

BILL ANALYSIS

H.B. 798
By: Walle
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that applications for the issuance of a standard permit under the Texas Clean Air Act for a concrete plant are being approved without the submission of a detailed plot plan, which displays emission points and distance proximity benchmarks required to meet certain standards of the Texas Commission on Environmental Quality. There are concerns that nearby residential or commercial properties could experience undue environmental harm as a result of these requirements not being enforced. H.B. 798 seeks to address this issue by requiring certain applications for such a permit to include a detailed plot plan.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 798 amends the Health and Safety Code to require an application for the issuance of a standard permit under the Texas Clean Air Act for a concrete plant that performs wet batching, dry batching, or central mixing, including a permanent, temporary, or specialty concrete batch plant, as defined by the Texas Commission on Environmental Quality, to include a plot plan that clearly shows the following: a distance scale; a north arrow; all property lines, emission points, buildings, tanks, and process vessels and other process equipment in the area in which the facility will be located; at least two benchmark locations in the area in which the facility will be located; and, if the permit requires a distance, setback, or buffer from other property or structures as a condition of the permit, whether the required distance or setback will be met.

EFFECTIVE DATE

September 1, 2019.