

By: Thompson

H.B. No. 2883

A BILL TO BE ENTITLED

AN ACT

relating to corrective action plans for excessive emissions events involving certain concrete facilities.

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

SECTION 1. Section 382.0216, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) This subsection applies only to an excessive emissions event from a facility that is a concrete crushing facility or a concrete plant that performs wet batching, dry batching, or central mixing. Before a facility to which this subsection applies files a corrective action plan under Subsection (c), the facility must submit the proposed corrective action plan to the appropriate local governmental officials and provide those officials with an opportunity to comment on the plan in accordance with rules adopted by the commission under this subsection. The commission shall adopt rules to implement this subsection, including rules establishing the length of the comment period, specifying the local government officials to whom a proposed corrective action plan is required to be submitted, and specifying the process for local governmental officials to submit comments on the proposed corrective action plan. The commission shall reject and deny a corrective action plan filed by a facility to which this subsection applies if the commission finds that the facility did not comply with the requirements of this subsection or rules

1 adopted under this subsection before filing the plan.

2 SECTION 2. (a) Not later than December 1, 2025, the Texas
3 Commission on Environmental Quality shall adopt the rules required
4 by Section 382.0216(c-1), Health and Safety Code, as added by this
5 Act.

6 (b) Section 382.0216, Health and Safety Code, as amended by
7 this Act, applies only to a corrective action plan filed with the
8 Texas Commission on Environmental Quality on or after January 1,
9 2026. A corrective action plan filed with the Texas Commission on
10 Environmental Quality before January 1, 2026, is governed by the
11 law in effect on the date of filing, and the former law is continued
12 in effect for that purpose.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2025.