

**6.F.a. ADVISORY COMMITTEE SUPPORTING SCHEDULE ~ PART A**  
 80th Regular Session, Agency Submission, Version 1  
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/30/2006  
 Time: 4:05:34PM

Agency Code: **582**      Agency: **Commission on Environmental Quality**

**IRRIGATORS ADVISORY COUNCIL**

Statutory Authorization: Texas Water Code Chapter 34, §34.003  
 Number of Members: 9  
 Committee Status: Ongoing  
 Date Created: 09/01/1992  
 Date to Be Abolished: 02/01/2011  
 Strategy (Strategies): 1-2-4      OCCUPATIONAL LICENSING

<b>Advisory Committee Costs</b>	<b>Expended 2005</b>	<b>Estimated 2006</b>	<b>Budgeted 2007</b>	<b>Requested 2008</b>	<b>Requested 2009</b>
Committee Members Direct Expenses					
Travel	\$0	\$2,500	\$3,555	\$3,555	\$3,555
Other Expenditures in Support of Committee Activities					
Personnel (0.1 FTEs)	6,342	6,342	6,342	6,342	6,342
<b>Total, Committee Expenditures</b>	<b>\$6,342</b>	<b>\$8,842</b>	<b>\$9,897</b>	<b>\$9,897</b>	<b>\$9,897</b>
Method of Financing					
OCCUPATIONAL LICENSING	\$6,342	\$8,842	\$9,897	\$9,897	\$9,897
<b>Total, Method of Financing</b>	<b>\$6,342</b>	<b>\$8,842</b>	<b>\$9,897</b>	<b>\$9,897</b>	<b>\$9,897</b>
<b>Meetings Per Fiscal Year</b>	4	4	4	4	4

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**Description and Justification for Continuation/Consequences of Abolishing**

The Irrigators Advisory Council (Council) is composed of nine members appointed by the commission. Six members must be licensed irrigators and three are to be representative of the public. The Council meets to advise the commission on the standards for landscape irrigation systems and the management of over 5,200 licensed individuals. The Council reviews the irrigator program components (examinations, license renewals, enforcement, and rule development) and advises the commission on the impact of the program on the landscape irrigation industry. The rules stress water conservation and the protection of water supplies with the proper installation of back-flow prevention devices. The Council provides the TCEQ with technical expertise by reviewing and making recommendations on the technical aspects of the program. Additionally, their technical expertise is used in the development and review of testing items for the licensing examinations.

The Council plays a significant role in reviewing technical matters and making recommendations to the commission. Because of the limited number of commission staff with irrigation expertise, the Council provides irrigation industry expertise and plays a significant role in the development of test items for the licensing examination. Additionally, the Council apprises the commission on the impact of the program on the irrigation industry. Without the Council, the commission would need additional highly specialized staff with irrigation expertise or would need to form an ad hoc committee to provide the needed technical expertise.

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**MUNICIPAL SOLID WASTE MGMT**

Statutory Authorization: Health & Safety Code Ch 363, Subchptr C  
 Number of Members: 18  
 Committee Status: Ongoing  
 Date Created: 05/20/1983  
 Date to Be Abolished: 10/14/2009  
 Strategy (Strategies): 1-2-3      WASTE MANAGEMENT AND PERMITTING

<b>Advisory Committee Costs</b>	<b>Expended 2005</b>	<b>Estimated 2006</b>	<b>Budgeted 2007</b>	<b>Requested 2008</b>	<b>Requested 2009</b>
Committee Members Direct Expenses					
Travel	\$0	\$2,807	\$2,807	\$2,807	\$2,807
Other Expenditures in Support of Committee Activities					
Personnel (0.5 FTEs)	22,832	23,745	24,457	24,457	24,457
<b>Total, Committee Expenditures</b>	<b>\$22,832</b>	<b>\$26,552</b>	<b>\$27,264</b>	<b>\$27,264</b>	<b>\$27,264</b>
Method of Financing					
SOLID WASTE DISPOSAL ACCT	\$22,832	\$26,552	\$27,264	\$27,264	\$27,264
<b>Total, Method of Financing</b>	<b>\$22,832</b>	<b>\$26,552</b>	<b>\$27,264</b>	<b>\$27,264</b>	<b>\$27,264</b>
<b>Meetings Per Fiscal Year</b>	4	4	4	4	4

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**Description and Justification for Continuation/Consequences of Abolishing**

The Council provides advice to the TCEQ on issues relating to the management of solid waste, including Subtitle D of the Resource Conservation Recovery Act (RCRA), recycling, composting, and other solid waste matters. The Council is presently composed of 18 members representing a variety of interests involved or concerned with the management of solid waste. Membership includes representatives from: municipal and county governments; city and county solid waste agencies; commercial solid waste operations; the financial community; environmental conservation organizations; solid waste districts or authorities; waste tire processors; regional planning councils; and the general public.

