

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 23, 2003**

**TO:** Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1378** by Armbrister (Relating to the disposal of brine from desalination operations.),  
**Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill authorizes the Texas Commission on Environmental Quality (TCEQ) to issue a permit to dispose of brine produced by a desalination operation in a Class I injection well if the permit applicant meets statutory and regulatory requirements for a Class I injection well for hazardous wastes. The bill requires the Commission to provide for public notice and comment on applications for these types of permits but the applications would not be subject to the hearing requirements of the Administrative Procedures Act in Government Code Chapter 2001.

The TCEQ expects only 10 applications for permits to dispose of desalination brine per fiscal year. Based on this level of activity, the TCEQ expects that it should be able to absorb any additional workload from the bill using existing agency resources.

**Local Government Impact**

Local governments operating desalination plants may incur costs associated with preparing applications for brine disposal permits. According to the TCEQ, costs for a consultant to prepare such an application could be as high as \$35,000.

**Source Agencies:** 582 Commission on Environmental Quality

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