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FISCAL IMPACT REPORT

SPONSOR: Tinnin DATE TYPED: 02/26/01 HB 866
 SHORT TITLE: Permits for Electric Generation Facilities SB _____
 ANALYST: Valenzuela

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 266, SB 452 and SB 672.

SOURCES OF INFORMATION

LFC Files
 Public Regulation Commission
 Energy, Minerals and Natural Resources Department (EMNRD)
 Department of Environment (DOE)

SUMMARY

Synopsis of Bill

House Bill 866 adds a new section to the Air Quality Control Act that allows local governments to approve construction permits for electric generating facilities of 100 MW or less generating capacity. According to the bill, the permit would be valid unless the new facility, while in operation, does not meet all New Mexico Environment Department (NMED) or federal act emissions standards. If the facility falls below the standards, the NMED will have the authority to shut down the facility, until the operations are certified as meeting standards by the department. A facility that receives a permit under this bill is required to report to NMED within 30 days of receiving the locally approved construction permit.

Significant Issues

If enacted, House Bill 866 could significantly decrease the amount of time needed to obtain approval for construction of new electric generation facilities. Under current state and federal law, a proposal to construct an electric generating facility requires issuance of an air quality permit before construction begins. The federal government may challenge House Bill 866, if enacted.

FISCAL IMPLICATIONS

House Bill 866 does not carry an appropriation.

POSSIBLE QUESTIONS

1. On average, based on conventional technology, what level of emissions would be emitted from a 100-megawatt electric generating facility?

JE/prr:ar