



CAROL ALVARADO

STATE SENATOR
DISTRICT 6

June 22, 2022

Dear Chairman Schwertner, Vice Chairman Holland, and Commission Members:

Thank you for the opportunity to make comments about an issue that strikes at the heart of Senate District 6 – the ever-increasing presence of concrete batch plants.

The Sunset Commission staff report raised an important point – the lack of transparency and public confusion about TCEQ regulations and processes do not allow for meaningful public input by communities affected by the agency's actions. This is most certainly the case when it comes to concrete batch plants and how they are permitted. More than 50 of my constituents traveled to Austin early this morning to express their frustration and concerns about this process and the negative impacts on their families and neighborhoods.

There are 188 concrete batch plants in Harris County alone – the most in Texas. More often than not, they are located in socioeconomically vulnerable and minority communities. TCEQ recently approved an additional batch plant in Aldine, Texas, a largely Spanish-speaking and low-income community in my district. There are already eight plants within a five-mile radius of this new site. This new site is located near numerous sensitive use facilities including several schools, many churches, a community resource facility, and a recently built Harris County park that provides a safe space for residents with all levels of abilities, including children and adults with special needs. There was a substantial public backlash to the permit – 496 public comments and 139 contested case hearing requests were submitted in writing and more than 250 residents attended the public meeting. However a contested case hearing was not granted and the permit was approved.

The TCEQ determined that all 139 contested case hearing requests were untimely because they were not filed within the initial 30-day period after notice was published. Due to a lack of clarity and communication regarding the hearing request timeline, SD 6 constituents and local officials were under the impression that hearing requests could be submitted until the end of the April 7th public meeting, as they were allowed to do with public comments. However, the deadline had passed almost a month earlier. To complicate matters further, TCEQ staff at the public meeting seemed to be unaware of the deadline themselves since they personally accepted contested case hearing requests during the meeting. This has led to extreme public distrust of TCEQ among these communities.

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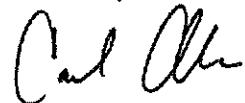
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Members of the Aldine community no longer have a remedy to protect themselves from the dangers of being so close to yet another concrete batch plant adding to the already high emissions of particulate matter and crystalline silica. In addition, on-site diesel internal combustion engines create dangerous levels of carbon monoxide, nitrogen oxide, nickel and formaldehyde. Being in close proximity to these sites significantly increases the likelihood of heart attacks, pulmonary disease and other serious health defects, particularly in children, pregnant women, immunocompromised and elderly Texans.

We must make changes to the existing processes in place at TCEQ to improve transparency and allow our constituents the opportunity to provide their input in a meaningful, consequential manner.

Thank you for your time and your work on this important issue.

Sincerely,



Carol Alvarado
Texas State Senator, District 6