

BILL ANALYSIS

Senate Research Center
87R1923 JAM-D

S.B. 952
By: Hinojosa
Natural Resources & Economic Development
3/22/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Clean Air Act allows the Texas Commission on Environmental Quality (TCEQ) to issue a standard permit for new or existing concrete plants if certain conditions are met. These permits 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 TCEQ. There are concerns that nearby residential or commercial properties could experience undue environmental harm because of these requirements not being enforced. S.B. 952 seeks to address this issue by requiring certain applications for such a permit to include a detailed plot plan to improve transparency in the application process. The bill would take effect September 1, 2021, and would apply only to applications filed on or after that date.

As proposed, S.B. 952 amends current law relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 382.05195, Health and Safety Code, by adding Subsection (k), as follows:

(k) Requires that an application for the issuance of a standard permit under Section 382.05195 (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, include a plot plan that clearly shows 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.

SECTION 2. Amends Section 382.05198, Health and Safety Code, by adding Subsection (c), to require that an application for the issuance of a standard permit under Section 382.05198 (Standard Permit for Certain Concrete Plants) include a plot plan that meets the requirements of Section 382.05195(k).

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2021.