

## **INTRO: ONE OF THE STATE'S MOST REGULATED INDUSTRIES FACT SHEET PROTECTIVENESS OF PERMITTING PROCESS**

***CONCERN: The permitting process is not sufficiently protective of adjacent and nearby landowners.***

Concrete, aggregate and cement operations are heavily regulated at the federal, state, and, in many cases, local level to ensure their operations are protective of human health and the environment. TACA member companies work in partnership with TCEQ and a myriad of state and federal regulatory agencies to ensure full regulatory compliance, and many times exceed requirements, to ensure the well-being of the environment and communities in which they operate.

The following agencies and authorities regulate concrete, aggregate and cement producers in Texas:

- Texas Commission on Environmental Quality (TCEQ)
- US Environmental Protection Agency (EPA)
- US Army Corps of Engineers (USACE)
- US Fish & Wildlife Service (USFWS)
- Federal Emergency Management Agency (FEMA)
- Mine Safety & Health Administration (MSHA)
- Occupational Safety & Health Administration (OSHA)
- Texas Department of Transportation (TxDOT)
- Texas Department of State Health Services (TDSHS)
- Texas Parks & Wildlife (TPWD)
- Comptroller of the State of Texas – for endangered species
- Texas General Land Office (GLO)
- Regional River Authorities – such as LCRA, GBRA, SJRA, etc.
- Groundwater Conservation Districts – such as Edwards Aquifer Authority, Barton Springs, Hays Trinity, etc.
- Subsidence Districts – such as Fort Bend, Harris-Galveston, etc.
- Fire Marshals
- Cities
- Counties

### **Environmental permitting**

TCEQ issues environmental permits, which are designed to protect human health and the environment, to facilities, including aggregate operations (e.g., limestone quarries, sand mines, gravel pits) and concrete batch plants that conduct certain business in Texas.

### **Required permits and registrations for Aggregate Production Operations include:**

- MSHA Registration and bi-annual inspections
- TxDOT approval of site entrance/exit, including applicable construction improvements of adjacent roadway through donation agreement between permittee and TxDOT
- TCEQ Air Quality Permits – Permits by Rule, Standard Air Permits or New Source Review Permits
- TCEQ Water Quality Permits – Wastewater Discharge (Texas Pollution Discharge Elimination System – TPDES – Industrial Storm Water Multi-Sector General Permit), Stormwater Pollution Prevention Plan

- TCEQ fuel storage tank registrations, (PST registrations)
- TCEQ Edwards Aquifer Protection Plan (if applicable) – Registration for water pollution abatement plan (WPAP)
- Local Zoning development or other municipal ordinances as applicable
- In addition to all related environmental permits (e.g., air, water and waste) APOs must register with the TCEQ and be inspected to verify all appropriate permits have been obtained.
- TCEQ Public Water Supply Permitting
- TCEQ/County OSSF (septic) Regulations
- Local Groundwater Conservation District Permitting

**Required permits and registrations for Concrete Batch Plants include:**

- TXDOT approval of site entrance/exit, including applicable construction improvements of adjacent roadway through donation agreement between permittee and TXDOT
- TCEQ Air Quality Permits – Standard Air Permits or New Source Review Permits
- TCEQ Water Quality Permits – Wastewater Discharge (Texas Pollution Discharge Elimination System – TPDES – Industrial Storm Water Multi-Sector General Permit), Stormwater Pollution Prevention Plan
- TCEQ fuel storage tank registrations, (PST registrations)
- Local Zoning development or other municipal ordinances as applicable
- TCEQ Public Water Supply Permitting
- TCEQ/County OSSF (septic) Regulations
- Local Groundwater Conservation District Permitting

**Required permits and registrations for Cement Plants include:**

- MSHA Registration and bi-annual inspections
- EPA Air Quality Permits, Registrations and Certifications – Title 40 Code of Federal Regulations Part 60, Subparts A, F, Y, OOO (New Source Performance Standards – NSPS), Clean Air Act Title V, 40 CFR 63, Subparts A (General Provisions) and LLL – National Emission Standard for Hazardous Air Pollution (NESHAP) Certification and Reporting, Commercial and Solid Waste Incinerator (CISWI) Certification and Reporting, if applicable
- TCEQ Air Quality Permits – Title V Permit, Major New Source Review Permit, National Emission Standard for Hazardous Air Pollutant (NESHAP) Certification, in some cases Permits by Rule, Standard Air Permits
- TCEQ Water Quality Permits – Wastewater Discharge (Texas Pollution Discharge Elimination System – TPDES – Industrial Storm Water Multi-Sector General Permit), Stormwater Pollution Prevention Plan
- TCEQ fuel storage tank registrations, (PST registrations)
- TCEQ Solid Waste Requirements – Notice of Registration and Recycling reporting
- TXDOT approval of site entrance/exit, including applicable construction improvements of adjacent roadway through donation agreement between permittee and TXDOT
- Local Zoning development or other municipal ordinances, as applicable
- TCEQ Public Water Supply Permitting
- TCEQ/County OSSF (septic) Regulations
- Local Groundwater Conservation District Permitting