

## **Appendix III Summary of Public Comment**

### **General**

Individuals, companies, private non-profit organizations, elected officials submitted comments regarding the application. Persons commenting expressed the following cities, counties, and other entities concerns or opinions: reduction or depletion of groundwater and related affects to properties, potential damage to the aesthetics of rural life and potential damage to property, objections to road closures, alleged air pollution from the smelter and nuisance effects from mining operations, the need for the proposed mine and related smelter and its effect on the economy in Milam, Lee, and Bastrop Counties and additional areas of Central Texas, the benefits to communities by taxes, employment, volunteer efforts, donations, and civic participation, the ability of Alcoa to reclaim mined lands, alleged effects on the endangered Houston Toad, and alternative power sources.

Public comment was made by 1,251 letters received by the Commission prior to the commencement of the public comment portion of the hearing, addressed either to the construction permit application (prior to consolidation with the mining application) or to the consolidated application. Additional letters and written comments were received at the public comment portion of the hearing in Elgin on March 6, 2002, and at the public comment portion of the hearing in Giddings, Texas on March 7 and 8. Many speakers also presented written comments; the great majority of these letters were presented by Alcoa employees, contractors, and employees of contractors. There were approximately 146 speakers at the public comment portion of the hearing in Elgin and 76 in Giddings.

Comments were received from many areas of Central Texas including but not limited to Austin, LaGrange, Larue, Bastrop, Blue, Bryan, Buckholts, Burlington, Caldwell, Calvert, Cameron, Cedar Park Coupland, Davila, Deanville, Elgin, Franklin, Gause, Georgetown, Giddings, Gonzales, Hallettsville, Hearne, Hutto, Leander, Lincoln, Lexington, McDade, McGregor, Milano, Normangee, Oakwood, Paige, Pflugerville, Rockdale, Rosebud, Round Rock, San Antonio, Taylor, Temple, Thorndale, Thrall, Uvalde, and Voca.

### **Cities and Counties**

In addition to submitting comments, the following cities requested and were named as parties to the proceeding: the City of San Antonio, through the **City Public Service Board of San Antonio (CPS)**, **Cameron, Lexington, Milano, Rockdale, and Thorndale**. In addition, **Milam County, Milam County Appraisal District, and Rockdale Independent School District** requested and were named parties to the proceeding. No testimony was presented by any city or county.

## **Legislators**

**Chet Edwards, Member, U.S. Congress, 11<sup>th</sup> District, Texas** (which includes the Rockdale area), submitted a letter dated 8/13/01 expressing personal support for the application, indicating that despite seriously considering many alternatives, Alcoa has found no satisfactory alternative to the proposed mine as a source of energy for the smelter, and that devastating economic consequences would result to Milam County and Central Texas from the loss of the smelter from loss in employment, taxes, and local purchases, as well as charitable support to the community. In addition, Representative Edwards' representative at the public comment portion of the hearing, **Sam Murphey**, submitted comments stating Representative Edwards' support of the Three Oaks Mine, that in addition to the economic development Alcoa has brought to Central Texas, Alcoa is a great corporate partner to local communities, has a high-quality operation in Rockdale, is award-winning, and will operate the Three Oaks Mine with a commitment to excellence.

**Senator Steve Ogden**, District 5 (which includes Lee and Milam Counties, and part of Williamson County and the area of the proposed mine site), through his representative at the hearing, **Betsy Croker**, and by letter dated February 22, 2002, expressed his strong support for the application, and stated that Alcoa employs 1400, is responsible for additional contractor jobs, has a plant annual payroll of \$100 million, pays \$3.5 million per year in local taxes, is expected to increase local tax revenues in Lee and Bastrop Counties, and provides \$250,000 per year in scholarships, as well as having an excellent environmental track record at the Sandow Mine. Ms. Croker cited environmental awards received by Alcoa and the presence of Alcoa as a significant stable employer.

**State Representative Lois Kolkhorst**, District 13 (Milam, Lee, Burleson, Austin, and Washington Counties, and part of Brazos County), appeared at the public comment portion of the hearing, presented a letter dated March 6, 2002, and expressed her support for the Three Oaks Mine and the Rockdale operation, citing the employment opportunities presented by Alcoa and local taxes brought to the area.

Other legislators submitted letters expressing their views regarding the application. The dates of these letters follow the names of the legislators.

**Ciro D. Rodriguez, Member, U.S. House of Representatives, 28th District, Texas (4/05/02, Frank J. Corte, Jr., State Representative, District 123 ( 9/6/01), and Robert R. Puente, State Representative, District 119 (8/29/01), John H. Shields, State Representative, District 122 (8/28/01), Arthur Reyna, State Representative, District 125 (8/29/01), and Carlos Uresti, State Representative, District 118 (8/27/01)**, expressed support for the application based upon Alcoa's exemplary management of the Sandow Mine, awards, employment provided to Central Texas, support by employees and labor unions, and direct and indirect beneficial effects through local taxes and purchases of goods and services from local businesses.

**Mike Krusee, State Representative, District 52 (8/6/01)**, expressed support for the application, indicating that his district includes eastern Williamson County, that Alcoa has been an important employment base, a responsible community member, and generous contributor to community projects through the Alcoa Foundation. He also indicated that Alcoa's future operations are dependent on access to a feasible, secure, long-term source of fuel present in the Three Oaks area, and that Alcoa's history of reclamation has been favorably recognized by state and federal agencies.

**John A. Longoria, State Representative, District 117 (9/26/01)**, indicated that his service on the State Affairs Committee brought awareness of the importance of business entities capable of being good corporate citizens, and stated support of the application, citing economic benefits of the Alcoa operations, Alcoa's Voluntary Emissions Reduction Permit (VERP) application before the Texas Commission on Environmental Quality (formerly, TNRCC), and the importance of efforts to protect the environment, keep utility rates low, and to keep utilities viable.

**Frank Madla, State Senator, District 19 (9/19/01)**, expressed support for the application, citing the importance of the long-term benefits through water contracts for San Antonio, that the permit is crucial to the economic well-being of the Rockdale and Central Texas areas, that Alcoa is recognized as a good corporate neighbor and exemplary manager of its operations, and requesting that the Commission give the permit request most serious consideration for issuance.

**Trey Martinez Fischer, State Representative, District 116 (9/19/01)**, pointed out concerns to be weighed by the Commission in consideration of the application, the need for water Alcoa has contracted to provide to CPS to help alleviate the growing needs of the citizens of San Antonio, economic enhancements Alcoa may bring to the Three Oaks Mine area, Alcoa's intention to reduce air emissions, and awards won by Alcoa for its operations.

**Ruth Jones McClendon, State Representative, District 120 (9/18/01)**, expressed support for the permit application, citing awards from the Commission and OSM, high-paying manufacturing jobs, support by employees and labor unions, beneficial effects on the Central Texas economy, and the VERP permit application.

**José Menéndez, State Representative, District 124 (09/6/01)**, expressed support for the application based upon Alcoa's exemplary management of the Sandow Mine, awards, employment provided to Central Texas, support by employees and labor unions, and direct and indirect effects through local taxes and purchases of goods and services from local businesses.

**Ron Paul, Member, U.S. House of Representatives, 14th District, Texas (9/5/01)**, wrote in support of the application, indicating that he has observed Alcoa's Point Comfort operations in Calhoun County, Texas as an important contributor to the economy of the mid-Texas coast, that the Rockdale Operations smelter was important to the Korean war effort, and that it is economically

feasible for Alcoa to use the reserves in the Three Oaks area to prolong the life of the Rockdale Operations so that the responsible corporate presence of Alcoa exhibited in Point Comfort and Port Lavaca, will remain in Central Texas.

**Gene Seaman, State Representative, District 32 (8/24/01)**, wrote in support of the application stating that the Alcoa Point Comfort operations located in his district supply the ore from which aluminum is produced to the smelter in Rockdale, further citing the diligence of Alcoa's reclamation efforts, Alcoa's contributions to the community, the economic feasibility of the resources at Three Oaks as a future source of lignite, and the potential economical devastation which could result to two areas of the state should the application not be approved.

**Senator Letitia Van de Putte, R.Ph., Senate District 26 (9/11/01)**, expressed appreciation for Alcoa's efforts to voluntarily comply with emission reductions, and cited jobs provided to the community and Alcoa's participation in the community.

**Senator Jeff Wentworth, Senate District 25 (9/10/01)**, (which includes portions of Bexar, Travis, and Williamson Counties, among others), submitted a letter of support for the proposed mine, indicating Alcoa's contribution to the Central Texas economy by providing jobs and purchases of good and services, and citing Alcoa's reclamation awards and VERP application described as reducing air emissions of nitrogen oxide and sulphur dioxide from the power generation units.

**Charles A. Gonzalez, Member, U.S. House of Representatives, 20th District, Texas, 11/19/01**, expressed support for the application, citing Alcoa's decision that the mine offers the best source of energy, the contributions to the economy of Central Texas, its intent to reduce emissions from the power generation units, and the importance of water from the Rockdale operation and from the Three Oaks operation to the City of San Antonio's water plan.

**Senator Frank Madla, Senate District 19** (which includes portions of Bexar County, among others), expressed support for Alcoa in that the Three Oaks Mine area will provide fuel for the Rockdale plant and provide a critical fuel option to CPS for power generation, noting that a large investment has been made by CPS.

**Representative Robert ("Robbie") L. Cook, District 28**, (includes Bastrop County), early in the proceeding requested that the hearing be held in Elgin or Bastrop.

## **Other Officials**

**Frank Summers, Milam County Judge**, spoke as a citizen rather than in his official capacity, stating that Alcoa's reclamation work has been beneficial to the county, that Alcoa provides job related income for the people of Milam County as well as tax revenue, and that his family strongly supports the application so that the county can continue to benefit from the continued operation of the smelter.

**Gerald Niemtschk, Mayor, City of Thorndale**, spoke as citizen and mayor of Thorndale, stating that Thorndale has greatly benefitted from Alcoa's commitment to the community and that the town's livelihood is obtained from the company. He pointed out that last year Alcoa was one of only two companies that received the Presidential Award for outstanding achievements. Mr Niemtschk quoted the United States Commerce Secretary, Donald E. Evans, as saying of Alcoa, "it changes the direction of peoples' lives by improving the community and the environment." He stated that he and his family have experienced this firsthand through employment and scholarships.

**Burke Bauerschlag, Milam County Commissioner**, Precinct 4, in which the Alcoa Smelter is located, stated that Alcoa has positively influenced Milam County. Mr Bauerschlag stated he would not even consider being Commissioner of Milam County if Alcoa were not present, and that Alcoa provides 54% of funds from taxes.

**Dale Jaecks, Milam County Commissioner**, speaking as a citizen and business owner of Rockdale Insurance Agency in Milam County, stated that he has served on numerous boards and committees in the Milam County area for 14 years and that Alcoa is always there to help. Mr Jaecks stated that Alcoa has good benefits and salaries which are a tremendous asset to the community.

**Charlie West, Milam County Sheriff** stated that as a citizen of Milam County for 25 years, he is familiar with the Alcoa mining operation in Milam County, that Alcoa has received awards for

mining and reclamation, and that Alcoa has supported the sheriff's department and law enforcement in general.

**Wallace Jones, Mayor of Rockdale**, appeared in a personal capacity in that the City was represented by an attorney, stating that he has lived most of his life in Milam County and that his family operated businesses in Rockdale, Giddings, and Caldwell, that he has served on many boards, committees and on the Rockdale City Council for over 20 years and is aware of Alcoa's and its employees' strong contributions to communities. Mr. Jones stated that he owns 125 acres adjoining Alcoa, that the property is peaceful, and that the Alcoa plant is approximately one and one-half miles from his property.

**Jeffrey Berger, Mayor, City of Taylor**, stated that he supports Alcoa in that it employs many citizens of Taylor. Mr Berger said that Alcoa has given financial assistance to the Taylor hospital, parks, schools, Temple College at Taylor, the United Way and others.

**Thomas Harris, Rockdale Chief of Police**, stated he has resided in Rockdale for 25 years and that his residence is within four miles of the Alcoa plant. Mr Harris stated that while deputy sheriff in Milam County, he was in the mining and reclaimed land area many times, that Alcoa obeys regulations pertaining to mining and works closely with the Texas Parks and Wildlife Department. Mr Harris commented that Alcoa has helped the police department when needed.

**L.B. Kubiak, former State Representative for House District 13**, spoke in favor of Alcoa, stating that Alcoa has created thousands of jobs in the whole area. Mr Kubiak said of his previous experience as a legislator, that Alcoa will "bend over backwards to help people." Mr. Kubiak stated that his family has lived in Rockdale since 1954 and that his and his father's farm border the Sandow mine, further stating that Texas has some of the strongest mining regulations in the United States and the Railroad Commission of Texas does an outstanding regulatory job.

**Hon. Ronnie McDonald**, Bastrop County Judge, appeared at the public comment portion of the hearing to express appreciation that the Commission would listen to the concerns of the people involved in the issues, particularly environmental issues.

**Frankie Limmer, Williamson County Commissioner Precinct 4**, submitted a letter requesting that the application be approved, that a significant adverse economic impact would result for Williamson County and Central Texas if the application were not approved, and that continued operation of the Rockdale complex is important and directly benefits the county.

**Ray McClain, City Councilman, City of Rockdale, and Judge John Doerfler, Williamson County** expressed support for Alcoa.

