

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 18, 2007

TO: Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

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

IN RE: SB1958 by Shapleigh (Relating to certain circumstances under which the Texas Commission on Environmental Quality is required or authorized to deny or amend a permit under the Texas Clean Air Act.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would specify that the Texas Commission on Environmental Quality (TCEQ) may not issue or renew a permit for air emissions contaminants if an applicant is not in compliance with an obligation to clean up or remove a contaminant from a site in any state unless the applicant submits proof that satisfactory progress in the clean up or removal is being made or proof of financial responsibility to the satisfaction of the TCEQ that the applicant has the ability to pay for the clean up or removal. The bill also would direct the TCEQ to consult with the U.S. Environmental Protection Agency to determine applicability for sites located in other states and would require the applicant to disclose any order applicable to this section in the application or state that the applicant is not subject to such an order. The bill would allow the TCEQ to deny or amend a permit, amendment, or renewal if it finds, after notice and hearing, that an applicant has the lowest compliance history classification, if an applicant has made a false or misleading statement relating to the application, or if an applicant is indebted to the state or a political subdivision of the state for a penalty or a delinquent tax or fee.

The bill could result in additional administrative responsibilities to the TCEQ. However, associated costs are not expected to be significant.

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, TL