

January 11, 2012

Dear Stakeholder:

House Bill 571 passed during the 82nd Legislative Session. The bill requires the TCEQ to regulate certain aggregate production operations (APOs). Aggregates are construction materials pulled from the earth such as sand and gravel, crushed/broken limestone, crushed/broken granite, dirt, soil or caliche. An APO includes the site from which aggregates are being or have been removed or extracted from the earth, and land on which aggregates are processed.

The bill went into effect September 1, 2011. The following are highlights of the bill.

- APOs must register with the TCEQ (and renew the registration annually beginning September 1, 2012).
- The TCEQ is required to establish registration fees not to exceed \$1,000 per year.
- The TCEQ is required to survey the state annually for APOs.
- The TCEQ is required to inspect each APO every three years, with inspection requirements beginning September 1, 2012, or September 1, 2015, provided the facility submits a Notice of Intent to Conduct a Compliance Audit no later than September 1, 2012.
- Penalties of no less than \$5,000 and no more than \$10,000 may be assessed for every year in which an APO operates without registration (total penalty cannot be greater than \$25,000).

The TCEQ needs your help to establish the registration fees. The enclosed questionnaire will help TCEQ determine whether a single fee should apply to all registrants or if a tiered fee structure should be adopted. If a tiered fee is adopted, the information you provide will be used to establish the tiers and the fees for each tier. This survey is for research purposes only and will not be used for registration or enforcement purposes.

Below is an example of a tiered fee structure:

Tier 1: < 100 acres	Fee: \$
Tier 2: 100 – 200 acres	Fee: \$\$
Tier 3: 201 – 300 acres	Fee: \$\$\$

If you want more information on HB 571, what TCEQ is doing to implement HB 571, or want to be a member of our stakeholder group, go to our APO stakeholder web page at:

http://www.tceq.texas.gov/permitting/stormwater/APO_stakeholders_group.html

For more information, please contact TCEQ's Water Quality Division at (512) 239-4671 or via e-mail at Outreach@tceq.texas.gov.

Aggregate Production Operations Questionnaire

For **EACH** Aggregate Production Operation that you operate, please provide the following information:

1. What type of Aggregate Production Operation is this site?
 - a. Aggregate extraction site (i.e., mine or quarry)
 - b. Aggregate processing site (i.e., stone cutting, crusher, etc.)
2. What type of material are you extracting or processing at this site?
 - a. Granite
 - b. Limestone
 - c. Metal Ore
 - d. Coal
 - e. Gravel
 - f. Sand
 - g. Caliche
 - h. Soil
 - i. Other: _____
3. Which type of registration fee do you prefer?
 - a. Single fee for all registrants
 - b. Tiered fee structure
4. If a tiered fee structure is adopted, what should be the basis for the tiers?
 - a. Size of the Aggregate Production Operation (in acres)
 - b. Tons of material extracted or processed annually
 - c. Annual revenues
 - d. Frequency of site use (continuous, 1/week, 1/monthly, 1/year)
 - e. Other: _____
5. For this site, please provide the following:
 - a. Size of the Aggregate Production Operation (in acres, including extraction area, stripped area, haulage ramps, and land on which raw materials are stored. Do not include portions of the site that are undisturbed): _____ Acres
 - b. Tons of material extracted or processed annually: _____ Tons
 - c. Annual revenue last year: \$ _____
 - d. Frequency of site use (continuous, #/week, #/month, #/year) _____
6. The following information is **NOT** required. It will be used to ensure that data is not collected multiple times for the same site and for planning purposes.

Company Name: _____

Site Name: _____

Site Address or Location Description. For Location Description include road name and distance and direction from nearest intersection (i.e., on Hwy 183, 2 miles south of the intersection of Hwy 183 and IH35): _____

County where site is located: _____

Latitude: _____ Longitude: _____

