

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
LONE STAR PORTS, LLC
SOAH Docket No. 582-20-3438
TCEQ Docket No. 2020-0511-AIR
Proposed Permit No. 157150**

APPLICATION.

Lone Star Ports, LLC, 14 Birchwood Park Place, The Woodlands, Texas 77382-2026, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit Number 157150, which would authorize construction of the Harbor Island Marine Terminal located adjacent to Highway 361 & northeast of ferry landing, Port Aransas, Nueces County, Texas 78336. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code (TAC), Chapter 101, Subchapter J. This application was submitted to the TCEQ on May 31, 2019. The proposed facility will emit the following contaminants: carbon monoxide, hazardous air pollutants, hydrogen sulfide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.071666%2C27.851111&level=12>. For the exact location, refer to the application.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The permit application, executive director's preliminary decision, and draft permit are available for viewing and copying at the TCEQ central office, the TCEQ Corpus Christi Regional Office, and at the Anita and W.T. Neyland Public Library, 1230 Carmel Parkway, Corpus Christi, Nueces County. These documents may also be viewed online at <https://disorboconsult.box.com/s/u6jhx9m5d1kvugzl5e9qdujeb4wpi2t>. The facility's compliance file, if any exists, is available for public review at the TCEQ Corpus Christi Regional Office, NRC Building Suite 1200, 6300 Ocean Dr, Unit 5839, Corpus Christi, Texas.

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published on November 28, 2019. On April 1, 2020, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this

application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference on the date listed below. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. - June 30, 2020

To join the Zoom meeting via computer:

www.zoom.us/join

Meeting ID: 956-2043-3280

Password: 3QCioN

or

To join the Zoom meeting via telephone:

(346) 248-7799

Meeting ID: 956-2043-3280

Password: 580189

or

To join the Zoom meeting via Smart Device:

Download the free app

Meeting ID: 956-2043-3280

Password: 3QCioN

Additional details and methods for joining the Zoom meeting are available online at:
https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/SOAH/LoneStarPortsLLC/LSPZoomInfo.pdf

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 TAC Chapter 116, Subchapters A and B; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

To request to be a party, you must attend the hearing and show you would be affected by the application in a way not common to the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate in the contested case proceeding.

MAILING LIST.

You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION.

Public comments and requests must be submitted either electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application, the permitting process, or the contested case hearing process, please call the Public Education Program toll free at 800-687-4040. Si desea información en Español, puede llamar al 800-687-4040. General information regarding the TCEQ may be obtained electronically at www.tceq.texas.gov

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information regarding the TCEQ can be found at www.tceq.texas.gov.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Further information may also be obtained from Lone Star Ports, LLC at the address stated above or by calling Mr. Neal A. Nygaard, Chief Operating Officer Principal, DiSorbo Consulting, LLC at 713-955-1221.

Issued: May 26, 2020



Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality