Texas Commission on Environmental Quality

Summary of the FY 2011 Recommended Operating Budget

July 28, 2010

Texas Commission on Environmental Quality
FY 2011 Operating Budget

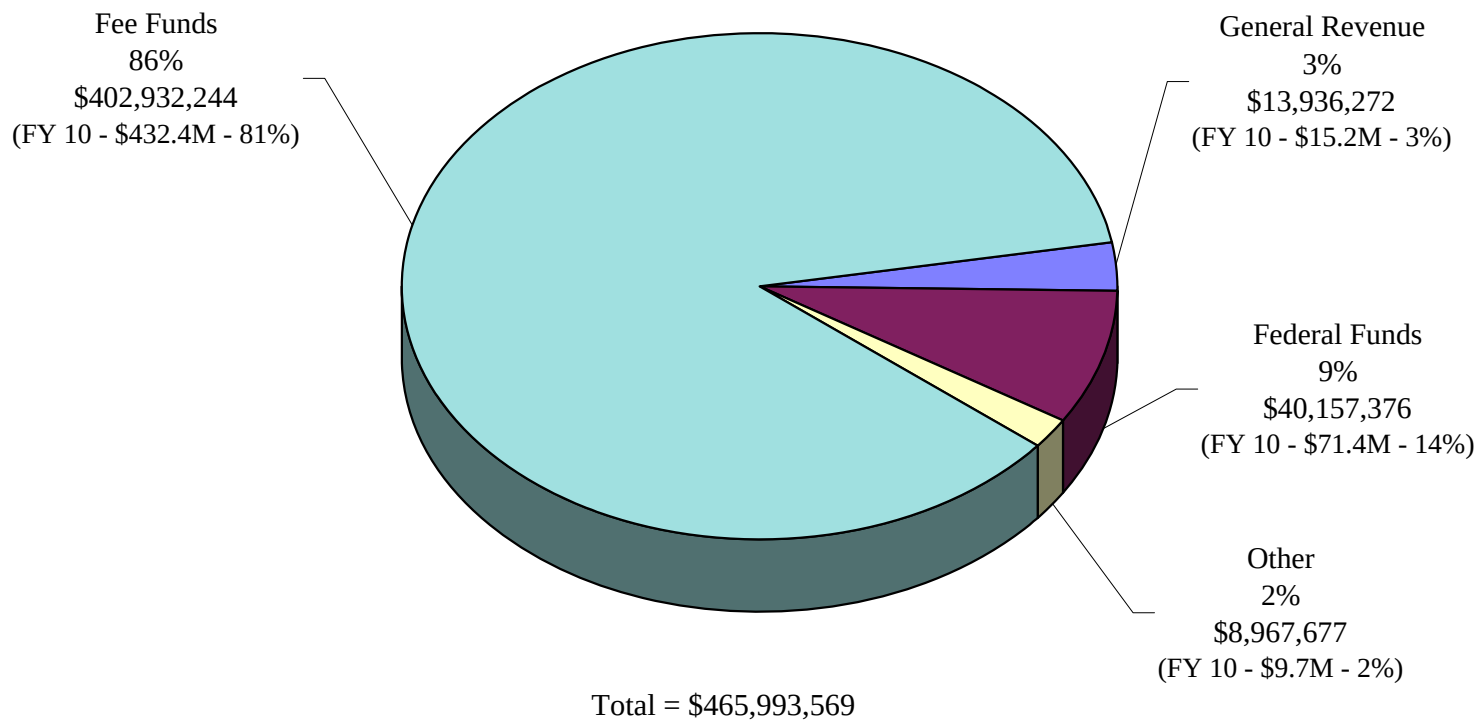
Appropriation Summary

	FY 2010		FY 2011	
	Budget	**FTE**	**Budget**	**FTE**
Baseline Appropriations				
Article VI - Baseline	**$ 492,260,476**	**2,971.3**	**$ 471,894,939**	**2,992.3**
Other Appropriations				
HB 4586: Supplemental Appropriation - TERP (UB)	37,000,000	0.0	0	0.0
Article IX Section 17.81 HB 1796: TERP	521,074	9.0	521,074	9.0
Article IX Section 17.81 HB 1796: List of Voluntary Emissions Reduction	250,000	0.0	250,000	0.0
Article IX Section 17.96 SB 876: Annual Soil Tests for Concentrated Animal Feeding	166,583	0.0	108,083	0.0
Article XII American Recovery and Reinvestment Act (ARRA) - LUST	10,779,000	0.0	0	0.0
Article XII American Recovery and Reinvestment Act (ARRA) - Clean School Bus	1,730,000	0.0	0	0.0
Article IX Section 8.02 Federal Funds	5,130,474	0.0	(69,543)	0.0
Article XII, Section 29 American Recovery and Reinvestment Act (ARRA) - TERP	13,165,683	0.0	0	0.0
American Recovery and Reinvestment Act (ARRA) - 604(b) Water Quality Management	1,269,984	0.0	539,016	0.0
Article XII, Section 8.03 Reimbursements and Payments	2,356,885	0.0	0	0.0
Other Appropriations	**72,369,683**	**9.0**	**1,348,630**	**9.0**
Total Appropriations	**564,630,159**	**2,980.3**	**473,243,569**	**3,001.3**
5% Reduction	**(36,000,002)**	**0.0**	**(7,250,000)**	**0.0**
Total Adjusted Budget	**$ 528,630,157**	**2,980.3**	**$ 465,993,569**	**3,001.3**

Significant variances - ARRA grants $27M, One-time Riders $7.5M, PST $7.4M, Federal Funds ending or pending award $5M, Capital $3.7M, Cost Recovery $2.4M

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Method of Finance



Significant variances - ARRA grants $27M, One-time Riders $7.5M, PST $7.4M, Federal Funds ending or pending award $5M, Capital $3.7M, Cost Recovery $2.4M

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table I - FTE Comparison by Office & Division

Office	FY 2010	FY 2011	Difference
Commissioners			
Commissioners	10.00	10.00	0.00
Office of Chief Clerk	24.00	24.00	0.00
Office of General Counsel	12.00	12.00	0.00
Office of Public Assistance	13.00	13.00	0.00
Public Interest Counsel	8.00	8.00	0.00
Chief Auditors Office	19.00	19.00	0.00
Subtotal	**86.00**	**86.00**	**0.00**
Executive			
Executive	11.00	11.00	0.00
Chief Financial Officer	6.00	6.00	0.00
Budget & Planning	23.00	23.00	0.00
Small Business & Environmental Assistance	73.13	70.13	(3.00)
Agency Communications	27.00	27.00	0.00
Intergovernmental Relations	14.00	13.00	(1.00)
Subtotal	**154.13**	**150.13**	**(4.00)**
Administrative Services			
Administration	5.00	5.00	0.00
Human Resources & Staff Development	35.00	34.00	(1.00)
Financial Administration	86.00	86.00	0.00
Support Services	65.00	64.00	(1.00)
Information Resources	146.75	146.75	0.00
Subtotal	**337.75**	**335.75**	**(2.00)**

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table I - FTE Comparison by Office & Division

Office	FY 2010	FY 2011	Difference
Compliance & Enforcement			
OCE Administration	16.00	17.00	1.00
Enforcement	115.00	116.00	1.00
Remediation	192.00	192.00	0.00
Field Operations	924.45	944.45	20.00
Subtotal	**1,247.45**	**1,269.45**	**22.00**
Legal Services			
Office of Legal Services	7.75	7.75	0.00
Litigation	48.75	48.75	0.00
Environmental Law	45.13	45.13	0.00
General Law	56.13	56.13	0.00
Subtotal	**157.75**	**157.75**	**0.00**
Permitting & Registration			
Office of Permitting	5.00	5.00	0.00
Waste Permits	91.00	91.00	0.00
Air Permits	192.25	193.25	1.00
Permitting & Remediation Support	79.00	79.00	0.00
Radioactive Materials	35.50	35.50	0.00
Subtotal	**402.75**	**403.75**	**1.00**

The increase in Field Operations - Office of Compliance and Enforcement is mostly associated with Dam Saftey - 12.0 and Ozone - 8.0

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table I - FTE Comparison by Office & Division

Office	FY 2010	FY 2011	Difference
Office of Water			
Office of Water	5.00	5.00	0.00
Water Quality	100.63	100.63	0.00
Water Supply	168.35	167.35	(1.00)
Water Quality Planning	102.50	101.50	(1.00)
Subtotal	**376.48**	**374.48**	**(2.00)**
Chief Engineer's Office			
Chief Engineer's Office	6.00	6.00	0.00
Toxicology	16.00	16.00	0.00
Air Quality	195.00	193.00	(2.00)
Subtotal	**217.00**	**215.00**	**(2.00)**
Agency Wide	1.00	9.00	8.00
Agency Total	**2,980.30**	**3,001.30**	**21.00**

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table II - Budget Comparison Summary

Office	FY 2010	FY 2011	Difference	% of Change
Commissioners	$ 6,605,572	$ 6,604,494	$ (1,078)	(0.02%)
Executive	20,861,375	15,634,851	(5,226,524)	(25.05%)
Administrative Services	51,830,658	49,692,897	(2,137,761)	(4.12%)
Compliance & Enforcement	144,613,097	120,429,037	(24,184,060)	(16.72%)
Legal Services	10,213,414	10,178,486	(34,928)	(0.34%)
Permitting & Registration	38,679,020	38,374,629	(304,391)	(0.79%)
Water	49,179,210	46,584,441	(2,594,769)	(5.28%)
Chief Engineer's Office	199,824,691	173,551,263	(26,273,428)	(13.15%)
Agency Wide	6,823,120	4,943,471	(1,879,649)	(27.55%)
Agency Total	$ 528,630,157	$ 465,993,569	$ (62,636,588)	(11.85%)

Significant variances - ARRA grants $27M, One-time Riders $7.5M, PST $7.4M, Federal Funds ending or pending award $5M, Capital $3.7M, Cost Recovery $2.4M

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table III - Budget Comparison by Office & Division

Office	Division	FY 2010	FY 2011	Difference	% of Change
Commissioners					
	Commissioners	$ 1,097,884	$ 1,087,781	$ (10,103)	(0.92%)
	Office of Chief Clerk	953,240	984,955	31,715	3.33%
	Office of General Counsel	1,872,005	1,850,682	(21,323)	(1.14%)
	Office of Public Assistance	866,441	884,846	18,405	2.12%
	Public Interest Counsel	544,986	555,645	10,659	1.96%
	Chief Auditors Office	1,271,016	1,240,585	(30,431)	(2.39%)
	Subtotal	6,605,572	6,604,494	(1,078)	(0.02%)
Executive					
	Executive	1,009,500	1,013,034	3,534	0.35%
	Chief Financial Officer	309,690	451,510	141,820	45.79%
	Budget & Planning	1,424,345	1,299,066	(125,279)	(8.80%)
	Small Business & Environmental Assistance	14,029,567	8,771,887	(5,257,680)	(37.48%)
	Agency Communications	1,909,986	1,930,036	20,050	1.05%
	Intergovernmental Relations	1,243,153	1,234,184	(8,969)	(0.72%)
	Seminar Account	935,134	935,134	0	0.00%
	Subtotal	20,861,375	15,634,851	(5,226,524)	(25.05%)
Administrative Services					
	Administration	468,220	469,378	1,158	0.25%
	Human Resources & Staff Development	2,364,395	2,345,349	(19,046)	(0.81%)
	Financial Administration	4,252,797	4,210,375	(42,422)	(1.00%)

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table III - Budget Comparison by Office & Division

Office	Division	FY 2010	FY 2011	Difference	% of Change
Administrative Services - Continued					
	Support Services	14,424,487	$ 14,393,075	$ (31,412)	(0.22%)
	Information Resources	30,320,759	28,274,720	(2,046,039)	(6.75%)
	Subtotal	51,830,658	49,692,897	(2,137,761)	(4.12%)
Compliance & Enforcement					
	OCE Administration	5,611,325	4,579,004	(1,032,321)	(18.40%)
	Enforcement	5,758,614	5,800,375	41,761	0.73%
	Remediation	67,078,453	46,114,163	(20,964,290)	(31.25%)
	Field Operations	66,164,705	63,935,495	(2,229,210)	(3.37%)
	Subtotal	144,613,097	120,429,037	(24,184,060)	(16.72%)
Legal Services					
	Office of Legal Services	564,596	572,838	8,242	1.46%
	Litigation	3,805,186	3,786,513	(18,673)	(0.49%)
	Environmental Law	3,064,461	3,077,319	12,858	0.42%
	General Law	2,779,171	2,741,816	(37,355)	(1.34%)
	Subtotal	10,213,414	10,178,486	(34,928)	(0.34%)
Permitting & Registration					
	Office of Permitting	661,020	383,315	(277,705)	(42.01%)
	Waste Permits	16,819,742	16,939,665	119,923	0.71%
	Air Permits	11,453,999	11,636,471	182,472	1.59%

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table III - Budget Comparison by Office & Division

Office	Division	FY 2010	FY 2011	Difference	% of Change
Permitting & Registration - Continued					
	Permitting & Registration Support	6,370,003	6,437,955	67,952	1.07%
	Radioactive Materials	3,374,256	2,977,223	(397,033)	(11.77%)
	Subtotal	38,679,020	38,374,629	(304,391)	(0.79%)
Water					
	Office of Water	0	445,816	445,816	100.00%
	Water Quality	6,389,085	6,460,866	71,781	1.12%
	Water Supply	18,853,022	16,983,191	(1,869,831)	(9.92%)
	Water Quality Planning	23,937,103	22,694,568	(1,242,535)	(5.19%)
	Subtotal	49,179,210	46,584,441	(2,594,769)	(5.28%)
Chief Engineer's Office					
	Chief Engineer's Office	599,134	542,620	(56,514)	(9.43%)
	Toxicology	1,675,208	1,677,583	2,375	0.14%
	Air Quality	197,550,349	171,331,060	(26,219,289)	(13.27%)
	Subtotal	199,824,691	173,551,263	(26,273,428)	(13.15%)
Agency Wide					
	Other	6,823,120	4,943,471	(1,879,649)	(27.55%)
	Subtotal	6,823,120	4,943,471	(1,879,649)	(27.55%)
Agency Total		$ 528,630,157	$ 465,993,569	$ (62,636,588)	(11.85%)

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table IV - Remediation, Reimbursement and Grant (RRG) Contracts

Remediation, Reimbursement and Grant		
Water Quality Clean Rivers	$	4,719,287
Solid Waste Management Grants		10,986,324
Local Air Grants - State		1,290,076
Local Air Grants - Federal		862,500
Petroleum Storage Tank Program		11,765,800
Near-Non Attainment		2,537,500
Superfund		15,125,408
Estuary Programs		1,807,029
Low Income Vehicle Assistance Program		49,677,000
Water Quality Grants		6,748,583
Dry Cleaning Facilities		6,535,651
Small RRG Contracts		2,055,986
American Recovery and Reinvestment Act - 604(b) Water Quality Grants		478,445
Rider 14 - Air Modeling		1,246,758
Subtotal		**115,836,347**
Texas Emissions Reduction Plan		
Diesel Emissions Reduction Incentive Grants		97,133,494
New Technology Research & Development Grants		10,280,353
Subtotal		**107,413,847**
Agency Total	**$**	**223,250,194**

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table V - Budget Category Comparison

Budget Category	FY 2010	FY 2011	Difference	% of Change
Salaries	160,034,595	$ 163,797,994	$ 3,763,399	2.35%
Salary Enhancements	3,900,000	3,900,000	0	0.00%
Subtotal	163,934,595	167,697,994	3,763,399	2.35%
Other Operating Costs				
Professional/Temporary	54,173,282	43,260,807	(10,912,475)	(20.14%)
Travel In-State	2,062,671	1,960,960	(101,711)	(4.93%)
Travel Out-of-State	274,091	263,438	(10,653)	(3.89%)
Training	1,766,425	1,541,372	(225,053)	(12.74%)
Rent-Building	5,449,929	5,494,466	44,537	0.82%
Postage	1,065,970	850,903	(215,067)	(20.18%)
Telephone & Utilities	2,490,873	2,385,063	(105,810)	(4.25%)
Supplies	1,307,091	1,343,382	36,291	2.78%
Capital (not limited to LAR Capital)	5,164,571	3,006,163	(2,158,408)	(41.79%)
Other Operating Costs	9,311,857	7,473,677	(1,838,180)	(19.74%)
Fuels and Lubricants	760,986	713,600	(47,386)	(6.23%)
Rent-Machine and Other	1,306,434	1,189,545	(116,889)	(8.95%)
Facilities, Furnishings and Equipment	6,959,217	5,562,005	(1,397,212)	(20.08%)
Subtotal	92,093,397	75,045,381	(17,048,016)	(18.51%)
Remediation, Reimbursements & Grant Contracts				
Other Remediation, Reimbursements & Grants	142,132,638	115,836,347	(26,296,291)	(18.50%)
Texas Emissions Reduction Plan	130,469,527	107,413,847	(23,055,680)	(17.67%)
Subtotal	272,602,165	223,250,194	(49,351,971)	(18.10%)
Agency Total	$ 528,630,157	$ 465,993,569	$ (62,636,588)	(11.85%)

Significant variances - ARRA grants $27M, One-time Riders $7.5M, PST $7.4M, Federal Funds ending or pending award $5M, Capital $3.7M, Cost Recovery $2.4M

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table VI - Capital Budget Comparison

	FY 2010	FY 2011	Difference
Information Technology			
Data Center Consolidation	$ 10,479,760	$ 9,119,760	$ (1,360,000)
Personal Computer and Printer Replacement	1,087,000	1,087,500	500
Software	167,473	167,473	0
Integrated Billing and Accounts Receivable System	165,000	165,000	0
Data Network and Security	790,000	786,000	(4,000)
Texas Emissions Reduction Program Database	500,000	500,000	0
Permitting and Registration Information System (PARIS)	1,700,001	1,699,999	(2)
Photochemical Modeling Computing System	320,000	0	(320,000)
Dam Safety CCEDS	250,000	0	(250,000)
Air Permits Allowable Emissions Database	554,000	699,600	145,600
Total Acquisition of Information Resource Technology	**16,013,234**	**14,225,332**	**(1,787,902)**
Transportation Items			
Replacement Boats	97,285	32,000	(65,285)
Replacement Vehicles for Agency Fleet	1,632,249	559,679	(1,072,570)
Total Transportation Items	**1,729,534**	**591,679**	**(1,137,855)**
Acquisition of Capital Equipment and Items			
Air Monitoring Equipment	1,440,165	1,195,269	(244,896)
Water Monitoring and Analysis Equipment	637,500	637,500	0
Eight Hour Ozone Regulations Monitoring Equipment	573,500	0	(573,500)
Total Acquisition of Capital Equipment and Items	**2,651,165**	**1,832,769**	**(818,396)**
Agency Total	**$ 20,393,933**	**$ 16,649,780**	**$ (3,744,153)**

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table VII - Information Technology Project Descriptions

Project Name	PROJECT DESCRIPTION	FY 2011
Data Center Consolidation	The project consists of existing information technology infrastructure assets and functions. Services include provision and management of application and utility servers, storage, system software, backup and recovery, and most utility and application software except for mission-specific applications. Service functions include system administration, physical database administration, procurement, and technical support.	$9,119,760
Personal Computer and Printer Replacement	The project replaces personal computer workstations on a 5-year cycle and replacement printers on a six year cycle. Approximately 466 PC's, 100 Laptops and 42 Printers at the end of their lifecycle will be replaced.	1,087,500
Software	The project collects new and expanded software license requirements that are not associated with a particular software development project. Most of these requirements result from extending existing applications and services to more clients, either agency staff, clients in the regulated community, or the public.	167,473
Integrated Billing and Accounts Receivable System	The project enhances the interface between the Consolidated Compliance & Enforcement Data System (CCEDS) and the Accounts Receivable System through improvements to the Penalty Payment Detail Window. By establishing an interface, it will be possible to consolidate and standardize three individual ePay interface files into one procedure.	165,000
Data Network and Security	The project replaces, adds capacity, or adds capability to data network hardware, related software components, and some data network security and management components on a planned schedule. It also includes some new capabilities to expand the data network bandwidth, capacity or increase security.	786,000
Texas Emission Reduction Plan Database	The project creates a modern and secure database for internal and external use to track grant application, contracting, fiscal payment, and monitoring data managed by the Texas Emissions Reduction Plan (TERP) Program. It will replace the current Access-based system which was identified as high risk by Internal Audit and program management.	500,000

Texas Commission on Environmental Quality
FY 2011 Operating Budget

Table VII - Information Technology Project Descriptions

Project Name	PROJECT DESCRIPTION	FY 2011
Permitting and Registration Information System	The project is used for the analysis, design, and partial replacement of the existing Texas Regulatory Activities and Compliance System (TRACS) for electronic data management of registrations and permits. The system will be integrated for the long term storage, management, and assessment of registration and facility activity data with existing and planned data flow between it, Central Registry, Accounts Receivable and other regulatory applications.	1,699,999
Air Permits Allowable Emissions Database	The primary objective of the Air Permits allowable database project is to develop a database to store information concerning allowable air emissions from permitted air sources in Texas. The database will also have the ability to retrieve and correlate data with existing agency databases.	699,600
Total Information Technology Projects		**$14,225,332**

Texas Commission on Environmental Quality

Summary of the Recommended
2012-2013
Legislative Appropriations Request

July 28, 2010

Table of Contents

Title of Schedule	Page
10% Reduction	1
Summary of Base Request by Method of Finance	2
Summary of Capital Budget Request	3
Summary of Exceptional Item Request	4
Exceptional Item Request Descriptions	5
Summary of Rider Revisions	6
Article VI Rider Revisions	9

Legislative Appropriations Request
Fiscal Years 2012-2013

10% Reduction (Supplemental Schedule)

Calculation	GR/GRD Total
General Revenue and General Revenue Dedicated	862,441,446
Biennial 10% Reduction - Supplemental Schedule	(86,244,145)
5% Tier	(43,122,073)
5% Tier	(43,122,072)
2012/2013 GR Related Limit - Total	**776,197,301**

	Recommendation
5% Tier	
Low Income Repair Assistance Program	19,000,000
TERP - New Technology Incentive Grants (NTIG)	10,000,000
TERP - New Technology Research and Development (NTRD) - Grants and Research	9,622,073
TERP - School Bus	1,800,000
Hawkins Waste and Scrap Tire Cleanup	1,200,000
Mickey Leland National Urban Air Toxics Research	1,000,000
Carrizo-Wilcox Aquifer	500,000
Total	**43,122,073**
5% Tier	
Low Income Repair Assistance Program	19,000,000
TERP - New Technology Incentive Grants (NTIG)	10,000,000
TERP - New Technology Research and Development (NTRD) - Grants and Research	9,622,072
TERP - School Bus	3,500,000
Dry Cleaning	1,000,000
Total	**43,122,072**
Total 10% Reduction	**86,244,145**

Note: Amounts presented as Biennial Totals.

