

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 13, 2011**

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

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

**IN RE: SB1471** by Hinojosa (Relating to land reclamation projects using tires.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill proposes to make changes to the procedures for those submitting applications to the Texas Commission on Environmental Quality (TCEQ) for Land Reclamation Projects Using Tires (LRPUT). The bill would provide that a person could not begin a LRPUT without a permit from the TCEQ and would allow the agency to grant an exception to allow for the burial of whole tires in a LRPUT. The TCEQ would be required to take input from local governments before issuing a permit for a LRPUT. Applications for a LRPUT would be required to include an analysis and evaluation of the environmental impacts on the soil and groundwater in the area of the proposed project. The analysis would require a comparison of the impact of using scrap tires for the proposed reclamation project to the impact of at least one reasonable alternative method of land reclamation for the proposed project.

The bill would require the TCEQ to adopt rules before September 1, 2012 to prescribe minimum standards to protect soil and water and adopt forms and procedures for the permitting process. On or after the effective date of the Act, any ongoing or pending LRPUT that had not yet placed tires below ground would be prohibited from placing tires until they had obtained a permit under the new requirements of the bill.

The TCEQ expects that additional workload resulting from passage of the bill could be absorbed using existing agency resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

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

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