

By: Wilson

H.B. No. 4422

A BILL TO BE ENTITLED

AN ACT

relating to permit conditions relating to road paving for certain mining-related facilities.

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 382.071 to read as follows:

Sec. 382.071. ROAD PAVING AT MINING-RELATED FACILITIES.

(a) This section applies only to a permit issued under this chapter relating to the:

(1) production of aggregates, as defined by Section 28A.001, Water Code;

(2) operation of a concrete plant that performs wet batching, dry batching, or central mixing; or

(3) operation of a hot mix asphalt plant.

(b) The commission by rule shall require as a condition of a permit that the permit holder:

(1) pave each road inside the permitted facility used for the movement of commercial vehicles:

(A) that are subject to the federal electronic logging device requirements of 49 C.F.R. Part 395; or

(B) that are operating only in intrastate commerce that would be subject to the federal electronic logging device requirements of 49 C.F.R. Part 395 if operating in interstate or international commerce.

1 (2) construct acceleration and deceleration lanes for
2 egress from and ingress to the aggregate production operation to
3 protect public safety.

4 (c) Rules adopted under this section may specify vehicles
5 and equipment that may be moved on an unpaved road because the
6 movement produces minimal dust or other emissions of air
7 contaminants.

8 SECTION 2. As soon as practicable after the effective date
9 of this Act, the Texas Commission on Environmental Quality shall
10 adopt rules as necessary to implement Section 382.071, Health and
11 Safety Code, as added by this Act.

12 SECTION 3. This Act takes effect September 1, 2019.