Legislative Appropriations Request
Fiscal Years 2012-2013

Summary of Base Request by Method of Finance

MOF Code	Method of Financing	Expended 2009	Estimated 2010	Budget 2011	Total 2010/2011	Request 2012	Request 2013	Total 2012/2013
	General Revenue Fund							
0001	General Revenue Fund	$ 10,928,168	$ 14,566,943	$ 14,529,076	$ 29,096,019	$ 14,448,772	$ 14,147,247	$ 28,596,019
	Subtotal, General Revenue Fund (GR)	**$ 10,928,168**	**$ 14,566,943**	**$ 14,529,076**	**$ 29,096,019**	**$ 14,448,772**	**$ 14,147,247**	**$ 28,596,019**
	General Revenue Fund - Dedicated							
0088	Low Level Waste Account No. 088	$ 1,267,523	$ 1,299,323	$ 2,155,323	$ 3,454,646	1,747,323	1,707,323	$ 3,454,646
0146	Used Oil Recycling Account No. 146	922,602	957,839	945,807	$ 1,903,646	957,839	945,807	1,903,646
0151	Clean Air Account No. 151	101,362,520	102,937,097	102,464,599	$ 205,401,696	105,300,468	99,101,228	204,401,696
0153	Water Resource Management Account No. 153	47,433,460	53,269,452	52,494,735	$ 105,764,187	53,101,243	52,662,944	105,764,187
0158	Watermaster Administration No. 158	1,351,937	1,186,649	1,545,250	$ 2,731,899	1,365,950	1,365,949	2,731,899
0468	Occupational Licensing Account No. 468	1,628,246	1,780,776	1,670,776	$ 3,451,552	1,725,776	1,725,776	3,451,552
0549	Waste Management Account No. 549	39,934,680	34,193,462	33,246,419	$ 67,439,881	33,702,975	33,736,906	67,439,881
0550	Hazardous & Solid Waste Remediation Fee Account No. 550	32,608,620	29,413,421	32,156,879	$ 61,570,300	30,856,545	30,713,755	61,570,300
0655	Petroleum Storage Tank Remediation Account No. 655	40,456,340	29,615,349	22,672,321	$ 52,287,670	29,867,350	22,420,320	52,287,670
5000	Solid Waste Disposal Account No. 5000	10,986,323	12,186,324	10,986,324	$ 23,172,648	10,986,324	10,986,324	21,972,648
5065	Environmental Testing Laboratory Accreditation Acct No. 5065	453,258	456,842	456,842	$ 913,684	456,842	456,842	913,684
5071	Texas Emissions Reduction Plan Account No. 5071	277,537,274	72,302,476	156,355,372	$ 228,657,848	114,328,924	114,328,924	228,657,848
5093	Dry Cleaning Release Account No. 5093	8,880,737	7,228,932	7,224,222	$ 14,453,154	7,228,932	7,224,222	14,453,154
5094	Operating Permit Fees Account No. 5094	29,700,636	30,892,855	31,249,781	$ 62,142,636	31,077,918	31,064,718	62,142,636
	Subtotal, General Revenue Fund - Dedicated (GRD)	**$ 594,524,156**	**$ 377,720,797**	**$ 455,624,650**	**$ 833,345,447**	**$ 422,704,409**	**$ 408,441,038**	**$ 831,145,447**
	Federal Funds							
0555	Federal Funds	42,979,989	43,610,718	42,412,956	$ 86,023,674	39,167,519	39,397,825	$ 78,565,344
0369	American Recovery and Reinvestment Act	0	26,945,367	539,016	$ 27,484,383	0	0	0
	Subtotal, Federal Funds	**$ 42,979,989**	**$ 70,556,085**	**$ 42,951,972**	**$ 113,508,057**	**$ 39,167,519**	**$ 39,397,825**	**$ 78,565,344**
	Other Funds							
0666	Appropriated Receipts	$ 1,578,382	$ 3,967,853	$ 1,145,348	$ 5,113,201	$ 1,145,348	$ 1,145,348	$ 2,290,696
0777	Interagency Contracts	8,569,579	8,717,769	7,924,726	$ 16,642,495	7,924,726	7,924,726	$ 15,849,452
	Subtotal, Other Funds	**$ 10,147,961**	**$ 12,685,622**	**$ 9,070,074**	**$ 21,755,696**	**$ 9,070,074**	**$ 9,070,074**	**$ 18,140,148**
	Grand Total, Method of Finance	**$ 658,580,274**	**$ 475,529,447**	**$ 522,175,772**	**$ 997,705,219**	**$ 485,390,774**	**$ 471,056,184**	**$ 956,446,958**
	Total, FTEs	2,912.1	2,980.3	3,001.3		3,001.3	3,001.3	

Legislative Appropriations Request
Fiscal Years 2012-2013

Summary of Capital Budget Request

Item	Appropriated 2010	Appropriated 2011	Total 2010/2011	Request 2012	Request 2013	Total 2012/2013
Data Center Consolidation	10,879,760	9,119,760	19,999,520	9,800,000	9,800,000	19,600,000
Personal Computer and Printer Replacement	1,087,000	1,087,500	2,174,500	1,087,000	1,087,500	2,174,500
Software	167,473	167,473	334,946	167,473	167,473	334,946
Integrated Billing and Accounts Receivable System	165,000	165,000	330,000	0	0	0
Data Network and Security	790,000	786,000	1,576,000	815,000	796,000	1,611,000
Texas Emissions Reduction Program Database	500,000	500,000	1,000,000	0	0	0
Permitting and Registration Information System (PARIS)	1,700,001	1,699,999	3,400,000	1,700,001	1,699,999	3,400,000
Photochemical Modeling Computing System	320,000	0	320,000	0	0	0
Dam Safety CCEDS	250,000	0	250,000	0	0	0
Air Permits Allowable Emissions Database	554,000	699,600	1,253,600	0	0	0
Emissions Banking and Trading Program Database	0	0	0	400,000	300,000	700,000
Documentation for Fees 185	0	0	0	164,310	130,210	294,520
Total Acquisition of Information Resource Technology	**16,413,234**	**14,225,332**	**30,638,566**	**14,133,784**	**13,981,182**	**28,114,966**
Transportation Items						
Replacement Boats	97,285	32,000	129,285	97,285	32,000	129,285
Replacement Vehicles for Agency Fleet	1,632,249	559,679	2,191,928	1,632,249	559,679	2,191,928
Total Transportation Items	**1,729,534**	**591,679**	**2,321,213**	**1,729,534**	**591,679**	**2,321,213**
Acquisition of Capital Equipment and Items						
Air Monitoring and Analysis Equipment	1,196,010	1,195,269	2,391,279	1,769,510	1,195,269	2,964,779
Water Monitoring and Analysis Equipment	637,500	637,500	1,275,000	637,500	637,500	1,275,000
Eight Hour Ozone Regulations Monitoring Equipment	573,500	0	573,500	0	0	0
Total Acquisition of Capital Equipment and Items	**2,407,010**	**1,832,769**	**4,239,779**	**2,407,010**	**1,832,769**	**4,239,779**
Total Capital Budget	**20,549,778**	**16,649,780**	**37,199,558**	**18,270,328**	**16,405,630**	**34,675,958**

Legislative Appropriations Request
Fiscal Years 2012-2013

Summary of Exceptional Item Requests

Project Name	2012	FTEs	2013	FTEs	Biennium	FTEs	MOF
Air Toxic Monitors	1,869,150	1.00	757,950	1.00	2,627,100	1.00	0151
Air Quality Network	1,752,400	0.00	690,350	0.00	2,442,750	0.00	0151
TLLRWD Compact Commission - Operational	545,164	0.00	608,914	0.00	1,154,078	0.00	0088
TLLRWD Compact Commission - Contingency Litigation	93,750	0.00	93,750	0.00	187,500	0.00	0088
Data Center Consolidation (DCC)	1,200,000	0.00	1,200,000	0.00	2,400,000	0.00	0001
Grand Total	**5,460,464**	**1.00**	**3,350,964**	**1.00**	**8,811,428**	**1.00**	

Method of Finance		2012	FTEs	2013	FTEs	Biennium	FTEs
0001	General Revenue	1,200,000	0.00	1,200,000	0.00	2,400,000	0.00
0088	Low Level Radioactive Waste	638,914	0.00	702,664	0.00	1,341,578	0.00
0151	Clean Air Account	3,621,550	1.00	1,448,300	1.00	5,069,850	1.00
Grand Total		**5,460,464**	**1.00**	**3,350,964**	**1.00**	**8,811,428**	**1.00**

Legislative Appropriations Request
Fiscal Years 2012-2013

Exceptional Item Request Descriptions

Priority	Item	Description	FY 2012 Request	FY 2012 FTEs	FY 2013 Request	FY 2013 FTEs	Biennium Request
	Air Toxics Monitoring	Concern over the potential health impacts of emissions from industrial sources has lead to the need for additional (8) air toxics monitors to be deployed. FY12 - $1,200,00 LAR Capital	1,869,150	1.00	757,950	1.00	2,627,100
	Air Quality Network	New rules are expected for all National Ambient Air Quality Standards pollutants by 2012. The new rules include new air monitoring requirements. To comply with these federal requirements, the TCEQ must expand the monitoring network, including: Lead monitoring at 12 additional sites, Carbon monoxide and nitrogen dioxide monitoring at 8 additional sites, Sulfur dioxide monitoring at 13 new sites and Ozone monitoring at ten new sites. FY12 - $950,900 LAR Capital FY13 - $94,000 LAR Capital	1,752,400	0.00	690,350	0.00	2,442,750
	Texas Low Level Radioactive Waste Disposal Compact Commission - Operational	The Compact Commission has requested TCEQ to submit their request to support operational cost such as an Executive Director, administrative support, legal, accountant, and consultant services. The exceptional item represents 75% of the total request. The remaining 25% will be supported by Vermont.	545,164	0.00	608,914	0.00	1,154,078
	Texas Low Level Radioactive Waste Disposal Compact Commission - Contingency Litigation	The Compact Commission has requested TCEQ to submit a request for contingency appropriation to hire legal counsel to defend the Compact Commission and its members, in the event legal action is brought against them. The exceptional item represents 75% of the total request. The remaining 25% will be supported by Vermont.	93,750	0.00	93,750	0.00	187,500
	Data Center Consolidation (DCC)	The Data Center Consolidation project requires the ability to support the natural growth of data systems not covered by baseline. Expected areas of growth and expansion include: increased application servers, database servers, storage and associated software licenses to improve system reliability, failover redundancy and additional network connections required by moving to multiple statewide data centers, increases in processing and memory capacity to accommodate more complex application systems, additional regulatory activity, growing data storage needs for ambient monitoring data, regulatory information, and geographical information. FY12 - $1,200,000 LAR Capital FY13 - $1,200,000 LAR Capital	1,200,000	0.00	1,200,000	0.00	2,400,000
Grand Total			**5,460,464**	**1.00**	**3,350,964**	**1.00**	**8,811,428**

Legislative Appropriations Request
Fiscal Years 2012-2013

Summary of Rider Revisions Request

Rider #	Rider Name	Overview of Revisions
1	Performance Measure Targets	Changed to reflect revisions in performance measure targets for 2012-2013.
2	Capital Budget	Changed for 2012-2013 to reflect the Capital Budget request.
3	Contingency Cash Flow	No change
4	Authorization: Aircraft Chartering	No change
5	Local Air Pollution Grants Allocation	No change
6	Fee Revenue: Pollution Control Equipment Exemptions	Updated years
7	Authorization: Operating Fund	No change
8	Appropriation: Air Quality Planning	Included additional language to indicate activities may be carried out by inter local agreements and language to indicate locally enforceable pollution reduction controls.
9	Appropriations Limited to Revenue Collections: Occupational Licensing	Updated years
10	Contract with the State Office of Administrative Hearings	Updated years
11	Petroleum Storage Tank Administration	No change
12	Texas Parks and Wildlife Environmental Special Investigations Unit	Updated years
13	Federal Funds and Capital Budget Expenditures	No change
14	Appropriation: Refinement and Enhancement of Modeling to Demonstrate Attainment with the Clean Air Act	Updated years. Removed "for ozone" and included language to assess air quality with other pollutants. Additionally, language was included to specify the funds may be used to analyze data.
15	Reallocation of Revenue and Balances for Certain Accounts	No change
16	Appropriation: Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP)	Updated years. Added language to reduce appropriations if fund reserves and revenue collections are insufficient to support rider.

