

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 20, 2009**

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

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

**IN RE: HB2721** by Flynn (Relating to the procedure used by the Texas Commission on Environmental Quality in acting on certain applications for a permit, permit amendment, or permit renewal for a nuclear electric generation facility.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would require the Texas Commission on Environmental Quality (TCEQ) to develop rules under the water quality and water rights permitting programs for streamlined reviews of permit applications for nuclear electric generation facilities. The bill would require the TCEQ to take action on such permit applications within one year after an application is declared administratively complete. The bill would further prohibit referral of such applications to the State Office of Administrative Hearings (SOAH) for conducting a contested case hearing. The bill requires rules to be adopted by January 1, 2010.

The bill would change normal agency procedures for permit processing where applications for nuclear electric generation facilities would receive priority. The agency has indicated that this would not be a significant change for the water quality permitting program. Because applications for such facilities could not be referred to SOAH for conducting a contested case hearing, it is assumed that the agency would conduct any such contested case hearing.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** JOB, SD, TL, HC