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NOTE THAT THESE COMMENTS ARE THE SAME AS THOSE I TENDERED VERBALLY, WITH THE ADDITION OF SPECIFICS ON THE STUDY I REFERENCED.

SB 763 and SB 2351 are significant steps forward in achieving the TCEQ's goal of clean air. And the need to monitor concrete batch plants, and ensure up-to-date permit requirements are critical. A study conducted in 2023* of 131 concrete batch plants in Harris county determined that concrete batch plants are collectively a major pollution source, contributing between 38 and 111 tons of primary PM2.5 emissions and between 109 and 493 tons of primary PM10 emissions annually. This same study estimates that health damages from the PM2.5 emissions alone amount to \$29 million annually. And, the study found that concrete batch plants in Harris County are disproportionately located in census tracts with more low-income, Hispanic, and Black populations. The study concludes that small pollution sources such as concrete batch plants require more air quality monitoring and emissions reporting and that regulatory agencies should consider cumulative environmental and health impacts of these sources as part of the permitting process.

Therefore, to accomplish TCEQ's mission to protect our state's public health and natural resources consistent with sustainable economic development, stronger enforcement, inspections and monitoring of concrete batch plants are needed. Specifically, to protect public health consistent with sustainable economic development, I recommend that TCEQ:

1. consider cumulative impact of concrete batch plants, since they are concentrated in certain census tracts, including denial of permits for facilities in already overburdened communities,
2. require that the 440 yard set-back be determined from the concrete batch plant fenceline not the baghouse,
3. require all concrete batch plants that have not yet been built to meet updated, stronger standards
4. eliminate self-reporting of permit compliance and instead require fenceline monitoring, inspect the facilities regularly for compliance with their permits and accept, where available, inspection data from other regulators.

As an aside, although not specifically addressed by this legislation, I am concerned about pollution from "temporary" concrete batch plants, as temporary is ill-defined, and can represent a lengthy period of operation for a project. I urge TCEQ to strictly define a time limit for temporary concrete batch plants.

*[https://pubs.acs.org/doi/10.1021/acs.est.3c04412#:~:text=We%20find%20that%20CBPs%20in,290%](https://pubs.acs.org/doi/10.1021/acs.est.3c04412#:~:text=We%20find%20that%20CBPs%20in,290%20tons%20of%20primary%20PM2.5%20emissions%20and%20between%20109%20and%20493%20tons%20of%20primary%20PM10%20emissions%20annually.)
- Environmental Science & Technology, Vol 57, Issue 31, Polluting under the Radar: Emissions, Inequality, and Concrete Batch Plants in Houston Nikolaos Ziropiannis, April Byrne, Alex J. Hollingsworth & David M. Konisky