Summary of Rider Revisions Request

Rider #	Rider Name	Overview of Revisions
17	Waste Tires	Delete. The results of the audits indicate that the vast majority of tires in Texas are being properly handled. The TCEQ will continue to enforce statutory and rule requirements regarding waste, scrap, or used tires.
18	Appropriations Limited to Revenue Collections: Automobile Emission Inspections	Updated years
19	Bosque River Water Quality Monitoring	No change
20	Appropriation: Administration Costs for the Texas River Compact Commissions	Updated years
21	Appropriation: Perpetual Care Account	Updated years
22	Environmental Health Institute	Updated years
23	Unexpended Balance Authority within the Biennium	Updated years
24	Nuisance Surveys for the Economically Distressed Areas Program	Updated years
25	Appropriation: Radioactive Materials Management	Delete. The funds are included in the baseline appropriations.
26	On-Site Wastewater Treatment Research Council Fee	No change
27	Texas Emissions Reduction Plan (TERP): Grants and Administration	Revised the total appropriated to $114,328,924 and revised allocations.
28	Reimbursement of Advisory Committees	Added the Tax Relief for Pollution Control Property Advisory Committee
29	Appropriation: Contracting for Debt Collection	Delete. The contract is managed with baseline appropriation. The rider is no longer required.
30	Authorization: Water and Air Program Fee Rates	Updated years
31	Contingency Appropriation: Revenue from Increased Fee Rates at Watermaster Offices	Updated years. Deleted language that states due to the implementation of increased fee rates.
32	Appropriation: Water Resource Management Account	Delete. TCEQ increased fees in the summer of 2009. Revenue collections are sufficient to support appropriations. The rider is no longer necessary.
33	Aggregate Operations along the San Jacinto River	No change

