINAL	317965	CLOSED	1580404	OPEN
Customer Name			CN #	
TXI OPERATIONS LP			CN600125157	
Name of Owner or Operator			RN/Air Acct #	Physical Location
MCKINNEY PLANT 3			RN102171238	2105 S MCDONALD ST MCKINNEY, TX 75069

Event/Activity Type	Date / Time Event Discovered or Scheduled	Activity Start/End	Duration
EMISSIONS EVENT	7/19/2019 1:30:00AM	7/19/2019 6:45:00AM	5 hours 15 minutes

Emission Point Common Name	Emission Point Number (EPN)				
Cement Storage and Transfer System	N/A				
List of Compound Descriptive type(s) of Individually Listed or Mixtures of Air Contaminant Compounds Released, Including opacity	Estimated Total Quantity for Air Contaminants for Emissions / Opacity Value for Opacity	Units	Authorized Emissions Limit / Opacity Limit	Units	Authorization (rule or permit #)
Particulate Matter	8,000.00	POUNDS	25.00	TONS/YR	39376

Facility Common Name	Facility Identification Number (FIN)
Cement Storage and Transfer System	

Process Unit or Area Common Name
Cement Storage and Transfer System

Cause of Emissions Event, Excess Opacity Event, or Reason for Scheduled Activity:

On the evening of July 18, 2019 an automatic shutdown system for one of the cement silos at the McKinney plant failed to operate correctly to shut down a blower motor. The result was that the system continued to fill a silo with cement beyond the capacity of the silo. A pressure release valve activated at some point and released the pressure along with particulate matter. The plant was not operational or staffed at the time, so the release continued until the system was shut down manually.

Actions Taken, of Being Taken, to Minimize Emissions and/or Correct the Situation:

The plant was shut down immediately as soon as the release was discovered by TXI. It was then operated briefly and worked correctly, but has since been shut down from July 19, 2019 to the date of this submission. The automatic shut down system has now been inspected and the cause of its failure determined by a forensic electric engineer. The plant will not be operated again until it is tested by a third party and shown to be operating correctly in terms of all of its systems and in compliance with its permit.

Basis Used to Determine Quantities and Any additional Information Necessary to Evaluate the Event:

Although we continue to investigate the incident, our current best estimate is that not more than 3-4 tons of cement left our property boundary. This calculation is based on a conservative estimate of inventory loss since our last physical inventory prior to the incident, our shipping and receiving records and a current physical inventory of cement remaining in the plant. We continue to investigate the incident and if this estimate is further refined, we will advise.

Person Making Initial Notification	DON BELL (972) 647-7088
Initial Notification Date/Time	2019-8-2 23:01
Method	STEERS
Incident Primary Contact	DON BELL (972) 647-7088
Jurisdiction(s) Notified	REGION 04 - DFW METROPLEX

**Texas Commission on Environmental Quality
Reportable Event Report**

Agency Comments

Assigned Staff Member: Archer Chattin

Texas Commission on Environmental Quality Reportable Event Report

Incident Count :	1			
Incident Duration Total :	5 hours. 15 minutes.			
Average Incident Duration:	5 hours. 15 minutes.			
Duration Percent of Annual Operating Hours (8760)				
Incident	Reg Ent Num	Reg Ent Name	Duration	Percent
317965	RN102171238	MCKINNEY PLANT 3	5	0.06%

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DFW Region



Attachment 2 **Photographs**

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 4

PHOTOGRAPHIC DOCUMENTATION

RN102171238 CN600125157	Facility Name: McKinney Plant 3	County: Collin
Investigator/Photographer: Archer Chattin		Date: 7/19/19



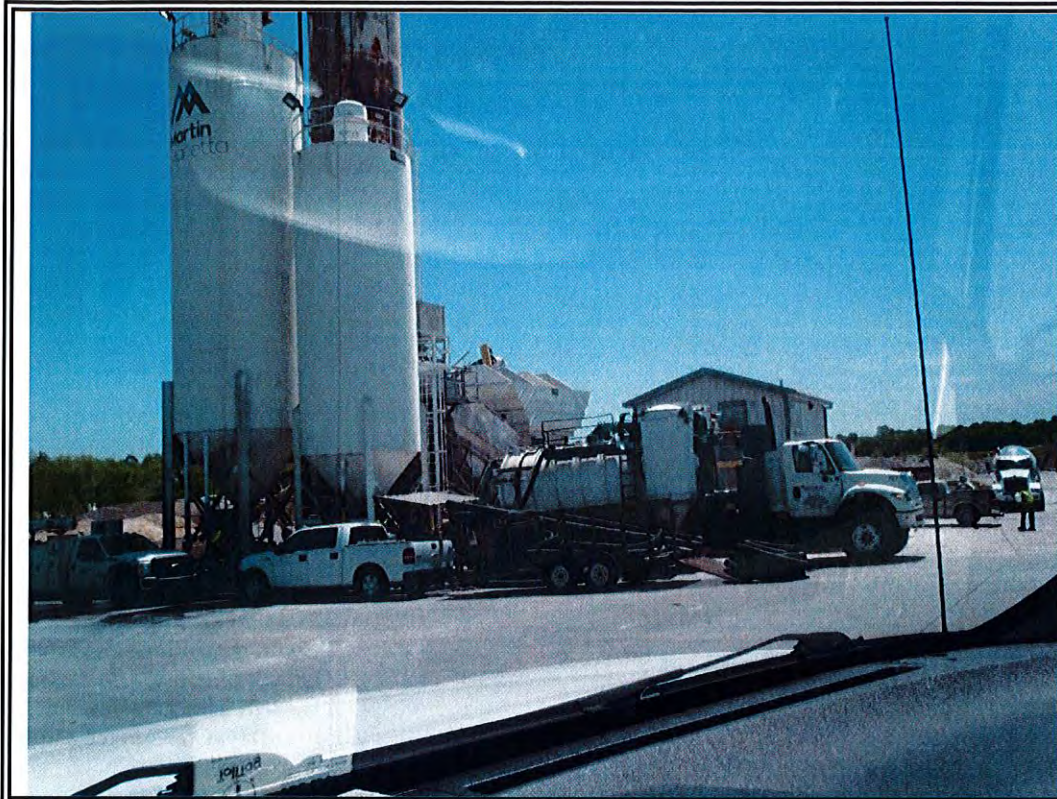
Photograph #1
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing the impact of emitted dust. Car windshields obscured by an opaque layer of cement.



