

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 15, 2011

TO: Honorable Wayne Smith, Chair, House Committee on Environmental Regulation

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

IN RE: HB919 by Allen (Relating to monitoring, permitting, and reducing emissions of certain air contaminants and pollutants.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would modify the Texas Commission on Environmental Quality (TCEQ)'s current Air Pollutant Watch List (APWL) process, requiring that the APWL identify each air contaminant to be included on the list and each geographic area of the state where ambient air monitoring indicates either individual or cumulative emissions may cause short-term or long-term health effects or odors. The proposed language includes requirements for publishing notice and allowing public comment on the addition or removal of a contaminant or area, and a requirement for a public meeting in APWL areas to provide residents with information on the reasons for including an area on the APWL and TCEQ actions to reduce emissions of specific air contaminants in that area.

The bill would also require the TCEQ to implement a strategic plan for each area on the APWL to reduce emissions to a degree that an area may be removed from the APWL list over a period not to exceed five years. The plan would include benchmarks and monitoring schedules for achieving reduced emissions, a procedure to identify sources that are out of compliance, and a way to bring out-of-compliance sources into compliance using enforcement available to TCEQ. The plan would also include methods by which owners and operators of sources may cooperate to reduce emissions of APWL contaminants in APWL areas.

Any costs to the TCEQ in implementing the bill's provisions are expected to be absorbed using existing agency resources.

Local Government Impact

The TCEQ reports that demands on local government air programs (delegated by the TCEQ) may increase, and local governments with emissions of APWL contaminants could incur costs in reducing such contaminants over a five-year period. This estimate assumes that such costs would not be significant.

Source Agencies: 582 Commission on Environmental Quality

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