## Cities, Counties, and Related Entities

**Edmond R. McCarthy, Jr., Attorney**, represented the following entities which participated as parties in the public hearing in support of the application: Lexington, Rockdale, Thorndale, Cameron, Milano, Milam County, Milam County Appraisal District, and Rockdale Independent School District. Mr. McCarthy presented comments at the public hearing on their behalf indicating that these entities support the application, recognizing Alcoa as a good neighbor, good taxpayer, consumer, employer, and benefactor to the constituents of the political subdivisions. The following cities, counties, and related entities submitted resolutions or letters in support of the application but were not parties to the proceeding: **Burleson County Commissioners Court**, letter dated 9/20/01, **City of Cameron**, letter dated August 29, 2001; **Cameron Area Chamber of Commerce**, letter dated July 31, 2001, with resolution dated 8/14/01, **Cameron Independent School District**, dated 8/28/01, **Elgin Independent School District**, letter dated 8/15/01 (Alcoa's charitable efforts); **Giddings Area Chamber of Commerce**, letter and resolution dated 8/21/01, represented at the public comment portion of the hearing by **Lonny Drews, President**, and **Julie Schatte**; **Lexington Community Chamber of Commerce**, dated 8/23/01, **Lexington Independent School District**, letter dated 8/9/01 (Alcoa's charitable efforts); **Milam County Appraisal District**, **City of Cameron**, letter dated August 29, 2001; **Robert Willrich, Sr., Mayor, Lexington**, letter dated July 16, 2001; **Milano Independent School District**, letter dated 8/23/01; **Rockdale Chamber of Commerce**, letter and resolution dated 8/13/01; **Thorndale Independent School District**, letter dated 8/27/01 and public comment by **Gene Solis, Superintendent**; **City of Thrall**, letter dated 8/14/01, **Thrall Independent School District**, resolution dated September 11, 2001; **Thorndale Volunteer Fire Department**, letter dated 10/4/01; **Taylor Chamber of Commerce**, letter dated October 4, 2001.

Although not indicating that she was authorized to represent the entities, **Sandy Murphree** of Elgin presented comments at the public comment portion of the hearing citing several entities' resolutions. Ms. Murphree presented copies of the following resolutions which she stated were in opposition to the proposed mine. These resolutions were presented in the form of an exhibit from the hearing on the petition for unsuitability, Docket No. C0-0051-SC-00-U, (NFN's exhibits 13-19). Although stated by Ms. Murphree as in opposition to the mine, these resolutions address several matters, and in that Ms. Murphree did not represent these entities, the specific matters addressed by the resolutions are outlined as follows for clarity, and, it must be noted, none of the entities requested party status in the application for surface mining and reclamation permit: Bastrop County Commissioners' Court adopted May 24, 1999, which opposed the proposed mine and the contracts between Alcoa and San Antonio Water System; a copy of an advertisement from the *Smithville Times* dated Thursday, July 15, 1999 showing a copy of the resolution and the names of approximately 281 "businesses and organizations of the Bastrop community" stated to support the resolution; a clarification resolution of the Bastrop County Commissioners' Court stating that

lignite mining's potential effects are still of concern to the Commissioners Court but that the court clarifies that the County does not intend to exercise any authority relating to land use beyond what is granted to it by the Texas Legislature, is opposed to the exportation of water resources where such exportation is to the detriment and injury of groundwater resources and rights and existing and future water needs within Bastrop County, urges that all exports of water from the county be subject to review and permit of the Lost Pines Groundwater Conservation District, urges the Texas Legislature to take appropriate action to insure that water resources within Bastrop County are adequately protected and provide options for remedies from any possible injury, and so instructs the county clerk to send copies of the resolution to the House and Senate representatives and to the mayor and city council representatives of San Antonio and the boards of CPS and San Antonio Water System; the City of Elgin's resolution opposing mining in the Three Oaks area in support of the Bastrop County Commissioners' Court resolution; minutes from Elgin Special Council meeting Tuesday, June 22, 1999, action to oppose strip mining in the region and to support Bastrop in its efforts; City of Bastrop endorsement of Bastrop County Commissioners efforts regarding strip mining of lignite in Bastrop County; City of Smithville meeting minutes in which the City of Smithville stated that it supported Bastrop County in its efforts to insure that strip-mining and the use of water as a result of the mining has no long-term harmful effects on the environment, people or economic development of the county; Bastrop County Development Corporation minutes in support of the efforts of Bastrop County indicating that the proposed pumping could affect the entire aquifer; Giddings City Council Resolution No. 180-2000 citing Lost Pines Groundwater Conservation District's "2000 Aquifer Evaluation" which concluded that by year 2040, extensive depressurization and dewatering of Simsboro would result from pumping 55,000 acre-feet per year from Bastrop, Lee, and Milam Counties, strongly and unanimously opposed "pumping and export of groundwater from the Carrizo-Wilcox Aquifer by or on behalf of agencies of City of San Antonio for export to San Antonio or for utilization by any third party in any manner so as to provide or procure additional water supplies for the City of San Antonio;" Travis County resolution dated July 5, 2000, which cited failures of Travis County to meet air quality tests for ozone, that Alcoa and other area power generators burn fossil fuels and some plants are grandfathered; that commends Alcoa for voluntary steps to reduce air pollution, that Alcoa should take further steps to reduce air pollution, that Milam, Bastrop and Lee Counties are good neighbors to Travis County; that Travis County is supportive of the good jobs Alcoa provides, and that the Travis County Commissioners "urge Alcoa to switch to a cleaner-burning fuel" and "urge the Railroad Commission of Texas and the Texas Natural Resources Commission to require Alcoa to take immediate steps to dramatically reduce emissions and to obtain permits for its grandfathered facilities" and urges all sectors involved to work cooperatively; and the Austin City Council Resolution No. 000127-57, dated January 27, 2000, citing Bastrop and Lee Counties as good neighbors to Austin; citing Alcoa as a grandfathered polluter; stating, "Alcoa intends to tap the water table below the mine and sell this precious resource for profit" . . . "severely lowering the underground water table"; putting residents of Bastrop and Lee Counties at risk; and urges the Commission "to deny Alcoa's request for a permit to strip mine the countryside and severely reduce the water resources in Bastrop County and Lee County at the expense of the residents.



None of the entities whose resolutions were presented by Ms. Murphree requested party status in the proceeding, and none have indicated in the proceeding that Ms. Murphree represented them.

## **Labor Unions**

Representatives of the **United Steel Workers of America, Local 4895**, and the **International Brotherhood of Electrical Workers, Local 2078** appeared to present public comment as well as participated as parties to the proceeding.

**Larry Fisher**, representing the USWA Local 4895, stated that he represented 800 members and their families. Mr. Fisher stated that the plant provides fuel for the space shuttle and provides aluminum which has many useful applications, and that the local bargaining unit strongly supports the application. Mr. Fisher in written comments cited the availability of a low-cost shallow coal, jobs making aluminum products supported by the production of aluminum, and Alcoa's record of reclamation. **Donald Laurence of USWA Local 4895**, stating support for the application, requested that the Commission assess the application based on science and the facts.

**Sherri Korsmo** for the IBEW Local 2078 stated that the local is named as the collective bargaining agent for the Three Oaks Mine, and requests that the application be granted.. Ms. Korsmo stated that the Sandow Mine is award-winning due to Alcoa's commitment to excellence in mining and the workers' commitment. Ms. Korsmo stated that the living wage jobs provided by Alcoa for the Central Texas area allow children to attend college, families to live outside of poverty, churches to flourish and communities and school systems to grow and prosper, and all of these would be directly affected by the outcome of the proceeding.

**Nena Simpson**, Chairperson of Women of Steel Committee for United Steel Workers of America Local 4895 and Rapid Response Coordinator, also presented public comment stating that she has seen first-hand the effect on persons who lose their jobs and that Alcoa is vital to national security. Ms. Simpson stated that Alcoa has a commitment to its employees and all those affected by them, and that, although it is in business to make money as all businesses are, persons should recognize that there will be progress in the form of growth in the surrounding cities and rural improvements, and that there is the knowledge and new technology to use resources in a safe and healthy manner if everyone will pull together to that end. By letter dated February 15, 2002, Ms. Simpson also commented that the whole truth regarding Alcoa and its employees has not come out in the media: that some of the involved property owners have, or are still, receiving revenues for their mineral rights, knowing that they cannot prevent surface mining, are approaching the situation through other people and environmental allegations.

A letter from **Joe Gunn, President, Texas AFL-CIO**, was submitted at the public comment portion of the hearing which stated support of the application and cited employment, the ripple effect of goods and services purchased by Alcoa, payment in taxes which support critical

services for counties in Central Texas, and the contributions of workers individually and through the unions to local community service. Mr. Gunn stated that the employees have exhibited commitment and vision in working toward greater economic and environmental efficiency and have made economic sacrifices in order to make needed improvements in environmental quality. Mr. Gunn stated that the mining supply is critical to the operation of the plant and urged approval of the application. In addition, **Ms. Nolene Sykora, Vice President of the Texas AFL-CIO, District 16**, presented public comment in favor of the application. A letter dated October 1, 2001 was filed October 10, 2001 by Central Texas Labor Council, AFL-CIO, in favor of the application.

### **Miscellaneous Organizations**

The following miscellaneous organizations also filed comments in support of the application: **Texas Taxpayers and Research Association** (Alcoa as a supporter of the association and as positive member of corporate community), letter dated August 28, 2001; **Cameron Industrial Foundation**, resolution dated October 4, 2001; **Rockdale Multi-Service Center**, letter filed October 11, 2001; **Rockdale Girls Softball Association**; **Rockdale Fair Association**, comments by **John C. Hughes**; **Taylor Jaycees**, public comment by **Don Bearden**; **the Milam Association for Retarded Citizens (MARC Center)**, **Rockdale Volunteer Fire Department**, comments presented by **Ward Rodden**, stating that Alcoa's support is one of the reasons the department is one of the best equipped and trained volunteer department, citing donations in grants, equipment, and training resources); similar comments were made by **David Stanley**, **Minerva Volunteer Fire Department**; comments presented by **Ann King, President, South Milam County United Way**, comments presented by board member, **David R. Vaculin**, and the **Association of Electric Companies of Texas, Inc. (AECT)**, a trade association representing the seven investor-owned electric utilities in Texas, comments presented by **John W. Fainter, Jr., President and CEO**. Mr. Fainter indicated that the AECT member companies are responsible for generating over 85% of the state's electricity and serve over 75% of the state's electricity customers. Mr. Fainter indicated that the AECT is in support of the application, stating that over 40% of electricity in Texas is derived from coal, and that this provides needed diversity in the generation of electricity to ensure continued reliable and low-cost energy for a strong U.S. and Texas economy and increased energy security. Public comments were also made by **Joan Ratliff, Board of Trustees, Richards Memorial Hospital's Board of Trustees**, and by **Terry Andris, Administrator**, representing the hospital staff in support of the application and of Alcoa as a responsible community partner.

**Erich Birch, Attorney, Birch & Becker**, appeared in support of the application on behalf of the **Center for Energy and Economic Development (CEED)**, a non-profit organization made up of 180 coal companies, railroads, electric utilities, manufacturers, and labor unions, dedicated to preserving the coal-based electricity option for America's future energy needs, research, education, and advocacy programs. The organization works with policy makers to provide

information regarding coal's role in ensuring reliable, affordable and environmentally sound electricity generation and service. CEED's support for the application is based upon stated positive economic impact to the area, Alcoa's commitment to safety, environmental stewardship, and land reclamation.

### **Water Supply Corporations (WSC)**

**Southwest Milam Water Supply Corporation** submitted a letter dated December 13, 2001 with resolutions in support of the application dated November 26, 2001. **Robert Blair**, representing the **Board of Directors**, presented public comment that the board voted to support mining at Three Oaks, stated that aluminum is important for defense, that the electric power generated also serves the public, that the employment and other benefits from Alcoa such as charitable support outweigh other concerns which he believes Alcoa will continue to correct. **Thomas Nelson** stated in public comment that he had served on the Southwest Milam Water Board for ten years and had no complaints from customers as to supply. **Manville Water Supply Corporation** submitted a letter and resolution dated August 23, 2001, and comments at the public comment portion of the hearing on March 6, 2002 by **Atlan Pfluger, President**. Mr. Pfluger stated that water pumped by Alcoa as a by-product of mining is being offered to Manville (1,000 acre feet of water per year) and other area utilities at little or no cost for public water supply purposes, and that Manville believes that Alcoa will be a vital part of the area's water resource management efforts. **James Foster, a director for Minerva Water Supply Corporation**, presented comments at the public comment portion of the hearing, stating the support of Minerva for the application, indicating that Alcoa has supported many community efforts, he also stated that continued operations in Milam County are vital to that community and the economy of Milam County and other counties in Central Texas.

### **Water Districts**

**Lost Pines Groundwater Conservation District** through its general manager **Joe Cooper**, filed comments by letter dated January 23, 2002. The district requested that the Commission use the Texas Water Development Board (TWDB) Central Carrizo-Wilcox Aquifer groundwater availability model (GAM) currently in development, to prepare Staff's Cumulative Hydrologic Impact Assessment (CHIA) for the proposed mine and to analyze the groundwater withdrawals proposed in the application with other withdrawals. Public comments were presented by Ann Mesrobian, a director. **Stephen Densmore** also presented public comment, stating that he is a retired TDWB employee, and as assistant director of water availability and planning was actively involved in developing the groundwater models that have been used in the area of the proposed permit and would also recommend that the commission if possible wait and use the model being developed by consultants at the TDWB. He also suggested that the Commission incorporate the issues and concerns that the local groundwater district voiced and incorporate some of their recommendations into the permit.