The advisory council is authorized by statute to:

- \*review and evaluate the effect of state policies and programs on municipal solid waste management;
- \*make recommendations to the executive director and the commission on matters relating to municipal solid waste management;
- \*recommend legislation to the commission to encourage the efficient management of municipal solid waste;
- \*recommend policies to the commission for the use, allocation, or distribution of the planning fund that include: (a) identification of statewide priorities for use of funds, (b) the manner and form of application for financial assistance, and (c) criteria, in addition to those prescribed by Section 363.093 (d), to be evaluated in establishing priorities for providing financial assistance to applicants; and
- \*recommend to the commissioners and executive director special studies and projects to further the effectiveness of municipal solid waste management and resource recovery.

Failure to maintain this Council would result in the loss of a forum where various interest groups can exchange information, develop consensus on municipal solid waste issues, and make recommendations to the TCEQ.

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**SMALL BUSINESS COMPLIANCE ADVISORY**

Statutory Authorization: 42 US Code §7661(e) (§507(e))TWC §5.135  
 Number of Members: 7  
 Committee Status: Ongoing  
 Date Created: 10/14/1993  
 Date to Be Abolished: N/A  
 Strategy (Strategies): 3-1-2      ENFORCEMENT & COMPLIANCE SUPPORT

<b>Advisory Committee Costs</b>	<b>Expended 2005</b>	<b>Estimated 2006</b>	<b>Budgeted 2007</b>	<b>Requested 2008</b>	<b>Requested 2009</b>
Committee Members Direct Expenses					
Travel	\$0	\$800	\$1,000	\$1,500	\$1,500
Other Expenditures in Support of Committee Activities					
Personnel (0.2 FTEs)	0	9,000	9,000	9,000	9,000
<b>Total, Committee Expenditures</b>	<b>\$0</b>	<b>\$9,800</b>	<b>\$10,000</b>	<b>\$10,500</b>	<b>\$10,500</b>
Method of Financing					
CLEAN AIR ACCOUNT	\$0	\$9,800	\$10,000	\$10,500	\$10,500
<b>Total, Method of Financing</b>	<b>\$0</b>	<b>\$9,800</b>	<b>\$10,000</b>	<b>\$10,500</b>	<b>\$10,500</b>
<b>Meetings Per Fiscal Year</b>	2	1	2	2	2

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**Description and Justification for Continuation/Consequences of Abolishing**

The Compliance Advisory Panel (CAP) is mandated by the Federal Clean Air Act Amendments of 1990 in order to ensure the compliance of small businesses with new federal air quality requirements. The CAP is composed of two members appointed by the Governor, two by the Lieutenant Governor, two by the Speaker of the House, and one member by the Chairman of the Texas Commission on Environmental Quality. The CAP issues advisory opinions to staff on the effectiveness of the Small Business Assistance Program (SBAP), reports to the small business ombudsman on the status of the SBAP, and reviews written guidance materials for small businesses to ensure they are understandable to non-experts.

The Committee is federally mandated. The TCEQ would lose access to a valuable forum for communicating often complex federal air quality requirements to small businesses. Sanctions could be imposed on the state by the federal Environmental Protection Agency for failure to authorize the committee.

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**POLLUTION PREVENTION ADVIS. COMMIT.**

Statutory Authorization: Texas Health & Safety Code, §361.0215  
 Number of Members: 9  
 Committee Status: Ongoing  
 Date Created: 09/06/1990  
 Date to Be Abolished: 08/31/2006  
 Strategy (Strategies): 3-1-3      POLLUTION PREVENTION RECYCLING

<b>Advisory Committee Costs</b>	<b>Expended 2005</b>	<b>Estimated 2006</b>	<b>Budgeted 2007</b>	<b>Requested 2008</b>	<b>Requested 2009</b>
Committee Members Direct Expenses					
Travel	\$0	\$1,136	\$1,200	\$1,200	\$1,200
Other Expenditures in Support of Committee Activities					
Personnel (0.15 FTEs)	5,443	5,853	6,700	6,700	6,700
<b>Total, Committee Expenditures</b>	<b>\$5,443</b>	<b>\$6,989</b>	<b>\$7,900</b>	<b>\$7,900</b>	<b>\$7,900</b>
Method of Financing					
HAZARDOUS/WASTE FEE ACCT	\$5,443	\$6,989	\$7,900	\$7,900	\$7,900
<b>Total, Method of Financing</b>	<b>\$5,443</b>	<b>\$6,989</b>	<b>\$7,900</b>	<b>\$7,900</b>	<b>\$7,900</b>
<b>Meetings Per Fiscal Year</b>	4	4	4	4	4