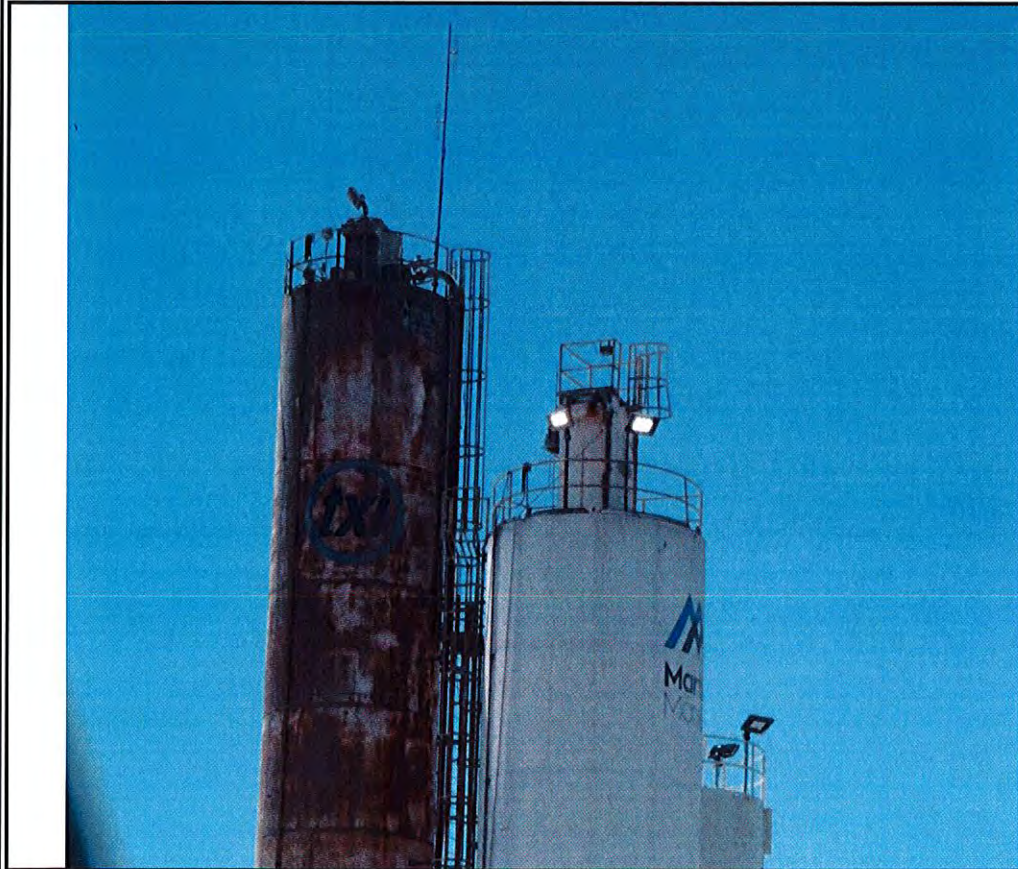
Photograph #2
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing the impact of emitted dust. Cement is discoloring the property. Clean patch shown on right side.

PHOTOGRAPHIC DOCUMENTATION

RN102171238 CN600125157	Facility Name: McKinney Plant 3	County: Collin
Investigator/Photographer: Archer Chattin		Date: 7/19/19



Photograph #3
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing aftermath of event at TXI Operations. Vacuum truck cleaning spilled material from ground and equipment onsite.



Photograph #4
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing aftermath of event at TXI Operations. Cement dust coats the side of the cement silo on the left.

PHOTOGRAPHIC DOCUMENTATION

RN102171238 CN600125157	Facility Name: McKinney Plant 3	County: Collin
Investigator/Photographer: Archer Chattin		Date: 7/19/19



