By: Miles S.B. No. 394

A BILL TO BE ENTITLED

AN ACT

relating to the amendment of standard permits for certain concrete plants.

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

SECTION 1. Section 382.05195(f-1), Health and Safety Code, is amended to read as follows:

(f-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. If the commission amends the standard permit:

(1)[~~,~~] the commission may 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:

(A) [~~(1)~~] the facility operator did not begin the construction before the adoption of the amended permit; and

(B) [~~(2)~~] the facility operator filed a request under commission rules for an extension to begin construction; and

(2) a facility authorized to operate under the former standard permit shall comply with the amended standard permit beginning on the earlier of:

(A) the date the facility's authorization to use the standard permit is renewed; or

(B) the second anniversary of the effective date

of the permit amendment.

SECTION 2. Sections 382.05198(c) and (d), Health and Safety Code, are amended to read as follows:

(c) An application for an authorization to use [~~the issuance of~~] a standard permit under this section must include a plot plan that meets the requirements of Section 382.05195(k).

(d) If the commission amends a standard permit issued under this section:

(1)[~~,~~] the commission may 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:

(A) [~~(1)~~] the facility operator did not begin the construction before the adoption of the amended permit; and

(B) [~~(2)~~] the facility operator filed a request under commission rules for an extension to begin construction; and

(2) a facility authorized to operate under the former standard permit shall comply with the amended standard permit beginning on the earlier of:

(A) the date the facility's authorization to use the standard permit is renewed; or

(B) the second anniversary of the effective date of the permit amendment.

SECTION 3. Notwithstanding the changes in law made by this Act, the Texas Commission on Environmental Quality may allow a facility authorized to use a standard permit issued under Section 382.05195 or 382.05198, Health and Safety Code, that was amended

before the effective date of this Act to continue to operate under the former standard permit until the date the facility's authorization is eligible for renewal.

SECTION 4. This Act takes effect September 1, 2027.