

By: Phillips

H.B. No. 3419

A BILL TO BE ENTITLED

AN ACT

relating to certain concrete plants issued a standard permit by the Texas Commission on Environmental Quality; amending a provision subject to a criminal penalty.

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

SECTION 1. Section 382.05198(a), Health and Safety Code, is amended to read as follows:

(a) The commission shall issue a standard permit for a permanent concrete plant that performs wet batching, dry batching, or central mixing and that meets the following requirements:

(1) production records must be maintained on site while the plant is in operation until the second anniversary of the end of the period to which they relate;

(2) each cement or fly ash storage silo and weigh hopper must be equipped with a fabric or cartridge filter or vented to a fabric or cartridge filter system;

(3) each fabric or cartridge filter, fabric or cartridge filter system, and suction shroud must be maintained and operated properly with no tears or leaks;

(4) excluding the suction shroud filter system, each filter system must be designed to meet a standard of at least 0.01 outlet grain loading as measured in grains per dry standard cubic foot;

(5) each filter system and each mixer loading and

1 batch truck loading emissions control device must meet a  
2 performance standard of no visible emissions exceeding 30 seconds  
3 in a five-minute period as determined using United States  
4 Environmental Protection Agency Test Method 22 as that method  
5 existed on September 1, 2003;

6 (6) if a cement or fly ash silo is filled during  
7 nondaylight hours, the silo filter system exhaust must be  
8 sufficiently illuminated to enable a determination of compliance  
9 with the performance standard described by Subdivision (5);

10 (7) the conveying system for the transfer of cement or  
11 fly ash to and from each storage silo must be totally enclosed,  
12 operate properly, and be maintained without any tears or leaks;

13 (8) except during cement or fly ash tanker connection  
14 or disconnection, each conveying system for the transfer of cement  
15 or fly ash must meet the performance standard described by  
16 Subdivision (5);

17 (9) a warning device must be installed on each bulk  
18 storage silo to alert the operator in sufficient time for the  
19 operator to stop loading operations before the silo is filled to a  
20 level that may adversely affect the pollution abatement equipment;

21 (10) if filling a silo results in failure of the  
22 pollution abatement system or failure to meet the performance  
23 standard described by Subdivision (5), the failure must be  
24 documented and reported to the commission;

25 (11) each road, parking lot, or other area at the plant  
26 site that is used by vehicles must be paved with a cohesive hard  
27 surface that is properly maintained, cleaned, and watered so as to

1 minimize dust emissions;

2 (12) each stockpile must be sprinkled with water or  
3 dust-suppressant chemicals or covered so as to minimize dust  
4 emissions;

5 (13) material used in the batch that is spilled must be  
6 immediately cleaned up and contained or dampened so as to minimize  
7 dust emissions;

8 (14) production of concrete at the plant must not  
9 exceed 300 cubic yards per hour;

10 (15) a suction shroud or other pickup device must be  
11 installed at the batch drop point or, in the case of a central mix  
12 plant, at the drum feed and vented to a fabric or cartridge filter  
13 system with a minimum capacity of 5,000 cubic feet per minute of  
14 air;

15 (16) the bag filter and capture system must be  
16 properly designed to accommodate the increased flow from the  
17 suction shroud and achieve a control efficiency of at least 99.5  
18 percent;

19 (17) the suction shroud baghouse exhaust must be  
20 located more than 100 feet from any property line;

21 (18) stationary equipment, stockpiles, and vehicles  
22 used at the plant, except for incidental traffic and vehicles as  
23 they enter and exit the site, must be located or operated more than  
24 100 feet from any property line; and

25 (19) the central baghouse must be located at least  
26 three miles from any building used as a school, day-care facility,  
27 or nursing home, and 1000 [440] yards from any building used as a

1 single or multifamily residence[~~, school,~~] or place of worship at  
2 the time the application to use the permit is filed with the  
3 commission if the plant is located in an area that is not subject to  
4 municipal zoning regulation.

5       SECTION 2. Section 382.05198(a), Health and Safety Code, as  
6 amended by this Act, applies only to a permit issued on or after the  
7 effective date of this Act. A permit issued before the effective  
8 date of this Act is governed by the law in effect on the date the  
9 permit is issued, and the former law is continued in effect for that  
10 purpose.

11       SECTION 3. This Act takes effect September 1, 2015.