The legislature has provided the authority to develop the model to the TWDB; the model may be completed by January, 2003. The model is to be provided to each groundwater conservation district and each regional water planning group overlying the aquifer. The district's letter posited that all existing models of the Carrizo-Wilcox aquifer are not geographically large enough to accurately show pressure changes resulting from pumpage. The model would include the following specific increases in non-mining groundwater in predicting impacts from the proposed mining: increases from population growth and amounts of water pumped from the aquifer and exported by the applicant and others under water supply and water rights contracts. The district also requested that the district have input to the Commission by submitting periodic reports regarding effects of pumping from Commission-permitted wells and that the Commission modify withdrawal amounts based on this information in order not to undermine the regulatory authority of the District, that the model be used to assess potential water quality impacts of dewatering and that it be used to update the CHIA at each proposed renewal of the permit.

The District also commented that there is a reward rather than a disincentive for Alcoa to overpump depressurization wells, that the application's hydrologic impact assessment assumes no increases in withdrawals for purposes other than depressurization, and states that the applicant does not explain the need to depressurize during the first year of mining. The District, commenting that under the application, when mining ceases, there is projected to be an 80-year recovery period for the Simsboro Potentiometric Surface, when pumping for other reasons and by other entities is also considered, the recovery may take longer or may not occur.

The district comments that pits are under temporary cessation of operations at Sandow and that depressurization could continue as long as pits remain inactive. The District also comments that the amounts of water included in the Region G Water Plan for mining demands for water in Milam County and Lee County do not match the amounts proposed in the application and states that it assumes the quantities were provided to the plan by Alcoa and relate to potential continued pumping with Sandow in temporary cessation but allowed to continue to depressurize.

The District also comments that Alcoa has not explained why Alcoa slug tests show no significant hydrological connection between the Simsboro and Calvert Bluff yet the University of Texas Bureau of Economic Geology modeling effort (Dr. Alan Dutton 1999, 2000) had to allow for significant leakage from the Calvert Bluff to calibrate the model. The District comments that the Lost Pines 2000 Aquifer Evaluation (Robert S. Kier Consulting, August 2000) was not referenced in the permit application.

The District indicates that it does not wish to interfere with Commission jurisdiction, but only to request that the Commission ensure that withdrawals approved in the permit are not more than required to keep the mining operation safe.

### **Environmental Organizations**

**Neighbors for Neighbors**, represented by **Billie Woods**, President, and **Martha Boethel**, member, made public comment. The organization participated as a party in the proceeding but withdrew prior to the hearing on the merits. Ms. Woods stated the organization's objections to the application, requesting that the Commission not proceed prior to action by local authorities on proposed road changes, and stating that Alcoa can afford to switch fuels and should consider costs in human life, health, and worker productivity and should operate within the law. Ms. Woods commented that Alcoa chooses lignite because it is cheap, chooses to pollute, and chooses to exploit lignite at the cost of the long-term viability of the aquifer. Ms. Boethel commented that the mine would not bring new jobs for Bastrop and Lee Counties, threatens existing jobs, and hurts chances for Bastrop and Lee counties to create new jobs. By letter, Ms. Boethel also commented that the mine would be detrimental to the economy of the region in general and to her property value. She also commented that she is concerned that related water pumping would negatively impact her water well, groundwater and surface water, and natural vegetation, and that she is concerned about Alcoa's reliability and integrity. By written comments presented at the public comment portion of the hearing Ms. Boethel requested that the Commission consider the application based on a cost-benefit analysis, on the principle that natural resources must be developed and preserved for the benefit of the many and not merely for the profit of a few, and based on the "principle of sustainable development," that development should meet present needs without compromising future generations. **Travis Brown**, a member of **Neighbors for Neighbors**, objected to the schedule for the public hearing, and stated that he urged the Commission to consider abating the proceedings until the completion of several other state and federal agencies' important work, naming the TWDB water study, Corps of Engineers' Environmental Impact Statement, and a Texas Department of Transportation environmental study, four to six months away, which would be sent to various state agencies such as the Texas Parks and Wildlife Department, and stated that without these, he does not think the hearing is fair. He also commented that he thinks the claim that the smelter could close down is a false assumption, and that this claim is made every time Alcoa wants a tax break from a taxing district, whenever Alcoa want to expand mining areas, or desire concessions from employees' unions. He alleged that he had talked with Alcoa officials in Pittsburgh who are not looking at closing the plant but are looking at alternative fuel sources. Mr. Brown stated that the threat to close the smelter is a very effective tactic against politicians, and that Alcoa used the same tactic regarding the installation of pollution controls to reduce sulfur dioxide, but are not going to spend the money to do that.

**Tom Dureka, President, Bastrop County Environmental Network**, an all-volunteer non-profit research and educational organization serving Bastrop County, expressed concerns regarding Total Suspended Solids (TSS) and Total Dissolved Solids (TDS) in waters proposed for discharge and erosion and commented that the proposed mine would severely impact the ecological health of Big Sandy Creek and Segment 1434 of the Colorado River.

**The Council of Olympus (Gymnosophical) Inc.** filed comments expressing concern regarding water availability, environmental impacts, and objections to San Antonio's water plans. The Council, named as a party, later withdrew from the proceeding.

### **Chambers of Commerce and Economic Development Corporations**

**Nancy Perry**, member of the **Lexington Economic Development Board**, presented public comment that Lexington recognizes Alcoa's economic impact on the area for the past 50 years by providing employment, purchasing supplies, paying taxes, and support of the community through the Alcoa Foundation and scholarships for children of Alcoa employees, that the operation is dependent on the lignite resources and that premature shutdown of operations in Milam County could devastate the economy. Ms. Perry further stated that the community feels protected by the permitting process and state and federal regulation, realizes that the water supply is of utmost concern and pledges to work with agencies and Alcoa to improve air and water quality and quantity. She stated that awards Alcoa has received are evidence of good stewardship of natural resources and that the **Lexington Community Chamber of Commerce** supports Alcoa's developing the reserves in accordance with state and federal requirements.

**Earline Cloudt**, a director of the **Cameron Chamber of Commerce**, presented public comment in favor of the application on behalf of the Chamber of Commerce and the **Cameron Industrial Foundation**. Ms. Cloudt stated that the application will be important to Cameron in that Alcoa is a large employer in the area and due to monies brought into the area by Alcoa employees, and she stated that Alcoa is supportive of non-profit organizations and programs.

**Denice Doss**, President, **Rockdale Chamber of Commerce**, presented a letter dated August 13, 2001 with the Chamber's resolution in support of the smelter and other operations in Central Texas, stating that the Chamber represents 220 businesses, that for every one Alcoa job, there are six service sector jobs created in the local economy, and citing the awards won by Alcoa.

**Shante Pool**, President, **Taylor Chamber of Commerce**, presented public comment to support the application on behalf of the board of directors of the chamber. Ms. Pool indicated that the chamber is supporting Alcoa because of the economic impact of one of the largest employers making over \$235 million in local purchases directly affecting its members.

### **Businesses**

The following businesses submitted comment letters in support of the application which cited long-standing relationships with Alcoa, excellent management, and the economic opportunities offered by Alcoa to the Central Texas area:

A/V Productions, Communications & Marketing, Inc. (AC&M)

ABL Services, Inc.  
Accessibility Design Associates  
Aero-Metric Photogrammetric & GIS Services  
Agro Distribution, LLC  
Airgas Southwest  
Air Power Tool & Hoist, Inc.  
Alamo Iron Works  
Ameralloy Steel Corporation  
American Excelsior Company  
American Fire & Safety, Inc.  
Amtex Scale & Systems, Inc.  
Analytic Stress Relieving, Inc.  
Anderson Geology, Geological and Mining Consultants  
Anglers Specialties Fish Hatchery (Lone Star Lake Management)  
Austin Pump and Supply Co.  
B&B Specialties  
BCS Stop 'N Go Potties  
Bartlett Electric Cooperative  
Bland Construction Company  
Boise Cascade Office Products  
Boral Material Technologies, Inc.  
John T. Boyd Company  
Bradley Lifting Corp.  
Spencer J. Buchanan Associates, Inc.  
Butler & Land Inc.  
Braden Enterprises  
Brice Barclay  
Bryan Hose & Gasket, Inc.  
Bucyrus International, Inc.  
C.C. Crawford Retreading Company, Inc.  
C.P. Trucking  
CAPCORP Conveyor Aggregate Products Corporation  
Emory C. Camp, Attorney At Law  
Carter-Burgess  
Casco Industries, Inc.  
Castrol Industrial North America Inc.  
Cellular One  
Central Bank - Lexington  
Cheetah Transportation Systems, Inc.  
Cintas, The Uniform People  
Coastal Transport Co., Inc.  
Coca-Cola Bottling Company of the Southwest

Commercial Contracting Co.  
Crane Pro Services  
Cummins Southern Plains, Inc.  
Jim Currey Real Estate  
Darr Equipment Co.  
Diesel Power Supply Co.  
Dove Transport Service, Ltd.  
Dobson Cellular Systems  
Down Home Ranch  
Drillers Pump & Supply, Inc.  
Drives and Controls Services  
Eagle Brush & Chemical, Inc.  
Earth Color Houston  
El Campo Spraying, Inc.  
Electronic Systems Technology, Inc.  
Equipment Depot  
Excel Foundry & Machine  
Flanders Electric, Inc.  
Fraser Mining & Industrial Supply, Inc.  
G & W Engineers, Inc.  
Garner & Associates, Inc.  
Global Safety Training, Inc.  
Gooding & Shields Rubber Company  
Greyhound Combustion & Controls, Inc.  
Grayson Armature Works, Inc.  
Gulf Coast Paper Company, Inc.  
Greg's Overhead Door Services, Inc.  
HMC  
Hahn Equipment Company, Inc.  
Haltec Corporation  
Hanson Pipe & Products, Inc.  
Harmor Technologies, Inc.  
Hazel's Hot Shot, Inc. & Air Support, Inc.  
Hazen Research, Inc.  
Hannasch Engineering, Inc.  
Hi-Line Industries II, Inc.  
Johns Community Hospital  
Hoss Equipment Co.  
Hunter's RV  
Hunter's Woodshop & Stake Company  
Hydraulic Works, Inc.  
HydroTex Dynamics, Inc.



The Hurt Company, Inc.  
Industrial Equipment Co. of Houston  
Industrial Wholesale Lumber Co., Inc.  
Kanawha Manufacturing Company  
James Kowis Consulting  
Las Casas Restaurant & Patio  
Laudan Aerial Production  
Layne-Texas  
Leake Company  
Lewis-Goetz and Company, Inc.  
Longview Inspection  
Lone Star Barber Shop  
Love's Flowers & Gifts  
Lyle Oil Co. - Parker Auto Supply  
Maxim Crane Works  
McDonald's - Sandy & Vickie Braswell, Owners  
McKenzie Equipment Company, Inc.  
Metal Culverts of Navasota  
Milam Broadcasting Company, Inc.  
Minserco  
Netherton Steel Co., Inc.  
Onyx Industrial Services, Inc.  
Pud Owens Realty  
P&H MinePro Services  
Phillips & Luckey Co., Inc.  
Carl Pons Electric Motor Services, Inc.  
Regional Steel Products, Inc.  
Rexel Summers Electrical & Industrial Supplies  
Rockdale Federal Credit Union  
Rimpull Corporation  
Russell & Sons Construction  
N.L. Smith Construction, Inc.  
Don A. Stewart, Inc.  
Strouhal Tire, Inc.  
Texaco, Don A. Stewart, Inc.  
Texas Association of Business & Chamber of Commerce  
Texas Propane  
Thermo Gamma-Metrics  
K.D. Timmons, Inc.  
Tranum Auto Group  
Waukesha-Pearce Industries, Inc.  
Weir International Mining Consultants

The A.J. Weller Corporation  
Weslo, Inc.  
Womble Drilling Company, Inc.  
Zachry Construction Corporation

### **Other Comments, Businesses**

**Dale Jaecks of Rockdale Insurance Agency, Dale and Diane Jaecks, Owners,** wrote that Milam County and Rockdale have prospered and grown because of Alcoa and that he believes the communities of Bastrop and Elgin will share in benefits in the area of financial grants, use of Alcoa technology and other areas Milam County and Rockdale have enjoyed for the past fifty years.

**Dee Ellis, D.V.M.,** wrote that as a long term resident and veterinarian living in the Rockdale area, he has viewed the current mining operation in Milam and Lee Counties on numerous occasions. Mr. Ellis stated that the Alcoa employees involved in the agricultural and wildlife areas are very professional and that in his professional opinion, the quality of range forage, wooded areas, and wildlife populations are of higher quality now than they would have been had the same area not been mined. He also wrote that the mine produces high quality round bales of Tifton 85 and Coastal Bermudagrass hay, which are in high demand by local cattle producers.

**David Matocha of Hanson Pipe & Products, Inc.,** wrote that the company has a long-standing relationship with Alcoa Rockdale Operations and that he has personally toured the Rockdale Plant and has personal knowledge and employment history in Central Texas lignite mining. Mr Matocha wrote that not everyone has skills in the high tech industry and that the mining business allows hundreds of blue-collar workers the opportunity to provide for their families.

