By: Miles S.B. No. 393

A BILL TO BE ENTITLED

AN ACT

relating to the location of certain cement kilns authorized by an air quality permit.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.0651 to read as follows:

Sec. 382.0651. CERTAIN LOCATIONS FOR CEMENT KILNS PROHIBITED. (a) The commission may not issue a permit under Section 382.0518 to construct a facility that is a cement kiln within 440 yards of a building in use as a school or place of worship at the time the application for the permit is filed.

(b) The commission may not issue a federal operating permit for a federal source that is a cement kiln classified as "major" under any applicable permitting requirements of the federal Clean Air Act (42 U.S.C. Section 7401 et seq.), or regulations adopted under that Act, within 440 yards of a building in use as a school or place of worship at the time the application for the permit is filed.

(c) The measurement of distance for the purposes of this section is the shortest distance between the facility or source and the building in use as a school or place of worship.

SECTION 2. Section 382.0651, Health and Safety Code, as added by this Act, applies only to a permit issued by the Texas Commission on Environmental Quality on or after the effective date

of this Act.

SECTION 3. This Act takes effect September 1, 2027.