

NOTICE OF WITHDRAWAL

The Texas Natural Resource Conservation Commission (commission) withdraws the proposal to adopt new §114.330, Definitions; §114.331, Applicability; §114.332, Diesel Emulsion Standards; §114.336, Recordkeeping and Labeling; §114.338, Registration; and §114.339, Affected Counties and Compliance Dates. These new sections were proposed to Chapter 114, Control of Air Pollution from Motor Vehicles; Subchapter H, Low Emission Fuels; new Division 4, Diesel Emulsion Fuel. The proposal was published in the August 25, 2000 issue of the *Texas Register* (25 TexReg 8196).

The commission evaluated the comments received on the proposal to implement a diesel emulsion fuel program in the Houston/Galveston (HGA) area requiring the use of a low-emission diesel fuel formulation, diesel emulsion, for both on-road and non-road vehicles. The commission received comments both in support of and in opposition to the proposal. Comments supporting the proposal generally supported additional controls to address air quality concerns. The proposed diesel emulsion rules met with strong objection from railroad, trucking, and marine operators.

The commission's decision to withdraw this proposal is based on the decision to add this control measure to the HGA Post-1999 Rate of Progress/Attainment Demonstration State Implementation Plan as a future commitment, in order to promote further study of this measure.