Legislative Appropriations Request
Fiscal Years 2012-2013

Summary of Rider Revisions Request

Rider #	Rider Name	Overview of Revisions
34	Appropriation: Hawkins Waste and Scrap Tire Cleanup	Delete. Project will be completed.
35	Appropriation: Mickey Leland National Urban Air Toxics Research Center	Delete. Project will be completed.
36	Appropriation: Carrizo-Wilcox Aquifer	Delete. Project will be completed.
37	Reimbursement of Advisory Committee Members	Delete. This advisory committee is being added to Rider 28.
38	Appropriation: Low-Level Radioactive Waste Compact Commission	Updated years. Compact Commission is requesting to remove language "to be used to reimburse members of" and "related to travel in performance of their duties as commissioners."
39	Appropriation: Air Permit Allowable Database	Delete. The database will be completed. The funds will be used to populate and maintain the database as well as support enhancements needed to implement additional applications.
40	Air Monitoring in Navarro County	Delete. TCEQ established an air quality monitor on June 2009.
41	GasFind IR Cameras	Delete. TCEQ currently owns and operates eight GasFind IR Cameras.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
1	**Performance Measure Targets.** This will be completed by Budget & Planning.	**Performance Measure Targets.** This will be completed by Budget & Planning.	Changed to reflect revisions in performance measure targets for 2012-2013.
2	**Capital Budget**. This will be completed by Budget & Planning.	**Capital Budget**. This will be completed by Budget & Planning.	Changed for 2012-2013 to reflect the Capital Budget request.
3	**Contingency Cash Flow.** If the Legislative Budget Board (LBB) and Governor determine after review of relevant information that cash flow difficulties will occur as a result of the appropriations made above, the LBB and Governor may authorize the Texas Commission on Environmental Quality (TCEQ) to temporarily expend General Revenue funds for the purpose of meeting the temporary cash flow needs of the TCEQ, limited to the amounts appropriated above. The transfer of funds shall be repaid to the General Revenue Fund by the end of the biennium in which the funds were transferred under procedures and standards established by the Comptroller of Public Accounts.	**Contingency Cash Flow.** If the Legislative Budget Board (LBB) and Governor determine after review of relevant information that cash flow difficulties will occur as a result of the appropriations made above, the LBB and Governor may authorize the Texas Commission on Environmental Quality (TCEQ) to temporarily expend General Revenue funds for the purpose of meeting the temporary cash flow needs of the TCEQ, limited to the amounts appropriated above. The transfer of funds shall be repaid to the General Revenue Fund by the end of the biennium in which the funds were transferred under procedures and standards established by the Comptroller of Public Accounts.	No changes.
4	**Authorization: Aircraft Chartering.** Notwithstanding any other provision of this Act, the Texas Commission on Environmental Quality is authorized to spend appropriated funds for the chartering of aircraft for the purposes of monitoring environmental quality and the enforcement of environmental and water rights laws of the State.	**Authorization: Aircraft Chartering.** Notwithstanding any other provision of this Act, the Texas Commission on Environmental Quality is authorized to spend appropriated funds for the chartering of aircraft for the purposes of monitoring environmental quality and the enforcement of environmental and water rights laws of the State.	No changes.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
5.	**Local Air Pollution Grants Allocation.** Out of the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, an amount not less than $2,800,000 in each year of the biennium shall be utilized to fund grants or cooperative agreements with eligible local air pollution programs under Health and Safety Code, § 382.0622. It is provided, however, that the combined federal and state share of the funding for any such local air pollution programs shall not exceed 67 percent of the total allocation to the programs, with the local share being based on the local dollars allocated pursuant to maintenance-of-effort requirements for federal air pollution grants.	**Local Air Pollution Grants Allocation.** Out of the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, an amount not less than $2,800,000 in each year of the biennium shall be utilized to fund grants or cooperative agreements with eligible local air pollution programs under Health and Safety Code, § 382.0622. It is provided, however, that the combined federal and state share of the funding for any such local air pollution programs shall not exceed 67 percent of the total allocation to the programs, with the local share being based on the local dollars allocated pursuant to maintenance-of-effort requirements for federal air pollution grants.	No changes.
6.	**Fee Revenue: Pollution Control Equipment Exemptions.** Pursuant to Tax Code, § 11.31, included in amounts appropriated above out of the General Revenue Fund in Strategy C.1.3, Pollution Prevention, Recycling, and Innovative Programs, is $221,000 each fiscal year from fee revenue collected beginning with the effective date of this Act for the purpose of determining whether pollution control equipment is exempt from taxation. In addition to amounts appropriated above, any amounts collected by the Texas Commission on Environmental Quality pursuant to Tax Code, § 11.31 on or after September 1, 2009, in excess of $221,000 in each fiscal year of the biennium are hereby appropriated to the agency.	**Fee Revenue: Pollution Control Equipment Exemptions.** Pursuant to Tax Code, § 11.31, included in amounts appropriated above out of the General Revenue Fund in Strategy C.1.3, Pollution Prevention, Recycling, and Innovative Programs, is $221,000 each fiscal year from fee revenue collected beginning with the effective date of this Act for the purpose of determining whether pollution control equipment is exempt from taxation. In addition to amounts appropriated above, any amounts collected by the Texas Commission on Environmental Quality pursuant to Tax Code, § 11.31 on or after ~~September 1, 2009~~, September 1, 2011 in excess of $221,000 in each fiscal year of the biennium are hereby appropriated to the agency.	Updated years.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
7.	**Authorization: Operating Fund.** The Texas Commission on Environmental Quality (TCEQ) is hereby authorized to make transfers from any appropriation made to TCEQ into a single account in the General Revenue Fund known as the "Texas Commission on Environmental Quality Operating Fund" for the purpose of making expenditures for which appropriations were made in this Act. After the expenditures have been made from the fund and as soon as the proper strategies have been identified, TCEQ shall process adjustments to the Comptroller in summary accounts to facilitate accurate cost allocations; provided, however, that each special account and fund shall be used for the purposes as now described by law and nothing shall be done to jeopardize or divert the special accounts and funds or any portion thereof including federal aid.	**Authorization: Operating Fund.** The Texas Commission on Environmental Quality (TCEQ) is hereby authorized to make transfers from any appropriation made to TCEQ into a single account in the General Revenue Fund known as the "Texas Commission on Environmental Quality Operating Fund" for the purpose of making expenditures for which appropriations were made in this Act. After the expenditures have been made from the fund and as soon as the proper strategies have been identified, TCEQ shall process adjustments to the Comptroller in summary accounts to facilitate accurate cost allocations; provided, however, that each special account and fund shall be used for the purposes as now described by law and nothing shall be done to jeopardize or divert the special accounts and funds or any portion thereof including federal aid.	No changes.
8.	**Appropriation: Air Quality Planning.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $7,075,000 for the biennium for air quality planning activities to reduce ozone in areas as approved by the Texas Commission on Environmental Quality (TCEQ). These areas may include Waco, El Paso, Beaumont, Austin, Corpus Christi, Longview-Tyler-Marshall, San Antonio, and Victoria. These activities may include identifying, inventorying, and monitoring of pollution levels; modeling pollution levels; and the identification, quantification, and implementation of appropriate pollution reduction controls. The TCEQ shall allocate these funds in such a way as to channel the funds to those projects most useful for the State	**Appropriation: Air Quality Planning.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $7,075,000 for the biennium for air quality planning activities to reduce ozone in areas as approved by the Texas Commission on Environmental Quality (TCEQ). These areas may include Waco, El Paso, Beaumont, Austin, Corpus Christi, Longview-Tyler-Marshall, San Antonio, Victoria. These activities may be carried out through inter local agreements or contracts and can include identifying, inventorying, and monitoring of pollution levels; modeling pollution levels; and the identification, quantification, and implementation of appropriate locally enforceable pollution reduction controls. The TCEQ shall allocate these funds in such a way as to	The 2010 revision of the National Ambient Air Quality Standard for ozone has the potential to increase the number of nonattainment areas and near nonattainment areas. Included additional language to indicate activities may be carried out by inter local agreements or contracts and to indicate locally enforceable pollution reduction controls.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	Implementation Plan (SIP). The areas receiving funds shall submit work plans for TCEQ approval describing the work they will complete with those funds.	channel the funds to those projects most useful for the State Implementation Plan (SIP). The areas receiving funds shall submit work plans for TCEQ approval describing the work they will complete with those funds.	
9.	**Appropriations Limited to Revenue Collections: Occupational Licensing.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues deposited to the TCEQ Occupational Licensing Account No. 468 as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above for strategy item A.2.4, Occupational Licensing, as well as the "Other direct and indirect costs" associated with this strategy, appropriated elsewhere in this Act. "Other direct and indirect costs" for strategy A.2.4, Occupational Licensing, are estimated to be $267,279 for fiscal year 2010 and $274,122 for fiscal year 2011. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.	**Appropriations Limited to Revenue Collections: Occupational Licensing.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues deposited to the TCEQ Occupational Licensing Account No. 468 as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above for strategy item A.2.4, Occupational Licensing, as well as the "Other direct and indirect costs" associated with this strategy, appropriated elsewhere in this Act. "Other direct and indirect costs" for strategy A.2.4, Occupational Licensing, are estimated to be $267,279 for fiscal year ~~2010~~ 2012 and $274,122 for fiscal year ~~2011~~ 2013. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.	Updated years.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
10.	**Contract with the State Office of Administrative Hearings.** Included in the amounts appropriated above is $938,860 in fiscal year 2010 and $938,860 in fiscal year 2011 to cover the cost of contracting with the State Office of Administrative Hearings for funding the Natural Resources Division for the purpose of conducting administrative hearings and for related expenses. The Texas Commission on Environmental Quality (TCEQ) and the State Office of Administrative Hearings may not enter into a contract for an amount less than the amounts specified herein. If the State Office of Administrative Hearings determines, at the end of each fiscal year, that the amount paid under the contract exceeds the necessary funding, it shall refund the difference to TCEQ. If the State Office of Administrative Hearings determines that the amounts are insufficient to fund the Natural Resources Division, the State Office of Administrative Hearings may enter into negotiations with TCEQ in order to renegotiate the interagency contract to provide additional funds for administrative hearings. The State Office of Administrative Hearings is not appropriated any state funds from such renegotiated contracts until it gives written notice to the Legislative Budget Board and the Governor, together with written permission of the agency.	**Contract with the State Office of Administrative Hearings.** Included in the amounts appropriated above is $938,860 in fiscal year ~~2010~~ 2012 and $938,860 in fiscal year ~~2011~~ 2013 to cover the cost of contracting with the State Office of Administrative Hearings for funding the Natural Resources Division for the purpose of conducting administrative hearings and for related expenses. The Texas Commission on Environmental Quality (TCEQ) and the State Office of Administrative Hearings may not enter into a contract for an amount less than the amounts specified herein. If the State Office of Administrative Hearings determines, at the end of each fiscal year, that the amount paid under the contract exceeds the necessary funding, it shall refund the difference to TCEQ. If the State Office of Administrative Hearings determines that the amounts are insufficient to fund the Natural Resources Division, the State Office of Administrative Hearings may enter into negotiations with TCEQ in order to renegotiate the interagency contract to provide additional funds for administrative hearings. The State Office of Administrative Hearings is not appropriated any state funds from such renegotiated contracts until it gives written notice to the Legislative Budget Board and the Governor, together with written permission of the agency.	Updated years.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
11.	**Petroleum Storage Tank Administration.** Out of funds appropriated above not more than $12,000,000 each fiscal year out of the Petroleum Storage Tank (PST) Remediation Account No. 655 in Strategy D.1.1, Storage Tank Administration and Cleanup, Strategy C.1.1, Field Inspections and Complaints, and Strategy C.1.2, Enforcement and Compliance Support, may be used for the PST regulatory program and for necessary administrative expenses associated with the PSTR Account No. 655 and the groundwater protection cleanup program, in accordance with Water Code, § 26.3573 (d)-(e). For the purposes of implementing activities identified in Water Code,§ 26.3573 (d)-(e), the TCEQ is exempt from provisions of Article IX relating to the inclusion of temporary or contract workers in the calculation of the number of Full-Time Equivalent (FTE) positions by a state agency.	**Petroleum Storage Tank Administration.** Out of funds appropriated above not more than $12,000,000 each fiscal year out of the Petroleum Storage Tank (PST) Remediation Account No. 655 in Strategy D.1.1, Storage Tank Administration and Cleanup, Strategy C.1.1, Field Inspections and Complaints, and Strategy C.1.2, Enforcement and Compliance Support, may be used for the PST regulatory program and for necessary administrative expenses associated with the PSTR Account No. 655 and the groundwater protection cleanup program, in accordance with Water Code, § 26.3573 (d)-(e). For the purposes of implementing activities identified in Water Code,§ 26.3573 (d)-(e), the TCEQ is exempt from provisions of Article IX relating to the inclusion of temporary or contract workers in the calculation of the number of Full-Time Equivalent (FTE) positions by a state agency.	No changes.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
12.	**Texas Parks and Wildlife Environmental Special Investigations Unit.** Included in amounts appropriated above in Strategy C.1.2, Enforcement and Compliance Support, is $250,000 out of Waste Management Account No. 549 for each fiscal year of the biennium for the purpose of supporting the Texas Parks and Wildlife Department's Environmental Special Investigations Unit to enforce state and federal laws on illegal dumping. This appropriation is contingent on a memorandum of understanding and an interagency transfer of the funds between the Texas Parks and Wildlife Department and the Texas Commission on Environmental Quality to jointly administer the program. Any unexpended balance of this appropriation from fiscal year 2010 is appropriated for the same purpose for fiscal year 2011.	**Texas Parks and Wildlife Environmental Special Investigations Unit.** Included in amounts appropriated above in Strategy C.1.2, Enforcement and Compliance Support, is $250,000 out of Waste Management Account No. 549 for each fiscal year of the biennium for the purpose of supporting the Texas Parks and Wildlife Department's Environmental Special Investigations Unit to enforce state and federal laws on illegal dumping. This appropriation is contingent on a memorandum of understanding and an interagency transfer of the funds between the Texas Parks and Wildlife Department and the Texas Commission on Environmental Quality to jointly administer the program. Any unexpended balance of this appropriation from fiscal year ~~2010~~ 2012 is appropriated for the same purpose for fiscal year ~~2011~~ 2013.	Updated years.
13.	**Federal Funds and Capital Budget Expenditures.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Texas Commission on Environmental Quality (TCEQ) is hereby exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget", when federal funds are received in excess of amounts identified in the agency's Capital Budget Rider and such funds are federally designated solely for the purchase of specific capital items. In addition, TCEQ also is hereby exempted from the Capital Budget Rider provisions within Article IX of this Act when funds are received in the form of gifts to the agency in excess of amounts identified	**Federal Funds and Capital Budget Expenditures.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Texas Commission on Environmental Quality (TCEQ) is hereby exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget", when federal funds are received in excess of amounts identified in the agency's Capital Budget Rider and such funds are federally designated solely for the purchase of specific capital items. In addition, TCEQ also is hereby exempted from the Capital Budget Rider provisions within Article IX of this Act when funds are received in the form of gifts to the agency in excess of amounts identified in	No changes.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	in the agency's Capital Budget Rider and such funds are designated solely for the purchase of specific capital items. The TCEQ shall notify the Legislative Budget Board and the Governor upon receipt of such federal funds or gift proceeds, of the amount received and items to be purchased.	the agency's Capital Budget Rider and such funds are designated solely for the purchase of specific capital items. The TCEQ shall notify the Legislative Budget Board and the Governor upon receipt of such federal funds or gift proceeds, of the amount received and items to be purchased.	
14.	**Appropriation: Refinement and Enhancement of Modeling to Demonstrate Attainment with the Clean Air Act.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $1,500,000 in fiscal year 2010 for research to obtain the data and information to refine and enhance any model used to demonstrate attainment with the National Ambient Air Quality Standard (NAAQS) for ozone and other pollutants under the Federal Clean Air Act during the biennium beginning on September 1, 2009. These funds may also be used to collect data and for modeling to demonstrate attainment with the National Ambient Air Quality Standard for Ozone and other pollutants. The Commission on Environmental Quality may contract as necessary to carry out these activities.	**Appropriation: Refinement and Enhancement of Modeling to Demonstrate Attainment with the Clean Air Act.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $1,500,000 in fiscal year ~~2010~~ 2012 for research to obtain the data and information to refine and enhance any model used to demonstrate attainment with the National Ambient Air Quality Standard (NAAQS) ~~for ozone~~ and to assess air quality associated with other pollutants under the Federal Clean Air Act during the biennium beginning on ~~September 1, 2009~~ September 1, 2011. These funds may also be used to collect and analyze data and for modeling to demonstrate attainment with the National Ambient Air Quality Standards for Ozone and other pollutants. The Commission on Environmental Quality may contract as necessary to carry out these activities.	National Ambient Air Quality Standard reviews are resulting in more stringent standards for not only ozone but other criteria pollutants as well. This may result in more Texas areas being designated as nonattainment, requiring even more sophisticated modeling applications and analytical tools. Addressing air toxics and other air pollutants may require the developing of enhanced modeling capabilities.
15.	**Reallocation of Revenue and Balances for Certain Accounts.** Pursuant to Water Code, § 5.707, and notwithstanding provisions relating to Appropriation Transfers within the General Appropriations Act, the Texas Commission on Environmental Quality is hereby authorized to reallocate not more than 7 percent of the All Funds amount identified in the Method of Finance above from the following accounts (consisting of revenues and balances) to be used for purposes	**Reallocation of Revenue and Balances for Certain Accounts.** Pursuant to Water Code, § 5.707, and notwithstanding provisions relating to Appropriation Transfers within the General Appropriations Act, the Texas Commission on Environmental Quality is hereby authorized to reallocate not more than 7 percent of the All Funds amount identified in the Method of Finance above from the following accounts (consisting of revenues and balances) to be used for purposes identified in	No changes.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	identified in the above strategies. Used Oil Recycling Account No. 146 Clean Air Account No. 151 Water Resource Management Account No. 153 Watermasters Administration Account No. 158 Occupational Licensing Account No. 468 Waste Management Account No. 549 Hazardous and Solid Waste Remediation Fee Account No. 550 Petroleum Storage Tank Remediation Account No. 655 Solid Waste Disposal Account No. 5000 Dry Cleaning Facility Release Account No. 5093 Operating Permit Fee Account No. 5094 The Commission shall notify the Governor and the Legislative Budget Board of any decision to reallocate funds between accounts prior to any such reallocations.	the above strategies. Used Oil Recycling Account No. 146 Clean Air Account No. 151 Water Resource Management Account No. 153 Watermasters Administration Account No. 158 Occupational Licensing Account No. 468 Waste Management Account No. 549 Hazardous and Solid Waste Remediation Fee Account No. 550 Petroleum Storage Tank Remediation Account No. 655 Solid Waste Disposal Account No. 5000 Dry Cleaning Facility Release Account No. 5093 Operating Permit Fee Account No. 5094 The Commission shall notify the Governor and the Legislative Budget Board of any decision to reallocate funds between accounts prior to any such reallocations.	
16.	**Appropriation: Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP).** Included in the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $45,000,000 in each fiscal year of the 2010-11 biennium in estimated fee revenues from vehicle inspection and maintenance fees generated pursuant to Health and Safety Code, §§ 382.202 and 382.302, to fund the Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). Of the amounts, not more than $323,000 in each fiscal year shall be used by	**Appropriation: Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP).** Included in the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $45,000,000 in each fiscal year of the ~~2010-11~~ 2012-13 biennium in estimated fee revenues from vehicle inspection and maintenance fees generated pursuant to Health and Safety Code, §§ 382.202 and 382.302, to fund the Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). Of the amounts, not more than $323,000 in each fiscal year shall be used by the	In the event fund reserves and revenue collections are insufficient to support the rider, the appropriations may be reduced.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	the Texas Commission on Environmental Quality (TCEQ) for costs associated with administering the LIRAP as authorized in Health and Safety Code, § 382.202, and all remaining funds shall be used as LIRAP grants to local governments. Also included in the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $5,000,000 in each fiscal year of the 2010-11 biennium in unexpended balances in the Clean Air No. 151 to be used only for purposes authorized in Chapter 382 of the Health and Safety Code for county-implemented local initiatives projects to reduce air emissions, including but not limited to the following: the expansion of AirCheck Texas Repair and Replacement Assistance Program; development and implementation of remote emissions-sensing systems, the Texas Commission on Environmental Quality's (TCEQ) Smoking Vehicle program, and the enhancement of transportation system improvements; and coordination with local law to reduce counterfeit inspection stickers. In addition to the amounts appropriated above, there is hereby appropriated to the TCEQ for the biennium beginning on September 1, 2009 any additional revenues from vehicle inspection and maintenance fees generated from additional counties participating in the LIRAP beginning on or after September 1, 2009. Such funds shall be used to provide grants to local governments and to cover administrative costs of the TCEQ in administering the LIRAP.	Texas Commission on Environmental Quality (TCEQ) for costs associated with administering the LIRAP as authorized in Health and Safety Code, § 382.202, and all remaining funds shall be used as LIRAP grants to local governments. Also included in the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $5,000,000 in each fiscal year of the ~~2010–11~~ 2012-13 biennium in unexpended balances in the Clean Air No. 151 to be used only for purposes authorized in Chapter 382 of the Health and Safety Code for county-implemented local initiatives projects to reduce air emissions, including but not limited to the following: the expansion of AirCheck Texas Repair and Replacement Assistance Program; development and implementation of remote emissions-sensing systems, the Texas Commission on Environmental Quality's (TCEQ) Smoking Vehicle program, and the enhancement of transportation system improvements; and coordination with local law to reduce counterfeit inspection stickers. In addition to the amounts appropriated above, there is hereby appropriated to the TCEQ for the biennium beginning on ~~September 1, 2009~~ September 1, 2011 any additional revenues from vehicle inspection and maintenance fees generated from additional counties participating in the LIRAP beginning on or after ~~September 1, 2009~~ September 1, 2011. Such funds shall be used to provide grants to local governments and to cover administrative costs of the TCEQ in administering the LIRAP.	