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**Description and Justification for Continuation/Consequences of Abolishing**

The Pollution Prevention Advisory Committee (PPAC) advises the commission on: the appropriate organization of state financial and technical resources required to promote waste reduction and minimization; the development of public awareness programs to educate citizens about the appropriate disposal of hazardous household waste and materials; the provision of technical assistance to local governments for the development of waste management strategies designed to assist small-quantity generators of hazardous waste; and other possible programs to more effectively implement the state's hierarchy of preferred waste management technologies set forth in Texas Health and Safety Code 361.023. The PPAC also advises the commission on the creation and implementation of strategically directed regulatory structure developed under Texas Water Code 5.755 and reports quarterly to the commission on its activities, including suggestions or proposals for future activities and other matters the committee considers important.

Abolishing the PPAC would eliminate a formal commission advisory committee which seeks input from the regulated community and environmental/civic organizations on pollution prevention policies and program development in Texas. This balanced stakeholder committee provides increased dialogue between the environmental community and the regulated community within the state. Abolishing this committee would potentially diminish the capacity for underserved persons or communities to participate in the regulatory process.

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**DRY CLEANERS ADVISORY COUNCIL**

Statutory Authorization: THSC Sec. 374.004(d)  
 Number of Members: 4  
 Committee Status: Ongoing  
 Date Created: 09/01/2003  
 Date to Be Abolished: 09/21/2021  
 Strategy (Strategies): 4-1-2      HAZARDOUS MATERIALS CLEANUP

<b>Advisory Committee Costs</b>	<b>Expended 2005</b>	<b>Estimated 2006</b>	<b>Budgeted 2007</b>	<b>Requested 2008</b>	<b>Requested 2009</b>
Committee Members Direct Expenses					
Travel	\$0	\$1,200	\$4,800	\$4,800	\$4,800
Other Expenditures in Support of Committee Activities					
Other Operating	0	0	0	0	0
<b>Total, Committee Expenditures</b>	<b>\$0</b>	<b>\$1,200</b>	<b>\$4,800</b>	<b>\$4,800</b>	<b>\$4,800</b>
Method of Financing					
Dry Cleaning Facility Release Acct	\$0	\$1,200	\$4,800	\$4,800	\$4,800
<b>Total, Method of Financing</b>	<b>\$0</b>	<b>\$1,200</b>	<b>\$4,800</b>	<b>\$4,800</b>	<b>\$4,800</b>
<b>Meetings Per Fiscal Year</b>	1	2	4	4	4

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**Description and Justification for Continuation/Consequences of Abolishing**

The Dry Cleaner Remediation Program (DCRP) Advisory Committee was established by statute (THSC 374.004). The Agency is required by statute (THSC 374.004 (d)) to reimburse the Advisory Committee for expenses related to their performance of committee duties. The committee shall (THSC 374.004 (b)) (1) review and comment on the methodology the commission uses to rank contaminated sites under Section 374.154; (2) review and comment on the report the commission prepares each biennium under Section 374.056; and (3) assist in the ongoing development of rules to implement, administer, and enforce this chapter.

The biennium report is due December 1, 2006. The Advisory Committee provides information on issues relating to the dry cleaning industry. They also review and comment on our rules relating to the DCRP including the registration of facilities, their fees, the ranking and prioritization of sites for funding to perform remediation. We are anticipating a meeting with the committee to discuss the biennium report, the status of the program after one full fiscal year of funding, and the status of the registration initiative directive from the Commissioner's office. The State Lead Section also anticipates additional changes to the statute during the next legislative session, which may require rule changes and additional committee meetings. The funding for the reimbursement of the committee's travel comes from the Dry Cleaner Environmental Response Fund.

The fund consists of dry cleaner facility and drop station registration fees and dry cleaner solvent fees collected from dry cleaning operations. Not continuing with Advisory Committee meetings would be in contradiction to statute and result in poor public relations with the regulated dry cleaning operators. It would also remove a valuable source of information and guidance.