**Ronald Montgomery, President, Rockdale Federal Credit Union,** appeared at the hearing and submitted written comments that the credit union has over 8400 members/owners, many with direct and indirect reliance on Alcoa for their incomes. Although indicating that he could not speak for each individual member/owner, Mr. Montgomery expressed his opinion that much of Central Texas would be affected by the loss of Alcoa. He stated that Rockdale Federal Credit Union continues to process mortgage and land loans close to the Alcoa mining areas and that historically, there do not appear to be adverse valuations of properties close to Alcoa mining, and that various appraisers have justified this.

**Allen Miller of Miller-Starnes,** a resident of Rockdale since 1963, wrote that Alcoa has always been a good friend and neighbor based upon his experience with Alcoa over the years.

**Michael Vance**, President, **Citizens National Bank**, appeared to present public comment and also submitted written comments. He stated that the bank has banking centers located in Rockdale and Cameron, and that the bank has had many requests for loans secured by properties near Alcoa's Sandow Mine. The bank has granted many of these loans. Based on his experience in the area, he stated that he would expect the same situation to be true with property associated with the Three Oaks Mine. He stated that adjustments made to property valuations are never for the reason of being located close to or adjacent to the mine. Mr. Vance stated that Alcoa contributes by community involvement, philanthropy, and adds growth and stability to the Rockdale and Milam County economy, and that Alcoa employees play a vital role in community organizations.

**Glen L. Fatheree** of **Onyx Industrial Services, Inc.** appeared to present public comment and also submitted written comment. Mr. Fatheree stated that the company has about 60 employees working in approximately 70 plants per year, and that approximately 25% of its work is performed for Alcoa. He stated that Alcoa has the most stringent standards of any plant the company works with, employs good people and is run by good people. His letter stated that Alcoa is an excellent corporate neighbor and generous donor to the local area. Mr. Fatheree stated that Alcoa helps support youth programs, senior citizens' activities, civic groups, emergency medical and fire departments, and educational programs. Approximately 18 Onyx employees appeared at the public comment portion of the hearing and submitted written comments in support of Alcoa, including **Kevin Lester**, environmental and safety manager for Onyx. He stated that he has worked for 13 years in environmental health and safety in plants from North Carolina to California, and that Alcoa's standards are as high as any other with which he has worked. Similar comments were submitted by **Cynthia Weeks**, Safety and Human Resource Division Supervisor for **Bucyrus Minserco Mining Service**, on behalf of herself and co-workers, and **Frank Felton**, an employee with **Commercial Contracting Company**, working for the past 38 years at the Alcoa plant.

**William R. Smith**, employed with TXU at the Rockdale Sandow facility, stated that he grew up in the Shiloh/Pleasant Retreat area about one mile north of FM 112 in Williamson County. He stated that one side of his family has owned land in the area prior to the Texas Republic, and that the other side moved to the area after the Civil War. Mr. Smith stated that he now farms and ranches on the land and that a portion of it is within a mile of the Sandow mine. He stated that his cattle has not had problems, and that there are no dust, noise, light problems, or well problems. He recited an incident in which a relative of his had a problem with his well, called Alcoa, and that Alcoa responded immediately and offered to bring in a temporary water supply before knowing if the problem was a result of Alcoa pumping. Upon determining that the problem could have been as a result of pumping, Alcoa had a deeper, better well drilled. Mr. Smith also commented that as a landowner, he has certain property rights, and can do almost anything he wishes with his land as long as it does not break any laws, and that Alcoa and the City of San Antonio should have the same rights for their lands. He also inquired why people buy a home site

next to land that has already been purchased or leased for the sole purpose of mining lignite and complain when a mine permit is requested.

**Chris Moffett**, a six-year Alcoa employee, contrasted where he lives now, 3000 feet from the mine, with living where he used to live years ago five miles from the mine which now has three or four turkey farms and one chicken farm nearby, saying that living near the mine may be better.

**Thomas Shafer** stated that he lives one-fourth mile from the mine and has a business, TLC Exotics, raising hand-fed parrots and chihuahuas. Mr. Shafer stated that raising baby parrots is a delicate process and that he has never had any problems with air pollution.

**William Weiser**, a land surveyor in Giddings, stated that he has lived in Lee County for 23 years, and that his great-great-grandfather emigrated from Germany in 1882, bought property near Fedor and settled there, that his great-grandfather and grandfather also raised their families in Lee County. Mr. Weiser requested that the Commission issue the proposed permit, commented that the U.S. depends on natural resources to maintain the quality of life and that domestically produced natural resources are more important for our country because of the economic impact and for security.

**Franz W. Breuer** stated that he is employed with **Bucyrus International**, a manufacturer of mining equipment based in Milwaukee. He related an incident in which he dropped batteries on the ground in the mine permit area and was told to dispose of them properly. He stated that he has never seen any improper disposal of materials. Mr. Breuer also commented that he viewed an Alcoa mine in Surinam 12-13 years ago and that the workers were treated fairly and enjoyed a better standard of living than most of their countrymen.

**Mr Gatti's Pizza (Mike and Ann Glenn, Owners)**, submitted a letter stating that, as the owners of Mr. Gatti's Pizza in both Rockdale and Taylor Texas, Mr. and Ms. Glenn support Alcoa's application. Mr. Glenn stated that they have resided and conducted business in the area for the past 13 years and that they are informed on this issue and active in the community. Mr. Glenn also wrote that Rockdale would not exist if Alcoa were not present and described its continued support to both the youth and adult organizations is outstanding. Mr. Glenn stated that he believes Alcoa follows the laws and totally respects the environment and Alcoa's effects on it and that Rockdale is a safe and beautiful place to live.

**Judith Matula, Co-Owner of Pud Owens Realty**, submitted a letter stating that the firm has been in Milam County for 21 years, and that she has worked with the Alcoa people thousands of times, has studied everything public concerning Alcoa's proposal, and requests that the Railroad Commission grant this application. Ms. Matula described Alcoa as very generous to the community, and stated that she has also seen its award-winning land restoration efforts. For anyone fearing lasting damage to the countryside, she recommends a tour of the mine and restoration area.

Ms. Matula stated that property values in the mine area have not been adversely impacted by the mine, and that losing the local 50-year-old plant and the 2000 Alcoa employees and contract workers would be devastating to this Central Texas region.

**James W. Boyd, President, John T. Boyd Company**, Mining and Geological Consultants, wrote that since 1974 his company has had a long-standing relationship with Alcoa's Rockdale operations. Mr. Boyd stated that the recent energy crisis in California, the depressed global economy, high levels of unemployment, and forced reliance on crude oil imports, have spurred President George W. Bush to introduce, and the House of Representatives to amplify, a bill that included more than \$30 Billion in tax incentives for oil, gas, and coal research. Mr. Boyd stated that Alcoa is committed to confronting the energy war and that Alcoa's approach is evidenced by award-winning mining operations, the significant economic benefit provided to the businesses in Central Texas and to over 1400 employees, as well as its constant pursuit to develop indigenous coal reserves.

**Pete Brien, Owner, Brien Water Wells**, past president of Texas Groundwater Association and Director of Brazos Valley Groundwater Conservation District, commented on the importance of responsible development and use of groundwater resources, stating that his company does mitigation work for Alcoa drilling replacement water wells, installing pumps, and related services. He stated that Alcoa's goal is to provide as good or better water, that Alcoa has urged him to do the best job that he can for the landowner who has been affected by aquifer depressurization, and that he has the impression that Alcoa is genuinely interested in doing what is right.

**Charlene Stewart of Professional Safety Services**, submitted written comment that as a contract safety consultant/trainer for Alcoa she has seen Alcoa strive for excellence in safety issues to protect employees and contract employees. Ms. Stewart stated that she has worked for other mines in Texas where production seemed to be more important than employee safety. Ms. Stewart also commented that were Alcoa employees to lose their jobs, it would not be a simple matter for them to find another job, because there is lack of employment opportunity in surrounding areas already inundated by industry layoffs.

**David R. Vaculin** stated that he is on the Board of Directors of South Milam County United Way, and expressed support for the application, indicating that Alcoa is a key business supporting the organization and that 27 organizations benefit from the support of Alcoa and its employees.

**Jerry Horton** appeared and spoke for **Down Home Ranch**, located off FM 619, Elgin, a non-profit corporation, established by himself and his wife, after their youngest daughter was born with Down's Syndrome. The ranch provides homes, recreation and employment opportunities for persons with mental retardation. Mr. Horton stated that Alcoa has assisted the ranch for many years in building roads and stocking the fish pond as well as starting a tree farm. Mr. Horton stated that the ranch will grow over 50,000 trees and shrubs for land reclamation, tree give-away, and for Zeriscaping and zero landscaping. He stated that it is the people of Alcoa that

have become friends, and that although he understands that people can disagree on complex and important issues, that he is proud of his association with Alcoa.

**Lee Wray Russell, Chairman, Russell & Sons Construction Company**, specializing in land reclamation, stated three reasons for approval of the application: jobs, patriotism, and environmental reasons. He stated that employment will contribute to economic stability and prosperity to enable persons and entities to have choices for quality of life, that the permit will enable Alcoa to have a low cost for energy to keep the industry competitive and in the United States, to provide the U.S. with economic power to maintain freedom at home and peace abroad, and that the permit will contribute to having resources to further improve the environment.

**Donald W. Culp** spoke on behalf of Don Culp's Appraisal Service, presenting comment that he has not observed any significant correlation between price per acre and proximity to Alcoa's operations in Milam County.

**William Walters**, employed by **Weslo, Incorporated**, commented that he has worked at the Sandow Mine and has seen many environmentally safe work practices. **Paul Bryant** of Weslo, presented public comment on behalf of himself and Weslo employees, expressing strong support for the application and stating that Alcoa vigorously and stringently enforces procedures regarding environmental, safety, and health issues.

**James S. Newman**, who appeared for Crocker Reclamation and Maintenance, Inc. and 21 employees, stated that he knows first-hand that reclamation is done properly.

Two employees of **Airgas Southwest**, **David E. Phillips**, sales manager, and **Bob Banks**, Operations Manager for the Central Texas area, spoke in favor of the application, as well as **Kurt Avery and Charles Williams of ROMCO Equipment Company**.

**Rainey Owen**, owner of the **Lexington Leader** stated that the project would result in an increase in the tax base for Lee County, that jobs are essential to the community and that he believes that these will increase in Lee County over time, and that Alcoa will provide an economic stimulus for the community.

Employees of the following companies appeared at the public comment portion of the public hearing and submitted written comments in support of the application: **Redding Constructors, Womble Drilling Co., Waukesha-Pearce Industries, Bryan Hose & Gasket, CCC Group, Inc. (general superintendent, Curtis Ethridge and two employees), International Supply Consortium (six employees), Minserco (three employees), McJunkin-Cambar (five employees), Daniel Pierce, with T&K Enterprises, presented public comment and four employees submitted written comment, ISC (one employee), Weir International Mining Consultants (eight employees), N.L. Smith Co. (one employee), and Commercial**

**Contracting Co. (four employees), and Bob Graham, manager, Trantum Country Ford.** In addition to these, 269 additional persons, not identifying a specific employer, submitted comments in favor of the application, indicating the importance of employment and/or Alcoa's contributions to the economy and local communities.

**Keith Debault**, owner, **Mine Service, Ltd.**, speaking for 20 employees, stated that his company performs contract work at Alcoa and site commercial work within a 200-mile radius of Rockdale, and commented that Alcoa is environmentally conscious. He stated that he has frequently seen wildlife on reclaimed lands. He stated that property taxes paid by Alcoa help communities to have better schools and better county roads. Mr. Debault stated that one must remember that a company is no more than its employees who are real people who want what is best for their children and their community. **Bill Chapman** stated that as an employee of Mine Service, he has seen Alcoa's commitment to safety and its environmental stewardship, and having worked in mining for 27 years, he has seen successful restoration and reclamation of former mining sites.

**James R. Neaves** of **J/R/Neaves Consulting**, a contractor for Alcoa stated that September 11, 2001 events place a different light on the issue of the application and that it is incomprehensible to him that there would be any opposition to harvesting fuel sources at home because the Alcoa Rockdale Plant was built to supply aluminum to the U.S. defense infrastructure. Mr. Neaves stated that he did not desire to belittle concerns by citizens in the area where the mine is planned, but that the concerns are unfounded and deliberately exacerbated by special interest groups with political agendas. He also stated that he has developed training for other industries where safety and environmental concerns are not given the high priority that Alcoa gives to them.

**Keith Strnadell**, Secretary, **El Campo Spraying, Inc.**, commented that Alcoa is safety-conscious not only with its employees but with all people who work in and around the plant and mines.

**Mindee Porter**, an employee of an Alcoa contractor, (a company teaching Alcoa and MSHA safety standards to contractors), stated that of several coal mines she has been associated with in Texas, Alcoa employs the foremost standards of safety and environmental ethics.

**Tom Healy**, regional sales manager for **Komatsu Mining Systems**, stated that whenever Komatsu had bid equipment for Sandow, mine priorities have always been safety and the environmental impact of the equipment.

**Scott Perlet**, Mining Sales Manager, **Darr Equipment Co.**, a supplier and contractor (heavy equipment), since the early 1950's stated that projects such as Three Oaks Mine are beneficial to Texas by providing low-cost fuel for electricity and steady employment for rural counties.

