

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 17, 2009

TO: Honorable Byron Cook, Chair, House Committee on Environmental Regulation

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

IN RE: HB234 by Rodriguez (Relating to notice and hearing requirements for an application to transfer a municipal solid waste permit.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would allow the Texas Commission on Environmental Quality (TCEQ) to transfer a municipal, industrial, hazardous waste, or sludge permit from one permit holder to another. Before transferring such a permit, the bill would require the TCEQ to provide an opportunity for a hearing for the applicant and for affected persons. The bill would require that the applicant publish notice of intent to apply to transfer a municipal solid waste or sludge permit and would also require the commission to allot time for public comment before action is taken on the application.

The TCEQ reports that any additional responsibilities resulting from the bill's passage would be similar to current procedures for processing new and major amendment permit applications. Associated rulemaking and the establishment of procedures would be accomplished using existing available resources.

Local Government Impact

Several local governmental entities reported the fiscal impact could be significant depending on the number of application permits transferred or modified, costs for holding public hearings, and for staff time to provide legal and engineering responses to persons who submitted public comments regarding a permit transfer or modification.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, WK, TL, TP