



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Notice of Comment Period and Announcement of Public Hearing on Proposed Amendments to 30 TAC Chapter 106 and Air Quality Standard Permit for Oil and Gas Productions Facilities

The Texas Commission on Environmental Quality (TCEQ) is providing an opportunity for public comment and will conduct a public hearing to receive testimony concerning proposed amendments to 30 TAC §106.352, Oil and Gas Handling and Production Facilities. The hearing will also provide an opportunity for public comment on proposed amendments to the Air Quality Standard Permit for Oil and Gas Handling and Production Facilities under the Texas Clean Air Act, Texas Health and Safety Code, §382.05195, Standard Permit, and 30 TAC Chapter 116, Subchapter F, Standard Permits.

Proposed Amendments to the Permit by Rule (PBR) and Standard Permit

The TCEQ is proposing to amend §106.352 to remove Archer, Bosque, Clay, Comanche, Coryell, Eastland, Shackelford, and Stephens Counties from the requirements of §106.352(a) - (k), which are the subsections applicable to the Barnett Shale natural gas producing area in North Central Texas. The same counties would be removed from the requirements of the Air Quality Standard Permit for Oil and Gas Handling and Production Facilities. Oil and gas facilities within these counties would still be subject to the requirements of §106.352(l) and to §116.620, Installation and/or Modification of Oil and Gas Facilities. The proposed amendments would allow compliance with a local ordinance requiring a separation between an oil and gas facility and a receptor of 50 feet or greater to meet all state requirements for separation. The proposed amendments to §106.352 would also extend the date for notification of the location and method of authorization of existing oil and gas facilities from January 1, 2013, to January 5, 2015.

The New Source Review Program under Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, requires any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of the state to: 1) obtain a permit in accordance with §116.111, General Application; 2) satisfy the *de minimis* criteria of §116.119, De Minimis Facilities or Sources; or 3) satisfy the conditions of another appropriate authorization before any actual work is begun on the facility. PBR and standard permits authorize the construction of new facilities or modification of existing facilities that are similar in terms of operations, processes, and emissions.

A standard permit is subject to the procedural requirements of §116.603, Public Participation in Issuance of Standard Permits, which includes a 30-day public comment period and a public meeting to provide an additional opportunity for public comment. Any person who may be affected by the emission of air pollutants from facilities that

may be authorized under the standard permit is entitled to submit written or verbal comments regarding the proposed standard permit.

Public Hearing

A public hearing on the proposed amendments to the standard permit for oil and gas production facilities will be held in Fort Worth, Texas. This hearing will be combined with a public hearing on corresponding proposed amendment to §106.352, TCEQ Rule Project Number 2012-020-106-AI. The hearing will be 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 with the audience will not occur during the meetings; however, TCEQ staff will be available to discuss the PBR and standard permit 30 minutes prior to the hearing and staff will also answer questions after the hearing. The public hearing will be held on July 10, 2012, at 7:00 p.m., at the TCEQ Dallas/Fort Worth Regional Office, located at 2309 Gravel Drive, Fort Worth Texas.

Public Comment and Information

Copies of the proposed amended PBR and standard permit for oil and gas production facilities may be obtained from the TCEQ Web site at:

<http://www.tceq.texas.gov/permitting/air/nav/standard.html> or by contacting the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, at (512) 239-1250. Written comments may be submitted to Mr. Bruce McAnally, 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 revisions to §106.352 and the Air Quality Standard Permit for Oil and Gas Handling and Production Facilities under Rule Project Number 2012-020-106-AI. Comments must be received by 5:00 p.m. on July 16, 2012. To inquire about the submittal of comments or for further information, contact Mr. Beecher Cameron at (512) 239-1495. Si desea información en Español, puede llamar al (800) 687-4040.

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