

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 13, 2015

TO: Honorable Geanie Morrison, Chair, House Committee on Environmental Regulation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB281 by Simmons (Relating to a limitation on the expansion of certain landfills.), As
Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 361 of the Health and Safety Code to provide that the Texas Commission on Environmental Quality (TCEQ) may not approve an application for the issuance, amendment, or renewal of a permit that seeks to expand the area or capacity of a landfill unless approved by resolution or order by the governing bodies of each affected local government. TCEQ would be required to provide members of the legislature who represent the district containing the landfill with an opportunity to comment; and must consider those comments. Based on the applicability criteria, the provisions would currently apply to Bexar, Collin, Dallas, Denton, El Paso, Harris, Hidalgo, Tarrant, and Travis counties, and only to municipalities within those counties within 500 feet of another municipality.

TCEQ indicated changes to rules, policies, and procedures regarding the submittal, evaluation, and approval of applications for new permits and permit amendments for Type I municipal solid waste landfills located in affected areas would be necessary. In addition, TCEQ would need to develop a method for determining which local governments have jurisdiction for affected applications. TCEQ anticipates any additional work could be reasonably absorbed within current resources.

Local Government Impact

According to the analysis by TCEQ, there could be costs to the affected local governments that chose to conduct administrative and technical reviews of the applications; however, the amounts would vary depending on how a resolution or order is developed, current processes, the number of reviews conducted, and the costs incurred for the reviews.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, SZ, SD, EK, TL