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**TEXANS FOR RESPONSIBLE AGGREGATE MINING 2023 LEGISLATIVE UPDATE:
BILLS STALLED, BUT INDUSTRY NEGOTIATIONS CONTINUE**

AUSTIN – As the 88th Texas Legislative session winds down, more than 80 proposed bills addressing aggregate mining practices, regulatory oversight, and environmental concerns appear to be stalled.

“We appreciate the support of senior legislators, including Senators Schwertner and Johnson and Representatives Landgraf and Isaac, who have helped us as we’ve tried to address the concerns of Texans who live near mining operations,” said Mark Friesenhahn, Texans for Responsible Aggregate Mining (TRAM) member and founder of Comal Environmental Education Coalition. “They’ve supported and encouraged our negotiations with industry as we work toward increasing public participation and best practices in mining.”

Recent meetings between TRAM and Texas Aggregate and Concrete Association (TACA) have been productive, addressing topics including:

- a new type of permit for Aggregate Production Operations (APOs);
- incentives for APOs to use Best Management Practices (BMPs) and state of the art technologies; and
- transparent and productive engagement between industry and neighboring communities.

Lack of opportunities or adequate notice for public meetings prior to air quality permit approval was a key finding from the Legislature’s Sunset Commission review of the Texas Commission on Environmental Quality (TCEQ) last year. Bills addressing those recommendations have not yet been given hearings.

A related bill, also stuck in committee, would allow rock crushing facilities to avoid contested case hearings if they applied for the more stringent requirements of an enhanced controls permit. Current TCEQ rules for a standard permit allow rock crushing facilities to avoid public meetings or contested case hearings if they operate under 200 tons per hour.

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Austin residents recently voiced strong opposition to not requiring public meetings for rock crushing facilities — regardless of operation size. This month, TCEQ gave preliminary approval for a standard permit for Ranger Excavating to operate a permanent rock crushing facility in Dog's Head Bend along the Colorado River, just a few miles from the Capitol. More than 100 comments submitted to TCEQ opposed the facility, citing noise and air quality impacts on residential communities living less than a mile away and not having the opportunity to voice those concerns in a public forum.

Though TRAM members are disappointed that more progress has not been made with bills put forward this session to advance public participation, public health, and environmental protections, Fermin Ortiz, TRAM member and member of Save Sandy Creek, is optimistic, saying, "We look forward to the continued dialogue and appreciate TACA's willingness to work toward a better Texas."

Given Texas's current rapid growth and the Texas Department of Transportation's proposed plan for \$100 billion in highway and road projects across the state over the next 10 years, TRAM is committed to addressing the negative impacts that mining and producing construction materials has on nearby communities and the Texas environment.

TRAM members have been instrumental in helping the Kerr County Commissioners Court create a countywide APO Community Advisory Council, that brings together residents, businesses, industry and local governing agencies to seek solutions to environmental and quality of life concerns. (This first-of-its-kind committee will be featured in TRAM's upcoming Best Practices series.)

"We know from looking at industry regulations in most other states that those negative impacts can be substantially reduced while still producing necessary materials and turning a profit," says TRAM secretary, Cliff Kaplan. "We appreciate that legislators and the industry association want to move in that direction."

If quarries, gravel or sand mines, concrete batch plants, or asphalt or cement plants are impacting your community, TRAM encourages you to get involved with this statewide coalition by emailing info@TRAMTexas.org.

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About TRAM

The coalition, composed of member groups across the state, seeks to work with lawmakers, state agencies, and good-faith industry operators to create state standards for BMPs in the APO industry and to adopt those standards into law. Its 22 member organizations represent 33 counties, home to more than one-third of all Texans, where APOs have dramatically expanded to meet the state's rapid growth. Stay informed by visiting www.TRAMTexas.org and following our Facebook, Twitter and Instagram pages for news updates.