

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 26, 2005**

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

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB948** by Armbrister (Relating to the assessment and regulation of emissions events. ),  
**Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would modify the definition for a "regulated entity," in terms of entities regulated by the Texas Commission on Environmental Quality (TCEQ) for air emissions. The bill also would redefine an emissions event as an unauthorized air emission from a common cause at one or more emission points at a regulated entity instead of being from a single emission point, and it would change the reporting requirements for scheduled maintenance, startup, and shutdown activities by regulated entities. In addition, the bill would provide that a regulated entity could notify the TCEQ of an emission event in a single report for each event, and allow operators of pipelines, gathering lines, and flowlines to treat such facilities under common ownership or control in one county as a single entity for the purpose of assessing and regulating emission events.

The bill would change the TCEQ's criteria for determining when excessive emission events occur, and it would require the agency to take into account the regulated entity's size and complexity and no longer take into consideration the percentage of a facility's total annual operating hours in which emissions events occur. The TCEQ reports that the provisions of the bill would result in the need for changes to two of air-related information systems and expects those changes to result in one-time costs of \$145,000. This estimate assumes that these costs can be absorbed within the agency's overall budget for air programs.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

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

**LBB Staff:** JOB, WK, ZS, TL