



Texans for Responsible Aggregate Mining

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“TCEQ does not regulate quarries” – former TCEQ Chairman Jon Neirmann, in his testimony to the Senate Committee on Natural Resources, September 17, 2024.

What does Chairman Neirmann mean? At a quarry, the following sources of pollution are not regulated in Texas (though they are in most states):

1. Blasting. Neither the seismic impacts nor the groundwater contamination from blasting are regulated.
2. Open pits. Particulate matter (PM), which includes the known deadly pollutant crystalline silica, enters the air from throughout the industrial site. It is not monitored or accounted for in modeling or regulations, though its presence is self-evident.
3. Heavy machinery and truck traffic. Quarries are typically visited by scores or hundreds of trucks each day. The air pollution (PM) they create and the dust they kick up with their tires is not considered in the modeling or permitting processes.
4. Long-term hazards. There are no requirements to remediate a site to a safe or useful condition after quarrying is complete. Open pits continue to be a source of air and water pollution for decades or longer.
5. Noise and light. Noise and light pollution are real concerns for neighbors’ quality of life, ability to sleep, and use of their private property. These types of pollution are not regulated.

Additionally, there are no requirements for quarries to use best practices, including those that would minimize water consumption. Without the use of best practices, quarries often consume more water than necessary, by an order of magnitude.

What *is* regulated at a quarry?

1. Rock crushers. One piece of equipment used by some (but not all) aggregate production operations (APOs) require an air quality permit, which is almost never denied.
2. Stormwater discharges. Like any industrial property, APOs must meet basic stormwater requirements. These requirements are often insufficient to prevent catastrophic erosion, exacerbated flooding, and pollution of waterways, aquifers, and neighboring properties. That is why there are three river segments in Texas that have heightened requirements for APOs, under special TCEQ programs (known as Scenic Riverway programs, and the San Jacinto River rules for sandmining). Similar requirements are needed throughout the state, but the Texas Aggregates and Concrete Association has so far kept that from happening.
3. Above ground storage tanks for fuel and other chemicals are regulated by the TCEQ.

Texas needs the construction materials that quarries and other APOs provide. But we can have them without severely impacting Texans’ water, air, safety, and quality of life. Most states do far better than Texas, and Texans deserve better.