

By: Alvarado, et al.

S.B. No. 763

A BILL TO BE ENTITLED

AN ACT

relating to standard permits for certain concrete plants.

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

SECTION 1. Section 382.05195, Health and Safety Code, is amended by adding Subsection (e-1) and amending Subsection (k) to read as follows:

(e-1) This subsection applies only to a standard permit issued under this section that authorizes the operation of a permanent concrete plant that performs wet batching, dry batching, or central mixing, as defined by the commission. The commission shall at least once every six years conduct a protectiveness review of the permit regarding the operation of a permanent concrete plant described by this subsection, including by reviewing available background concentrations of air pollutants. If the commission amends the permit after a protectiveness review, the commission shall allow facilities authorized to emit air contaminants under the permit as it read before the amendment to continue to operate until a date provided by the commission under Subsection (f) that provides facility operators a reasonable amount of time to comply with the amended permit.

(k) An application for an authorization to use ~~[the issuance of]~~ a standard permit under this section for a concrete plant that performs wet batching, dry batching, or central mixing, including a permanent, temporary, or specialty concrete batch plant, as defined

1 by the commission, must include a plot plan that clearly shows:

2 (1) a distance scale;

3 (2) a north arrow;

4 (3) all property lines, emission points, buildings,
5 tanks, and process vessels and other process equipment in the area
6 in which the facility will be located;

7 (4) at least two benchmark locations in the area in
8 which the facility will be located; and

9 (5) if the permit requires a distance, setback, or
10 buffer from other property or structures as a condition of the
11 permit, whether the required distance or setback will be met.

12 SECTION 2. Not later than March 1, 2026, the Texas
13 Commission on Environmental Quality shall adopt rules necessary to
14 implement the changes in law made by this Act.

15 SECTION 3. This Act takes effect September 1, 2025.