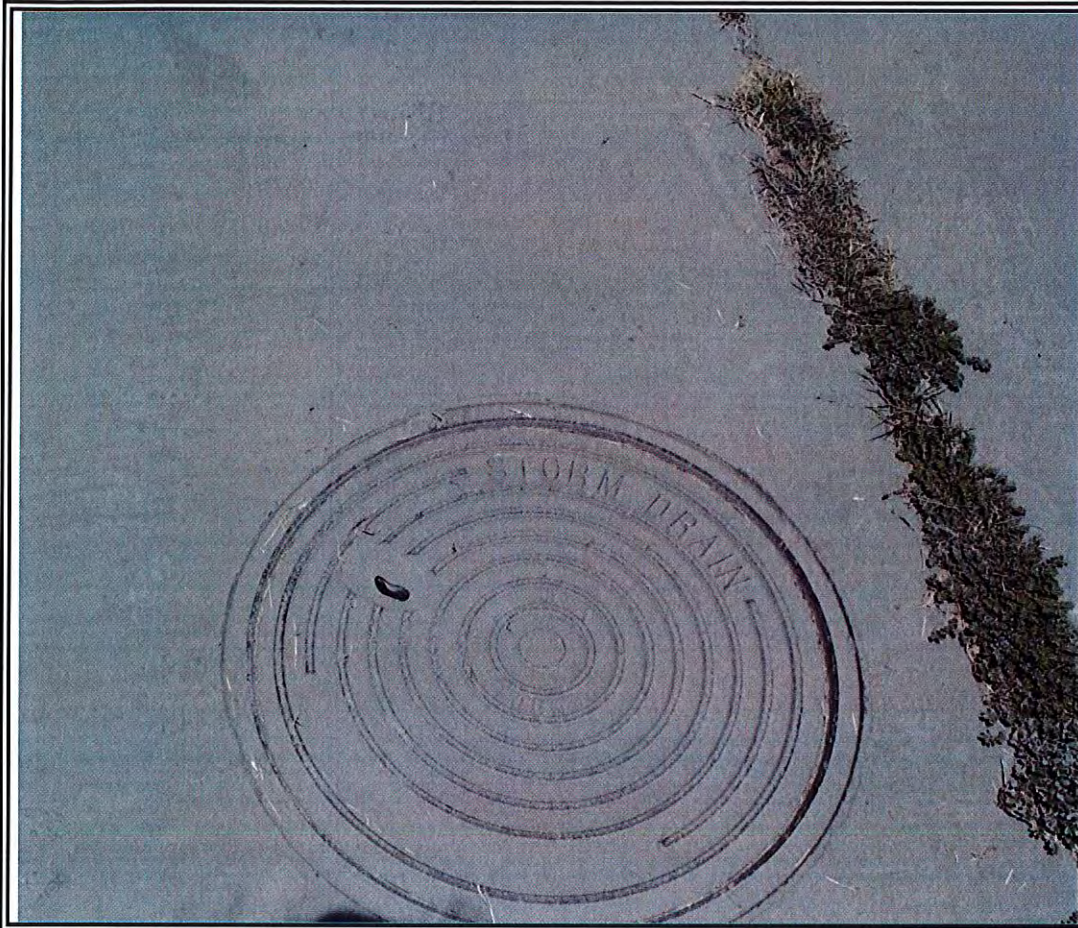
Photograph #5
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing extent of impact of emissions event. Grass is discolored by cement dust as is sidewalk. Footprints in the dust layer are visible near bottom.



Photograph #6
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing extent of impact of emissions event. Cement adheres to fencing in an opaque layer. Grass is discolored by cement dust.

PHOTOGRAPHIC DOCUMENTATION

RN102171238 CN600125157	Facility Name: McKinney Plant 3	County: Collin
Investigator/Photographer: Archer Chattin		Date: 7/19/19



Photograph #7
Date: 7/19/19
Time: 11:00 am
Comments: Photo showing extent of impact of emissions event. Cement fills ridges of a storm drain cover.

TCEQ

DFW Region



Attachment 3 Exit Interview Forms

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 3

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Request

Regulated Entity/Site Name	TXI Operations McKinney Plant 3			TCEQ Add. ID No. RN No (optional)	102171238
Investigation Type	Contact Made In-House (Y/N)	Purpose of Investigation	CMPL		
Regulated Entity Contact	Mr. Don Bell	Telephone No.		Date Contacted	7/23/19
	Environmental Services Manager	FAX #/Email address		FAX/Email date	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation-report.

No.	Type ¹	Rule Citation (if known)	Description of Issue
1	PV	30 TAC 101.4	Failure to Prevent the discharge of cement dust in such concentration and duration as may tend to be injurious to or adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.
2	PV	30 TAC 101.5	Failure to prevent the discharge of such quantities of cement dust as would cause or have a tendency to cause a traffic hazard or an interference with normal road use.
3	PV	5 THSC 382.085(a)	Failure to prevent the emission of cement dust which causes or contributes to air pollution.
4	RR		Please provide a timeline of events including when Martin Marietta staff left on Thursday evening, when the emissions began, when first responders were on site, when Cowtown employees were onsite, when Martin Marietta was notified and when Martin Marietta employees arrived onsite along with the timing of any other events relevant to the event and response. <u>Please provide this as soon as possible but not later than the emissions event Final Report deadline.</u>

Note 1: Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (RE) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, the document will be sent via FAX or Email to RE; therefore, the RE signature is not required.

Archer Chattin	7/23/19	
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)
		Date

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512/239-3282.

White Copy: Regulated Entity Representative

Yellow Copy: TCEQ

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Request

Regulated Entity/Site Name	TXI Operations McKinney Plant 3		TCEQ Add. ID No. RN No (optional)	102171238
Investigation Type	Contact Made In-House (Y/N)	Purpose of Investigation	CMPL	
Regulated Entity Contact	Mr. Don Bell Environmental Services Manager	Telephone No.	Date Contacted	8/5/19
		FAX #/Email address	FAX/Email date	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation-report.

