

BILL ANALYSIS

H.B. 416
By: Walle
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding certain plot plans submitted with an application for an air quality standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality (TCEQ). These plans display emission points and distance proximity benchmarks from adjacent property lines to ensure certain distance limitations are being met, as required by TCEQ. However, it has been suggested that some applications are being approved without a detailed plot plan displaying all of the requisite information. The problem arises when an insufficient plot plan is submitted and results in facilities, equipment, and vehicles being located or operated nearby property lines, which could cause undue environmental harm to residential or commercial properties. H.B. 416 seeks to address this issue by requiring applications for an air quality standard permit for a concrete batch plant, including permits for plants with enhanced controls, to include plot plans containing specific information.

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. 416 amends the Health and Safety Code to require an application for the issuance of an air quality standard permit 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, or an application for the issuance of an air quality standard permit for concrete batch plants with enhanced controls 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, 2021.