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
		In the event that fund reserves, actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available.	
17.	**Waste Tires.** Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall enforce statutory requirements relating to waste, scrap, or used tires. It is the intent of the Legislature that funds appropriated by this Act be used in such a manner so that all reasonable steps are taken to minimize the illegal storage, transport, or disposal of waste or scrap tires. The TCEQ shall use funds appropriated by this Act to audit or otherwise monitor businesses that sell, transport, or store such tires and identify illegal or improper activities as well as study methods for achieving a greater level of compliance for tire disposal within the State of Texas. The TCEQ also shall use funds appropriated by this Act to seek opportunities for coordination with other agencies, such as the Comptroller of Public Accounts, through interagency agreements or contracts. Cooperating agencies shall use funds appropriated by this Act to use routine contracts with taxpayers during audits or other activity to obtain copies of tire manifests or other information relating to tire transport or storage in accordance with Health and Safety Code, § 361.112. Such agreements shall provide that the cooperating agency transmit such records to the Commission for review and analysis and should be designed to have minimal costs for the cooperating agency. The TCEQ shall submit a	~~**Waste Tires.** Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall enforce statutory requirements relating to waste, scrap, or used tires. It is the intent of the Legislature that funds appropriated by this Act be used in such a manner so that all reasonable steps are taken to minimize the illegal storage, transport, or disposal of waste or scrap tires. The TCEQ shall use funds appropriated by this Act to audit or otherwise monitor businesses that sell, transport, or store such tires and identify illegal or improper activities as well as study methods for achieving a greater level of compliance for tire disposal within the State of Texas. The TCEQ also shall use funds appropriated by this Act to seek opportunities for coordination with other agencies, such as the Comptroller of Public Accounts, through interagency agreements or contracts. Cooperating agencies shall use funds appropriated by this Act to use routine contracts with taxpayers during audits or other activity to obtain copies of tire manifests or other information relating to tire transport or storage in accordance with Health and Safety Code, § 361.112. Such agreements shall provide that the cooperating agency transmit such records to the Commission for review and analysis and should be designed to have minimal costs for the cooperating agency. The TCEQ shall submit a report not later than December~~	Delete. The Comptroller's office audits the tire management practices of tire dealers in Texas. Based on results of the audits, TCEQ has not found substantial noncompliance with the tire rules. The results of the audits indicate that the vast majority of tires in Texas are being properly handled. The Agency shall continue to enforce statutory and rule requirements regarding waste, scrap, or used tires.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	report not later than December 1, 2010, to the Legislative Budget Board and the Governor detailing the TCEQ's efforts and findings in accordance with this provision.	~~1, 2010, to the Legislative Budget Board and the Governor detailing the TCEQ's efforts and findings in accordance with this provision.~~	
18.	**Appropriations Limited to Revenue Collections: Automobile Emission Inspections.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $2,106,828 in each fiscal year for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.202, Health and Safety Code. These funds are for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program, including federally required reporting measures to demonstrate compliance with applicable federal and state laws. In addition, if additional counties enter the vehicle emissions inspection and maintenance program during fiscal years 2010-11, 20 percent of revenues generated from the vehicle emissions and inspections fee in the additional counties in each fiscal year are hereby appropriated to the Texas Commission on Environmental Quality for the same purposes. It is the intent of the Legislature that 20 percent of the fees authorized and generated by the operation of the vehicle emissions inspection and maintenance program cover, at a minimum, the costs of the appropriations made above, as well as the "Other direct and indirect costs" associated with the program, appropriated elsewhere in this	**Appropriations Limited to Revenue Collections: Automobile Emission Inspections.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $2,106,828 in each fiscal year for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.202, Health and Safety Code. These funds are for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program, including federally required reporting measures to demonstrate compliance with applicable federal and state laws. In addition, if additional counties enter the vehicle emissions inspection and maintenance program during fiscal years ~~2010-11~~ 2012-13, 20 percent of revenues generated from the vehicle emissions and inspections fee in the additional counties in each fiscal year are hereby appropriated to the Texas Commission on Environmental Quality for the same purposes. It is the intent of the Legislature that 20 percent of the fees authorized and generated by the operation of the vehicle emissions inspection and maintenance program cover, at a minimum, the costs of the appropriations made above, as well as the "Other direct and indirect costs" associated with the program, appropriated elsewhere in this Act. "Other	Updated years.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	Act. "Other direct and indirect costs" for the vehicle emissions inspection and maintenance program are estimated to be $153,060 for fiscal year 2010 and $156,706 for fiscal year 2011. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.	direct and indirect costs" for the vehicle emissions inspection and maintenance program are estimated to be $153,060 for fiscal year ~~2010~~ 2012 and $156,706 for fiscal year ~~2011~~ 2013. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.	
19.	**Bosque River Water Quality Monitoring.** Out of funds appropriated above in Strategy A.1.2, Water Assessment and Planning, the Texas Commission on Environmental Quality shall conduct water quality monitoring of the Bosque River.	**Bosque River Water Quality Monitoring.** Out of funds appropriated above in Strategy A.1.2, Water Assessment and Planning, the Texas Commission on Environmental Quality shall conduct water quality monitoring of the Bosque River.	No changes.
20.	**Appropriation: Administration Costs for the Texas River Compact Commissions.** Out of the amounts appropriated above, and in addition to amounts appropriated above in Goal E, River Compact Commissions, the Texas Commission on Environmental Quality shall allocate at least $43,750 for fiscal year 2010 and $49,750 for fiscal year 2011 to provide for operating costs for the Texas River Compact Commissions. In addition, out of amounts appropriated above, $10,700 each fiscal year shall be used for support and administrative services for the commissions.	**Appropriation: Administration Costs for the Texas River Compact Commissions.** Out of the amounts appropriated above, and in addition to amounts appropriated above in Goal E, River Compact Commissions, the Texas Commission on Environmental Quality shall allocate at least $43,750 for fiscal year ~~2010~~ 2012 and $49,750 for fiscal year ~~2011~~ 2013 to provide for operating costs for the Texas River Compact Commissions. In addition, out of amounts appropriated above, $10,700 each fiscal year shall be used for support and administrative services for the commissions.	Updated years.
21.	**Appropriation: Perpetual Care Account.** In the event of an incident involving the release of radioactive material at a disposal, source material recovery, processing, or storage facility licensed by the Texas Commission on Environmental Quality (TCEQ), the TCEQ is hereby appropriated	**Appropriation: Perpetual Care Account.** In the event of an incident involving the release of radioactive material at a disposal, source material recovery, processing, or storage facility licensed by the Texas Commission on Environmental Quality (TCEQ), the TCEQ is hereby appropriated	Updated years.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	any revenues from the TCEQ licensee, including the proceeds of securities and interest earned, deposited to the credit of the Perpetual Care Account pursuant to Health and Safety Code, § 401.305 (b) and § 401.301 (d) during the biennium beginning September 1, 2009 (estimated to be $0). The funds shall be used in Strategy A.3.1, Radioactive Materials Management, to mitigate radioactive pollution resulting from activities of a TCEQ licensee as provided in Health and Safety Code, § 401.305 (c)-(d), and pursuant to a memorandum of understanding with the Department of State Health Services relating to the regulations for the control of radiation as applicable.	any revenues from the TCEQ licensee, including the proceeds of securities and interest earned, deposited to the credit of the Perpetual Care Account pursuant to Health and Safety Code, § 401.305 (b) and § 401.301 (d) during the biennium beginning ~~September 1, 2009~~ September 1, 2011 (estimated to be $0). The funds shall be used in Strategy A.3.1, Radioactive Materials Management, to mitigate radioactive pollution resulting from activities of a TCEQ licensee as provided in Health and Safety Code, § 401.305 (c)-(d), and pursuant to a memorandum of understanding with the Department of State Health Services relating to the regulations for the control of radiation as applicable.	
22.	**Environmental Health Institute.** Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall use up to $500,000 out of the Hazardous and Solid Waste Remediation Fee Account No. 550 during the biennium beginning on September 1, 2009 for the support of the Texas Environmental Health Institute (TEHI) established in conjunction with the Department of State Health Services in Health and Safety Code, Chapter 427. Any penalty amounts generated during the biennium beginning on September 1, 2009 from the TCEQ's administrative or civil enforcement actions that are invested in a Supplemental Environmental Project conducted by the TEHI or by any other organization in association with the TEHI, shall be considered an expenditure of the TCEQ for the purpose of supporting the TEHI.	**Environmental Health Institute.** Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall use up to $500,000 out of the Hazardous and Solid Waste Remediation Fee Account No. 550 during the biennium beginning on ~~September 1, 2009~~, September 1, 2011 for the support of the Texas Environmental Health Institute (TEHI) established in conjunction with the Department of State Health Services in Health and Safety Code, Chapter 427. Any penalty amounts generated during the biennium beginning on ~~September 1, 2009~~, September 1, 2011 from the TCEQ's administrative or civil enforcement actions that are invested in a Supplemental Environmental Project conducted by the TEHI or by any other organization in association with the TEHI, shall be considered an expenditure of the TCEQ for the purpose of supporting the TEHI.	Updated years.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
23.	**Unexpended Balance Authority within the Biennium.** Any unexpended balances on August 31, 2010 in the appropriations made above to the Commission on Environmental Quality are hereby appropriated for the same purposes for the fiscal year beginning on September 1, 2010.	**Unexpended Balance Authority within the Biennium.** Any unexpended balances on ~~August 31, 2009~~ August 31, 2011 in the appropriations made above to the Commission on Environmental Quality are hereby appropriated for the same purposes for the fiscal year beginning on ~~September 1, 2009~~, September 1, 2011.	Updated years.
24.	**Nuisance Surveys for the Economically Distressed Areas Program.** Out of amounts appropriated above out of the General Revenue Fund in Strategy A.1.2, Water Resource Assessment and Planning, the Texas Commission on Environmental Quality shall reimburse the Department of State Health Services (DSHS) for costs incurred by DSHS in conducting nuisance surveys for applicants for financial assistance through the Economically Distressed Areas program administered by the Water Development Board. The Commission shall reimburse such costs through Interagency Contracts with (DSHS) in an amount not to exceed a total of $250,000 for the biennium beginning on September 1, 2009.	**Nuisance Surveys for the Economically Distressed Areas Program.** Out of amounts appropriated above out of the General Revenue Fund in Strategy A.1.2, Water Resource Assessment and Planning, the Texas Commission on Environmental Quality shall reimburse the Department of State Health Services (DSHS) for costs incurred by DSHS in conducting nuisance surveys for applicants for financial assistance through the Economically Distressed Areas program administered by the Water Development Board. The Commission shall reimburse such costs through Interagency Contracts with (DSHS) in an amount not to exceed a total of $250,000 for the biennium beginning on ~~September 1, 2009~~ September 1, 2011.	Updated years.
25.	**Appropriation: Radioactive Materials Management.** Included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, is $1,071,723 in each fiscal year of the 2010-11 biennium out of the Low Level Waste Account No. 88 for costs incurred in the licensing process, pre-construction oversight, construction oversight, disposal fee-setting responsibility, and the regulation of the commencement of operations of a low-level radioactive waste disposal site. Also included in amounts appropriated above in Strategy A.1.3, Radioactive Materials	~~**Appropriation: Radioactive Materials Management.** Included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, is $1,071,723 in each fiscal year of the 2010-11 biennium out of the Low Level Waste Account No. 88 for costs incurred in the licensing process, pre-construction oversight, construction oversight, disposal fee-setting responsibility, and the regulation of the commencement of operations of a low-level radioactive waste disposal site.~~ ~~Also included in amounts appropriated above in Strategy A.1.3, Radioactive Materials Management,~~	Delete. The funds are included in the baseline appropriations.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	Management, in fiscal year 2010 is an amount not to exceed $952,600 in fiscal year 2010 and $158,600 in fiscal year 2011 in new fee revenues to the Low-Level Waste Management Account No. 88. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Low Level Waste Account No. 88 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. The funds shall be used to recover costs in reviewing and evaluating low-level radioactive waste disposal applications and in conducting inspections of the low-level radioactive disposal site in Andrews County pursuant to Health and Safety Code, Chapter 401, during the 2010-11 biennium. Also included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, in fiscal year 2010 is an amount not to exceed $500,000 in new fee revenues to the Waste Management Account No. 549. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Waste Management Account No. 549 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. These funds shall be used to review and evaluate applications for source material recovery (uranium mining) and radioactive waste management and disposal regulatory actions. In the event that the fees deposited to the credit of Revenue Object Code 3589 in the Low-Level Waste Account No. 88 are less than $1,111,200	~~in fiscal year 2010 is an amount not to exceed $952,600 in fiscal year 2010 and $158,600 in fiscal year 2011 in new fee revenues to the Low-Level Waste Management Account No. 88. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Low Level Waste Account No. 88 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. The funds shall be used to recover costs in reviewing and evaluating low-level radioactive waste disposal applications and in conducting inspections of the low-level radioactive disposal site in Andrews County pursuant to Health and Safety Code, Chapter 401, during the 2010-11 biennium.~~ ~~Also included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, in fiscal year 2010 is an amount not to exceed $500,000 in new fee revenues to the Waste Management Account No. 549. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Waste Management Account No.549 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. These funds shall be used to review and evaluate applications for source material recovery (uranium mining) and radioactive waste management and disposal regulatory actions.~~ ~~In the event that the fees deposited to the credit of Revenue Object Code 3589 in the Low-Level Waste Account No. 88 are less than $1,111,200 during the 2010-11 biennium, or in the event that fees deposited to the credit of Revenue Object Code~~	