Issue	For Records Request, identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues, include the rule in question with the clearly described potential problem. Other type of issues: fully describe.			
No.	Type ¹	Rule Citation (if known)	Description of Issue	
1	RR		Please provide a timeline of events including when Martin Marietta staff left on Thursday evening, when the emissions began, when first responders were on site, when Cowtown employees were onsite, when Martin Marietta was notified and when Martin Marietta employees arrived onsite along with the timing of any other events relevant to the event and response. Please provide this by COB Tuesday August 6, 2019.	
2	RR		Please provide all inventory, shipping and receiving documentation and any other records used to calculate the amount of cement released. Please provide this by COB Tuesday August 6, 2019.	
3	RR		Please provide documents of testing and maintenance done on the automatic shut off valve within the last five years. Include a description of the function, purpose, and descriptions of situations in which the valve would be activated. Please provide this by COB Tuesday August 6, 2019.	
1	PV	30 TAC 101.4	Failure to Prevent the discharge of cement dust in such concentration and duration as may tend to be injurious to or adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.	
2	PV	30 TAC 101.5	Failure to prevent the discharge of such quantities of cement dust as would cause or have a tendency to cause a traffic hazard or an interference with normal road use.	
3	PV	5 THSC 382.085(a)	Failure to prevent the emission of cement dust which causes or contributes to air pollution.	

Note 1: Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (RE) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, the document will be sent via FAX or Email to RE; therefore, the RE signature is not required.	8/5/19
Archer Chattin	

Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)	Date
--------------------------------------	------	---	------

If you have questions about any information on this form, please contact your local TCEQ Regional Office. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512/239-3282.

White Copy: Regulated Entity Representative Yellow Copy: TCEQ

TCEQ

DFW Region



Attachment 4 **Facility Response to Records Request**

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 3

Archer Chattin

From: Don Bell <Don.Bell@martinmarietta.com>
Sent: Tuesday, August 6, 2019 4:59 PM
To: Archer Chattin
Subject: RE: Additional Records Requested
Attachments: Exit Interview Form 2.doc

Ms. Chattin:

In response to your records requests in the attached Exit Interview Form, please see our response, below:

RR #1, - Timeline:

Based on its investigation to date, Martin Marietta submits the following timeline of events. Martin Marietta reserves the right to amend or supplement this timeline as additional information becomes available:

- July 18th at 6:28pm: Final Martin Marietta employee leaves the McKinney batch plant
- July 18th at 8:17pm: Dust event begins
- July 18th at 11:52pm: McKinney Fire Department arrives at the McKinney batch plant; MFD does not contact Martin Marietta
- July 19th at 12:14am: MFD leaves the McKinney batch plant without taking action or contacting Martin Marietta
- July 19th at 12:16am: Unknown vehicle arrives at the adjacent Cowtown facility
- July 19th at 1:26am: Martin Marietta employee driving past the McKinney batch plant to work at another facility notices dust in the area; employee stops and shuts down cement transfer system by pressing a large red "stop" button that is on an electrical panel, located outside and in plain view; the release ceases
- July 19th at 2:45am: First Martin Marietta employee arrives for work at the McKinney batch plant
- July 19th at 3:30am: Unknown individual walks over to the McKinney batch plant from the Cowtown facility; individual returns to Cowtown three minutes later
- July 19th at 6:00am: Vacuum sweepers arrive and begin cleanup of Hwy 5, with cleanup on Martin Marietta property, including the top of the silo following.
- July 19th at 10:52am: Operations at the McKinney batch plant cease; per corporate directive it has not operated since this time

After shutting the plant down, the Company immediately assembled a community response team of three employees to assess neighborhood impact. These employees began canvassing the neighborhood on Friday afternoon, prioritizing impact areas and immediate needs. On Saturday morning, the Company dispatched 36 employees to further assess, document, and liaison with residents. Clean-up resources were identified and deployed for immediate needs, and the team implemented a clean-up plan and a communications plan to respond to neighbors' concerns. A company contact and email were immediately provided to neighbors, including the HOA, to help streamline neighbors' inquiries. A hotline number and email address were established shortly thereafter, and communicated through the HOA, social media, and fliers, to further streamline neighbors' inquiries and scheduling of services.

Clean-up resources were identified as follows to mitigate the impact of the dust:

1. Interior cleaning services;
2. Exterior cleaning services, including power washes;
3. Street cleaning services, including street sweepers with water and vacuums;
4. Duct cleaning services;
5. Swimming pool cleaning services; and
6. Car wash services, provided by handing out vouchers to a nearby car wash.

Team members canvassed the neighborhood multiple times during the following week, talking to neighbors and leaving information on doors regarding clean-up efforts. Employees manning the hotline number and e-mail address coordinated the scheduling of clean-up services contracted by the Company.

In the case of exterior and interior cleaning, multiple service providers were deployed to speed clean-up, and another contractor swept, washed down, and vacuumed neighborhood streets.

At the present time, team members had handed out approximately 425 vouchers for car cleaning, completed 77 home interior cleanings, 84 home exterior cleanings, and 80 sets of duct work cleaning. Additional services have been scheduled as the company continues to work through clean-up efforts for the neighborhood.

RR#2 – Method of Estimating Release Quantity

The method of calculating the amount of cement released during the event was a material mass balance based upon a physical inventory of the cement silos at the end of day on June 30th, 2019, and another physical inventory of the cement silos taken on July 19th, 2019, after the plant was shut down, and including incoming and outgoing shipments, as well as inventory losses. Cement inventory loss typically ranges from 1% to 4% due to multiple transfer inefficiencies and scale tolerances through the supply chain and production system. Our beginning inventory on July 1st, 2019 was 191 tons, based upon the physical inventory conducted at the end of the day on June 30th. From July 1 through July 19, we received 1166 tons of cement. We shipped 1140 tons of cement within our ready mix concrete products, and we conservatively estimate a 1% inventory shrinkage of 11.7 tons. Based upon this, our ending inventory would be expected to be 205.3 tons. After the event, our physical inventory actually showed 200.6 tons of cement remaining, and we know that 0.9 tons were cleaned off the top of the silo with a vacuum truck. Therefore $205.3 - 200.6 - 0.9 = 3.8$ tons of cement released. We did not account for any other deposition onto the ground on our property to further refine this number.

