

NOTICE OF WITHDRAWAL

The Texas Natural Resource Conservation Commission (commission) withdraws the proposal to adopt new §114.440, Definitions; §114.441, Applicability; §114.442, Control Requirements; §114.445, Emission Reduction Credits; §114.446, Recordkeeping and Labeling; §114.448, Registration; and §114.449, Affected Counties and Compliance Dates. These new sections were proposed to Chapter 114, Control of Air Pollution from Motor Vehicles; Subchapter I, Non-road Engines; new Division 5, Nitrogen Oxide Reduction Systems. The proposal was published in the August 25, 2000 issue of the ~~Texas Register~~ (25 TexReg 8209).

The commission evaluated the comments received on the proposal to implement a nitrogen oxides (NO_x) reduction systems program in the Houston/Galveston (HGA) area requiring owners or operators of both on-road and non-road vehicles or equipment manufactured prior to model year 1997 having a heavy-duty engine and fueled by gasoline, diesel, diesel emulsion fuel, or any alternate fuel to use exhaust systems that will achieve an 80% reduction in NO_x emissions. 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 NO_x reduction systems 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 all or part of the 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.