



2023 State Legislative Agenda for Clean Air in Houston

Making TCEQ Work for Our Communities

Support Sunset Review and other legislation that increases permitting transparency, opportunities for meaningful community input, and accountability for TCEQ to be more than a “reluctant regulator.”

- **Ensure that Issue 1 and 2 Sunset Review Recommendations become law.** These expand the comment period, require more website accessibility, and increase fines for unauthorized emissions.
- **Require TCEQ to consider cumulative impact.** TCEQ has repeatedly said it has no role in the placement of polluting facilities. It *can* recognize when placement contributes to cumulative air pollution impacts and then require the strongest possible permit requirements. Explicitly requiring consideration of cumulative impact can push the issue.

Creating More Sustainable and Equitable Transportation Options

Shift transportation planning and resources away from air polluting automobiles to more sustainable options that serve all road users and that connect, not divide, communities.

- **Fix the State Highway Fund** so it can be used to reduce car dependency and mobile emissions. Only a fundamental change in transportation policy can reverse trends in roadway air pollution.
- **Improve the Texas Department of Transportation (TxDOT)** so it truly considers public health and safety in planning and resource decisions.

Preventing Pollution Disasters

Hurricane Harvey made landfall five years ago, and power outages from intense heat or cold are realities. Weather and other disasters produce more air pollution, and most facilities are underprepared.

- **Transform flaring regulations** to disincentive industry dependence on flares (using fines and violations) and incentive weatherization and other disaster prevention measures.
- **Create an “Amber Alert” style system for chemical releases.** Flares happen routinely in Houston, worrying residents. Real-time information about the risk reduces panic.

Standing Up to Concrete Batch Plants (CBP)

Stop the repeated placement of concrete plants in overburdened communities; and work with partners to ensure sustainable extraction of concrete components upstream.

- **Double the “buffer zone.”** The PM emitted by these plants blows far beyond 440 feet.
- **Expand the definition of an “affected” party.** Sensitive use areas like schools, daycares, and senior centers are also impacted by CBPs and should have legal standing to oppose a permit.
- **Grant a permitting role to local officials.** Local officials should have legal standing to oppose a permit especially in municipalities without zoning.
- **Require resident notification.** Residents deserve to know if a plant is coming to their neighborhood.

Advancing Statewide Climate Action

Time is of the essence for large actions to reduce carbon emissions and their impact on severe weather events. With the EPA now unable to limit carbon emissions from fossil fuels, states must step in to make change.

- **Create a state program to address climate change.** This includes taking full advantage of the climate-improving funding provisions in the IRA for Texans.
- **Regulate carbon capture technologies so they have equitable return (as well as risk) for communities.** The Texas Railroad Commission cannot do this given its loyalty to industry. Primacy should be opposed.

Eliminating Pollution-Related Children’s Health Disparities

Air pollution contributes to and exacerbates health issues for children, especially asthma. Because air pollution is present in certain communities more than others, this results in health disparities, too.

- **Require industry polluters to replace HVAC systems in schools at the fenceline after emissions events.** Children’s lungs are still developing, and they deserve the cleanest air possible while they are learning.
- **Accelerate the transition to electric school buses.** This will reduce diesel and PM pollution as well as greenhouse gases.