RR#3 – Testing and Maintenance of Shut Off Valve

The plant has an automatic shut off system built into it to avoid it overfilling. That system, generically known as a “bindicator,” is the type of proprietary, third party system widely used in the industry. In the instant case, the device is a “Safe Point” rotary paddle bin monitor manufactured by Monitor Technologies, LLC. On the evening July 18, it appears that plant personnel failed to press the plant shut down button upon leaving the site at 6.28 pm. At approximately 8.17 pm based on security camera footage, the relief valves on the plant activated and cement started venting to the atmosphere. If the ‘bindicator’ had been operating properly, the blower from the transfer silo would have shutdown automatically before filling the silo and triggering the pressure relief valves.

The investigation to date indicates that a new batch panel was installed at the plant on July 11 and 12. In the course of that installation, it appears that wiring to complete the circuit powering the ‘bindicator’ was not reattached, rendering it inoperable. Unfortunately, at some point in the past, the ‘bindicator’ circuit was run through the old batch panel. As this is not normal practice, neither the panel manufacturer nor the company staff realized that the bindicator had been so wired and was no longer operational, after the new batch panel was installed.

The Safe Point device does not require regular maintenance as it is fully enclosed system. There is no recommended maintenance schedule from the manufacturer. The Safe Point device has been tested and was mechanically sound, and its failure was due to the wiring issue described above. Based upon the information provided, if other plant inspection records would be helpful, Martin Marietta will provide them at your request.

Sincerely,

Don C. Bell, Jr.
Manager, Environmental Services | North District, Southwest Division
Martin Marietta

1503 LBJ Fwy, Suite 400, Dallas, TX 75234
t. (972) 647-7088 m. (214) 729-9963
e. don.bell@martinmarietta.com
www.martinmarietta.com

From: Archer Chattin <Archer.Chattin@Tceq.Texas.Gov>
Sent: Monday, August 5, 2019 12:32 PM
To: Don Bell <Don.Bell@martinmarietta.com>
Subject: Additional Records Requested

EXTERNAL MAIL

Mr. Bell,

After reviewing your Emissions Event notification, I have compiled the attached records request. **Please provide these records by Close of Business tomorrow, Tuesday August 6, 2019.**

Archer Chattin
Environmental Investigator
archer.chattin@tceq.texas.gov
817-588-5839



TCEQ

DFW Region



Attachment 5 Laboratory Analysis Results

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 3

8/6/2019

Texas Commission on Environmental Quality

Laboratory and Quality Assurance Section
P.O. Box 13087, MC-165
Austin, Texas 78711-3087
(512) 239-1716

Laboratory Analysis Results

Request Number: 1907017

Request Lead: Frank Martinez

Region: T04

Date Received: 7/24/2019

Facility(ies) Sampled	City	County	Facility Type
TXI Operations McKinney Plant 3 Concrete Batch Plan	McKinney	Collin	

Sample(s) Received

Field ID Number: 1580404-A

Laboratory Sample Number: 1907017-001

Sampled by: Archer Chattin

Sampling Site: Complainant's Residence

Date & Time Sampled: 07/19/19 11:30:00 Valid Sample: Yes

Comments: Tapelift sample

Requested Laboratory Procedure(s):

Analysis: AP007MIC

Environmental Sample Characterization using Polarized Light Microscopy

Analysis: AP008MIC

Sample Characterization using Scanning Electron Microscope with an Energy Dispersive X-Ray Microanalysis Spectrometer

Please note that this analytical technique is not capable of measuring all compounds which might have adverse health effects. For questions on the analytical procedures please contact the laboratory manager at (512) 239-1716.

Analyst: _____

Jeffrey Ketteman



Date: _____

8/6/19

Laboratory Manager: _____

Frank Martinez



Date: _____

8/8/19

Laboratory Analysis Results

Request Number: 1907017

Analysis Code: AP007MIC & AP008MIC

Sample Number: 1907017-001

Analysis began: 8/2/2019

Analyst: Jeffrey Kettelman

SOP: AP007MIC Analysis completed: 8/5/2019

Sample 1580404-A was heavily loaded. Cement dust accounted for over 80% of the particle coverage. Other particles present in quantities less than 5% included common clays and minerals, fungal spores, plant fibers, pollen, and rubber dust.

Sample Number: 1907017-001

Analysis began: 8/2/2019

Analyst: Jeffrey Kettelman

SOP: AP008MIC Analysis completed: 8/5/2019

Energy dispersive spectroscopy (EDS) analysis of a cement dust particle showed elements carbon, oxygen, magnesium, aluminum, silicon, sulfur, potassium, calcium, and iron. The primary peaks in the x-ray spectrum were oxygen, aluminum, and calcium.

EDS analysis of a second cement dust particle showed elements carbon, oxygen, magnesium, aluminum, silicon, calcium, and iron. The primary peaks in the x-ray spectrum were silicon and calcium.

EDS analysis of a third cement dust particle showed elements carbon, oxygen, aluminum, silicon, calcium, and iron. The primary peaks in the x-ray spectrum were silicon and calcium.

These x-ray spectrum of cement dust particles were consistent with reference samples stored at TCEQ Air Laboratory, Microscopy Lab.

EDS analysis of a mineral (gypsum) particle showed elements carbon, oxygen, sulfur, and calcium. The primary peaks in the x-ray spectrum were sulfur and calcium.