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	during the 2010-11 biennium, or in the event that fees deposited to the credit of Revenue Object Code 3589 in the Waste Management Account No. 549 are less than $500,000 during the 2010-11 biennium, the Comptroller shall reduce the respective appropriation authority provided to be within the amount of revenue expected to be available. The Texas Commission on Environmental Quality, upon completion of necessary actions to assess additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium from the new fees to the Comptroller of Public Accounts.	~~3589 in the Waste Management Account No. 549 are less than $500,000 during the 2010-11 biennium, the Comptroller shall reduce the respective appropriation authority provided to be within the amount of revenue expected to be available. The Texas Commission on Environmental Quality, upon completion of necessary actions to assess additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium from the new fees to the Comptroller of Public Accounts.~~	
26.	**On-Site Wastewater Treatment Research Council Fee.** Included in amounts appropriated above in Strategy A.1.2, Water Assessment and Planning, is an amount not to exceed $330,000 in each fiscal year of the biennium from fees collected and deposited to the General Revenue Fund pursuant to Health and Safety Code, Chapter 367, for costs relating to the On-Site Wastewater Treatment Research Council.	**On-Site Wastewater Treatment Research Council Fee.** Included in amounts appropriated above in Strategy A.1.2, Water Assessment and Planning, is an amount not to exceed $330,000 in each fiscal year of the biennium from fees collected and deposited to the General Revenue Fund pursuant to Health and Safety Code, Chapter 367, for costs relating to the On-Site Wastewater Treatment Research Council.	No changes.
27.	**Texas Emissions Reduction Plan (TERP): Grants and Administration.6, 7** Included in amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $117,003,925 in each fiscal year of the 2010-11 biennium out of the Texas Emissions Reduction Plan Account No. 5071. The funds shall be used as follows: $104,133,194 in each fiscal year of the 2010-11 biennium shall be used as incentive payments for the Diesel Emissions Reduction Programs established in Health and Safety Code,	**Texas Emissions Reduction Plan (TERP): Grants and Administration.~~6, 7~~** Included in amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is ~~$117,003,925~~ $114,328,924 in each fiscal year of the ~~2010-11~~ 2012-13 biennium out of the Texas Emissions Reduction Plan Account No. 5071. The funds shall be used as follows: ~~$104,133,194~~ 101,752,743 in each fiscal year of the 2010-11 biennium shall be used as incentive payments for the Diesel Emissions Reduction Programs	The allocations were adjusted to reflect the reduced limits resulting from the 5% reduction.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	Chapter 386, Subchapter C, of which $4,165,339 in each fiscal year of the 2010-11 biennium shall be used to implement the Clean School Bus Initiative established in Health and Safety Code, Chapter 390, pursuant to Health and Safety Code § 386.252, and $5,206,675 each fiscal year of the 2010-11 biennium shall be used to implement the Clean Fleet Program established in Health and Safety Code, Chapter 391 (c); not more than $2,340,078 in each fiscal year shall be used to administer the Diesel Emissions Reduction Program; and $10,530,353 in each year of the 2010-11 biennium shall be used for grant funding for the New Technology Research Development Program established in Health and Safety Code, Chapter 387 according to provisions in Health and Safety Code § 386.252,of which not more than $250,000 each fiscal year shall be used to administer the New Technology Research Development Program. It is the intent of the Legislature for the Commission on Environmental Quality to work with the Texas Procurement and Support Services Division of the Office of the Comptroller of Public Accounts to negotiate state contract pricing for equipment purchased under the Texas State Clean School Bus Initiative. 6 Incorporates passage of HB 1796 by the 81st Legislature, Regular Session, which modified the allocation of funding out of the Texas Emissions Reduction Plan Account No. 5071. 7 Incorporates passage of SB 1759 by the 81st Legislature, Regular Session, which provides for 5	established in Health and Safety Code, Chapter 386. , Subchapter C, of which $~~4,165,339~~ 4,070,110 in each fiscal year of the 2010-11 biennium shall be used to implement the Clean School Bus Initiative established in Health and Safety Code, Chapter 390, pursuant to Health and Safety Code § 386.252, and $~~5,206,675~~ 5,087,637 each fiscal year of the 2010-11 biennium shall be used to implement the Clean Fleet Program established in Health and Safety Code, Chapter 391 (c); not more than $~~2,340,078~~ 2,286,578 in each fiscal year shall be used to administer the Diesel Emissions Reduction Program; and $~~10,530,353~~ 10,289,603 in each year of the 2010-11 biennium shall be used for grant funding for the New Technology Research Development Program established in Health and Safety Code, Chapter 387 according to provisions in Health and Safety Code § 386.252, of which not more than $250,000 each fiscal year shall be used to administer the New Technology Research Development Program~~.~~ It is the intent of the Legislature for the Commission on Environmental Quality to work with the Texas Procurement and Support Services Division of the Office of the Comptroller of Public Accounts to negotiate state contract pricing for equipment purchased under the Texas State Clean School Bus Initiative. ~~6 Incorporates passage of HB 1796 by the 81st Legislature, Regular Session, which modified the allocation of funding out of the Texas Emissions Reduction Plan Account No. 5071.~~	

