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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

NOTICE OF PUBLIC HEARINGS ON PROPOSED REVISIONS TO 30 TAC CHAPTER 117 AND TO THE STATE IMPLEMENTATION PLAN

The Texas Commission on Environmental Quality (commission) will conduct public hearings to receive testimony regarding proposed revisions to 30 TAC Chapter 117, Control of Air Pollution from Nitrogen Compounds, §§117.2103, 117.2130, 117.2135, and 117.2145, and corresponding revisions 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 (CFR) §51.102 of the United States Environmental Protection Agency (EPA) regulations concerning SIPs.

The proposed rulemaking would provide an exemption from the emission testing requirements in Chapter 117 for engines that are used exclusively for product testing and personnel training, operate in limited service, and meet the applicable federal emissions standards in 40 CFR Part 89. Engines used in this type of service would be required to install and operate a non-resettable elapsed run time meter, maintain records of daily hours of operation, and maintain records demonstrating compliance with the applicable federal emissions standards. The proposed rulemaking is a follow-up to a petition for rulemaking approved by the commission on May 30, 2012.

The commission will hold public hearings on this proposal in Fort Worth on December 13, 2012 at 2:00 p.m. in the Dallas-Fort Worth (DFW) Regional Office Public Meeting Room at the commission's DFW Regional Office located at 2309 Gravel Dr.; and in Austin on December 18, 2012 at 10:00 a.m. in Building E, Conference Room 201S, 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 the hearings.

Persons who have special communication or other accommodation needs who are planning to attend the hearings 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 Michael Parrish, 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 Rule Project Number 2012-031-117-AI. The comment period closes December 19, 2012.

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Copies of the proposed rulemaking can be obtained from the commission's website at http://www.tceq.texas.gov/nav/rules/propose_adopt.html. For further information, please contact Javier Galván, Air Quality Planning Section, (512) 239-1492.