

TEXAS AIR CONTROL BOARD  
1100 West 49th Street  
Austin, Texas 78756

ORDER NO. 71-5

AN ORDER adopting and promulgating an amendment to Regulation I (Control of Air Pollution from Smoke, Visible Emissions and Suspended Particulate Matter), and adding Regulation VI (Registration of New Construction or Modification of Air Contamination Sources); providing that Regulation I as amended supercedes the corresponding regulations promulgated under Board Orders Nos. 67-1, 68-1 and 69-10; directing the Executive Secretary to file a certified copy of this order and the regulations adopted hereby with the Secretary of State; and directing the Executive Secretary to send notice of this action by certified mail to every person heard or represented at the hearing on the proposed adoption of said regulations or requesting such notice.

WHEREAS, pursuant to the requirements of Article 4477-5, Section 3.09 (d), and Article 6252-13, V.T.C.S., the Texas Air Control Board duly published notice of a public hearing scheduled on April 14, 1971, for the purpose of considering the adoption of proposed revisions to Regulation I and proposed Regulation VI on Registration of New Construction or Modification of Air Contamination Sources; and duly circulated to interested persons in advance of the hearing notice of its intended action, which notices included copies of the proposed revisions to the then existing regulations and the proposed new regulation; and

WHEREAS, interested persons were invited to submit data, views and recommendations on the proposed revisions to the then existing regulations and on the proposed new regulation, either orally or in writing, at the hearing; and

WHEREAS, data, views and recommendations of interested persons were submitted to the Board at the hearing and were considered by the Board in adopting the revised regulations and new regulation appended hereto.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS AIR CONTROL BOARD:

1. The Board hereby approves, adopts and promulgates as regulations of the Board, the regulations appended to this order, identified and entitled as follows:
  - (a) Regulation I - Control of Air Pollution from Smoke, Visible Emissions and Suspended Particulate Matter.
  - (b) Regulation VI - Registration of New Construction or Modification of Air Contamination Sources.
2. The Executive Secretary is directed forthwith to file a certified copy of this order, together with the regulations promulgated hereby, with the Secretary of State for the State of Texas pursuant to Article 6252-13, V.T.C.S. Thirty days after their being filed with the Secretary of State, "Regulation I - Control of Air Pollution from Smoke, Visible Emissions and Suspended Particulate Matter", adopted by this order shall supersede the corresponding regulation adopted and promulgated by Board Orders Nos. 67-1, 68-1 and 69-10.
3. The Executive Secretary is further directed to send notice of this action by certified mail to every person heard or represented at the hearing on the proposed

adoption of said revised regulations and new regulation, or requesting such notice.

PASSED this 29th day of April, 1971.

TEXAS AIR CONTROL BOARD

By: Herbert C. McKee  
Herbert C. McKee, Ph.D., Chairman

Herbert W. Whitney  
Herbert W. Whitney, P.E., Vice-Chairman

Wendell H. Hamrick, M.D.  
Wendell H. Hamrick, M.D., Member

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Henry J. LeBlanc, Sr., Member

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Clinton H. Howard, Member

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William P. Hobby, Jr., Member

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Willie L. Ulich, Ph.D., Member

Fred Hartman  
Fred Hartman, Member

ATTEST:

Charles R. Barden  
Charles R. Barden, P.E.  
Executive Secretary

(Seal)