

**NOTICE OF PUBLIC HEARINGS ON PROPOSED REVISIONS TO
30 TAC CHAPTER 101**

The Texas Commission on Environmental Quality (TCEQ) will conduct public hearings to receive testimony regarding proposed revisions to 30 TAC Chapter 101. This revision is proposed under the requirements of Texas Health and Safety Code, §§382.011, General Powers and Duties, 382.017, Rules, and 382.0621, Operating Permit Fee; and 42 United States Code, §7661a, Federal Clean Air Act, §502, concerning emissions fee requirements for federal operating (Title V) permit programs.

Beginning in Fiscal Year (FY) 2012, emissions fee revenue is projected to be insufficient to adequately fund the operating costs associated with the Title V permit program. The proposed amendment will increase the base rate from \$25 per ton to \$35 per ton, or as needed, in the emissions fee calculation for FY 2012 and allow annual adjustments of the base rate, as required for adequate fee revenue up to a predetermined cap of \$45 per ton. The proposal will also solicit comments on removing the carbon monoxide fraction discount from the fee assessment equation.

The commission will hold public hearings on this proposal in Houston on April 4, 2011, at 1:00 p.m. at the Houston-Galveston Area Council, Room A, 3555 Timmons and in Austin on April 7, 2011, at 2:00 p.m. in Building F, Room 2210, at the commission's central office located at 12100 Park 35 Circle. The hearings are 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 hearings; however, commission staff members will be available to discuss the proposal 30 minutes prior to each hearing.

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

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 submitted through the eComments system. All comments should reference Rule Project Number 2011-006-101-EN. The comment period closes April 11, 2011. To view rules, please visit http://www.tceq.texas.gov/nav/rules/propose_adopt.html. For further information or questions concerning this proposal, please contact Kathy Pendleton, P.E., Emissions Assessment Section, at (512) 239-1936.