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	percent of funding for the diesel emissions reduction incentive program to be used for the Clean Fleet Program established by the bill.	~~7 Incorporates passage of SB 1759 by the 81st Legislature, Regular Session, which provides for 5 percent of funding for the diesel emissions reduction incentive program to be used for the Clean Fleet Program established by the bill.~~	
28.	**Reimbursement of Advisory Committees.** Pursuant to Government Code, § 2110.004, reimbursement of expenses for advisory committee members out of funds appropriated above is limited to the following advisory committees: Irrigators Advisory Council Small Business Compliance Advisory Panel Municipal Solid Waste Management and Resource Recovery Advisory Council Pollution Prevention Advisory Committee Dry Cleaners Advisory Committee	**Reimbursement of Advisory Committees.** Pursuant to Government Code, § 2110.004, reimbursement of expenses for advisory committee members out of funds appropriated above is limited to the following advisory committees: Irrigators Advisory Council Small Business Compliance Advisory Panel Municipal Solid Waste Management and Resource Recovery Advisory Council Pollution Prevention Advisory Committee Dry Cleaners Advisory Committee Tax Relief for Pollution Control Property Advisory Committee	Incorporate the authority to reimburse the Tax Relief for Pollution Control Property Advisory Committee members created to advise the agency about exemption from ad valorem taxation for pollution control property.
29.	**Appropriation: Contracting for Debt Collection.** Included in amounts appropriated above, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on September 1, 2009, all proceeds from overdue and delinquent penalties and fees collected by a contractor working on behalf of the TCEQ to collect such funds. This appropriation shall be limited to the amount necessary to pay the contractor collecting such fees for its services and shall not exceed 18 percent of fine and fee proceeds collected by the contractor (estimated to be $293,388 for the 2010-11 biennium). All other amounts collected shall be deposited to the General Revenue Fund or to a General Revenue-Dedicated Account, based on the	~~**Appropriation: Contracting for Debt Collection.** Included in amounts appropriated above, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on September 1, 2009, all proceeds from overdue and delinquent penalties and fees collected by a contractor working on behalf of the TCEQ to collect such funds. This appropriation shall be limited to the amount necessary to pay the contractor collecting such fees for its services and shall not exceed 18 percent of fine and fee proceeds collected by the contractor (estimated to be $293,388 for the 2010-11 biennium). All other amounts collected shall be deposited to the General Revenue Fund or to a General Revenue-Dedicated Account, based on the applicable statutory~~	Delete. The agency is managing the contract with baseline appropriation.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	applicable statutory provisions.	~~provisions.~~	
30.	**Authorization: Water and Air Program Fee Rates.** To provide for the recovery of costs of processing certain water and air applications, the following fee rates are established pursuant to Government Code, Chapter 316, Subchapter E, to be effective during the biennium beginning on September 1, 2009. The maximum rate for the fees authorized in Water Code, §§ 5.701 (b-c), shall be $2,000. The maximum rate for fees authorized in Health and Safety Code, § 382.062, shall be $80,000.	**Authorization: Water and Air Program Fee Rates.** To provide for the recovery of costs of processing certain water and air applications, the following fee rates are established pursuant to Government Code, Chapter 316, Subchapter E, to be effective during the biennium beginning on ~~September 1, 2009~~ September 1, 2011. The maximum rate for the fees authorized in Water Code, §§ 5.701 (b-c), shall be $2,000. The maximum rate for fees authorized in Health and Safety Code, § 382.062, shall be $80,000.	Updated years.
31.	**Contingency Appropriation: Revenue from Increased Fee Rates at Watermaster Offices.** In addition to amounts appropriated above in Strategy A.2.2, Water Resource Permitting, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on September 1, 2009 fee revenues collected and deposited to the credit of the Watermaster Administration Account No. 158 from additional fees generated pursuant to Water Code, § 11.329 due to the implementation of increased fee rates at the watermaster offices and in excess of the Comptroller's Biennial Revenue Estimate for 2010-11(estimated to be $0). These funds shall be used for operating costs of the watermaster offices. This appropriation is contingent upon the TCEQ and the watermaster offices assessing fees sufficient to generate, during the 2010-11	**Contingency Appropriation: Revenue from Increased Fee Rates at Watermaster Offices.** In addition to amounts appropriated above in Strategy A.2.2, Water Resource Permitting, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on ~~September 1, 2009~~ September 1, 2011 fee revenues collected and deposited to the credit of the Watermaster Administration Account No. 158 from additional fees generated pursuant to Water Code, § 11.329 ~~due to the implementation of increased fee rates at the watermaster offices and~~ in excess of the Comptroller's Biennial Revenue Estimate for ~~2010-11~~ 2012-13 (estimated to be $0). These funds shall be used for operating costs of the watermaster offices. This appropriation is contingent upon the TCEQ and the watermaster offices assessing fees sufficient to generate, during the ~~2010-11~~ 2012-13 biennium,	TCEQ recommends removing the provision on increased fee rates. Fees in excess of the Comptroller's Biennial Revenue Estimate are not always attributed to an increase in the municipal rate. By rule, the municipal rate is used to determine the overall rate structure for all water use types. The final annual municipal rate is influenced by the number of water use types and the associated rates for each use in each watermaster area. The number of water use types varies each year, therefore, it is possible to have a decrease in the overall municipal rate, yet, experience an increase in revenues overall.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	biennium, revenue to cover the appropriations out of the Watermaster Administration Account No. 158. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ and the watermaster offices, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2010-11, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.	revenue to cover the appropriations out of the Watermaster Administration Account No. 158. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ and the watermaster offices, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the ~~2010-11~~ 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for ~~2010-11~~ 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.	
32.	**Appropriation: Water Resource Management Account.** Included in the amounts appropriated above is $53,102,869 in fiscal year 2010 and $52,386,652 in fiscal year 2011 out of the Water Resource Management Account No. 153, of which $15,000,000 each fiscal year is contingent upon the Texas Commission on Environmental Quality (TCEQ) assessing fees sufficient to generate, during the 2010-11 biennium, revenue deposited to the Water Resource Management Account No. 153 of at least $15,000,000 in excess of the Comptroller's 2010-11 Biennial Revenue Estimate for each year of the 2010-11 biennium. In the event that actual and/or projected revenue	~~**Appropriation: Water Resource Management Account.** Included in the amounts appropriated above is $53,102,869 in fiscal year 2010 and $52,386,652 in fiscal year 2011 out of the Water Resource Management Account No. 153, of which $15,000,000 each fiscal year is contingent upon the Texas Commission on Environmental Quality (TCEQ) assessing fees sufficient to generate, during the 2010-11 biennium, revenue deposited to the Water Resource Management Account No. 153 of at least $15,000,000 in excess of the Comptroller's 2010-11 Biennial Revenue Estimate for each year of the 2010-11 biennium. In the event that actual and/or projected revenue~~	Delete. TCEQ increased the Public Health Services, Consolidated Water Quality, and the Water Use Assessment fees in the summer of 2009. Since revenue in the Water Resources Management Account is sufficient to support appropriations, the rider is no longer necessary.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2010-11, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.	~~collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2010-11, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.~~	
33.	**Aggregate Operations along the San Jacinto River.** Out of amounts appropriated above in Strategy C.1.1, Field Inspections and Complaint Response, the Commission on Environmental Quality shall conduct aerial observations at least twice per fiscal year to ensure enforcement of existing statutes and rules relating to aggregate operations along the San Jacinto River.	**Aggregate Operations along the San Jacinto River.** Out of amounts appropriated above in Strategy C.1.1, Field Inspections and Complaint Response, the Commission on Environmental Quality shall conduct aerial observations at least twice per fiscal year to ensure enforcement of existing statutes and rules relating to aggregate operations along the San Jacinto River.	No changes.
34.	**Appropriation: Hawkins Waste and Scrap Tire Cleanup.** Included in the amounts appropriated above out of the Solid Waste Disposal Account No. 5000 in Strategy C.1.3, Pollution Prevention and Recycling, is $1,200,000 in fiscal year 2010 to be used for the cleanup of waste and scrap tire sites located in the City of Hawkins in Wood County.	~~**Appropriation: Hawkins Waste and Scrap Tire Cleanup.** Included in the amounts appropriated above out of the Solid Waste Disposal Account No. 5000 in Strategy C.1.3, Pollution Prevention and Recycling, is $1,200,000 in fiscal year 2010 to be used for the cleanup of waste and scrap tire sites located in the City of Hawkins in Wood County.~~	Delete. Project will be completed.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	Any unexpended balance remaining in this appropriation on August 31, 2010, is hereby appropriated to the Commission on Environmental Quality for the same purpose for the fiscal year beginning on September 1, 2010.	~~Any unexpended balance remaining in this appropriation on August 31, 2010, is hereby appropriated to the Commission on Environmental Quality for the same purpose for the fiscal year beginning on September 1, 2010.~~	
35.	**Appropriation: Mickey Leland National Urban Air Toxics Research Center.** Included in the amounts appropriated above in Strategy A.1.1., Air Quality Assessment and Planning, is $1,000,000 out of the Clean Air Account No. 151 in fiscal year 2010 to be used to contract with the Mickey Leland National Urban Air Toxics Research Center for a study on air pollution risks and the health effects of air toxins. Any unexpended balances remaining in this appropriation on August 31, 2010, are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.	~~**Appropriation: Mickey Leland National Urban Air Toxics Research Center.** Included in the amounts appropriated above in Strategy A.1.1., Air Quality Assessment and Planning, is $1,000,000 out of the Clean Air Account No. 151 in fiscal year 2010 to be used to contract with the Mickey Leland National Urban Air Toxics Research Center for a study on air pollution risks and the health effects of air toxins.~~ ~~Any unexpended balances remaining in this appropriation on August 31, 2010, are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.~~	Delete. The study will be completed.
36.	**Appropriation: Carrizo-Wilcox Aquifer.** Included in the amounts appropriated above in Strategy A.1.2, Water Quality Assessment and Planning, is $500,000 out of the General Revenue Fund in fiscal year 2010 to be used to conduct a study of the characteristics and impacts on groundwater planning in the Carrizo-Wilcox Aquifer. Any unexpended balances remaining in this appropriation on August 31, 2010, are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.	~~**Appropriation: Carrizo-Wilcox Aquifer.** Included in the amounts appropriated above in Strategy A.1.2, Water Quality Assessment and Planning, is $500,000 out of the General Revenue Fund in fiscal year 2010 to be used to conduct a study of the characteristics and impacts on groundwater planning in the Carrizo-Wilcox Aquifer.~~ ~~Any unexpended balances remaining in this appropriation on August 31, 2010, are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.~~	Delete. The project will be completed.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
37.	**Reimbursement of Advisory Committee Members.** Contingent on passage of House Bill 3206, or similar legislation relating to the implementation of the exemption from ad valorem taxation for pollution control property by the Texas Commission for Environmental Quality by the Eighty-first Legislature, Regular Session, pursuant to Chapter 2110, Government Code, reimbursement of expenses for advisory committee members, out of the funds appropriated above, may include any advisory committee created to advise the agency about exemption from ad valorem taxation for pollution control property.	~~**Reimbursement of Advisory Committee Members.** Contingent on passage of House Bill 3206, or similar legislation relating to the implementation of the exemption from ad valorem taxation for pollution control property by the Texas Commission for Environmental Quality by the Eighty-first Legislature, Regular Session, pursuant to Chapter 2110, Government Code, reimbursement of expenses for advisory committee members, out of the funds appropriated above, may include any advisory committee created to advise the agency about exemption from ad valorem taxation for pollution control property.~~	Delete. The authority to reimburse the Tax Relief for Pollution Control Property Advisory Committee members created to advise the agency about exemption from ad valorem taxation for pollution control property was moved to Rider 28-Reimbursement of Advisory Committees.
38.	**Appropriation: Low-Level Radioactive Waste Compact Commission.** Included in amounts appropriated above out of the Low-Level Waste Account No. 88 in Strategy A.3.1, Radioactive Materials Management, is $100,000 in each fiscal year of the 2010-11 biennium to be used to reimburse members of the Texas Low-Level Radioactive Waste Compact Commission for expenses related to travel in performance of their duties as commissioners.	**Appropriation: Low-Level Radioactive Waste Compact Commission.** Included in the amounts appropriated above out of the Low-Level Waste Account No. 88 in Strategy A.3.1, Radioactive Materials Management, is $100,000 in each fiscal year of the ~~2010-11~~ 2012-13 biennium ~~to be used to reimburse members of~~ for the Texas Low-Level Radioactive Waste Compact Commission expenses ~~related to travel in performance of their duties as commissioners~~.	The Compact Commission requests flexibility to use funds for staffing, travel, training, rent, and other operating expenses. An exceptional item has been included at their request to increase the operating budget.
39.	**Appropriation: Air Permit Allowable Database.** Included in the amounts appropriated above in Strategy A.2.1, Air Quality Permits, is $277,000 in fiscal year 2010 and $382,800 in fiscal year 2011 out of the Clean Air Account No. 151 and $277,000 in fiscal year 2010 and $382,800 in fiscal year 2011 out of the Operating Permits Fee Account No. 5094. The funds shall be used to establish an air permits allowable emissions database.	~~**Appropriation: Air Permit Allowable Database.** Included in the amounts appropriated above in Strategy A.2.1, Air Quality Permits, is $277,000 in fiscal year 2010 and $382,800 in fiscal year 2011 out of the Clean Air Account No. 151 and $277,000 in fiscal year 2010 and $382,800 in fiscal year 2011 out of the Operating Permits Fee Account No. 5094. The funds shall be used to establish an air permits allowable emissions database.~~	Delete. The database will be completed. The funds will be used to populate and maintain the database as well as support enhancements needed to implement additional applications.

82nd Legislative Appropriations Request – Article VI Rider Revisions			
A. #	B. 81st Legislative Riders	C. 82nd Proposed Riders Revisions and Additions	D. Justification for Changes/Additions
	Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.	~~Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.~~	
40.	**Air Monitoring in Navarro County.** Out of funds appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, the Commission on Environmental Quality shall establish a permanent air monitoring program in Navarro County.	~~**Air Monitoring in Navarro County.** Out of funds appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, the Commission on Environmental Quality shall establish a permanent air monitoring program in Navarro County.~~	Delete. TCEQ established an air quality monitor in Navarro County.
41.	**GasFind IR Cameras.** Out of the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, the Commission on Environmental Quality shall purchase, operate, maintain, and deploy no less than seven GasFind IR cameras for the purpose of monitoring and responding to complaints.	~~**GasFind IR Cameras.** Out of the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, the Commission on Environmental Quality shall purchase, operate, maintain, and deploy no less than seven GasFind IR cameras for the purpose of monitoring and responding to complaints.~~	Delete. The TCEQ currently owns and operates eight GasFindIR cameras. These are all fully operational and in regular use as specified.