

Amend CSHB 555, in SECTION 1 of the bill, by striking SECTION 1 in its entirety and replacing it with a new SECTION 1 to read as follows:

SECTION 1. Section 382.056, Health and Safety Code, is amended by amending Subsection (r) and adding Subsections (s), and (t) to read as follows:

(r) This section does not apply to:

(1) the relocation or change of location of a portable facility to a site where a portable facility [~~permitted by the commission is located if no portable facility~~] has been located at the proposed site at any time during the previous two years; ~~or~~

(2) a facility located temporarily in the right-of-way, or contiguous to the right-of-way, of a public works project; or

(3) a portable facility or rock crushing facility subject to Subsection (s).

(s) The commission may not issue a permit, permit amendment, or other authorization for a portable facility or rock crushing facility that will be associated with blasting operations that are or will be located over an aquifer comprised in whole or in part of water-bearing limestone or dolomite that is the primary source of drinking water for a municipality if the facility will be located in a county adjacent to a county with a population of 500,000 or more and in which is located a portion of a water body into which a discharge is prohibited by the commission under 30 T.A.C. Chapter 311. Within 30 days of the date the commission determines that an application has been filed for a permit or permit amendment that is prohibited from being issued pursuant to this subsection, the commission shall mail notice of intent to obtain a permit to the affected municipality of its receipt of the application.

(t) For any permit application subject to this section, the measurement of distances to determine compliance with any location or distance restriction required by this chapter shall be taken toward structures that are in use as of the date that the application is filed with the commission.