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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

### **Public Hearing on Proposed Revisions to 30 TAC Chapter 111 and Revisions to the State Implementation Plan**

The Texas Commission on Environmental Quality (commission or TCEQ) will conduct a public hearing to receive testimony regarding proposed revisions to 30 TAC Chapter 111, Control of Air Pollution from Visible Emissions and Particulate Matter, §111.147; and to the state implementation plan (SIP), under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) regulations concerning SIPs.

The proposed rulemaking would amend §111.147(1)(E) to remove the requirement to pave alleys at the rate of 15 miles per year, and replace it with the following requirements: 1) all new alleys must be paved; 2) alleys may not be used for trash pickup; and 3) the use of recycled asphalt product as defined in §111.145 and §111.147(1), may be used as an alternate means of Particulate Matter control for alleys. The proposal will also amend §111.147(2) to change the sweeping frequency requirement from four times per year to three times per year in the city limits and from six times per week to four times per week in the central business district. **(Rule Project Number 2010-046-111-EN)**

The Memorandum of Agreement (MOA) between the TCEQ and the City of El Paso is being revised to reflect the alternative control measures in the proposed rulemaking and the respective responsibilities of the City of El Paso and the TCEQ. **(Project Number 2011-026-MIS-NR)**

The proposed El Paso SIP revision would incorporate the revisions to 30 TAC §111.147 and the revised MOA into the PM SIP. **(Project Number 2011-010-SIP-NR)**

The commission will hold a public hearing on this proposal in El Paso on September 27, 2011 at 2:00 p.m. in the El Paso Regional Office, at 401 E. Franklin Avenue, Suite 560. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802. Requests should be made as far in advance as possible.

Written comments may be submitted to Charlotte Horn, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at: <http://www5.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. All comments should reference the project number that the comment pertains to: Rule Project Number 2010-046-111-EN for the proposed rule amendments; Project Number 2011-026-MIS-NR for the proposed MOA; and Project Number 2011-010-SIP-NR for the proposed El Paso SIP revision. The comment period closes October 3, 2011. Copies of the proposed rulemaking can be obtained from the commission's Web site at [http://www.tceq.texas.gov/nav/rules/propose\\_adopt.html](http://www.tceq.texas.gov/nav/rules/propose_adopt.html). Copies of the proposed SIP revision, MOA, and appendices can be obtained from the commission's Web site at <http://www.tceq.texas.gov/airquality/sip/elp/elp-latest-pm>. For further information, please contact Peter A. Ogbeide, Air Quality Division, (512) 239-1937.