TCEQ laboratory customer support may be reached at Frank. Martinez@tceq.texas.gov

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Laboratory Analysis Results

Request Number: 1907017

Analysis Code: AP008MIC

Qualifier Notes:

ND - not detected

NQ - concentration can not be quantified due to possible interferences or coelutions.

SDL - Sample Detection Limit (Limit of Detection adjusted for dilutions).

SQL - Sample Quantitation Limit (Limit of Quantitation adjusted for dilution).

INV - Invalid.

J - Reported concentration is below SDL.

L - Reported concentration is at or above the SDL and is below the lower limit of quantitation.

E - Reported concentration exceeds the upper limit of instrument calibration.

M - Result modified from previous result.

T - Data was not confirmed by a confirmational analysis. Compound and/or results is tentatively identified.

F - Established acceptance criteria was not met due to factors outside the laboratory's control.

H - Not all associated hold time specifications were met. Data may be biased.

C - Sample received with a missing or broken custody seal.

R - Sample received with a missing or incomplete chain of custody.

I - Sample received without a legible unique identifier.

G - Sample received in an improper container.

U - Sample received with insufficient sample volume.

W - Sample received with insufficient preservation.

TCEQ laboratory customer support may be reached at Frank.Martinez@tceq.texas.gov

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TCEQ

DFW Region



Attachment 6 Compliance History

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 2

Questions or Comments >>

Main Query Page Program Area Search

Compliance History				
RE Name:	MCKINNEY PLANT 3	RN:	RN102171238	
Classification:	SATISFACTORY	Rating:	4.00	Publication Date: Nov 15, 2018
Customer Name:	TXI OPERATIONS LP	CN:	CN600125157	
Classification:	SATISFACTORY	Rating:	0.39	Publication Date: Aug 22, 2019
Repeat Violator Ind:	NO			

Compliance History Start: End:

1-0 of 0 Enforcement Action Records

Enforcement Actions				
Type	Effective Date	Citation/Requirement Provision	Abb. Description	Violation Classification (Trk No)
0 convictions returned				

Criminal Convictions					
Conviction Date	Number of		Violations		
	Felonies	Misdemeanors	Citation/Requirement Provision	Abb. Description	Classification (Trk No)
0 events returned					

Chronic Excessive Emissions Events			
Start Date	Status Code	Status Date	Track Number
0 events returned			

1-2 of 2 Investigation Records

Investigations		
Investigation Start Date	Type	Investigation Status Date
Feb 26, 2018	Compliance Investigation	Apr 17, 2018
Apr 12, 2018	Compliance Investigation	Jun 8, 2018

1-2 of 2 Notice of Violation Records

Notice of Violations					
NOV Date	Status Code	Citation	Allegation	Classification (Trk No)	Self-Report
Jun 14, 2018	RESOLVED	30 TAC Chapter 116, SubChapter B 116.110(a); 5C THSC Chapter 382.085(b) REG Standard Exemption 71(3); REG Standard Exemption 71 (1)	Failure to achieve maximum control of dust emissions from stockpiles and vehicle traffic areas.	MODERATE (677421)	NO
Jun 14, 2018	RESOLVED	30 TAC Chapter 116, SubChapter B 116.110(a); 5C THSC Chapter 382.085(b) REG Standard Exemption 71(3)	Failure to maintain intact all surfaces subject to vehicle traffic entering, exiting, or conducting primary functions with a cohesive hard surface.	MODERATE (677423)	NO

1-0 of 0 Environmental Audit Records

Environmental Audits				
Notice of Audit Date	DOV Date	Disclosure Of Violation		
		Classification	Citation/Requirement Provision	Abb. Description
0 systems returned				

Environmental Management Systems			
Type	Tier	Certification Date	Implementation Date
0 assessments returned			

Voluntary On-Site Compliance Assessments		
Start Date	Status Code	Status Date
0 programs returned		

Voluntary Pollution Reduction Programs		
Name	Level	Start Date of Participation
0 early compliance actions returned		

Early Compliance	
Date	Description

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TCEQ

DFW Region



Attachment 7 Complaint History

McKinney Plant 3 – RN102171238
TXI Operations LP – CN600125157

Investigation No.: 1580404
Investigation Date: 7/19/19

Pages: 16

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 278932	Incident Start : 02/13/2018	Occurrence : Current
Notified : 02/13/2018	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 02/26/2018	Program : AIR QUALITY - HIGH LEVEL
Investigator : Greg Jones	Investigation Close : 02/26/2018	

Initial Problem :

Complainant alleging an increase in dust emissions from the facility.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 281659	Incident Start : 03/27/2018	Occurrence : Current
Notified : 03/27/2018	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 04/12/2018	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 04/19/2018	

Initial Problem :

The complainant alleges dust from the facility is impacting their property from operations at site.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report

Incident No : 282667	Incident Start : 04/17/2018	Occurrence : Current
Notified : 04/17/2018	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 04/12/2018	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 04/19/2018	

Initial Problem :

Complainant alleged that the facility was creating dust in the area and was not in compliance with their authorization.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 288326	Incident Start : 07/11/2018	Occurrence : Current
Notified : 07/11/2018	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/26/2018	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/26/2018	

Initial Problem :

Dust and chemicals smells are unbearable.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 289910	Incident Start : 08/07/2018	Occurrence : Current
Notified : 08/07/2018	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 08/21/2018	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 08/21/2018	

Initial Problem :

