

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) UPDATE AUGUST 23, 2012, SETPMTc MEETING

The Beaumont-Port Arthur (BPA) Attainment Area On-Road Mobile Source Emissions Inventory and Motor Vehicle Emissions Budget (MVEB) Update State Implementation Plan (SIP) Revision (Project No. 2012-005-SIP-NR) was approved by the commission for publication and comment on June 27, 2012. This SIP revision would replace the existing MOBILE-based on-road mobile source emissions inventories with MOVES-based inventories and revise the 2021 maintenance MVEBs based on this update to MOVES. The updated MVEBs may help the BPA area meet the transportation conformity requirements of the Federal Clean Air Act (FCAA). The comment period closed on August 3, 2012, and no comments were received. This SIP revision is scheduled for adoption at the November 14, 2012, commissioners' agenda. More information is available on the [Beaumont-Port Arthur: Ozone, Latest Planning Activities](#) Web page (<http://www.tceq.texas.gov/airquality/sip/bpa/bpa-latest-ozone>). Contact: Jamie Zech, jamie.zech@tceq.texas.gov, (512) 239-3935.

The Houston-Galveston-Brazoria (HGB) MVEB Update SIP Revision for the 1997 Eight-Hour Ozone Standard (Project No. 2012-002-SIP-NR) is scheduled for proposal at an October 17, 2012, commissioners' agenda. The documents will be filed with the TCEQ's Office of the Chief Clerk and available to the public on September 28, 2012. Contact: Lola Brown, lola.brown@tceq.texas.gov, (512) 239-0348 or Angela Kissel, angela.kissel@tceq.texas.gov, (512)239-0707.

At the August 22, 2012, agenda, the commissioners adopted the Revision of Texas Low Emission Diesel Rules (Rule Project No. 2009-001-114-EN). More information is available on the [Agenda Meetings and Work Sessions](#) Web page (<http://www.tceq.texas.gov/agency/agendas/agenda.html>). Contact: Morris Brown, morris.brown@tceq.texas.gov, (512) 239-1438.

On August 22, 2012, the commission approved proposal of the FCAA, §110(a)(1) and (2) Infrastructure and Transport SIP Revision for the 2008 Ozone National Ambient Air Quality Standards (Project No. 2012-004-SIP-NR). The proposed SIP revision would outline the requirements of FCAA, §110(a)(2)(A) through (M) and the Texas provisions supporting the requirements. This SIP revision would also include a technical demonstration to support that Texas meets the interstate transport requirements of FCAA, §110(a)(2)(D)(i)(I). On August 21, 2012, the United States Court of Appeals for the District of Columbia Circuit vacated the United States Environmental Protection Agency's (EPA) Cross-State Air Pollution Rule (Transport Rule). Under the court's ruling, the EPA's Clean Air Interstate Rule (CAIR) will remain in place until the EPA develops a valid replacement to CAIR. The proposed SIP revision relies on CAIR and does not directly rely on the Transport Rule to address interstate transport requirements. As such, the package is still appropriate given the recent court decision to vacate the Transport Rule and administer CAIR. The discussion of these rules will be updated to include the final court decision prior to the consideration of this SIP revision adoption. The public hearing on this proposal will be held in Austin on September 25, 2012, at 10:00 a.m., in Building E, Room 201S of the TCEQ Headquarters at 12100 Park 35 Circle, Austin, Texas 78753. The public comment period will close on September 28, 2012. For additional information, please visit the [Air Pollution from Ozone](#) Web page (<http://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-ozone>). Contact: Shelley Naik, shelley.naik@tceq.texas.gov, (512) 239-1536.

The HGB area is currently subject to FCAA, \$185 fee program requirements because the area was classified as severe for the one-hour ozone standard and did not attain that standard by the November 15, 2007, attainment date. An FCAA, \$185 fee rulemaking (Rule Project No. 2009-009-101-AI) is scheduled for proposal at the October 31, 2012, commissioners' agenda. The documents will be filed with the TCEQ's Office of the Chief Clerk and available to the public on October 12, 2012. The TCEQ's [SIP Section 185 Fees](http://www.tceq.texas.gov/airquality/point-source-ei/sipsection185.html) Web page (<http://www.tceq.texas.gov/airquality/point-source-ei/sipsection185.html>) contains historical information on this issue, and the [TCEQ Rule Projects](http://www5.tceq.state.tx.us/rules/index.cfm?fuseaction=external_reports.approvalReport) Web page (http://www5.tceq.state.tx.us/rules/index.cfm?fuseaction=external_reports.approvalReport) contains further information concerning this proposed rulemaking. Contact: Kathy Pendleton, kathy.pendleton@tceq.texas.gov, (512) 239-1936.