

By: J. Johnson of Harris

H.B. No. 344

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirements for notice of a standard permit for  
3 certain concrete plants.

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

5 SECTION 1. Section 382.05199, Health and Safety Code, is  
6 amended by adding Subsection (c-1) and amending Subsection (d) to  
7 read as follows:

8 (c-1) If the proposed permanent concrete plant would be  
9 located in a municipality with a population of 1.9 million or more,  
10 the applicant must mail written notice to each household within 440  
11 yards of the proposed plant not later than the earlier of:

12 (1) the 30th day after the date the applicant receives  
13 written notice from the executive director that the application is  
14 technically complete; or

15 (2) the 75th day after the date the executive director  
16 receives the application.

17 (d) The notice under Subsections (c) and (c-1) must include:

18 (1) a brief description of the proposed location and  
19 nature of the proposed plant;

20 (2) a description, including a telephone number, of  
21 the manner in which the executive director may be contacted for  
22 further information;

23 (3) a description, including a telephone number, of  
24 the manner in which the applicant may be contacted for further

1 information;

2 (4) the location and hours of operation of the  
3 commission's regional office at which a copy of the application is  
4 available for review and copying; and

5 (5) a brief description of the public comment process,  
6 including the time and location of the public hearing, and the  
7 mailing address and deadline for filing written comments.

8 SECTION 2. Section 382.058, Health and Safety Code, is  
9 amended by adding Subsection (e) to read as follows:

10 (e) In addition to the notice required under Subsection (a),  
11 an applicant for a permit, permit amendment, or permit renewal of a  
12 permanent concrete plant that would be or is located in a  
13 municipality with a population of 1.9 million or more shall mail  
14 written notice to each household within 440 yards of the proposed or  
15 existing plant not later than the earlier of:

16 (1) the 30th day after the date the applicant receives  
17 written notice from the executive director that the application is  
18 technically complete; or

19 (2) the 75th day after the date the executive director  
20 receives the application.

21 SECTION 3. Sections 382.05199 and 382.058, Health and  
22 Safety Code, as amended by this Act, apply only to an application  
23 for a permit that is filed with the Texas Commission on  
24 Environmental Quality on or after the effective date of this Act.  
25 An application for a permit filed before the effective date of this  
26 Act is governed by the law in effect on the date of filing, and that  
27 law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2023.