

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

**TO:** Potential Aggregate Production Operations Stakeholders

**FROM:** Lynda Clayton, Team Leader, Water Quality Assessment  
Water Quality Division  
Office of Water  
Texas Commission on Environmental Quality (TCEQ)

**SUBJECT:** Aggregate Production Operations Stakeholder Group

During the 82<sup>nd</sup> Legislative Session, the Texas Legislature passed House Bill (HB) 571: Regulation of Certain Aggregate Production Operations (APOs). HB 571 creates a new aggregates registration and inspection program. The bill requires the following:

- APOs must register with TCEQ annually.
  - Initial registration is required by all applicable APOs by September 1, 2012.
  - TCEQ must establish registration fees not to exceed \$1,000.
- TCEQ must survey the state annually for APOs.
- TCEQ must inspect each APO every three years.
  - For entities that submit a Notice of Intent to Conduct an Audit for Compliance as outlined in Section 2(b) of the legislation, the three year period for the agency to conduct routine inspections of the operation would not begin until September 1, 2015.
- TCEQ must establish penalties of no less than \$5,000 and no more than \$10,000 for every year in which an APO operates without registration (total penalty no greater than \$25,000).

The effective date of HB571 is September 1, 2011.

The TCEQ has begun the process of implementing HB 571, and is currently forming a stakeholder group in which you and/or your company may be interested in participating. The meeting details are below.

### **APO Stakeholder Meeting:**

**Tuesday, September 13, 2011**

1:30 p.m.

Texas Commission on Environmental Quality

12100 Park 35 Circle

Building E, Room 201S

Austin, Texas 78753

This meeting will be available by webcast at [www.texasadmin.com](http://www.texasadmin.com).