Complainant has concerns about the use of nitrogen injection into the trucks when loading. The complainant was concerned about how this is authorized and what amount of emissions are released from the process.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 298902	Incident Start : 12/09/2018	Occurrence : Current
Notified : 12/09/2018	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 01/08/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 01/08/2019	

Initial Problem :

Complainant alleged that cement dust is impacting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 299605	Incident Start : 12/26/2018	Occurrence : Current
Notified : 12/26/2018	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 01/08/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 01/08/2019	

Initial Problem :

No sprinkler to control dust.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 301019	Incident Start : 01/17/2019	Occurrence : Current
Notified : 01/17/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 02/15/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 02/15/2019	

Initial Problem :

The complainant stated that dust emissions from the alleged source made impact on their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 301247	Incident Start : 01/18/2019	Occurrence : Current
Notified : 01/18/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 02/15/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 02/15/2019	

Initial Problem :

Complainant alleges dust issue.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 301400	Incident Start : 01/24/2019	Occurrence : Current
Notified : 01/24/2019	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 02/15/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 02/15/2019	

Initial Problem :

The complainant alleges dust from the facility is impacting their property and would like like monitoring equipment and sampling taken.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316558	Incident Start : 07/20/2019	Occurrence : Current
Notified : 07/20/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Complainant alleges offsite impact from dust.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316581	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

The complainant alleged their property and whole area was covered with concrete dust.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 316586	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Fine particles affecting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316592	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Heavy/thick dust cloud started in the evening of July 18, 2019 covered the entire area. Dust is impacting negatively on their health and property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316594	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Silica dust on their property over the past few days.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 316602	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Dust cloud started from the last night and still going on. The dust is so bad/thick that they cannot see, and it is impacting negatively on their breathing system.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316638	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Woke up to mess and woke up with headache. Conditions are not normal.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316645	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

The complainant alleged that the dust emissions are affecting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 316694	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Ridiculous amount of dust from the regulated entity is affecting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316697	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Complainant submitted photos of their property affected by dust. The complainant stated that the photos were taken on 7/19/19 at 5 am.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316702	Incident Start : 07/19/2019	Occurrence : Current
Notified : 07/19/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

The complainant alleges emissions from the regulated entity on 7/18/19 at 8:30 PM or 9 PM. Complainant submitted photos of dust effects to their property

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019 **Reg Ent Incident History Detail**

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 316861 **Incident Start :** 07/20/2019 **Occurrence :** Current
Notified : 07/20/2019 **Incident Close :** Unknown **Status :** Closed
Via : Email **Investigation Start :** 07/19/2019 **Program :** AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin **Investigation Close :** 07/19/2019

Initial Problem :

Complainant alleges offsite impact from dust.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316952 **Incident Start :** 07/20/2019 **Occurrence :** Current
Notified : 07/20/2019 **Incident Close :** Unknown **Status :** Closed
Via : Email **Investigation Start :** 07/19/2019 **Program :** AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin **Investigation Close :** 07/19/2019

Initial Problem :

Thick fog of dust covering everything.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316954 **Incident Start :** 07/20/2019 **Occurrence :** Current
Notified : 07/20/2019 **Incident Close :** Unknown **Status :** Closed
Via : Email **Investigation Start :** 07/19/2019 **Program :** AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin **Investigation Close :** 07/19/2019

Initial Problem :

Dust impacting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 316957	Incident Start : 07/21/2019	Occurrence : Current
Notified : 07/21/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Dust impacting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316959	Incident Start : 07/21/2019	Occurrence : Current
Notified : 07/21/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Dust impacting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 316991	Incident Start : 07/23/2019	Occurrence : Current
Notified : 07/23/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Thick cloud of particulate matter from the facility impacting nearby receptors.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No :	317117	Incident Start :	07/23/2019	Occurrence :	Current
Notified :	07/23/2019	Incident Close :	Unknown	Status :	Closed
Via :	Email	Investigation Start :	07/19/2019	Program :	AIR QUALITY - HIGH LEVEL
Investigator :	Archer Chattin	Investigation Close :	07/19/2019		

Initial Problem :

Particulate matter from the facility impacting the complainant's property. The complainant also alleged a chronic cough.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No :	317118	Incident Start :	07/23/2019	Occurrence :	Current
Notified :	07/23/2019	Incident Close :	Unknown	Status :	Closed
Via :	Email	Investigation Start :	07/19/2019	Program :	AIR QUALITY - HIGH LEVEL
Investigator :	Archer Chattin	Investigation Close :	07/19/2019		

Initial Problem :

Particulate matter affecting the complainant's property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No :	317119	Incident Start :	07/22/2019	Occurrence :	Current
Notified :	07/22/2019	Incident Close :	Unknown	Status :	Closed
Via :	Email	Investigation Start :	07/19/2019	Program :	AIR QUALITY - HIGH LEVEL
Investigator :	Archer Chattin	Investigation Close :	07/19/2019		

Initial Problem :

Cloud of smoke. Dust affecting their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 317120	Incident Start : 07/24/2019	Occurrence : Current
Notified : 07/24/2019	Incident Close : Unknown	Status : Closed
Via : Phone	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

The complainant states that dust covers said complainant's property and the surrounding street.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 317131	Incident Start : 07/23/2019	Occurrence : Current
Notified : 07/23/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Dust covers their property and vehicles.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 317132	Incident Start : 07/23/2019	Occurrence : Current
Notified : 07/23/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Nuisance dust.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 317180	Incident Start : 07/23/2019	Occurrence : Current
Notified : 07/23/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Large amount of dust residual on their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 317184	Incident Start : 07/23/2019	Occurrence : Current
Notified : 07/23/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Large amount of dust released into the air and affected their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 317186	Incident Start : 07/23/2019	Occurrence : Current
Notified : 07/23/2019	Incident Close : Unknown	Status : Closed
Via : Email	Investigation Start : 07/19/2019	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : 07/19/2019	

