

BILL ANALYSIS

S.B. 2351
By: Alvarado
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that more specific instruction for the Texas Commission on Environmental Quality (TCEQ) is needed when a recipient of certain standard air permits requests extensions to a construction deadline. The bill sponsor has further informed the committee that in House District 140 a concrete batch plant was granted an 18-month extension to delay construction after receiving a standard air permit from the TCEQ, that during this period the TCEQ underwent a protectiveness review of the permit and made several significant changes, and that, despite having the authority to do so, the TCEQ did not require the plant to meet the requirements of the most up-to-date permit. S.B. 2351 seeks to address this issue by authorizing the TCEQ, if it amends certain standard permits for concrete plants, to require each facility operator authorized to begin new construction of a facility under a former standard permit to update the facility's plans for the new construction in accordance with an amended standard permit under certain circumstances.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 2351 amends the Health and Safety Code to set out provisions relating to the following permits issued by the Texas Commission on Environmental Quality (TCEQ):

- a standard permit that authorizes the operation of a permanent concrete plant that performs wet batching, dry batching, or central mixing; and
- a standard permit for a concrete batch plant with enhanced controls.

The bill authorizes the TCEQ, if it amends such a standard permit, to require each facility operator authorized to begin new construction of a facility under the former standard permit to update the facility's plans for the new construction in accordance with the amended standard permit if the operator did not begin the construction before the adoption of the amended permit and the operator filed a request under TCEQ rules for an extension to begin construction.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.