**Clifton Guthrie**, president of Commercial Contracting Company, stated that the company has worked for Alcoa for the past 38 years on a continuing basis and that Alcoa is honorable and has never breached its word to him. He stated that Alcoa has provided his employees with a wage that allows them to live the type of life everyone would like to live. He stated that his company has worked in many mines in Texas, the U.S., Europe, and South America, that Alcoa's mining, safety, environmental and reclamation practices are better than anywhere in the world, and that the community and Texas are fortunate to have such a company to develop natural resources.

**James S. Mills** with **Minserco** stated in written comments that he has worked with Alcoa for six years and worked in lignite mines in six states, and that Alcoa is unique in its actions regarding reclamation and with the community. He wrote that persons against the application are not looking into the future for the good of the community. Similarly, **Lawrance Bauer** wrote that jobs for the next generation are important to consider.

**Lisa Davidson Gerthe**, real estate agent in Rockdale, commented that property sales in the Rockdale area have been increasing over the last three years, and that generally property values tend to increase on the west side of Rockdale, the side on which Alcoa is located. She also commented that she has become accustomed to looking for one of the massive booms of the "two resident ladies of the Sandow Mine swinging in the distance" as she travels along Highway 77 and believes that if given the opportunity, Alcoa will be the best neighbor the neighbors in Lee and Bastrop County will have ever seen.

**Elgin-Butler Brick Company** requested party status in the proceeding, later withdrawing from the proceeding. In the letter requesting party status, **Robert M. Butler**, Vice President, Production, stated that the land within the proposed permit area is adjacent on two sides to Elgin-Butler Brick property and that the relocation of FM 696, required for relocation of the operation, is one of the major commuting roadways used by plant employees. The letter did not object to the application but requested party status to provide the company with the right to present testimony and cross examine witnesses should the company see the need based on evidence presented. Elgin-Butler Brick Company, named as a party, later withdrew from the proceeding.

**Mike Springer, Vice President, Diesel Power Supply Company, Inc.**, which supplies high-quality dewatering pump systems and diesel engines to coal mines, appeared and presented comment that Alcoa has been responsible in maintaining equipment and in providing a safe environment.

**Tom Puccio**, on behalf of his business in Milam County with approximately 30 employees, expressed support for the application. **Gordon Todd**, owner of a small business in Rockdale, spoke in support of the application, stating that aluminum production should remain in the U.S. where air and water will be monitored adequately.



**Gary Bleeker**, employee of **Airgas Southwest**, stating that he has lived in the Rockdale/Milam County area for 34 years, commented favorably regarding Alcoa's reclamation, preservation of wildlife, and assistance to schools and fire departments.

**Individuals speaking or commenting in writing against the proposed application**  
(approximately 50)

**Cynthia Allison** spoke on behalf of three families in the Yegua Valley Subdivision, 10 or more acre tracts in northern Bastrop County approximately 3-4 miles from the eastern edge of the proposed mine. Ms. Allison stated that the families are concerned about potential effects to the land, property values, groundwater pumping by Alcoa pursuant to contract exceeding the aquifer's capacity to recharge, and that Alcoa could have to pump more water for mitigation purposes.

**Carita Simons**, a landowner in Lee County, objected to the proposed permit based upon the current noise and odor that she states emanates from the Sandow Mine, stating concerns regarding alleged lung cancer from emissions from the power plant, air quality compliance, alleged effects on her 200-foot water well and 40 acres of oak trees, the lack of the TWDB groundwater availability model and the EPA Environmental Impact Statement, outstanding road issues before local authorities, alleged massive amounts of groundwater to be withdrawn and sold "unregulated" to San Antonio if the permit is approved, and allegations that Alcoa threatens workers with layoffs. Ms. Simons also stated that she understands that the Commission encourages the use of natural gas and that the Commission, for the long-term good of Central Texas, should deny the permit.

**Joy Smith** presented written comment that she is concerned regarding her family farm which her family depends on to provide for the family. Ms. Smith questioned how, if big companies are allowed to take land and water, farmers will feed America and where they will go for new employment, homes, schools, and lifestyles.

**Gary Casey** of McDade submitted written comment that he lives in an area where his only source of water is a well and that he is concerned about the effect that lowering the water table will have on his well and the trees and springs already affected by recent drought.

**Denis M. Hawthorn** of Austin submitted written comment that he owns land in Willowcreek Subdivision and is a Lee County taxpayer. He expressed concern that the water table in the area is low especially in the summer and that pumping water out of the area seems senseless. He also expressed his opinion that Alcoa pollutes the air just as steel plants did in Buffalo, New York, his hometown.

**Catherine Warren of Elgin** submitted written comment that the Commission needs to worry about Alcoa's attempt to mix water mining with lignite mining, stated that she suffers from

respiratory distress and opposes the use of the “dirtiest of fuels,” lignite, to power the smelter, stating that water and clean air are more important resources.

**Frances Claire Boethel** of Boethel Family Ranch submitted written comment that the Boethel family owns a 229-acre ranch in eastern Williamson County close to the Lee and Bastrop County borders, that the land has been in the family for more than 50 years, and that the family is deeply concerned about the application. Ms. Boethel states that the use to which Alcoa would put the lignite will perpetuate pollution damaging to family members and livestock on the property and that the water drawdown will threaten the entire region.

**Will Gullatt** of Elgin commented in writing that he moved to Bastrop County from Austin in 1994 to escape city growth and rampant development with its traffic congestion, vehicle emissions, commercial and industrial noise, and pollution. He commented that once water is pumped from the ground it is gone and cannot be put back, and that the mine will cause severe geological and biological damage, as has been caused, in his opinion in Milam County. Mr. Gullatt stated that many health problems are unknown because sufferers are afraid to come forth, and that people who serve Alcoa are accepting a way of life just so they can get a paycheck. Mr. Gullatt further wrote that Alcoa has full power to implement solutions such as modifying the plant to burn natural gas.

**Rose Nowotny**, in a written statement, complained that the hearing was not in good faith because a decision regarding air quality violations was not complete. She commented that Alcoa causes illnesses and premature deaths for miles and miles around and that it is an illusion that the Commission listens to public citizens and will just rubberstamp Alcoa’s plans. By letter, Ms. Nowotny stated that she lives just off FM 619 in the southeast corner of Williamson County on CR 473 a few miles from Alcoa’s mining site and that she is concerned with negative impact to the creek that provides water for her pond, and that it would impact Manville Water Supply so that bills would be increased. She also expressed concerns regarding traffic, decrease in property values, and alleged pollution from the Rockdale power plant.

**Joan Hardy** and others, who have since withdrawn as parties to the proceeding, submitted written comment regarding concerns that the application was not complete, citing relocation of public roads and environmental assessments of hydrologic impacts, which had not been completed.

**Christopher David Symmanc** of Austin objected to scheduling public comment during working hours and filed written comments in which he stated that he believes that the proposed mine would affect two million people in Central Texas, unsettle endangered habitat, cause a drop in the water table, and make land less productive. He commented that jobs could be preserved by using natural gas as a fuel to avoid detrimental health effects. He stated that tens of thousands of children will suffer from mercury poisoning and asthma from coal smoke if the mine is allowed.

**Karl W. Kruger** of Austin requested that the Commission deny the permit and stated that the mine is a threat to healthy sustainable communities, that the costs of burning coal are unfairly sustained by surrounding communities, and that he is concerned about continued dependence on fossil fuels and the damage such dependence does to the Earth. Mr. Kruger requested that vision is required and that, although certain disruptions would be caused, an alternative to coal should be selected.

**Channing Abbott** of Austin commented against the proposed mine, stating that Alcoa's treatment of workers in Mexico and overseas is deplorable, and alluding to alleged bad treatment when employees formed an independent union.

**Daniel Kaminsky** of Austin presented comments regarding alleged firings of employees in Ciudad Acuña, alleged threats to move from these locations in Mexico, worker voting regarding unionizing Alcoa Plant No. 2 in Piedras Negras and an adjacent plant, (apparently related to plants involved in manufacturing electrical distribution systems for vehicles), and he alleged that Alcoa uses intimidation in its dealings with labor organizers. He also commented in writing that allowing the mine would cause destruction of habitat for the Houston Toad and diminish the water supply to many ranchers.

**Bugk Mannette** of Austin expressed concerns regarding air quality, water quality, plant life, and potential illnesses which could be caused by releases of substances into the air.

**Tony Hernandez** stated that he is a resident of Elgin and is against the proposed permit, that Alcoa would reduce its emissions, and would not sell water, if it were a good neighbor.

**Cathy Snider** presented comments for herself and her husband, residents of Lee County and members of NFN, requesting denial of the proposed permit or delay in consideration, in that movement of roads were not approved by county authorities, because action by the Corps of Engineers and the TWDB are pending, and because of alleged air quality violations.

**Jimmie L. Christensen** commented against the proposed mine, stating that he lives and owns property in Elgin and 80 acres east of Elgin, southwest of the proposed mine which has a well, registered with Lost Pines Groundwater District, with water producing sands from 80 - 565 feet in five strata. He stated that the City of Elgin and Aqua Water Supply Corporation's water supply comes from the proposed mining area and that he is concerned with the quality and quantity of water. He commented that mining as well as backfill material would contaminate the aquifers, and he also objected regarding alleged nuisance effects, alleged adverse effects on quality of life, and displacement of roads, streams, runoff, and wildlife.

**Henry Montelongo** expressed concerns regarding alleged effects on fish, air, and the burying of certain materials in backfilled pits. **Edward L. Malkey** submitted written comment

that he has a family member who is ill and that he is concerned regarding air pollution and with Alcoa burying materials at the mine.

**Kathleen Wolfington** of Elgin presented written comment that despite Alcoa's contributions to employment, good employees, and community activities, that employees, contractors, non-profit organizations, unions, retirees, and local community organizations and authorities have a financial interest in the application, and the issue to be reviewed is the validity and feasibility of the application and related issues. Ms. Wolfington alleges disruption of the aquifer, and states that an alternative is to convert the smelter to natural gas; she alleges detrimental impacts from strip mining by dust, air pollution, noise pollution, light pollution, and displacement of wildlife for no legitimate reason when conversion to natural gas is possible. Ms. Wolfington also stated that some presumptions that surrounding counties will benefit and are highly dependent on Alcoa are inaccurate, and she stated that Bastrop County has a growing and stable economy. She also commented that denying the permit would not change Alcoa's presence in Central Texas or diminish payroll, taxes, or other financial benefits of its presence. She also commented, providing a citation to the Austin American-Statesman newspaper, that due process requires that the Commission deny the application because of EPA and TNRCC alleged violations and that conversion to natural gas would reduce illegal dumping of massive amounts of health-damaging air pollutants.

Similarly, **Brad Stafford** commented regarding aesthetics, noise, increased traffic, light pollution, water draw-down, and dust. He also stated his belief that the request for permit is based on economics alone, not whether Alcoa would close the smelter.

**Lloyd Sargent** of Elgin provided written comment objecting to plans for County Road 696, the Alcoa/San Antonio Water System contracts, and mining, when Texans will bear the brunt of health care costs related to the use of lignite.

**Evelyn Wolf** appeared at the public comment portion of the hearing, expressing concerns regarding dust from proposed operations due to health problems she has and concerns regarding potential effects on her farm's pear orchard from a drop in the water table. **Monica Wolf Buie** spoke on behalf of Wolf Farm, a century-old farm located approximately one-half mile from the southern permit boundary of the proposed mine. Ms. Buie indicated that the pear orchard is the main income producer for the farm, that it provides produce for the Houston and Austin areas as well as other locations, and that the orchard has consistently produced even in times of drought. Ms. Buie suggested that the TDWB model and the COE's EIS be completed prior to consideration of the application. Ms. Buie also spoke on behalf of her husband, **Allen Buie**, expressing. Mr. Buie expressed concerns regarding dust and air pollution, outstanding litigation and violations of the Clean Air Act brought against Alcoa, concerns regarding property values, effects on the night sky from lights from the proposed operation, and the uncertainty of road proposals before TxDOT

and Bastrop County. Ms. Wolf and Mr. and Mrs. Buie, named as parties, later withdrew from the proceeding.

**Neal Tuttrup** expressed his concern for his 18 acres and his business of landscaping, and land restoration and ecological consulting. He stated that he had hoped to use the land as a base for his business. He stated his belief that the proposed mine is a case of pulling pieces out of the puzzle rather than preserving it. He stated that there must be some vision of the future for the region that can protect both persons who are for the project and those who are against it and that all technical issues aside, it is a question of the hopes and dreams of common people, people who are working all their lives just merely to have a home for their families. He stated that he does not believe that the project is the way to fulfill those hopes and dreams, and that there are other ways to leave an honorable legacy to future generations.

**Susan Houghtling** commented on many things which she stated that she had heard about Alcoa from people in Rockdale and surrounding communities whose wells, creeks, and springs were allegedly adversely affected by groundwater pumping, about pending lawsuits against Alcoa for illnesses of employees, about complaints regarding air quality, and about persons being threatened that they would have no choice but to sell or lease their land. Ms. Houghtling stated that they got input from the communities in public meetings, and that the majority did not wish the proposed mine. Ms. Houghtling mentioned the Bastrop County Commissioners' Court resolution, supported by Elgin, Bastrop, and Smithville. Ms. Houghtling alleged damage to the landscape, wildlife, air quality, threats to employees that the smelter would be closed, and asked how anyone can trust Alcoa. Ms. Houghtling stated that the Commission's choice is like Solomon's, Save our Land or Mine our Neighborhoods (S-O-L-O-M-O-N).

