



August 25, 2025

Subject: Public Comment on TCEQ Chapter 55 Rulemaking – Impacts to Concrete Crushing & Pugmill Operations

I am writing to provide public comment on the Texas Commission on Environmental Quality's (TCEQ) proposed revisions to 30 TAC Chapter 55 (Requests for Reconsideration and Contested Case Hearings; Public Comment). As an operator in the concrete crushing and soil stabilization (pugmill) industry, I appreciate the intent to strengthen public participation and transparency, but I would like to raise several concerns about the unintended impacts these revisions may have on essential construction material operations across Texas.

1. Extended Permitting Timelines

The proposed changes to §§ 55.152 and 55.154, which will also be incorporated into the State Implementation Plan, may significantly extend permitting timelines for crushing plants and pugmills. These facilities often serve time-sensitive infrastructure projects. Delays in permit issuance due to additional public comment processes or contested case hearings could stall roadwork, storm recovery projects, and local development.

2. Increased Legal and Administrative Burdens

While we support meaningful public engagement, the revisions create additional opportunities for contested case hearings and Requests for Reconsideration. For operators, this translates into higher legal costs, consultant fees, and longer project delays, even in cases where TCEQ staff have determined that environmental controls are protective of health and the environment.

3. Impact on Essential Infrastructure

Concrete crushing and pugmill operations are critical to Texas infrastructure, providing recycled materials and stabilized soils for highways, flood control, and municipal development. Prolonged or uncertain permitting jeopardizes our ability to keep up with demand, particularly in fast-growing regions like Houston, Dallas-Fort Worth, and Central Texas.

4. Opportunities for Improvement

We respectfully request consideration of the following refinements to balance public participation with regulatory efficiency:

- Clarify thresholds for granting hearings so that only requests with clear, material evidence of environmental or health impacts move forward.
- Provide permit timelines certainty by setting reasonable deadlines for processing Requests for Reconsideration.
- Encourage proactive outreach by operators (e.g., bilingual fact sheets, open houses) as an alternative to lengthier contested case proceedings.
- Maintain flexibility for routine amendments so these are not unnecessarily delayed.

Closing

As stakeholders, we fully support transparency and community involvement in environmental permitting. However, these proposed changes could unintentionally hinder the very infrastructure and public works projects that Texas communities rely on. We urge legislators to work with TCEQ to ensure that the final rules protect both public participation rights and the timely delivery of essential construction materials.

Thank you for your attention to this important issue.

Sincerely,

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