

**STATE
FISCAL IMPACT**

Drafting Number: LLS 10-0602
Prime Sponsor(s): Rep. Peniston
 Sen. Hodge

Date: January 13, 2010
Bill Status: House Health and Human Services
Fiscal Analyst: Sara McPhee (303-866-4782)

TITLE: CONCERNING ADMINISTRATION OF THE STATIONARY SOURCES AIR QUALITY PERMITTING PROGRAM.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue General Fund	\$11,200	\$11,200
State Expenditures		
FTE Position Change		
Effective Date: September 1, 2010, unless a referendum petition is filed.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: None.		

Summary of Legislation

This bill makes several changes to the Air Quality Control Program. Currently, a member of the air pollution control division is required to review and approve all invoices for any permit which required five or more hours of staff time to process. In lieu of this review process, the bill requires the Air Quality Control Commission to report permit information on stationary industrial sources of pollution in its annual report to the public.

The bill also makes technical changes to align with current practice. It makes explicit an exemption from permitting allowed under the federal Clean Air Act of 1990. It changes the notification requirements for construction permits. Under the bill, entities with a construction permit must notify the department within 15 days of beginning construction activity, rather than 30 days prior to beginning construction activity. It also increases the penalty for open burning from \$100 to \$1,500 per day.

State Revenue

This bill increases General Fund revenue by \$11,200 per year beginning in FY 2010-11. The penalty for open burning without a permit is raised from \$100 to \$1,500 per incident. The department levies an average of eight fines each year for violations of the open burning regulations.

Departments Contacted

Public Health and Environment