**David Houghtling** quoted from the Commission's strategic plan, "The commission's responsibility for supporting research, education, training and marketing of clean-burning alternative fuels offers a key opportunity to help clean up Texas air and develop an industry in which Texas is a national leader" and stated that researchers have established that long-term exposure to fine particles of air pollution from coal-fired plants cause cancer. He asked that the Commission examine its strategic goals and at the cause and effect of allowing Alcoa to continue to burn dirty fuel.

**Debbie and Terry Neidig** commented that their home lies south of the mine and that they were concerned regarding dust and air pollution, as well as potential effects on property values. The Neidigs, named as parties, later withdrew from the proceeding.

**Gary Barnhart**, a resident and owner of land in Bastrop County, asked that the Commission consider the whole picture in making its decision: the proposed mining, Alcoa's record on pollution as not abiding by TNRCC requirements, alternatives, the effect of the contract with San Antonio for groundwater, jobs, and the message it would send to corporate America and to multinational corporations if the permit were approved. Mr. Barnhart stated that natural gas is

a fuel alternative, that Alcoa would keep its employees, and that San Antonio has alternatives for water, such as drilling on its land in the proposed permit area, or selling bonds and building a desalinization plant on the Gulf of Mexico.

**John Prager**, a property owner near the proposed mine who stated that he relies on water from the Carrizo-Wilcox aquifer for domestic and agricultural purposes and on the Colorado River for recreation and food, commented by letter that he believes that the mining will cause degradation to water quality in Segment 1434 of the Colorado River and to Big Sandy Creek, will exacerbate flooding in these waterways, and will decrease available water in the Carrizo-Wilcox aquifer, as well as degrade air quality.

**Evelyn Butler** commented that people live in rural communities for the quality of life so that their children have a place to run around and breathe. She also commented that after the mining, a big hole will be left and inquired what would happen then, suggesting bids from New Jersey or New York for their sludge.

**Debbie Wahrmond** commented that Alcoa's job is to make money, inquired why Alcoa can make a profit mining when San Antonio (City Public Service) years ago decided it could not mine and make a profit. Ms. Wahrmond requested that the Commission deny the permit, stating that Alcoa is in violation of laws administered by the TNRCC and EPA.

**Hugh Brown** stated that every time someone wants to do something that Alcoa does not like, it puts out the information that the smelter will close, and that he has not seen a "real numbers" argument from Alcoa showing that the plant would have to close if the permit is not approved. He stated his opinion that Alcoa could switch to western coal. Mr. Brown also stated his opinion that biodiversity cannot be put back after mining. Mr. Brown also submitted written comments which included a list of species of birds he has observed on his 153 acres close to the proposed permit area.. Mr. Brown wrote that he operates the land as a habitat for birds. Mr. Brown cited as his concerns alleged decrease in property values, ugliness, noise, dust, aquifer destruction, and inconvenience of road rerouting as well as loss of wildlife habitat. Mr. Brown stated that Alcoa's list of birds in the proposed permit area is much smaller than the number that he has documented on his lands (259 species) due to bad research by Alcoa, bad timing of bird observations, and confusion of species. He also expressed concerns regarding the carrying capacity of lands to which wildlife might relocate.

**Wanda Hannah** commented in opposition to the proposed permit on behalf of her family and some residents of Star Ranch, stating that within five years the dragline would be within 1800 feet of the property, and objecting to alleged air pollution from the dragline and trucks. Ms. Hannah stated that this would create health hazards, especially for her elderly mother. Ms. Hannah also stated that property values will drop, she and her neighbors would lose their homes, that the water table would be drawn down by excessive pumping, and that their little section of post oaks would likely become desert. Ms. Hannah also commented that the TWDB groundwater

availability model and the EPA's environmental impact statement are significant, would probably be completed within a year, and that the Commission could make a better decision if it awaits the results of these two studies. Ms. Hannah, named as a party to the proceeding, later withdrew from the proceeding.

**Danna Rother** also commented that the decision on the application should be delayed for results of these studies and for resolution of notices of violation of the Clean Air Act. Ms. Rother stated that she and her husband, **Scott Rother**, and her family live on a ranch in northwest Lee County on County Road 304 and that their property line parallels the proposed mine's boundary and that their home and ranch are approximately half a mile from the crusher and blending facility, soil stockpiles, haulroad, Mine Years 1 - 5 (mine blocks), and three rerouted roads. Ms. Rother stated that they would be affected by impacts from dust, air, noise and light pollution, water withdrawal, property value marketability, and the inconvenience of living near the mine. Subsequent to being named as a party to the proceeding, Mr. and Ms. Rother, through their attorney, withdrew as parties. **B.B. and Glenda M. Bentley**, residing on County Road 304, made similar comments and also commented regarding their belief that animals and pets would be impacted by dust and air pollution and that there would be environmental impacts on crops and landscaping, as well as stress, sleep loss, vibration impacts, constant construction, and additional traffic. Subsequent to being named as a party to the proceeding, Mr. and Ms. Bentley, through their attorney, withdrew as a party from the proceeding.

**Robert Tinstman** stated opposition to the proposed permit, commenting that his home and property are entirely within the boundaries of the proposed permit, that lignite mining is dirty, destructive, and damaging to the environment, that lignite is not a renewable resource, and burning it is the worst possible way to generate electricity. He stated that the application in his opinion is not complete and that it proposes activities such as streams being mined through, large areas without adequate surface water control and inappropriate reclamation plans. Mr. Tinstman also stated that he believed that the proceeding should be delayed due to too many ongoing activities by other jurisdictional bodies which are outstanding. Mr. Tinstman, named as a party, later withdrew from the proceeding.

**Michele Rene Weston** commented against the proposed mine, commenting that the mine would cause loss of biodiversity in the environment, damage to water, loss of wildlife, and air pollution. Ms. Weston also alleged that Alcoa has a bad environmental record and labor record, referring to activities in Mexico at Alcoa's plant in Piedras Negras (as alluded to by Channing Abbot, supra).

**Alfredo Reza** stated that he has land in Elgin and objects to the proposed dewatering, alleged use by San Antonio of eminent domain to obtain lands, and alleged air pollution. Mr. Reza stated his opinion that although comments have been made that Alcoa provides cheap aluminum,

that the persons whose land is taken, the persons who depend on the water supply, and taxpayer support of subsidies for the military are actually paying for it.

**Lloyd Clem**, Lee County resident, commented that he is approximately one mile from the current Sandow mining operations. He stated that he is concerned about additional noise which could come from the haulroad location in Sandow and that he is concerned why Alcoa will not consider an alternative source of fuel rather than strip mining in that, according to Mr. Clem, Alcoa has billions of dollars of profit each year. Mr. Clem, named as a party, later withdrew from the proceeding.

**Greg Barker** requested party status in the proceeding, was named a party, and later withdrew from the proceeding. In his request for party status, he indicated that he held an undivided interest in the land where he lives. He stated that the proposed mining activities are proposed approximately four miles south of his property. Mr. Barker stated that he opposed the permit and had concerns that pastures and orchards will dry up and die if the water table is permanently lowered by mining operations. Mr. Barker's letter of withdrawal listed the examiner's apparent unwillingness or inability to limit use of information proposed and authorized to be gathered from and about individuals and the examiner's unwillingness to allow thorough impact assessment to become part of the record, particularly with respect to water resources.

**William and Mary Glover** expressed concerns regarding their investment in a subdivision, Bill-Mar Acres, adjacent to the proposed mine, as well as concerns regarding compliance with air quality laws.

**Murray Roberts** expressed concerns regarding noise, lights, and potential effects on groundwater.

**L.C. Hobbs** commented that he has two acres in Milam County in the middle of Sandow Mine which belonged to his grandparents and that he believes that those who choose to keep homes and land will have to live with noise, pollution, dust, and well draw-down. Similar comments were filed by **Lanny and Linda Ruthven**.

**Michele Gangnes** of the Blue community in north Lee County, with a business in Bastrop County, submitted comments that if granted, the permit would irrevocably change Lee and Bastrop Counties by dependence on a single industry and by depletion of a finite resource (water). Ms. Gangnes stated that the Commission is the sole gatekeeper of water impacts related to mining and that the Commission Staff is content to accept "Alcoa's misleading statements of zero demand for mining water from Sandow after 2004 as a zero demand for any water from Sandow for purposes of assessing cumulative impacts." Ms. Gangnes also made comments similar to others that Commission analysis should await the TDWB GAM and the EIS, rather than proceeding with acceptance of a "biased applicant's version of the best science."



**Betty Lynn Meyer Cauther** of Elgin, on behalf of Meyer Sausage Co. stated that she and her family live on a land grant dating from 1832. She stated that her concern is her company, that to make sausage, one needs water, and that drawdown of the aquifer will impact the quality of water she needs at her business. She requests that all detrimental factors be considered.

**Dave White** of Elgin stated that he was not in favor of the proposed permit, believing that the proposed mine would disrupt the local ecosystem and result in a drop in the water table, and stating that he believed that Alcoa has repeatedly violated environmental laws.

**Valera Giarratano** commented that she is concerned regarding the water well on property that she is moving to south of Bastrop, and that coal is a finite resource, and that Alcoa should switch to a more permanent fuel source.

### **Comments by individuals in support of the application**

The Commission received 957 similar letters from individuals, which were addressed to the Commission, as well as to the Lee County Commissioners' Court, Bastrop County Commissioners' Court, Mike Walker, Environmental Coordinator, Texas Department of Transportation, and Jennifer Walker, U.S. Army Corps of Engineers, which stated the length of time of the individual's residence in Central Texas, length of employment, that the individuals support their communities with taxes which support the roads, and that the individuals support the proposed mine.

The following persons appeared and made public comments in support of Alcoa and on behalf of their communities, businesses, employment, families, or charities, reclamation practices, and/or submitted favorable written comments, such as **W.P. "Red" Hogan**, mayor of Rockdale from 1950-1956, on school board for 21 years, 14 as president, **Aloma Walker**, board member of Rockdale Chamber of Commerce, South Milam County United Way, and Rockdale Library, **Brady D. Nelson** of **Nelson's Services**, **Dusty Tittle**, **Wayne Fisher**, **Mark Fatheree**, **Don Wyatt**, **David D. Taylor**, **James Whited**, **Donnie Buchanan**, **James Buchanan**, **Kerry Bexley**, **Ray Teetz**, **Charles Byrer**, **Suzanna Zammit Carter**, **Allan Miller**, **Fred Marshall**, **Raymon Puente**, **James Taisler**, **Betty Brown**, **David Payne**, **Charles Urbanek** (who commented that the day of comment was his 35<sup>th</sup> anniversary of hiring), **Charles Brockenbush**, **Floyd Brockenbush**, **Willie Phillips, Jr.**, **Robert Ahrendt**, **Glen Goeres**, **Tephania Heselmeyer**, **Lonnie Crump**, **Graham D. Brown**, **Darrell W. Mynar**, **Jeff Hooper**, **Joe F. Mach**, **Bryan K. Mayeux**, **Chris Glaser**, who described Alcoa as the "economic nucleus of the Central Texas Region," **Terrill Tomecek**, **Steven Gangl**, **Dana Gerlock**, **James Hartley**, former mayor of Milano and second generation "Alcoan," who commented regarding Alcoa's investment in local communities and the integrity of Alcoa as an employer, **Roman Razo**, **Eddie Gerren**, **Gary Griesbach**, **Duane David**, **Eddie Dwayne Muston**, **Justin Henderson**, **Larry Bartlett**, **James L. Throckmorton**, **Bill R.**

**Hall, Paul Winkler, Jeff Springer, Todd Davis, John R. Brown, Conrad Bielamowicz, Jeff Hooper, Jamie Doss, Chon Montelongo, Alan R. Korenek, and Jim Trantum.**

**Richard Burns**, an employee of the Sandow Mine whose current responsibilities involve the management of water systems and reclamation programs, provided comment regarding the history of mining in Texas and at Sandow. Mr. Burns stated that a map published in Paris in 1819 showed “mine de Charbon de Terre” (coal mine) 25 leagues east of the Trinity River and 27 leagues west-northwest of the presidio of Chichi on the branches of the Sabine River in East Texas. He stated that lignite deposits near Rockdale were mentioned in notes by Spanish explorers, and that in 1892 there were seven operating mines in the Wilcox formation, in 1931, 17, two of which were in Milam County. Mr. Burns stated that Sandow coal first began in 1913 by Butler Brothers Ballast Burners’ organization of the Federal Fuel Company, and that McAlester Fuel Company took over lignite mining until the late 1940’s when Texas Power and Light obtained the lignite rights which Alcoa now has. Mr. Burns stated there are mines from Texarkana to Eagle Pass along the Wilcox formation and that mining is one of the most regulated industries. Mr. Burns also provided an excerpt from §134.003 of the Act which includes as one of the policies of the Act: “to assure that the coal supply essential to this state’s energy requirements and to its economic and social well-being is provided and to strike a balance between environmental protection and agricultural productivity and this state’s need for coal as an essential source of energy.” Mr. Burns stated that opponents to the application use fear and misleading information to stimulate their cause while Alcoa uses science, research, hard work, and a past history of excellence in mining.

**Dennis J. Carney**, former plant manager at the smelter, stated that he does not believe that there is an alternative to lignite as the energy source for the smelter. He stated that Rockdale represents about 1% of the total output of aluminum product in the world. He commented that at one time there were several smelters in this general area of the country using natural gas as fuel, but that all had closed, and that Rockdale needs lignite as a fuel to remain competitive.

