

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 10, 2005

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

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

IN RE: SB1724 by Gallegos (Relating to monitoring and controlling emissions of air contaminants under the Texas Clean Air Act; providing a penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the owner or operator of a major source of air contaminants to conduct fence-line monitoring for all hazardous air pollutants listed in the Federal Clean Air Act and any other pollutant as designated by the state or a local government. The owner or operator would be required to designate a commission-approved independent consultant to verify compliance with the requirements of the monitoring program. The bill also would require the Texas Commission on Environmental Quality (TCEQ) to assemble a nationally recognized panel of experts in the fields of toxicology, epidemiology, medicine, and public health to review the "effects screening levels" adopted by the TCEQ.

The TCEQ reports that its Field Operations Division would need to establish procedures for examining monitoring equipment. In addition, guidance documents would have to be developed by the TCEQ, and there would be costs associated with convening the panel of experts, as required by the bill. The cost of convening the panel is estimated by the TCEQ to be \$100,000. This amount and other costs resulting from the bills passage are not expected to be significant to the TCEQ's budget.

Local Government Impact

There could be significant fiscal impact to units of local government that operate facilities that are determined to emit air contaminants. If the facility were considered a major source, they would be required to engage in fence-line monitoring. The cost of compliance would depend on the number and size of such facilities operated by a local government.

Source Agencies: 582 Commission on Environmental Quality

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