Initial Problem :

Large amount of dust released into the air and has affected their property and area.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No :	317187	Incident Start :	07/23/2019	Occurrence :	Current
Notified :	07/23/2019	Incident Close :	Unknown	Status :	Closed
Via :	Email	Investigation Start :	07/19/2019	Program :	AIR QUALITY - HIGH LEVEL
Investigator :	Archer Chattin	Investigation Close :	07/19/2019		

Initial Problem :

Nuisance dust around and on their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No :	317672	Incident Start :	07/25/2019	Occurrence :	Current
Notified :	07/25/2019	Incident Close :	Unknown	Status :	Closed
Via :	Email	Investigation Start :	07/19/2019	Program :	AIR QUALITY - HIGH LEVEL
Investigator :	Archer Chattin	Investigation Close :	07/19/2019		

Initial Problem :

Complainant alleges that a light gray powder-like substance, released from the Facility has impacted their property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No :	317674	Incident Start :	07/25/2019	Occurrence :	Current
Notified :	07/25/2019	Incident Close :	Unknown	Status :	Closed
Via :	Email	Investigation Start :	07/19/2019	Program :	AIR QUALITY - HIGH LEVEL
Investigator :	Archer Chattin	Investigation Close :	07/19/2019		

Initial Problem :

The complainant alleged a cloud of toxic dust in the air from the regulated entity.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 306914	Incident Start : 04/15/2019	Occurrence : Current
Notified : 04/15/2019	Incident Close : Unknown	Status : Closed
Via : Letter	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Kimberli Fowler	Investigation Close : N/A	

Initial Problem :

The complainant states that black dust is accumulating on complainant's property.

Comments :

The complainant was contacted on 4/17/2019 to discuss concerns on written statement. The concerns of the complaint have already been addressed in investigation numbers 1554375 and 1540584. The complainant was provided copies of these investigations and did not want any further investigation at this time. KSF 4/18/19.

Incident No : 316452	Incident Start : 07/19/2019	Occurrence :
Notified : 07/19/2019	Incident Close : 07/19/2019	Status : Open
Via : Steers	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

The cement transfer system had an unplanned malfunction, causing the cement silo to be overfilled or over-pressurized, and resulting in excess opacity.

Comments :

The plant is shutdown until systems checks are completed and the cause of the malfunction identified. Settled particulate matter was cleaned up with vacuum trucks and vacuum sweepers. Additional cleanup efforts are ongoing.

Additional Comments :

Estimated opacity.

Incident No : 317872	Incident Start : 07/25/2019	Occurrence : Current
Notified : 07/25/2019	Incident Close : Unknown	Status : Open
Via : Letter	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

Complainant alleges that a light gray powder-like substance, released from the facility has impacted nearby sensitive receptors.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Incident No : 317965	Incident Start : 08/02/2019	Occurrence :
Notified : 08/02/2019	Incident Close : 07/19/2019	Status : Open
Via : Steers	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

On the evening of July 18, 2019 an automatic shutdown system for one of the cement silos at the McKinney plant failed to operate correctly to shut down a blower motor. The result was that the system continued to fill a silo with cement beyond the capacity of the silo. A pressure release valve activated at some point and released the pressure along with particulate matter. The plant was not operational or staffed at the time, so the release continued until the system was shut down manually.

Comments :

The plant was shut down immediately as soon as the release was discovered by TXI. It was then operated briefly and worked correctly, but has since been shut down from July 19, 2019 to the date of this submission. The automatic shut down system has now been inspected and the cause of its failure determined by a forensic electric engineer. The plant will not be operated again until it is tested by a third party and shown to be operating correctly in terms of all of its systems and in compliance with its permit.

Additional Comments :

Although we continue to investigate the incident, our current best estimate is that not more than 3-4 tons of cement left our property boundary. This calculation is based on a conservative estimate of inventory loss since our last physical inventory prior to the incident, our shipping and receiving records and a current physical inventory of cement remaining in the plant. We continue to investigate the incident and if this estimate is further refined, we will advise.

Incident No : 318198	Incident Start : 07/26/2019	Occurrence : Current
Notified : 07/26/2019	Incident Close : Unknown	Status : Open
Via : Email	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

The complainant alleges the facility has not watered the site for previous 7 days. Dust is being generated from truck traffic exiting the site.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 318824	Incident Start : 08/13/2019	Occurrence : Current
Notified : 08/13/2019	Incident Close : Unknown	Status : Open
Via : Email	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

Complainant alleged that the facility created dust in the area that is affecting their health.

Date Range: 8/29/2017 - 8/29/2019

Reg Ent Incident History Detail

Regulated Entity : RN102171238
MCKINNEY PLANT 3

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 318826	Incident Start : 08/13/2019	Occurrence : Current
Notified : 08/13/2019	Incident Close : Unknown	Status : Open
Via : Email	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

Complainant alleged that the facility created dust that affected the property.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.

Incident No : 318830	Incident Start : 08/13/2019	Occurrence : Current
Notified : 08/13/2019	Incident Close : Unknown	Status : Open
Via : Email	Investigation Start : N/A	Program : AIR QUALITY - HIGH LEVEL
Investigator : Archer Chattin	Investigation Close : N/A	

Initial Problem :

Complainant is concerned about possible long-term health effects from dust released.

Comments :

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Additional Comments :

More information will be available upon approval of the Investigation Report.