**Mike Andrews** stated that as a representative of heavy mining equipment he has been associated with mining and reclamation for 25 years and has visited many mines in Canada, Appalachia, and Mexico. Mr. Andrews commented that the use of lignite allows Alcoa to produce a competitive product because lignite is consistently available at a competitive price. Mr. Andrews commented that natural gas is subject to huge price fluctuations. Mr. Andrews also commented that water from dewatering/depressurization activities would not be merely discharge, but used by San Antonio.

**Mike Wenske**, an employee of **Waukesha Pearce Industries, Inc.**, a supplier for Alcoa, stated that he has worked in supplying Sandow since 1980 and commented that a company or organization is only the people who make up the name, and that Alcoa is a thriving organization of human beings that have personal lives, individual goals, and contributions to make to the community, central Texas, and society as a whole.

**Jay Brown**, stated that he has lived in Milam County for more than 20 years and served as president and board member for the Milam Association for Retarded Citizens. He stated that while serving as board member, he experienced Alcoa's generosity to that organization and has seen Alcoa employees' contributions to various Rotary projects, Lions Club, Veterans of Foreign Wars, Chamber of Commerce, Scouts, and firefighting activities. Mr. Brown also stated that once when he thought that his well water was lowered due to mining activities, Alcoa sent an expert out within hours and found that the problem was just a bad pump. He also commented that he has used hay from Alcoa's mine reclamation areas, and that it is superior in every way, especially in its mineral content.

**John Kincaid**, a retired agricultural agent, stated that he is familiar with the ranches in the area of Milam County, and has worked with a number of ranchers, and knows of no problems any have had with grasses or trees on their ranches as a result of any Alcoa activities.

**Alvin Goodman**, Plant Manager at TXU Energy's Sandow Unit 4 Power Plant, cited lignite as a low-cost dependable energy and TXU Energy as a global leader in electric and natural gas services and other energy related business, and requested that the Commission judiciously process the application.

**Buster Kirkland**, employee of **Union Wire Rope Company**, stated that he has experience in working with several western coal operations and that Alcoa as a first-class operation. Mr. Kirkland expressed support for the project, citing loss of jobs in the country due to imports and unfair trade practices. Similar comments were made by **Pete Zinecker** of **Benetech**, who indicated, based on his experience in surface mining around the country and in Texas, that he has found Alcoa to be a leader in matters of environmental concern and compliance.

**Floyd Byrd**, Rockdale businessman for approximately 20 years, commented that he is from a small town of like size with Rockdale and approximately 30-40 miles from Rockdale and that the economy in Rockdale is much better. He also commented that he has toured the reclaimed mine lands and that he believes the land is 50-100% better, that Alcoa participates in the community through support for athletics, and that he hopes, with approval of the proposed permit, the other communities will prosper as Rockdale and Cameron have. Similar comments regarding community involvement were made by **Willie Phillips, Sr.** of Rockdale, a 22-year employee of Alcoa.

**Gaye Bland**, business owner and participant in civic activities, expressed support for Alcoa and, stated that her opinion, based upon Alcoa's civic support and charitable efforts, is that people are a priority for Alcoa. Similarly, **Joy Graham**, an Alcoa retiree and now chairperson of the Temple College at Taylor Foundation Board and the Milam County Historical Commission, spoke

favorably of Alcoa's reclamation, its donations to restore the 110-year-old Milam County Courthouse, and its support of Temple College by scholarship grants.

**Nathan Bland**, a junior at Rockdale High School, member of the Boy Scouts of America, as life scout and on the Trail of the Eagle, whose father is employed at Alcoa, states that he drives past Alcoa every day on his way to make deliveries to Lexington from Clinic Pharmacy, Rockdale. Mr. Bland cites Alcoa as the primary support for his family, providing shelter, clothing, food, medicine, and scholarship assistance, and also describes Alcoa's activities in donating equipment and providing funding and educational presentations on safety and wildlife and tutoring in many of the activities in which he is involved, such as the Math and Science competition at Texas A&M University. Mr. Bland stated that he has been on many tours and that the reclaimed land is beautiful. Mr. Bland stated that he is most concerned regarding potential closing of the operations which would drastically change his and his family's life.

**Leonard Kastner** wrote that he retired from Alcoa after 32 years, has property within the Three Oaks proposed permit area and that he believes that if Alcoa mines and reclaims the land it will not only help his family but will help everyone because of jobs and products that the nation depends on.

Other individuals not identifying themselves as to employment made written comment. **Rose Woodring** wrote that she grew up around mines in Indiana and Kentucky and knows the devastation which comes to communities when a mine closes. **David Goetz** wrote that Alcoa has employees that he is aware of in Williamson, Bell, Burleson, Lee, and Falls Counties.

**Ben Worrell** commented in writing that conversion to natural gas for the power plant is an invalid suggestion and that if Alcoa were forced to convert to natural gas, the cost to produce aluminum would exceed the market price for aluminum.

**Charles Erskine McDermott** wrote that land in the Three Oaks proposed permit area will be preserved in a rural setting upon reclamation and will be free of crowded areas of shopping centers, subdivisions, and convenience and fast food stores, and that Alcoa will ensure the preservation of the land for future generations and for wildlife.

**Tracy Gardner**, second generation miner, Fire Chief at Coupland Volunteer Fire Department, stated that his entire family is employed at Alcoa, commented in support of the application that the land is restored at the mine site to a state with better production possibilities than before mining and provided an example of ducks and deer approximately 50 yards from the haulroad which do not scatter when passed by large coal haulers, the opportunities to train at Texas A&M Fire School by volunteering for Alcoa's Fire Brigade & Rescue Team, and Alcoa's participation in Fire Prevention Week.

**Earl Wayne Schneebeli**, an Alcoa employee, spoke in support of the application on behalf of himself and his family requesting approval of the application, citing employment benefits for himself and his family, and the negative impact on Central Texas communities not only from the loss of employment for Alcoa employees, but also of the loss of contributions made to the communities by family members should families have to move elsewhere. Mr. Schneebeli also commented that lost jobs at Alcoa could be lost to other countries, perhaps to countries without pollution controls, and these jobs would have a ripple effect throughout the country, and the U.S. could lose a source of aluminum and solid rocket fuel. Mr. Schneebeli later read a statement by **David Wolz**, who stated that many families past and present have benefitted from Alcoa and that he hopes the Commission will approve the application so that many more families can benefit.

**Jerry Mehevec**, Alcoa employee, stated support for the proposed mine. He commented that open pit mining has been done in Bastrop County for the past 100 years, and that three large brick companies were mining in 1890 and are still in operation, and that Alcoa has mined for 50 years at Sandow, has a highly acclaimed reclamation program, and brings jobs and taxes to the area. Mr. Mehevec also read a letter written by his daughter, Stacy Mehevec, for herself and her brother, Adam Mehevec, in support of the application. Ms. Mehevec stated their support of the application and requested that the Commission consider the lives of the workers and their families, citing employment provided by Alcoa to her father through which she and her brother were able to obtain graduate degrees from Texas universities

**J.C. Morgan**, retiree, stated that he works for Alcoa, and that Alcoa is a good company which provides a good living. Mr. Morgan stated that he has lived approximately one and one-half miles north of the mine, and two and one-half miles from the plant, since 1970 and has no problem with the mining and reclamation.

Employee **James P. Cotten**, a 22-year employee whose father also retired from Alcoa, commented that Alcoa has provided the means for him to finish his education and to provide for his children's education.

**Ruben Gonzales** commented that Alcoa has provided him with good benefits and income, as well as training on the fire brigade, mine rescue team, and as an emergency medical technician, and that many people benefit from his training. Similar comments were submitted by **Lonnie Felfe** regarding training as an emergency care attendant and at fire training school, and by **Terry Simank**, an Alcoa employee, a volunteer emergency medical technician with Thorndale, and member of the Alcoa Mine Rescue Team. Mr. Simank also indicated that non-Alcoa employees have also attended some classes at no charge. **Terry Fisher** in written comment stated that Alcoa has provided him with training in firefighting and rescue that he can use for the Thorndale Volunteer Fire Department.

**Daryl Gibson**, 22-year employee, **Marty Irwin**, **William H. Kissman, Jr.**, and **Faustino L. Gonzalez**, all commented favorably regarding employment opportunities with Alcoa. **Darrell Glover**, wrote that he had attended school in Elgin and has been an Alcoa employee for 25 years, and that in Elgin, prior to Alcoa, the primary employment opportunities were the brickyards and the sausage businesses.

**Jon P. Williams**, a contractor for Alcoa, stated that Alcoa requires that the contractors learn all the rules and makes him and all the employees and contractors obey the rules.

**Beverly Stroud** of Taylor commented that Alcoa has supported surrounding communities in youth and community activities such as school billboards, athletic teams, 4-H leadership projects, scholarships, and the Christmas Trail of Lights in Taylor.

**Mark Ashby** submitted written comment that he believes in enforcing private property laws as written, that Alcoa should be held to all state and federal laws, but that Alcoa has the right to develop its property under those laws.

**Gary L. Trdy**, a project manager for **Zachry Construction**, stated that 90 employees of Zachry live in the area, own homes, property, attend churches, schools and support the local economy, that Alcoa's existence means jobs, and that their way of life would drastically change were the application not approved. Mr. Trdy stated his opinion that Alcoa is one of the world's premier companies for which to work.

**Lee Jenkins of Rockdale** stated that he has many friends who work for Alcoa, that they work hard to do what is right at Alcoa, that the area is fortunate to have Alcoa, and that it is in the area's best interest for the Commission to approve the proposed permit. He also commented by letter that he is a 4<sup>th</sup> generation Rockdale resident and that the proposed permit is important to the community, that Alcoa is well-managed, and has a proven environmental record.

**Garry Turner** of the Blue community in northwest Lee County, stated that Alcoa has supported the Blue Volunteer Fire Department by buying equipment for fire and medical emergencies, as well as helping with supplies for a small church to build a fellowship hall and providing support for the 4-H and FFA for the Lee County Junior Livestock Show.

**Harold E. Reagan** of Rockdale submitted written comment in support of Alcoa, stating that he owns a 135-acre ranch located on County Road 313 about one mile southeast of the smelter, and that the dragline was operating less than a mile from his place on the day he made comment. Mr. Reagan stated that there is no problem related to the location of the ranch, and that Alcoa's land reclamation and wildlife conservation programs are superb.

**Joseph M. Wren**, working as a surveyor at the Sandow Mine, stated the he has worked in the reclaimed areas, as well as the pits and pre-mine areas, and that not only does Alcoa reclaim the land to its previous condition, but better, and that to say Alcoa is or will be a bad neighbor, that it destroys the land, or is environmentally unfriendly is a huge misstatement.

**Don Bearden** spoke on behalf of the **Taylor Jaycees**, requesting that the Commission approve the application. He also spoke on behalf of **Coty Bearden**, reading a letter she had submitted, stating that her husband is employed by Alcoa and that Alcoa has helped him to be a good provider and for the family to have a stable lifestyle, for them to be able to spend time with the children, take trips, and have insurance benefits, that Alcoa is environmentally friendly, that she has seen first-hand the reclamation of mined lands, which she describes them as “fruitful grassy plains, ponds filled with ducks, and deer running wild.” She also stated that, through her membership in the Taylor Jaycees, she knows that Alcoa has never turned them down for any requested donation, and she requests approval for herself, her husband, and her two small children.

**Evelyne Linville** of Elgin, an Alcoa employee since 1990, stated that she believes that Alcoa has treated her with respect and dignity over her years of employment and that she believes that Alcoa holds the highest standards for safety, health, and the environment.

**Jim Stanley** commented that fellow landowners who became accustomed to cash from renewing their coal leases are now strangely against coal mining.

**David P. Froese** stated that he has worked at the mines for 31 years, but was raised in the Midwest, starting his career in the iron and steel industry, and that he experienced devastation of that industry. He commented that closure of one plant often has a ripple effect so that smaller businesses can also suffer. Mr. Froese also commented that wildlife abounds in the Sandow area and that he has seen adult cougars close to the mine, and many other species, including some of the largest deer in Central Texas. He commented that after mining, the land will be as good and as beautiful as before.

Similar comments regarding wildlife were made by **Kasey Glaser**, who stated that she is in support of the application and that she has experience with growing up a few hundred yards from the mining and reclamation operations and has seen wildlife in reclaimed areas nearby.

**Al Mouton** stated that he has been a resident of Bastrop County for 25 years, active in the Bastrop school system, a small business owner, member of Bastrop Rotary, and the volunteer fire department. Mr. Mouton commented that Bastrop, Lee, and Milam Counties need jobs, tax money, and assistance for non-profit organizations, and that Alcoa can provide these things. He commented that there is always a challenge in trying to achieve a balance between the well-being of a few over the well-being of the majority and the cost to achieve it, and that government which makes regulations is made up of people who are responsible for establishing a balance of

regulations. Mr. Mouton commented that Alcoa has been important for over 50 years in the community, that its success is its ability to make a profit, so that it can increase jobs, give raises, pay more taxes, and have money to give to needy organizations, that it is not a monster, but is made up of a large number of people who want the best for their community and who need the support of balanced judgments from the government.

**Chris Dyess** stated that he had been able to use his training in an emergency training course, provided by Alcoa, to dislodge an obstruction in a three-year-old who was choking at a camp site at Lake Granger.

Long-time employee **L.C. Richards** stated that his training from Alcoa has allowed him to be an instructor of first aid, fire extinguishing, mine safety, and Operation Lifesaver.

