

By: Landgraf

H.B. No. 4896

A BILL TO BE ENTITLED

AN ACT

relating to air quality permits for certain aggregate production operations; establishing rulemaking authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Sections 382.0651 to read as follows:

Sec. 382.0651. STANDARD PERMIT WITH ENHANCED CONTROLS FOR CERTAIN AGGREGATE PRODUCTION FACILITIES. (a) The commission shall issue a Standard Permit with Enhanced Controls to a rock crushing facility that:

(1) is located at an aggregate production operation required to be registered under Section 28A.051, Water Code;

(2) is used for the production of aggregates, as defined by Section 28A.001, Water Code;

(3) limits production to under 1500 tons per hour; and

(4) meets the requirements of this section.

(b) The permit process authorized by this section is not subject to the requirements relating to a contested case hearing under this chapter, Chapter 5, Water Code, or Subchapters C-G, Chapter 2001, Government Code.

SECTION 2. The commission shall adopt rules relating to best management practice requirements for an owner or operator of a facility to use the permit under this section. The commission may not establish by rule any requirements that an applicant for a

H.B. No. 4896

1 permit under this section be subject to a hearing under 2001.051,
2 Government Code.

3 SECTION 3. This Act takes effect September 1, 2023.