

SUBJECT: Adding water quality and solid waste to small business assistance program

COMMITTEE: Environmental Regulation — favorable, without amendment

VOTE: 6 ayes — Bonnen, Kuempel, Crownover, Chisum, W. Smith, West

0 nays

1 absent — Flores

WITNESSES: For — Mary Miksa, Texas Association of Business; (*registered but did not testify*;) Mark Shilling, National Federation of Independent Business

Against — None

BACKGROUND: The federal Clean Air Act Amendments of 1990 require each state to develop a program to assist small businesses in complying with the act. In 1991, the 72nd Legislature enacted SB 2, requiring the Texas Natural Resource Conservation Commission (TNRCC) to create a Small Business Stationary Source Assistance Program.

Program staff have found that the environmental compliance needs of small businesses are not limited to air quality and that they also need and have requested assistance in complying with water quality and solid waste regulations. In offering comprehensive environmental compliance assistance to small businesses, the program now provides services beyond the scope of its original statutory authority.

The Texas Commission on Environmental Quality (TCEQ), formerly TNRCC, has no other program responsible for assisting small businesses with water quality and solid waste compliance.

DIGEST: HB 44 would rename the Small Business Stationary Source Assistance Program under TCEQ as the Small Business Compliance Assistance Program and authorize the program to assist small businesses with water quality and solid waste regulatory compliance in addition to air quality. It also would

HB 44  
House Research Organization  
page 2

move the program's enabling statute from Health and Safety Code, sec. 382.0365, to Water Code, sec. 5.135.

The bill would take effect September 1, 2003.