**Mike Korenek**, a 22-year mechanic at Sandow Mine, stated that he is a member of the Rockdale Fire Department, Alcoa Fire Brigade, and Sandow Mine Rescue Team, and that Alcoa has provided grants for the Jaws of Life, air bags, rescue equipment, defibrillators, ambulances, and fire trucks for communities. Mr. Korenek stated that Alcoa is a supporter of the Texas A&M Fire Training School, and has a mutual aid agreement with fire departments in Rockdale, Thorndale, Cameron, Milano, Lexington, and Blue, and has plans to have the same agreement with communities surrounding the proposed permit area.

**Kerry Bexley** stated that he is proud to be an employee of Alcoa and has been active in his community, Lexington. He stated that he attended the public hearing on his and his family's behalf, because Alcoa has done wonders for the community, that he cares, and is speaking his personal feelings on his day off. He stated that he believes that his and his family's safety is of utmost importance to Alcoa, and that he believes that opponents are present for public comment in a personal battle with Alcoa rather than a battle to improve the community.

**Ron Green**, employed by Alcoa since 1974, among other comments favorable to Alcoa, stated that granting the permit is good for the U.S. in light of the events of September 11, 2001, and that mining this natural resource is a way for the country to be energy-independent.

**Ray Ross**, P.E., Alcoa employee formerly employed by Alcoa in Palestine, stated that he moved to Rockdale when the Palestine plant was closed, and emphasized that companies do close plants. He also posed a question in written comments: When is a natural resource not a resource? His answer: when you don't use it. Mr. Ross also wrote that incremental improvements in emission controls are desirable and prudent, but that elimination of energy sources, such as lignite, without practical alternatives, is not wise or logical. In addition, Mr. Ross stated that mining in Texas is a legal and honorable profession and is closely regulated by the Commission.



**Scott Urban**, 26-year mining employee, whose brother is also an employee at the smelter and whose father is a retiree, as well as **Mike Finn**, a “second generation” employee, commented favorably regarding Alcoa’s operations and community involvement. Mr. Finn also commented that Alcoa has had three-million plus man-hours without a lost time accident.

**Bill Avrett**, who stated that he served on the Rockdale City Council for over 20 years and that he remembers what Rockdale was like before Alcoa began business in the area. Mr. Avrett stated that he supports the proposed mine, that he has a son who was an asthmatic, and a college athlete, and had no ill effects from living in the area.

**Stephanie McBride Washington**, an Alcoa employee for over 10 years whose father is a retiree, also commented that her son was asthmatic and outgrew it with no ill effects.

**Eric Winkelmann**, an Alcoa employee for 11 years and a member of the IBEW for 28 years, in written comment stated that Alcoa is not just another large corporation but is made up of hard-working people who care about their families and neighbors. He further stated that this country has lost so many industrial jobs in the last 20 years and cannot afford to let these jobs go overseas. Mr. Winkelmann also commented that after World War II most of the aluminum production was in and around the Tennessee Valley and the northwestern part of the United States, that aluminum is vital to national security in that it has military applications and is used in the space program, and that for security reasons, production was spread to different areas of the country. He stated that many smelters have been shut down because of power costs, and that shutting down the largest smelter in the U.S. would not be good in the uncertain times that we are living in and that the Aluminum Company of America needs to stay in America.

**Franz W. Breuer** commented that for the U.S. to continue to be first in the industrial nations it must continue to explore and properly use natural resources and look to the future as a strong nation.

**David B. Fuchs**, Financial Analyst for Rockdale Energy, commented by letter and spoke in favor of the proposed mine based upon donations to the surrounding communities, property taxes, jobs, stewardship of the environment, and the location of the coal reserves in Three Oaks as the best opportunity for Alcoa to remain viable in Rockdale.

**Randy W. Henderson**, a Lee County landowner and “second-generation” employee of Alcoa, commented that he grew up about six miles from the smelter and power plant and that it was not a problem for him or any member of his family. Mr. Henderson stated that he sympathizes with property owners’ concerns due to the change involved, but that the world has been changing for hundreds of years. He stated that Alcoa has been able to provide well for his family, and that he requests the Commission to approve the application so that families can continue to benefit. Mr. Henderson also read comments submitted by his wife, Susan and daughter Tina. Mrs.

Henderson commented that Alcoa makes money, but also gives money away in scholarships, assistance to schools, area community centers and parks, rural fire departments, and, as a part of the mining plan, improves roads to make them safer. **Tina Henderson**, attending a Texas university, commented that her father's employment with Alcoa made it possible for her to attend college and that she hopes that Alcoa can continue to support people like her and families like hers. **Glenn Henderson**, Randy's father, and retired employee of Alcoa, stated that he lived approximately seven miles from the plant for 44 years, and as close as one mile from mining at one point, and commented that Alcoa exercises good stewardship of the land, as well as wildlife, and that he has never experienced excessive noise or unpleasant odors from the plant. Similar comments regarding wildlife and stewardship of the land were made by **Ronald Conditt**, and by **Eddie Klekar**, an employee of Alcoa and neighboring landowner for approximately 25 years, who also commented regarding Alcoa's charitable activities.

**Frank Amuso** stated that he has worked for Alcoa for 24 years and that his father also worked for Alcoa in Pittsburgh. Mr. Amuso commented that Alcoa is a part of the communities in which it is located, in that its employees take part in all aspects of the communities. He commented that the salaries are put back into the communities. He stated that Alcoa is a company of integrity and is proactive, not reactive, regarding environmental health and safety issues.

**Duane Gerthe**, stated that he has worked at the Sandow Mine for 23 years. He provided written comment requesting that in reviewing the application, one should think of Alcoa and realize that none of these items would be possible without the mine: a cold can of soda, the taste of a foil-wrapped fresh baked potato, the look of polished aluminum wheels, or the pride of being a Texan when viewing the Goddess of Liberty sitting atop the Texas State Capitol.

**Valerie Smith McElwrath** provided written comment that, as an Alcoa employee, she takes her responsibility of caring for the land very seriously. Ms. McElwrath also stated that her grandparents went through the dilemma, when Alcoa came to Rockdale, of having the sacrifice land to the railroad going to Alcoa. She stated that she sympathizes with the people who feel they have to sacrifice their land for progress, but that it is the right thing to do.

Many employees, such as **Randy Lewis**, 25-year employee, **Jo Ann Bradford**, 25-year employee, **Kim Leschber**, **Billy Martin**, **Gary Shelton**, **Rick Urbanek**, **Alan Gardenhire**, **David Montelongo**, **Ralph Sifuentes**, **Howard Drummond**, **Kelly Joe Offield**, **Freddy Montelongo**, **Garren Stroud**, and **Frank Rubio** (also speaking for **Harold Clark**), presented comment that Alcoa has had a positive effect through employment, beneficial effects on families, and support for charities. Mr. Lewis also spoke for a friend, **Steve Lehman**, a supervisor at the Sandow mine who was recovering from a motorcycle accident which occurred while he was riding in a rally. The proceeds from the rally were going to a needy family in the Thorndale area. Mr. Lewis stated that approval of the application will assist employees like Steve to continue giving to their communities. **Michael Brinkman**, a 22-year "second generation" employee commented

that mining is temporary, and that reclamation in many cases improves the land, and that thousands of people and hundreds of business would be affected were the mine not to be approved. Mr. Brinkman's father, **Henry J. Brinkman**, Alcoa employee for 36 years and retiree, submitted written comment in support of Alcoa citing the opportunity provided him and his family by Alcoa employment. Other employees presenting similar comments were **Kurt Zachary**, who also commented that the awards won by Alcoa come from actions of their employees who run the equipment and all co-workers who take pride in their jobs. Other employees, such as **David Knott**, indicated that if the Commission looks at sound science in weighing the application, it will be approved.

**Larry Kerlin**, employee at Sandow for 26 years, commented that his employment has supported his family and allowed his children to graduate from high school and his daughter to attend Texas A&M University, graduating with a Bachelors degree in Accounting and a Master's in Finance.

**Chester Lee Thomas** made comment in person and by written statement. He stated that he was born and raised in the Adina community outside Lexington and has a rural heritage. Mr. Thomas stated that it is difficult to hear people ask the Commission to end the successful 50-year tenure of the partnership (of Alcoa) with Texas communities, and that Alcoa's alliance with Texas communities produces and consistently nurtures a healthy community growth and affluence. In written comments, Mr. Thomas stated that his parents were Lee County residents and his grandfathers and their parents were some of the early settlers in Liberty and Mesquite. Mr. Thomas presented a contrast between rural communities and hardships of the 1940's with the positive changes which came to Lee County when Alcoa Rockdale Works began production in the 1950's.

**Teresa Garza** stated that she grew up five miles from the mining operations, and that no one in her family worked for Alcoa, but that she has been impressed with the reclamation, and Alcoa's community support, and was never bothered by noise or odors. Her parents still choose to live five miles from the operation, even though they own other lands in Milam and surrounding counties.

**Walter Richard Brown** stated that as a 6<sup>th</sup> generation landowner in Lee County, he has a great love for the land and hopes to pass this on to his child. He stated that stewardship of the land is important and that he sees this exhibited many times at Sandow.

**David R. Caffey** commented that he owns 120 acres approximately four miles from Sandow on FM 112 at Shiloh on which he has grown hay and raised cattle for more than 25 years with no negative impact, and that he attributes an increase in deer and other wildlife on and around his ranch to the reclamation efforts at Sandow.

Additional general support for the application was made by **Mike Rozell, O.T. Henderson, Jerry A. Caywood, Guy V. Latimer, Rod Stewart, Darrell Kastner, Gary R. Durham, and Paul Merz. Justin Henderson**, a 20-year-old, who stated that his father and grandfather are Alcoans, stated that he could not imagine going through life without Alcoa being a part of it. Support for the application based on reclamation of lands at Sandow was made by **James Pounders, Gary Oslick, Gene A. Chmelar. Char Padilla, Ricky Stewart, Bob J. Turner, Lambert Skubal, Kathy C. Johnston, and Darrell M. Mynar.**

**John Bland**, Alcoa employee since 1979, commented that he has seen various species of wildlife on the Alcoa reclaimed lands, such as a hawk swooping down to get a fish at a reclamation pond, and then flying to tree plots to feed its young, deer, bobcat cubs playing, and an immature bald eagle sitting in a cottonwood tree in a reclaimed area. Mr. Bland also commented that he is Scoutmaster of Troop 790, which has held a tree planting with Alcoa each spring for the last four years.

**Ed Luster**, Alcoa employee since 1988, stated that Alcoa has provided training to him in EMT, firefighting, vehicle extrication, high angle rescue, confined space rescue, and Railroad Operation Lifesaver. He stated that he is on the mine rescue team and is part of the plant-wide fire brigade, and that many times Alcoa employees have assisted surrounding departments at commercial and residential fires, grass fires, and vehicle accidents, and that he and employee L.C. Richards have instructed over 3,000 area schoolchildren in Operation Lifesaver, a non-profit organization teaching all ages railway crossing safety and other safety laws.

**Marcus Cass**, a third-generation Alcoa employee, employed for 13 years, stated that he has lived four miles from the mine for 18 years and that accusations against Alcoa are based on fear and emotion rather than fact.

**Barry Denton** commented in favor of the application, stating that he is the safety and health manager for Alcoa's Rockdale operations and has been in the mining industry for 25 years in numerous locations around the U.S. He commented that through his employment he is able to show the positive results of reclamation, and that the awards won by Alcoa show what the company and its employees can do.

**John R. Williams**, a heavy equipment operator at the Sandow mine, stated that he was employed with Alcoa at the smelter for more than eight years and now is working at the mine. Mr. Williams commented that his family has owned land three miles east of the mine which has many stock ponds, one spring-fed, and that it has always provided water for cattle.

**Michael Malone**, a 29-year employee and member of the USWA local, stated that half of its 900 members are 18-30 years old and that he is in support of the application to make sure that these workers continue to have the opportunities he had.

**Raymond Leschber**, a 32-year employee of Alcoa, stated that Alcoa has been a supporter of Thorndale and its schools. He commented that he purchased acreage 3-4 miles from the smelter and that his wife has asthma, but has had no ill effects due to the location.

**David Brumbelow**, a second generation miner at Sandow, commented that it is also important to consider that what is being requested is also thirty more years of power in the form of electricity for the state through the power made available to TXU by Alcoa's operations.

**Randy Morgan** stated that he supervises the fuel removal and filtering system for the smelter pot runs and monitoring which assures proper emission levels. Mr. Morgan stated that Alcoa's monitoring system is state-of-the-art.

**Bernie Holstine** provided an example of safety brought into the workplace at Alcoa called the "60-second stop" which involves looking over a job at hand and evaluating the process of doing the job safely. Any unsafe items are to be addressed and cleared up to be safe or the job is not done. Among other comments in favor of the application, Mr. Holstine commented that people have dreams which can come true through hard work, and that Alcoa has accomplished this for him and his family.

**Regi Jennings** provided similar comments regarding Alcoa's commitment to safety.

**Gerald Morton**, 28-year employee, whose father and brother retired from Alcoa, commented that social and environmental policies are very important to Alcoa, and that Alcoa puts safety and having a positive impact on surrounding communities as a priority. Similar comments were submitted by **Howard Drummond**, a 36-year employee, and **Woodrow Shaw**, who stated that he had worked for mining companies for over 24 years and that Alcoa is the most environmentally conscious company.