

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 2, 2009

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

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

IN RE: HB433 by Lucio III (Relating to the procedures for acting on applications for certain permits under the Solid Waste Disposal Act.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would establish mandatory requirements for public meetings for municipal solid waste permits, prescribing requirements for applicants for such permits and for the Texas Commission on Environmental Quality (TCEQ). A public meeting would be required for any new hazardous waste management facility or major amendment to an existing hazardous waste permit. The bill also would expand the number of parties to receive mailed notice of hazardous, industrial, and municipal waste application notice requirements would increase from one-half mile to one mile for a new solid waste facility. In addition, a public meeting and notice would be required for a development proposed over a closed landfill.

Passage of the bill is expected to increase the number of public meetings/hearings conducted by the TCEQ by an estimated 14 meetings per year. This would increase the amount of time TCEQ staff spends attending meetings, and it would increase travel and lodging costs. However, any cost increases resulting from the bill's passage are expected to be reasonably absorbed within the TCEQ's existing budget.

Local Government Impact

The bill would require local governmental entities that apply for a municipal solid waste permit to hold a public meeting, post signage, and mail notices to owners or occupants of real property located within one mile of the facility. Costs to local governments would vary depending on the number of permit applications, public meetings, and notices.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, WK, TL, TP