

84TH TEXAS LEGISLATIVE SESSION BRINGS NEW FACES, NEW INITIATIVES, NEW CHALLENGES

TCEQ Will Respond Quickly and Accurately to Legislative Requests

The 84th Texas Legislative session begins Jan. 13 and is scheduled to end June 1. This session features a new governor, a new lieutenant governor, 29 new representatives, nine new senators, and leadership changes on several committees that are of particular importance to the TCEQ.

Governor-elect Greg Abbott has said that the legislature will adhere to the current spending cap, and proposed several initiatives, including public and higher education, border security, highway and water projects, and economic development.

What do all these changes and commitments mean to the TCEQ, one of the state's most high-profile agencies?

According to Mark Harmon, director of the TCEQ's Intergovernmental Relations Division, "Some of the new governor's themes affect the TCEQ directly and some do not. But like every session, because of the reach and the scope of our agency, the legislature will address important issues that will affect the TCEQ."



Mark Harmon, director of the TCEQ's Intergovernmental Relations Division

Although the drought is not quite as severe as it was during the last session, water and water management will still be an important issue. "While the Water Development Board is the agency tasked with managing the \$2 billion fund approved by the voters through Proposition 6, many of the projects that the board approves will require permits or some other actions by the TCEQ, and some of these responsibilities may be the focus of legislative action," Harmon said. "Desalination will be another hot topic, and the TCEQ is involved in several aspects of that process."

Water reuse for municipal supplies, as well as reuse and recycling of water from oil

and gas production, is another topic that will involve the TCEQ.

There is also some sentiment in the legislature for some type of legislation in response to the EPA's recent spate of energy and air rulemaking, said Harmon. "The EPA is in the process of formulating a number of rules—the Cross-State Air Pollution Rule, 111(d) power-plant rules, new ozone standards, regional haze rules, and others—that have the potential of driving up energy costs and negatively impacting the reliability of the electrical grid. Several lawmakers have expressed the opinion that the state should respond to these federal rules."

After the West tragedy, the regulation of chemicals involved in fertilizers, such as ammonium nitrate, became an issue. It is certain that bills will be introduced

to increase regulation of these chemicals, Harmon said, and the TCEQ is mentioned as an agency that could be directed to regulate them.

The Texas Emissions Reduction Program, which gives incentives for operators of older diesel equipment to replace it with new, cleaner equipment, will likely garner legislative attention. "There is a wide range of people advocating a wide range of modifications for this very successful program," he said. "Some legislators are talking about expanding its scope; some are talking about reducing and refocusing its scope. It is a large, well-funded program, so there is always interest in TERP."

"There are many other areas that the legislature may be looking at that may impact us as well," Harmon said. "Expedited permitting, oil and gas rules,

contested case hearings, RESTORE, low-level radioactive waste, scrap-tire management, river authority issues—the list seems endless."

But, whatever is asked of the TCEQ, the agency will respond as quickly and accurately as possible, Harmon said.

"Two sessions ago, the TCEQ went through a major Sunset review, which is a regular legislative assessment of the continuing need for a state agency to exist. As a result, the legislature directed that it would be 12 years until our next review, the longest time allowed. I think this is the result of the agency's efforts to be responsive to the legislature and carry out its directives, and also speaks to the confidence that the legislature, as the representatives of the people of Texas, has in the TCEQ and the job we are doing." 🗣️



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