

**SUBJECT:** Requiring a plot plan in an application for a concrete batch permit

**COMMITTEE:** Environmental Regulation — favorable, without amendment

**VOTE:** 6 ayes — Lozano, Blanco, Kuempel, Morrison, J. Turner, Zwiener  
1 nay — E. Thompson  
2 absent — Kacal, Reynolds

**WITNESSES:** For — Adrian Shelley, Public Citizen; Grant Dean, Texas Environmental Protection Coalition; Raudel Macias; (*Registered, but did not testify:* TJ Patterson, City of Fort Worth; Aimee Bertrand, Harris County Commissioners Court; Cyrus Reed, Lone Star Chapter Sierra Club; David Drewa, Preserve Our Hill Country Environment; JJ Rocha, Texas Municipal League; Jen Ramos, Texas Young Democrats; Shannon Heep, Texas Power and Energy Conference; Alexis Tatum, Travis County Commissioners Court; and 14 individuals)  
  
Against — (*Registered, but did not testify:* Patrick Haggerty, Jobe Materials; Michael Stewart, Lattimore Materials Company; Clint Hackney, Precast Concrete Manufacturers of Texas; Fred Heldenfels IV)  
  
On — David Perkins, Texas Aggregate and Concrete Association; (*Registered, but did not testify:* Tara Snowden, Capitol Aggregates, Inc.; Beryl Thatcher, Texas Commission on Environmental Quality)

**BACKGROUND:** Health and Safety Code sec. 382.05195 allows the Texas Commission on Environmental Quality to issue a standard permit for new or existing similar facilities if certain conditions are met. It also establishes requirements and processes for the issuance of such permits.  
  
Some have suggested that including detailed plot plans in standard permit applications for concrete plants would improve transparency in the application process.

**DIGEST:** HB 798 would require an application for a standard permit for a concrete plant that performed 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. The plot plan would be required to clearly show:

- a distance scale and a north arrow;
- all property lines, emission points, building, tanks, and process vessels and other process equipment in the area in which the facility would be located;
- at least two benchmark locations in the area in which the facility would be located; and
- if the permit required a distance, setback, or buffer from other property or structures as a condition of the permit, whether the required distance or setback would be met.

The bill would take effect September 1, 2019 and would apply only to applications filed on or after that date.