

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) UPDATE AUGUST 23, 2011, SETPMTc MEETING

Public comments and the hearing transcript for the Houston-Galveston-Brazoria (HGB) Reasonably Available Control Technology Update State Implementation Plan (SIP) revision and associated rulemakings are available on the [HGB: Ozone, Latest Planning Activities Web page](http://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone) (<http://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone>).

The Cross-State Air Pollution Rule (CSAPR) was published in the *Federal Register* on August 8, 2011 (76 FR 48208). CSAPR requires 27 eastern states to reduce electric generating utility emissions that contribute to ozone and PM_{2.5} pollution in other states. Beginning in 2012, the rule requires reductions in ozone season NO_x emissions for states included in the ozone program, and reductions in annual NO_x and SO₂ for states in the PM_{2.5} program. Texas was included in both programs at rule finalization. TCEQ staff are still reviewing the rule and evaluating legal options.

Consideration of the proposal for rulemaking to 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles, revision of Texas low emission diesel (TxLED) rules (Rule Project No. 2009-001-114-EN) has been removed from the August 3, 2011, commissioners' agenda. A TxLED Stakeholder Group meeting has been scheduled for September 1, 2011, at 10:00 a.m. in Building E, Room 201-S, at the TCEQ Headquarters in Austin. The goal of this meeting is to solicit stakeholder input on potential revisions to the regulations governing the TxLED Program. More information can be found on the [TxLED Stakeholder Group Web Page](http://www.tceq.texas.gov/airquality/mobilesource/TxLED_Adv_Grp.html#topic5) (http://www.tceq.texas.gov/airquality/mobilesource/TxLED_Adv_Grp.html#topic5). Contact: Morris Brown, (512) 239-1438, Morris.Brown@tceq.texas.gov.

The following items are scheduled for the October 5, 2011, commissioners' agenda. These documents will be available on the [Agenda Meetings and Work Sessions Web page](http://www.tceq.texas.gov/agency/agendas/agenda.html) (<http://www.tceq.texas.gov/agency/agendas/agenda.html>) September 16, 2011.

- Proposal of the repeal of 30 TAC Chapter 101, System Cap Trading Program and Revisions to 30 TAC Chapter 117 (Rule Project No. 2011-018-101-EN). Contact: Shantha Daniel, (512) 239-3930, Shantha.Daniel@tceq.texas.gov.
- Adoption of the General Conformity Rule Repeal (Project No. 2010-047-101-EN) and the General Conformity SIP Revision (Project No. 2011-002-SIP-NR). Contact: Amy Muttoni, (512) 239-6351, Amy.Muttoni@tceq.texas.gov.
- Adoption of the Lead Infrastructure SIP Revision (Project No. 2011-016-SIP-NR). Contact: Shelley Naik, (512) 239-1536, Shelley.Naik@tceq.texas.gov.

The Flare Task Force Stakeholder Group Web page has been updated to include the TCEQ 2010 Flare Study Final Report. The final report and all other documents related to the study can be found under the TCEQ 2010 Flare Study section of the [Flare Task Force Stakeholder Group Web page](http://www.tceq.texas.gov/airquality/stationary-rules/flare_stakeholder.html) (http://www.tceq.texas.gov/airquality/stationary-rules/flare_stakeholder.html).

In a letter dated July 25, 2011, the United States Environmental Protection Agency (EPA) stated that it was unable to propose approval of TCEQ's 185 fee termination determination request at this time because the preliminary data for 2011 indicates that the HGB area is not monitoring attainment of the eight-hour ozone standard and the area has not yet attained the one-hour ozone standard. The letter also addressed that the July 1, 2011, District of Columbia Circuit Court of Appeals vacated the EPA's suggested alternative in EPA's guidance memo relating to attainment of the eight-hour standard and that the guidance was not consistent with the Federal Clean Air Act. Staff is assessing the impact from the court decision and EPA's letter but no decisions have been made yet. Contact: Kathy Pendleton, (512) 239-1936, Kathy.Pendleton@tceq.texas.gov.